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**POLITICS & GOVERNMENT**


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handing down a series of rulings that greatly expanded the rights of the individual vis-à-vis the state. The Court's "liberal-egalitarian jurisprudence" rankled many conservatives. They believed, however, that under Burger (1969-86), the Court would reverse many of the Warren Court's liberal decisions. But Burger, O'Brien says, lacked both the strength of personality and intellectual prowess needed to lead his independent-minded brethren to the right.

Rehnquist, O'Brien observes, is "sharper, more thoughtful, more commanding, and wittier than his predecessor." As chief justice, he will exercise more influence over the Court's most crucial function: deciding, out of some 5,000 possible cases each year, which 170 will receive consideration.

According to custom, the chief justice circulates, before each weekly conference, a short "Discuss List," and a much longer "Dead List" of cases that the Court will not discuss at the weekly conference.

The chief justice then leads the meeting. As the Court is now constituted, Rehnquist does not have four dependable allies who will vote with him. But only four votes are needed to *select* cases for review. Thus, Rehnquist and three fellow conservatives (Antonin Scalia, Sandra Day O'Connor, and Byron White) will be able to pick cases that will enable ad hoc majorities "to carve out exceptions or to cut back on Warren Court rulings expanding [civil rights] guarantees."

Rehnquist and his conservative allies may not decide the outcome of many cases. "But controlling the Court's agenda," O'Brien says, "is the first step in altering the direction of the Court and redefining its role in American society."

## *Bureaucrats*

"The American Bureaucrat: A History of a Sheep in Wolves' Clothing" by Barry D. Karl, in *Public Administration Review* (Jan.-Feb. 1987), American Society for Public Administration, 1120 G St. N.W., Washington, D.C. 20005.

During the 1972 presidential campaign, Alabama's Governor George Wallace complained that Washington was full of "pointy-headed government bureaucrats who couldn't park their bicycles straight."

Then, as later, many other Americans (including Ronald Reagan) agreed that the federal bureaucracy in Washington—like all bureaucracies—was bloated, inefficient, and perhaps even un-American. Karl, a University of Chicago historian, argues that such sentiments are deeply rooted in U.S. history and the American psyche.

The framers of the U.S. Constitution, Karl says, considered government bureaucracies—along with political parties, patronage, and self-interest—to be antidemocratic. Both Jeffersonians and Federalists believed that the public interest was best served when elected officials carried out the functions of government. When Thomas Jefferson was president, he employed only one secretary—whom he paid out of his own pocket.

But by 1828 the United States could no longer be governed by politicians and their small circles of friends and allies. President Andrew Jackson's populist supporters, Karl says, sought an administrative system that

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would hold public servants accountable to the people. The Jacksonian apparatus evolved into a "two-tiered system" of political management. Top jobs went to political allies; professionals—drawn from banking, law, and business—carried out the day-to-day administration of government. While the Jacksonian approach has had its merits, Karl says, it also began the "conflict between mass democracy and elite professionalism" that still characterizes the American regime.

During the 19th century, the American dislike of big government matured—partly because American intellectuals blamed European bureaucracies for causing trouble on the Continent. In "The Study of Administration" (1887), Woodrow Wilson argued that the efficient governments of France and Prussia had not, on balance, improved the lives of ordinary citizens. "We should not like to have had Prussia's history," he wrote, "for the sake of having Prussia's administrative skill. . . . It is better to be untrained and free than to be servile and systematic."

Even Franklin D. Roosevelt's New Deal, which brought electricity, roads, and parks to rural and urban Americans, did not win big government much popularity. Agencies needed to deliver such services, says Karl, were condemned both as a "radical takeover of authority by a suspect elite" and as "partisan boondoggles writ large."

Americans dislike bureaucracy, Karl says, in spite of the advantages it has to offer, because they have never resolved the conflict between "mass democracy" and "class leadership" that the Jacksonians first introduced into U.S. government. Moreover, they are still committed to 18th-century ideals of self-government. A professional bureaucracy, they believe, separates the common man from his elected leaders.

### *Redistricting The South*

"Does Redistricting Aimed to Help Blacks Necessarily Help Republicans?" by Kimball Brace, Bernard Grofman, and Lisa Handley, in *The Journal of Politics* (Feb. 1987), Dept. of Political Science, Univ. of Fla., Gainesville, Fla. 32611.

In recent years, under the 1965 Voting Rights Act, numerous federal court orders have forced Southern states to reapportion legislative districts to ensure that black residents are fairly represented in state and local elections. Some commentators have argued that black leaders have colluded with Republicans in the Reagan Justice Department to help each other gain Southern seats. However, Brace and Handley of Election Data Services, and Grofman, a professor of political science at the University of California, Irvine, conclude that any help given by blacks to Republicans in the South is inadvertant.

The authors examined 11 plans for redistricting the 46-member South Carolina State Senate. Plans proposed by blacks created districts in which the black majority seats were 12 to 18 percent more Democratic than black. Republicans used a Justice Department plan that created districts that aided blacks and, as a consequence, aided Republicans.

Republican seats, the authors found, "soak up white Democrats (and