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**POLITICS & GOVERNMENT**


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municipal level, says Armand-Maslow. Black city dwellers have quickly become disillusioned by the failure of local black office-holders to improve urban conditions. Furthermore, black voters showed their indifference to national politics in 1976 when only 33 percent of eligible blacks voted in the presidential primaries and only 38 percent in the general election—a sharp drop from the late 1960s.

The real power available to black politicians is at the state and federal levels, where blacks have gained seniority and powerful committee positions in Congress and state legislatures. But black politicians must demonstrate an ability to solve problems of education, housing, and unemployment. Otherwise, Armand-Maslow concludes, they will evolve as a group apart from their power base and will ultimately be absorbed by the dominant white community.

### *Murky Ways*

"Buggings, Break-Ins & the FBI" by James Q. Wilson, in *Commentary* (June 1978), 165 E. 56th St., New York, N.Y. 10022.

The recent prosecution of former FBI officials for having ordered illegal surreptitious entries and warrantless searches (commonly known as "black bag jobs") raises difficult questions about the relationship between constitutional guarantees of privacy and the police problems of investigating well-organized conspiracies.

Current laws governing police wiretaps, surreptitious entries, and surveillance are murky, writes Wilson, a Harvard professor of government. As a result of a 1972 Supreme Court decision that distinguished between "foreign" and "domestic" security cases, the U.S. Justice Department directs its "warrantless electronic surveillance" only against agents of foreign powers. But as Wilson points out, "There is no existing legal standard by which one can easily judge whether an American citizen has ties sufficiently close to a foreign power to make him an agent of that power."

Officials responsible for national security will be seriously handicapped if all searches or intercepts must meet the same standards for obtaining a judicial warrant as apply to criminal cases (i.e., showing probable cause that the person in question has committed or is about to commit a crime, or has in his possession the fruits of a crime).

Granted that there are reasonable grounds for warrantless surveillance in some cases, says Wilson, the authority to decide on the use of such techniques should not be left entirely in the hands of the President of the United States or his Attorney General. "What is needed," he concludes, "is an independent review mechanism that can prevent unjustified or political uses of the national-security authority without having to follow the same standards now governing the issuance of warrants in ordinary criminal cases where prosecution, not intelligence, is the goal."

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*Euthanasia  
Made Easy*

"How to Terminate a Public Policy: A Dozen Hints for the Would-be Terminator" by Robert D. Behn, in *Policy Analysis* (Summer 1978), University of California Press, Berkeley, Calif. 94720.

Terminating a government program is never easy. It requires a strategy at least as elaborate as that used to launch the program in the first place. Certain rules should be followed, says Behn, an associate professor at Duke University. Among them:

Don't give advance notice—it only gives the beneficiaries and ideological supporters of the program time to mobilize political opposition. In January 1975, for example, President Ford decided to tell Congress in his February budget message that he was eliminating the White House Office of Telecommunications Policy. His decision was reported in the *New York Times* on January 16, and the President was forced to reverse himself in the face of stiff congressional opposition.

Focus attention on the harm caused by the policy. For example, when Jerome G. Miller, commissioner of Massachusetts's Department of Youth Services, wanted to close that state's reform schools in 1975, he focused public attention on the evils of those institutions rather than on the issue of how to handle delinquent children.

Avoid legislative votes. Why? Because a move to kill off a program is likely to be dealt with by the legislators who first helped to develop the program, and because legislative bodies facilitate compromise.

Recruit an outside terminator as program boss. (The Nixon administration named Howard J. Phillips as acting director of OEO—the Office of Economic Opportunity—in January 1973 for the sole purpose of dismantling the agency; to a large extent he succeeded.)

Do not encroach on legislative prerogatives. (Nixon failed to follow this rule and found himself confronting Congress over his failure to submit Phillips' name for Senate confirmation, rather than on the substantive issue of OEO's usefulness.)

Finally, Behn notes, there are ethical considerations: "If the termination of a public policy involves the abrogation of a government commitment . . . the terminators have an obligation to provide the policy's constituency a smooth transition to a benefitless future."

*Our Hydra-Headed  
Attorney General*

"Reorganizing Politics out of the Department of Justice" by Mitchell Rogovin, in *American Bar Association Journal* (June 1978), 77 South Wacker Drive, Chicago, Ill. 60606.

Since 1900 many a U.S. president-elect has appointed his political campaign manager to the post of U.S. Attorney General. This made the appointee the nation's chief law enforcer and counsel to the President, as well as political adviser, patronage dispenser, and re-election campaign manager designate. (Among such appointees: Herbert Brownell,