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and 1973, as compared to gains of up to 20 percent for the 10 healthiest cities. Growth in per capita income and tax base has declined. The nub of the problem: The boundaries of the unhealthiest cities have remained substantially unchanged for 60 to 100 years; unlike such new cities as Phoenix or Houston, older core urban areas have been unable to expand geographically to increase their "resource base."

Nathan and Dommel recommend increases in existing federal subsidies, such as welfare, to aid the central cities. But more important, they say, the ailing Northeast cities need *structural* relief. State, county, and suburban governments must realign their functions, if not their boundaries, to share the wealth with less affluent areas. One approach would create a two-tier system of government to preserve local autonomy while helping to coordinate financial policy. According to the authors, the governments of Los Angeles City and County and of Miami and Dade County "come close to the [two-tier] ideal" of individual community governments incorporated into larger, metropolitan area planning authorities.

Civil Liberties and the Burger Court

"Contemporary Supreme Court Directions in Civil Liberties" by Robert J. Steamer, in *Political Science Quarterly* (Fall 1977), 2852 Broadway, New York, N.Y. 10025.

Lawyers, political scientists, and reporters discussing the Supreme Court under Chief Justice Warren Burger tend to adopt "angry and apocalyptic" tones. Many feel that Nixon and Ford appointees to the Burger Court have systematically dismantled the "edifice of civil liberties" erected by the Court under Chief Justice Earl Warren (1953-69).

Despite all the "hand-wringing," contends University of Massachusetts Provost Steamer, the contrast between the Burger and Warren Courts in regard to civil liberties is not all that sharp. The differences are "subtle shadings."

Criticized for curbing "access," the Burger Court, in fact, has simply tried to limit judicial review to cases involving real, not technical, questions of constitutional law. (The Court's docket is now four times as crowded as it was during the 1930s.) The 1966 *Miranda* ruling on the rights of accused persons still stands, albeit somewhat modified, despite the presence on the Court of two of the original dissenters from that decision, not to mention five "conservative" Republican appointees. Rulings expanding the use in court of evidence obtained from illegal searches and seizures are a break from the Warren years, but not from the rulings of earlier courts.

In Fourteenth Amendment equal-protection and due-process cases, the Burger Court has actually moved further than the Warren Court and created a "suborder of liberties" that have "no ascertainable reference points." Going beyond race, the Justices deal inconsistently with discrimination involving sex, age, and national origin, and with rights to travel and rights to marital privacy. Rulings in these cases rest on

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the most "unrestrictive and indeterminate" clauses in the Constitution. In First Amendment free-speech and free-expression cases, particularly with regard to "prior restraint" (e.g., barring a newspaper in advance from publishing a story), the Burger Court has yet to stray significantly from the principles of the Warren Court.

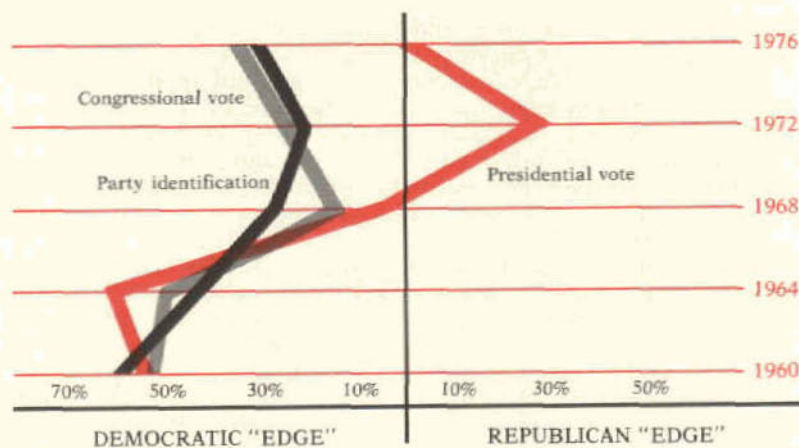
In sum, Steamer concludes, the Court appears likely to "retain the best" of the Warren years (while eschewing some of "the old pitfalls"): a penchant for insubstantial cases and a blurred conception of the line between legislative and judicial functions.

The Democrats' Two-Party System

"The Democrats Have Their Own Two-Party System" by Everett Carl Ladd, in *Fortune* (Oct. 1977), 541 N. Fairbanks Ct., Chicago, Ill. 60611.

On election day 1976, the Democrats acquired a 149-seat margin over the Republicans in the House and held on to 68 percent of the seats in the 50 state legislatures. But on the same day, Democrat Jimmy Carter barely scraped by (with 50.1 percent of the vote) in the race for the White House.

Since World War II, the Democrats have won only four of eight presidential battles—three of them narrowly. The reason the otherwise predominant Democratic party repeatedly fails to walk off with the high-



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Big-city white Catholics have begun to vote one way in presidential elections and another way in other elections, despite their heavy Democratic Party identification. For example, in 1972, 30 percent more white Catholics identified themselves as Democrats than as Republicans; the same lead held in congressional voting. However, the Republican presidential candidate received about 25 percent more white Catholic votes than the Democratic nominee.