

one must not lose sight of the fact that the essential thrust of Communist movements is still toward monopoly power. Up to now, their behavior makes sense only in terms of the conquest of monopoly power, whatever "ways" or means may be considered most likely to result in that conquest. □

1. The Italian Communist daily, *L'Unità*, printed in boldface type the passages that *Pravda* had censored from the speeches of Berlinguer and other Western leaders.

2. Enrico Berlinguer, "Riflessioni sull'Italia dopo i Fatti del Cile," *Rinascita*, September 28, October 5 and 9, 1973.

3. The *Times* of London, *Le Monde*, *La Stampa*, *Die Welt*, July 6, 1976.

4. Quoted in *Il Sole 24 Ore*, May 15, 1976.

5. Interview in *Corriere della Sera*, June 15, 1976. This statement was omitted from the text of the interview published the following day by the

Communist paper *L'Unità*, probably to avoid shocking the party rank and file.

6. *L'Express*, January 26, 1976.

7. The Minister of the Interior. Emphasis added. Can one imagine the howls of rage from the Communist leaders should one or another of them be accused of being in the service of the KGB?

8. "Les Communistes et la liberté," *Le Figaro*, February 10, 1976.

9. *Elements pour une analyse du fascisme* (Paris, 1976). (Seminar by M.-A. Macciocchi.) The sentence above was quoted and approved by the Socialist weekly *Le Nouvel Observateur*, June 21, 1976.

10. *Le Monde*, June 1, 1976.

11. We might add that the failure of Hungary's "new economic structure" as well as the people's absolute contempt for the system, socialism in general, and Marxism in particular, are known to all visitors and observers. So why should the French Socialist party act as propagandist for a regime that the Hungarians only endure under Soviet compulsion?

Charles S. Hyneman

Leviathan Unbound

The concentration of power in Washington is stifling political diversity and experiment, and undermining representative government.

In a recent national poll a sample of the American population was asked whether big business, big labor organizations, or big government appeared to present the greater threat to personal freedom in the United States. More of the respondents named big government than either big business or big labor, and big government led in the contest for greatest threat by a substantial margin. The continuing concentration of authority in Washington long ago became a critical problem for me, and at least a decade ago a reallocation of authority resulting in increased reliance on state and local governments moved into first place on my list of political goals. It affords me no little pleasure to learn that the wilderness I have been exhorting may be home ground for a lot of people ready to hear what I have to say.

I.

Until a decade or more after the Civil War had ended, the business of the national government was mainly confined to conduct of foreign affairs and the defense of the nation, provision for a monetary system, and encouragement or construction of internal improvements. The 1880s saw the first steps in a monstrous expansion of national authority that we are now familiar with and may well have had too much of. Regulation of interstate railway traffic was initiated in 1887. The first anti-trust act restraining monopoly in business and industry came three years later. In 1913 a constitutional amendment opened up all the pocketbooks of the nation to a federal income tax, and ten years after that the Supreme Court ruled that the national government can invade any

aspect of American life subject to governmental authority in so far as its objectives can be achieved by imposition of a tax or outlays of money. The avalanche of New Deal legislation launched in 1933 touched virtually every aspect of production, commercial dealing, employment, and finance that seemed critically related to recovery from the Depression or to the vitality of the American economy. For a few years these unprecedented projections of national power met some resistance in state and federal courts but by 1937 a conservative majority in the Supreme Court had given way to a successor majority appointed by the mastermind of the New Deal, and what had been regarded as invasions of the domain of the states were declared to be necessary and proper executions of power vested in the United States. It is now widely believed, and I should think with good reason, that those who make the policies coming out of the national government are no longer restrained in any significant measure by uncertainties as to what may be necessary and proper for exercise of a delegated power or by a supposition that certain matters were reserved by the Constitution for determination by state governments.

This is not the end of the matter. Congressmen, bureaucrats, and judges are now engaged in stretching out the equal-protection-of-the-laws clause of the Fourteenth Amendment to distances which create a lively prospect that the ability of state and local governments to provide model demonstrations of public service will be sharply curtailed. The forward-looking venture of a local government in extension of health services or improvement in the quality of education, for example, results in a non-uniformity or unevenness in benefits at the hands of government readily observable when a larger scene is surveyed. From a long time before the establishment of republican government on this continent diversity in governmental policies was thought to be appropriate so long as equal treatment was accorded to all within the particular jurisdiction. Hills and valleys on the political map were proof that backward communities, by looking about them, could contemplate models of imaginative and bold endeavor to advance the common good.

It is not to be supposed that any devotee of an egalitarian dogma deplores experimentation or the display of exemplary statecraft.

Charles S. Hyneman, Distinguished Professor of Political Science Emeritus at Indiana University, has long been concerned with the ability of the American people to control their government. His principal writings on this subject are *Bureaucracy in a Democracy* (1950), *The Supreme Court on Trial* (1963), and *Popular Government in America* (1968). He was President of the American Political Science Association in 1961-62. This article is adapted from an address delivered at California State University-San Diego, the University of Houston, and Wabash College.

But the forward-looking experiment ordinarily carries a sizable price tag and only a city or county enjoying above-average per capita wealth enters upon the venture. Wherever and whenever this occurs the local authorities will have impounded for the benefit of local residents resources that a larger political jurisdiction might have seized and carried away to improve life in places less fortunate. This raking up of resources where they can easily be got at and dropping them in places where social needs run far ahead of capacity to provide has from the beginning been a feature of federal government in this country. Indeed it is a consequence of all taxation that is proportionate to wealth; the rich put more in than they will get back in service and the poor get back more than they put in. Grants-in-aid programs were consciously designed to expand this evening-up process.

The issue for our time is not whether the spreading-about of resources and the evening-up of social conditions ought to continue. The thing that requires a severe scrutiny is the prospect that the contemporary enchantment with equality will speed up the raking-away and the spreading-about process to the point where experimentation under local impulse is drastically curtailed and models of public service and community improvement become sparse on the landscape.

This is one prospect that impels us to a severe scrutiny of the enormity of the national establishment and the mazes which must be penetrated in order to do business with it. The other fearsome prospect is that the national government, if it has not already arrived at that state, is rapidly transforming itself into a machine which will fix goals and set itself upon courses of action without effective direction and control by elected officials. This is Leviathan freed of its shackles. The more I read and listen to others about our predicament the more confirmed is my judgment that we are caught in a regime and are headed for further entanglement in a regime that not only permits but requires most of the innovations and evolutionary changes in national policy to be made by men and women whose names are unknown to more than a few of the millions of Americans whose fortunes are affected by their decisions. They order and decree in their own right by virtue of authority vested in them by statute, and they shape decisions of Congress and Presidents by virtue of their control over critical information. And in increasing measure they either answer to no one for their deeds or they answer in such a roundabout way that no one outside a restricted community of political leaders hears the explanations, justifications, or apologies which they offer.

Most of the faceless decision-makers are in the administrative branch of the national government but they are proliferating by leaps and bounds on Capitol Hill. As of now the infestation penetrates more deeply into the deliberations of the Senate than into those of the House. I have been advised by some inhabitants of the legislative precincts that consideration of and response to a broad perspective of public interests and demands are more thoroughly and finally frustrated by the staffs of congressional committees and the personal staffs of Senators and Representatives than by big and little executives in the administrative departments. As to the current state of competition in this race to camouflaged tyranny, I have no sure knowledge.

Government by unidentified men and women in Washington may well be infinitely preferable to what comes out of authoritarian and totalitarian regimes now visible in all quarters of the globe. But both authoritarian and totalitarian behavior seem to me to be the promise of the future for America if we continue in the direction we have been moving for several decades. It seems to me to be a rule of politics that when politically-minded individuals, subject to popular election and replacement, cease to make the critical decisions of government, the decisions either respond to pressures imposed by special interests or they respond to a compulsion for uniformity in application and impact. No justification is required for abhorrence of the first eventuality. I think con-

templation quickly supplies a justification for abhorrence of the second. Uniformity in application and impact of public policies as pervasive as those by which we are now regulated, forces conformity upon the nation. It represses cultural differences and disarms countervailing centers of power. A nation spread over as much geography as ours, rapidly moving to a head count of 300 million people, rooted in the traditions of a score of European, Asian, African, and American nationalities, and oriented by a patchwork of loyalties, cannot escape loss of attractiveness and atrophy of freedom as it is cramped into the molds of conformity.

This is a grossly unpleasant prospect and, for me, enormously outweighs any losses likely to be incurred because state and local officials are not now imbued with standards and know-how for efficient administration, and are more likely than their counterparts in Washington to respond to pressures generated by friends, former associates, and special interests.

II.

The first two hundred years (less a decade) of our experience with federalism must have tested pretty thoroughly the utility of a division of authority that until recently was remarkably simple in its main outline. The state governments were governments of general or inclusive jurisdiction; the national government was one of restricted jurisdiction. Whatever it was appropriate for govern-

ment to do the state governments might continue to do unless an aspect of life or sector of affairs had, by reasonable interpretation of the Constitution, been transferred to the national government or was of such a character that common sense saw it to be requisite for the survival and operation of the national government. Some objects of government were lifted from state authority and vested exclusively in the national government (establishment and regulation of currency, for example); other objects were allowed to remain in the states until Congress might "occupy the field" (e.g., regulation of various aspects of interstate commerce); still other objects of government control might fall in both national and state domain so long as state action did not negate policies of the national government and so long as the governed

did not suffer egregiously from the conflicts of authority incipient in dual control.

Reason insists that if Congress has a choice as to when it shall occupy a field of affairs it may when it chooses abandon that field and allow state or local governments to resume a control they once before exercised. And if Congress may relinquish control entirely, surely it is permitted to loosen its hold partially or conditionally, stipulating that the states or local governments which pick up jurisdiction shall confine their action within certain limits or meet certain standards specified in federal legislation. No doubt instances of both abandonment and conditional release of federal control can be cited; impressive precedents are lacking, however. It must be the case that language issuing from courts of high jurisdiction promises judicial approval of a variety of strategies for removing an overload of responsibilities from Congress, President, and national administrative departments. The hard fact seems to be that Presidents and Congressmen have been so occupied in scanning the horizon for new business to undertake that they have not noticed old business poorly done that ought to be dropped off to sub-national jurisdictions.

The management of relations with other countries and preparation for war must continue to be the responsibility of the President and Congress; just as truly must regulation of the monetary system, and, at least for periods of time, regulation of nationwide transportation of persons and commodities and many other aspects of life and affairs which because of their character enmesh themselves in a national system. Business which by near-universal agreement must remain in the charge of Congress and President and which calls for political judgments may require more investigation and thought than, as of now, the elected officials in



Washington can possibly find time to provide. More of the same looms on the horizon. All of past experience tells us that the range of public interests which the national government must look after inevitably increases as scientific knowledge and know-how expand. Mobilization, conservation, and distribution of energy; exploration and occupancy of space; the intrusion of biological engineering into cell structures and genes; limitation of population with its spawn of demands for quotas by nations and ethnic groups within nations. Can anyone fail to see ahead a towering importance for directing and regulating action by the national government of the United States; even if it sheds itself of every vestige of authority that lesser governments can pick up and carry? Can anyone doubt that such problems increasingly will tax the Congressmen for every moment of time they can possibly give them?

Some kinds of public business can be given a national administration without making more than trivial inroads on the time and thought of the elected officials. Congress and President were relieved of immense burdens when they unloaded the recurring revision of import taxes onto a Tariff Commission; claims against the federal government onto a claims court; the operation of the Tennessee Valley empire onto a public corporation. Other business that now heads for the White House or crowds onto legislative calendars can be shunted away by assigning it to quasi-autonomous authorities equipped with the sensory apparatus that assures response to a wide range of public interests. Allowing that massive use is made of such instruments there remains still pressing need to get a massive stock of business out of Washington and its

regional headquarters and into state capitols, city halls, and county courthouses.

Where some measure of uniformity in policies and administration is essential, it may be desirable to encumber the assignment with specification of standards which must be observed and limits within which state and local policies must be confined, and to attach a pronouncement that when intolerable departures from federal requirements occur officers of the national government will enter the appropriate state offices to provide supervision or supplant the local administration. This, I think, ought to be an exceptional devolution of authority. Mainly, the goal should be to sever the connection, to take business away from Washington lock, stock, and barrel.

The crisis is not limited to the fact that Washington has more business in its charge than it can spread a proper attention over. The national crisis lies in good part in the fact that we are stretching the values of uniformity to the point where they become counterproductive. Beyond that, our enchantment with the values of uniform condition under the law has blinded us to the values of proximity to the sources of the law we live under. One who doubts that lodgment of discretionary power in state and local authorities encourages a wider participation in government by the citizenry, or questions the virtue accredited to participatory involvement, still must acknowledge that the closer the connection of people to the officialdom that rules them the greater the chance that they will learn who is entitled to confidence, who ought to be watched, and how to safeguard one's interests in the face of officials who cannot be trusted. □

Stephen Miller

Conjuring Up Spirits

Morris Dickstein's Gates of Eden reduces cultural criticism to cliché. We learn, for example, that "Dylan went electric at almost the very moment that Lyndon Johnson began bombing North Vietnam...."

I

Americans, we have been told, are not especially interested in history. Yet we are, it seems, fascinated by the history that borders upon the present, for we devour material about the recent past: the twenties, the thirties, the fifties, the sixties. Contemplating these decades, we can indulge in nostalgia or in quick generational comparisons: the way we were, or the way our parents were. And the way we were means the way we were culturally, taking culture in its broadest possible sense. We want to know about the manners, morals, and mores of an age, which usually manages after a decade to metamorphose suddenly into another age. We want to know, moreover, about an age's defining spirit—a spirit, it is assumed, that informed all its parts, making the age unique.

Searching for the spirit of an age has become a popular activity, one practiced by journalists, sociologists, and the intellectual maverick we call the cultural critic. Perhaps because it has attained such popularity, becoming the stock-in-trade of Sunday supplements and weekly magazines, cultural criticism often is regarded with suspicion by historians and literary critics, who dis-

miss such conjurings as slipshod historical exercises, lacking sound argument and solid historical knowledge, as gaudy feats rather than masterly performances. In short, the art of cultural criticism is a not quite respectable trade.

It was not always so. An offspring of the Romantic era, cultural criticism flourished during the nineteenth century, engaging some of the major minds of European intellectual history. Though its origins can be traced to the mid-eighteenth century, it did not come of age until the second decade of the nineteenth when, within a period of ten years, England and Germany saw the publication of Carlyle's essay, "Signs of the Times" (1829), Mill's essay and Hazlitt's book, both entitled *The Spirit of the Age* (1831 and 1824, respectively), and the notes from Hegel's lectures on the philosophy of history (1832). Mill himself called the "spirit of the age" a novel expression, adding that it was not "to be met with in any work exceeding fifty years in antiquity."

Cultural criticism came in two varieties. On the Continent it usually took the form of grandiose philosophical excursions into the past and the future; in England it was usually a more modest—and less philosophical—affair. From Hazlitt to Wilde, the English cultural critics were less interested in discovering the logic of the historical process than in divining the malaise of their age—a span of time that was altogether less capacious than the "stages" of their French, German, and Italian counterparts. The English

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