

# Reviews

## Political Power and Political Development<sup>\*</sup>

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*Political Order in Changing Societies.* By Samuel P. Huntington.  
New Haven: Yale University Press, 1968. Pp. xi, 488. \$12.50.

### I.

For more than two decades, American political science has been on an interdisciplinary binge. Rocked by the discovery that the House of Commons and the Supreme Court are not ubiquitous, baffled by the evidence that written constitutions do not make democratic states, and stunned by the recognition that Enlightenment values are not universal, venturesome political scientists left the professional reservation seeking better guides to understanding. If the conventional wisdom were so wanting, they seemed to say,<sup>1</sup> then why not try a bit

\* This review was written while the author was on research and writing leave of absence under a Senior Fellowship awarded by the Ford Foundation, and additional financial support was provided by Yale University's Concilium on International Studies. In acknowledging such support, I do not wish to suggest that the views herein expressed are necessarily shared by either of the above organizations.

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1. Most writers who have explored the critical self-appraisal from which the discipline is now emerging correctly associate it with the aftermath of World War II. The war itself was the second demonstration in the twentieth century that neither Rational Man nor the democratic constitutions he might devise could create political stability. In addition, the far-flung military commitments of the United States brought many who were or would become political scientists face to face with the more "exotic" political systems of Asia and Africa. These factors made it inevitable, I believe, that post-war political science would engage in a restless intellectual stock-taking and that the most adventurous explorations of other disciplines would occur in comparative politics.

The literature describing this postwar intellectual history is too vast to cite here, except by example. Sigmund Neumann's *Comparative Politics: A Half-Century Appraisal*, 19 J. POL. 369 (1957), remains the best short treatment available. A more comprehensive essay on the history of comparative politics is found in Eckstein, *A Perspective on Comparative Politics, Past and Present*, in *COMPARATIVE POLITICS: A READER 3* (H. Eckstein & D. Apter eds. 1963). The "indictment" against a "traditional" comparative politics was first fully articulated in R. MACRIDIS, *THE STUDY OF COMPARATIVE GOVERNMENT* (1955). One of the earliest articles alerting the profession to the need for more understanding of the political systems and processes of "exotic" countries is Kahin, Pauker & Pyc, *Comparative Politics of Non-Western Countries*, in *COMPARATIVE POLITICS: NOTES AND READINGS* 539 (R. Macridis & B. Brown eds. 3d ed. 1968). The most thorough review and interpretation of evolutionary trends in postwar comparative politics is offered by D. Apter, *Comparative Government: Developing New Nations*, in *POLITICAL SCIENCE: ADVANCE OF*

of sociology and anthropology here, taste some psychology there, and indulge in an occasional, if timorous, nip of economics in between—just for the intellectual hell of it!

Compared with the staples of political science, the exotic fruits of other disciplines proved to be heady stuff indeed. It was not long before one heard raucous demands that political science go behavioral, build typologies, and cross fertilize. Political scientists were urged to beware of legalism, to study ecology, to learn mathematics, to construct paradigms and to locate parameters.<sup>2</sup> Yet nothing is more revealing of the other man's scholarly brew than the savoring of it. We—many or most of us—awakened from this extended trip with painful interdisciplinary hangovers.

Samuel Huntington's latest book<sup>3</sup> is not to be viewed as the functional equivalent of an Alcoholics Anonymous manual for the profession. It is clear, however, that he has an understanding of the centrality of politics which should help return political scientists, presently suffering from a severe case of the intellectual d.t.s, to a more sober outlook toward their subject and a more balanced approach to studying it. Huntington seems to be saying to his colleagues:

[I]f you persist in ignoring the central role of politics, you will be weakened by your addiction to other disciplines. Use them in moderation or not at all. Bear in mind that not all the formulae passed down by the ancients were culture-bound or intellectually sterile.

This service to the discipline is so great—and will be so greatly appreciated—that it must continually be borne in mind as I take issue with

THE DISCIPLINE 82 (M. Irish ed. 1968). It provides a full overview of the transformations which the profession has experienced since 1945.

2. Again, there is more literature on this phenomenon than it is necessary to cite. One may usefully consult K. DEUTSCH, *THE NERVES OF GOVERNMENT: MODELS OF POLITICAL COMMUNICATION AND CONTROL* (1963); D. EASTON, *THE POLITICAL SYSTEM: AN INQUIRY INTO THE STATE OF POLITICAL SCIENCE* (1953); *ESSAYS ON THE BEHAVIORAL STUDY OF POLITICS* (A. Ranney ed. 1962); H. EULAU, *THE BEHAVIORAL PERSUASION IN POLITICS* (1963); *THE LIMITS OF BEHAVIORALISM IN POLITICAL SCIENCE* (J. Charlesworth ed. 1962); *THE POLITICS OF DEVELOPING AREAS* (G. Almond & J. Coleman eds. 1960); F. RIGGS, *ADMINISTRATION IN DEVELOPING COUNTRIES: THE THEORY OF PRISMATIC SOCIETY* (1964); G. SCHUBERT, *QUANTITATIVE ANALYSIS OF JUDICIAL BEHAVIOR* (1959); and Dahl, *The Behavioral Approach in Political Science: Epitaph for a Monument to a Successful Protest*, 55 *AM. POL. SCI. REV.* 763 (1961).

It should be understood, as will no doubt be apparent as this essay proceeds, that I do not view all of this advice as damaging, or all of the consequences of interdisciplinary excursions as fruitless. See, e.g., LaPalombara, *Macrotheories and Microapplications in Comparative Politics: A Widening Chasm*, 1 *COMP. POL.* 52 (1968).

3. SAMUEL P. HUNTINGTON, *POLITICAL ORDER IN CHANGING SOCIETIES* (1968) [hereinafter cited as HUNTINGTON].

many of the particular observations Huntington offers in this extraordinarily interesting and provocative volume.

*Political Order in Changing Societies* is essentially a book about nation-building, denominated "political development," "political modernization" and a great many other things in the recent avalanche of writing on the subject.<sup>4</sup> Huntington's central thesis might be summarized as follows:

Existing governmental institutions are praiseworthy, provided that those who man them have the power to govern. The "developed" political system is the strong and capable, or institutionalized, political system. Any evaluation of the merits of democracy and dictatorship, public and private interests, free and plebescitarian elections, or civilian and military control, is likely to be normative and misleading as far as our comprehension of political development is concerned.

The above synopsis would be inaccurate and unjust, quite possibly a caricature of what Huntington is about. But caricatures may illuminate as well as distort—as has often been pointed out, they illuminate precisely because they distort. Huntington's single-minded focus on the institutionalized power of political structures does lead him to formulate a theory of questionable general validity. It encourages him to identify the political party as a possible, but improbable, *deus ex machina* for resolving both the contemporary problems of nation-building and what I sense are Huntington's own normative or moral dilemmas regarding what he writes. Before spelling out this thesis, the state of the literature on political development must be examined, for it is in part against this literature that Huntington's book is written.

## II.

As students of comparative politics witnessed the dizzying proliferation of new nations and the almost universal impulse to modernize that followed the demise of colonialism, "political development" became one of their central concerns. Political scientists asked themselves, "How does political development occur? What sequence does it follow? What are its causes? What are its consequences?"

In exploring these questions, it was generally, perhaps excessively,

4. Huntington's opening sentence identifies the central theme around which his arguments develop. "The most important political distinction among countries," he says, "concerns not their form of government but their degree of government." HUNTINGTON 1.

agreed that the formalistic approaches of the past would not be very helpful. Legal and institutional concepts were seen as culture-bound and aridly descriptive. Because the boxes, categories, concepts and labels were neither accurate descriptions nor satisfactory explanations of politics in less developed countries, political scientists were tempted to experiment with the approaches of sister disciplines. Yet the wisdom of other disciplines proved less useful than expected, even though experience with them led to considerable progress in empirical theory and methods.

A persistent and fundamental problem is the obscurity and ambiguity of the term "political development." Many scholars have seemed to define political development in terms of non-political indicators like economic modernity.<sup>5</sup> Others say that urbanization and literacy are preconditions and salient characteristics of development, again suggesting that political advancement hinges on non-political transformations in society.<sup>6</sup> Still others emphasize patterns of social stratification, mobility, and the differentiation of roles as factors affecting and describing a developed political system.<sup>7</sup>

Many efforts to forge a general theory in this field are further marred by a persistent political ethnocentrism. Some writers explicitly intend to equate the "developed" political system with the governmental institutions of England and America. Others do the same thing implicitly, which is worse. Theoretical formulations of both kinds treat as "developed" those polities that may be roughly described as pluralistic democracies and consider all other polities either underdeveloped or developmental aberrations. Despite efforts at scientific objectivity, the temptation remains great to measure "development" in terms of the extent "they" are, or are not, becoming more like "us."<sup>8</sup>

Much of this difficulty stems from the fact that many political scientists have hastily concluded that American sociological theory is less

5. In the summaries that follow in this section, I will cite illustrative examples rather than trying to list exhaustively the authors who fall into each of the categories. Two places where the problem of defining "political development" is fruitfully discussed are L. PYE, *ASPECTS OF POLITICAL DEVELOPMENT* (1966) and Chong-do Hah & Schneider, *A Critique of Current Studies of Political Development and Modernization*, 35 *SOCIAL RESEARCH* 130 (1968).

6. See, e.g., D. LERNER, *THE PASSING OF TRADITIONAL SOCIETY: MODERNIZING THE MIDDLE EAST* (1958).

7. See, e.g., D. APTER, *THE POLITICS OF MODERNIZATION* (1965); F. RIGGS, *ADMINISTRATION IN DEVELOPING COUNTRIES: THE THEORY OF PRISMATIC SOCIETY* (1964); E. SHILS, *POLITICAL DEVELOPMENT IN THE NEW STATES* (1962).

8. Those who have pondered the American middle-class approach to ameliorating the conditions of our decaying cities will recognize the domestic symptoms of this enervating intellectual disease.

value-laden, less parochial and more scientific than political science itself.<sup>9</sup> This belief is largely nonsense, and the sooner we recognize that obvious fact, the sooner we can hope to go beyond the parochialism that masquerades as science and flits about creating confusion behind a smokescreen of questionable wisdom articulated in barbaric neologisms.

Whatever may be its merits for the study of society, sociological theory has had a number of unfortunate consequences for the study of political development. First, it has encouraged political scientists to devote too much attention to the study of total systems. It would be nice to have a general theory of political systems, but we must avoid assuming that there can be little fruitful theorizing or research that is not based on or derived from a general theory of politics. If that were so, it would be logical to infer that there can be no satisfying or persuasive theories of politics that do not stem from a general theory of society. In practice, such strictures turn out to be invitations to a latter-day scholasticism which is not less arid, not less empirically useless, and certainly not less unedifying than the scholasticism at which legal scholars have been expert since the time of the Roman lawyers and glossators.<sup>10</sup>

Second, sociological theory has led many to the erroneous belief that there are concepts and theories of sociology that are scientifically objective, or value-free. Without belaboring the point, it may be mentioned that a construct as seemingly objective as "stratification theory"

9. I have presented this argument elsewhere in more detail. See LaPalombara, *Theory and Practice in Development Administration: Observations on the Role of the Civilian Bureaucracy*, September 1966 (mimeographed contribution to the Brookings Institution Symposium on the Theory and Practice of Political Development); LaPalombara, *Public Administration and Political Change: A Theoretical Overview*, in *EMPATHY AND IDEOLOGY: ASPECTS OF ADMINISTRATIVE INNOVATION* 74 (C. Press & A. Arian eds. 1966).

10. See LaPalombara, *Macrotheories and Microapplications in Comparative Politics: A Widening Chasm*, 1 *COMP. POL.* 52 (1968), for an elaboration of these remarks. A striking example of the unnecessary use of general sociological theory is R. HOLT & J. TURNER, *THE POLITICAL BASIS OF ECONOMIC DEVELOPMENT* (1966). The authors are to be commended, however, for treating political institutions as *independent* variables affecting change.

Marion J. Levy, Jr., is one sociologist who is dubious about the quality of general theories in sociology and political science, conscious of the gap between abstract formulations and empirical applications, and courageous in his efforts to evaluate the contribution which his own theory makes to empirical research. See M. LEVY, *THE STRUCTURE OF SOCIETY* (1952); M. LEVY, *MODERNIZATION AND THE STRUCTURE OF SOCIETY: A SETTING FOR INTERNATIONAL AFFAIRS* (1966). As Apter noted, however, "Both Parsons and Levy would . . . require us to make a systematic study of an entire society, from its work habits to its leisure activities, from its kinship groups to the ideas held by competing subgroups, before they would permit us to make an effective analysis of politics." D. APTER, *THE POLITICS OF MODERNIZATION* 231 (1965). One instinctively agrees with Apter that this may be asking too much of the political scientist and that perhaps he would be better advised to begin by studying government!

is the subject of considerable controversy among sociologists. It is doubtful in fact whether Max Weber himself believed that there could be a non-normative social science. Indeed, the profession of sociology is currently undergoing an agonizing reappraisal of its smug scientific posture.<sup>11</sup>

Third, the emphasis on sociology has made it difficult or impossible for many social scientists to recognize the inaccuracy or falseness of their observations of American and Western societies.<sup>12</sup> When one begins with an abstract typology, he tends to squeeze reality into the boxes, no matter how implausible or ludicrous the fit. Ideal types force us to seek empirical approximations, even after we have recited the litany about how far from reality such constructs are likely to be. It thus turns out, for example, that scholars take to believing that systems of public administration in the West really function as Weberian legal-rational authority systems. Scholars and policy advisers then prepare and peddle administrative manuals to help developing countries modernize. Similarly, scholars have taken the "pattern variables" of Talcott Parsons and assumed, first, that to "develop" means to maximize the achievement-universalism-functionally specific-affectively neutral-collectivity orientation side of the dichotomous Parsonian variables,<sup>13</sup> and second, that Western social and political systems are close approximations of what Parsons described abstractly.

To be sure, everyone will agree that most empirical situations are mixed and do not correspond neatly to abstract typologies or idealizations. Such modest concessions, however, do not make the problem of finding useful typologies any easier, nor do they tell us whether we

11. See, e.g., C. MILLS, *THE SOCIOLOGICAL IMAGINATION* (1959); M. STEIN & A. VIDICH, *SOCIOLOGY ON TRIAL* (1963). In the latter volume, Barrington Moore correctly says of Weber: "To my knowledge he never implied either in word or in deed that social science should withdraw from burning political issues, though he did feel that there were limits to what science, strictly conceived, could contribute to their solution." *Id.* 70-71. I would add that Weber considered the notion that there could be a *science* of culture both "meaningless" and "senseless." M. WEBER, *ON THE METHODOLOGY OF THE SOCIAL SCIENCES* 49-112 (H. Finch & E. Shils trans. & eds. 1949).

12. One very telling example of this phenomenon is the sociological outpouring of the 1950's concerning the "disappearance" of ideological politics and the reasons for this purported (and, in light of the experience of the 1960's, either inaccurately perceived, misunderstood, or very temporary) political transformation. See W. CONNOLLY, *POLITICAL SCIENCE AND IDEOLOGY* (1967); *THE END OF THE IDEOLOGY DEBATE* (C. Waxman ed. 1968).

13. The "pattern variables" are explained in T. PARSONS, *THE SOCIAL SYSTEM* (1951); T. PARSONS, R. BALES & E. SHILS, *WORKING PAPERS IN THE THEORY OF ACTION* (1953) and T. PARSONS & E. SHILS, *TOWARD A GENERAL THEORY OF ACTION* (1953). It should be added that Parsons, like Weber, cannot be held responsible for all of the intellectual mischief sociologists and political scientists have committed in his name. Furthermore, it cannot be denied that his work has served the important purpose of helping to make an entire generation of political scientists less parochial and less woodenly "institutional" in their research.

have identified the most useful indicators of what "political development" means and how nations get or can get that way. To summarize this third point, there is little reason to suppose that our understanding of political development will be improved merely by replacing the abstract, culture-bound, empirically untenable formulations of the legal profession with their equivalents in sociology or in any other discipline.

Fourth and most unhappily, sociological theory has led a whole generation of political scientists to treat political processes and systems as *dependent* variables. In such formulations, it seems that political events are more or less fatalistically determined by factors in the environment—by parametric conditions, ecological forces, or "inputs" into the polity. To discover the basis of a political system under this scheme, one examines patterns of socialization, per capita gross national product, model personalities, religious practices, belief systems, the structure of the family, class relationships, the diffusion of the mass media, patterns of economic exchange, literacy, or urbanization. In short, one considers every assumption except one—that law, political institutions, and public policies are important in determining the shape of the polity over time. Even where the theories of sociology, economics, anthropology, or psychology are elegant and the research itself is methodologically impeccable, we continue to find ourselves viewing political development in a questionable deterministic framework in which the influential factors are almost everything except what is political.<sup>14</sup>

14. Examples of deterministic approaches abound, in and out of political science, and a deterministic bias can often be found even in works of superior quality. I cite these writings merely to provide examples of theoretical approaches that state or imply that politics is the product of other independent factors.

Economic determinism is evident in A. ORGANSKI, *THE STAGES OF POLITICAL DEVELOPMENT* (1965) and W. ROSTOW, *THE STAGES OF ECONOMIC GROWTH: A NON-COMMUNIST MANIFESTO* (1960). Even more dubious attempts to associate certain aggregated economic variables with certain kinds of political systems are to be found in S. LIPSET, *POLITICAL MAN* (1959); B. RUSSETT, H. ALKER, K. DEUTSCH & H. LASSWELL, *WORLD HANDBOOK OF POLITICAL AND SOCIAL INDICATORS* (1964); Cutright, *National Political Development: Measurement and Analysis*, 28 *AM. SOC. REV.* 253 (1963); and Tanter, *Toward a Theory of Political Development*, 11 *MIDWEST J. POL. SCI.* 145 (1967). Psychological determinism is suggested by E. HAGEN, *ON THE THEORY OF SOCIAL CHANGE* (1962) and D. McCLELLAND, *THE ACHIEVING SOCIETY* (1961). *OLD SOCIETIES AND NEW STATES* (C. Geertz ed. 1963) and *POLITICAL MODERNIZATION: A READER IN COMPARATIVE POLITICAL CHANGE* (C. Welch ed. 1967) contain examples of sociological determinism.

It is essential to add that the Social Science Research Council Committee on Comparative Politics, with which I have been identified for some years, has not only contributed to the vogue which determinism has enjoyed: it has probably been a leader in giving prominence to the approach. See, e.g., *BUREAUCRACY AND POLITICAL DEVELOPMENT* (J. LaPalombara ed. 1963); *COMMUNICATION AND POLITICAL DEVELOPMENT* (L. Pye ed. 1963); *EDUCATION AND POLITICAL DEVELOPMENT* (J. Coleman ed. 1965); *POLITICAL CULTURE AND POLITICAL DEVELOPMENT* (L. Pye & S. Verba eds. 1965); *THE POLITICS OF DEVELOPING AREAS* (G. Almond & J. Coleman eds. 1960).

The fact that much of this determinism is both wrong and vulgar cannot be obscured by the recent proliferation of quantitative studies of political development, however sophisticated. We have been inundated with factor analyses and extensive considerations of inputs and outputs that might be correlated, but no one has attempted to peer into the "black box" of government, which remains mysterious and intractable. In the process, otherwise sensible men have been distracted from what should be the political scientist's central focus—government, politics, and their consequences for social and political change.

### III.

Against this backdrop, *Political Order in Changing Societies* would be a welcome change even were it not such an extraordinary example of general erudition, wide-ranging knowledge of politics and shrewd insights into historical processes. Political scientists who have wondered whatever became of Aristotle, Plato, Bodin and Montesquieu will find them reappearing in this volume, more intellectually relevant than often before. Huntington has a healthy respect for the ancients. He marshals them, as needed, to demonstrate that important insights into the complex phenomena of politics did not emerge fullblown from the brows of Durkheim, Weber or Talcott Parsons. As one follows Huntington over several hundred pages, it is equally plain that perhaps the least cited but most present spirit is that of Machiavelli, who gave more useful nation-building advice than perhaps all of modern political science and political sociology combined.

The elements are wrapped in a prose style distinguished by a felicitous absence of neologisms and an intoxicating cadence of expression. The work itself is in part an elaboration of several previously-published articles, one of which has been widely cited and represents Huntington's antidote for the ills of contemporary political science.<sup>15</sup> But there is more from Huntington here that represents additional and important observations on such matters as revolution and violence, reform-mongering and corruption. In the fullest sense, Huntington's theory of political change is rounded out in this important volume.

The message is that unilinear assumptions about development are untenable and that the concept of development must allow for "decay"

15. Huntington, *Political Development and Political Decay*, 17 *WORLD POL.* 386 (1965).

as well as for progress. As the facts of national histories of turmoil and instability clearly indicate, progress is not inevitable, and the concept of development must allow for its opposite—for retrograde steps as well as for stasis.

What then is the hallmark of political development? How do we identify a developed political system if we happen to see one? Huntington's reply is deceptively simple. It involves first drawing a distinction between *modernization* and *development* and second gauging the relationship between certain kinds of changes in society and the ability of political leaders and institutions to cope with these changes in a stable manner.<sup>16</sup>

Huntington identifies modernization as economic and social transformations that tend to bring new participants into the political sphere. Whether he is discussing the breakdown of feudalism and the onset of industrialization in Europe or contemporary transformations in African and Asian countries, Huntington provides unimpeachable evidence that the processes of economic and social modernization tend greatly to complicate the problem of governance. One of the dilemmas he underscores, therefore, is that modernization is not merely quite different from political development: in a sense, it must be viewed as incompatible with it. The incompatibility will not be permanent, to be sure, but it will certainly be found in the early stages of any transformation that encourages a proliferation and diversification of the number of "social forces" in society.

These social forces interact and find themselves in conflict. Political decay will ensue unless conflict can be moderated, excesses prevented, order maintained and the social forces integrated into existing or modified political institutional arrangements. As Huntington remarks, "A political organization . . . is an arrangement for maintaining order, resolving disputes, selecting authoritative leaders, and thus promoting community among two or more social forces."<sup>17</sup> Clearly, then, a polity may be more or less developed at any point in its history depending on the ability of governmental organizations and those who man them to handle the destabilizing impact of modernization.

Huntington suggests that the level of development is properly to be gauged by assessing the relationship between political participation and political institutionalization. Institutionalization itself he would

16. Stability is one of Huntington's overriding values. Unlike so many of the vulgar economic determinists, however, he takes great pains to debunk the idea that political stability will follow from an amelioration of economic conditions.

17. HUNTINGTON 8-9.

measure along the following four dimensions—adaptability-rigidity, complexity-simplicity, autonomy-subordination and coherence-disunity.<sup>18</sup> Considering specific governmental organizations in light of these variables, Huntington reaches the somewhat surprising conclusion that those organizations are the more institutionalized (that is, capable of governing) that are older, more complex, more independent of social groupings, and more unified and coherent in their purposes and procedures. Where institutionalized governmental bodies and patterns of political participation are in reasonably good balance, the political system may be described as “civic.” Where participation outruns the capacity of political institutions to contain it, the system may be described as “praetorian.”<sup>19</sup>

Having set forth this typology, Huntington ranges far and wide in search of illustrations of various and changing levels of political development. His chapter on the relationship between traditional political systems and the capacity to absorb modernization and channel its consequences politically is a brilliant *tour de force*, the best and most lucid synthesis I have read of a great deal of important work on this subject since World War II. One of his typically thought-provoking generalizations is that while traditional systems with highly centralized authority are better able to further and to absorb economic and social modernity, they are paradoxically less able than traditional systems of diffuse, decentralized authority to handle the consequences of such changes for political participation. Because modernization will often require concentration of power, even in one man, it is more likely to move ahead where institutional arrangements permit an absolute monarch of seventeenth-century Europe, or a modern Ataturk or a Shah of Iran, to effect changes untrammelled by constitutional (or other) limitations of power. The other side of the coin, however, is that these same polities will be less able than others to assimilate into their political systems the new social classes, forces or groupings to which modernization gives rise. Huntington cites the contrasts between European Continental countries and England, between China and Japan, and between Ruanda and Urundi as evidence for this generalization.<sup>20</sup> From the standpoint of maintaining political stability, his conclusion is that

the more pluralistic in structure and dispersed in power a tradi-

18. *Id.* 12-22.

19. *Id.* 79-80.

20. *Id.* 163-176.

tional political system, the less violent is its political modernization and the more easily it adapts to the broadening of political participation. . . . Paradoxical as it may seem, dispersed or feudal traditional systems characterized by rigid social stratification and little social mobility more often give birth to modern democracy than do the more differentiated, egalitarian, open and fluid bureaucratic traditional systems with their highly centralized power.<sup>21</sup>

Huntington's prediction regarding the future of contemporary nations ruled by traditional monarchies—for example, Morocco, Iran and Thailand—is very bleak indeed. Modernization, he argues, will tend to cause upheavals precisely because concentrated power is unable to handle increases in participation, and the impulse to economic and social modernity cannot be denied. In the face of the perplexing instabilities which are almost certain in such systems,<sup>22</sup> Huntington offers a number of possible alternative political strategies, encompassing essentially everything from centralized repressions to violent revolution—without making it sufficiently clear which of the solutions he would counsel. He does note at one point that “[s]ome existing societies with traditional monarchies . . . may be too backward even for revolution,”<sup>23</sup> but in any event institutionalized power and order remain the overriding political desiderata for him, so that even in the case of revolution he would expect a “modern party dictatorship” to result.

Perhaps the most suggestive chapter in this volume is that dealing with “praetorian” political systems, more particularly with the intervention of the military in politics. The overall proposition he offers us is this: in early stages of modernization, the military plays a radical role; as modernization proceeds and a middle class emerges, the military shifts to the role of arbiter among social forces; when modernization produces symptoms of the “mass society,” the military is transformed into the conservative guardian of the status quo.<sup>24</sup>

Huntington insists that the military aid and military training provided for some developing countries by the U.S. are not responsible for the intervention of the military of these countries in politics. He considers such forms of assistance to other countries “politically sterile.”<sup>25</sup> Almost by definition rather than reflection he concludes that the essence of military intervention in politics is the belief that civilian

21. *Id.* 176.

22. *Id.* 177-191.

23. *Id.* 191.

24. *Id.* 203-221.

25. *Id.* 193.

political leaders and institutions cannot deal with problems of public policy. He seems to say that the military will remain aloof from politics whenever the civilian political leadership can demonstrate its capacity to maintain disciplined control over participation.<sup>26</sup> The image of the military he conveys is that of a group which strongly identifies with a "guardianship" role and is essentially reluctant to become enmeshed in the political fray. Indeed, he insists that once this happens the military are faced with a limited number of alternatives, one of which is to be dragged into increasingly repressive measures, another of which is to accept increased political participation while being very careful to guide it.<sup>27</sup> He acknowledges, however, that the military is rarely effective as a modernizing instrument and that military leaders, having seized political power, tend indeed to cause their countries to sink ever deeper into a state of praetorianism.<sup>28</sup>

This analysis raises a variety of problems. First, one may question the motivations for political intervention which Huntington assigns to the military. Huntington is less forcefully skeptical than he might be about the possibly misleading or euphemistic nature of the military's self-image as a "guardian" force, although he does recognize that after modernization is partially accomplished the military may step in to limit the effective integration of masses into the political process. His antipathy toward the praetorian society lies precisely in his prediction that it brings out the worst in both civilian and military leaders, encourages corruption and makes the institution exercise of responsible political power unlikely.

A second problem involves important contradictions in Huntington's analysis of this matter. At one point, for example, he remarks that military intervention usually occurs at the culmination of a period of violence.<sup>29</sup> Such a statement would be consistent with what I have noted above. We would then see the military as essentially selfless professionals, dedicated to their countries, and reluctantly compelled to enter politics primarily when the paralysis or failure of civilian political institutions and leaders emanate in violence. The model is both too neat and too dubious as far as the facts of politics are concerned. It is too neat, I believe, in that it inaccurately assigns to the military

26. *Id.* 121-122.

27. *Id.* 233-237.

28. *Id.* 243.

29. *Id.* 212.

a dynamic role that places the military "above" politics.<sup>30</sup> It is too dubious in that it overlooks a proliferation of instances in which such intervention did *not* occur at the end of a period of violence, a possibility which Huntington himself apparently recognizes in his acknowledgment that the military will also engage in "veto interventions."<sup>31</sup> The two circumstances where he expects a "veto intervention" to occur are instructive. Military forces may jump in, he says, when they fear that a party they oppose will succeed at the polls. Or they may step in when power holders turn "radical" and begin to effect policies designed to appeal to groups that the military would prefer to keep at the margins of the power structure. Clearly, both of these circumstances are a far cry from the role which would be played by guardian-type military officers, committed to the system (whatever that is) and dragged into politics only when imminent retrogression to a Hobbesian state of nature requires it. As recent events in widely-scattered countries like Greece, Indonesia, Pakistan and the Sudan attest, acting as "guardian" or "savior," protecting the "national interest" or restoring "order," often mean that the military will deny freedoms and perhaps life as well to those whose interests and demands it opposes.

It seems to me that Huntington's ambivalence about the military derives directly from his central concern with institutionalized political order and his quite persuasive view that the middle class and intelligentsia in modernizing countries will be unable to cope with the consequences of economic and social change. Indeed, he makes the strongest case for the suggestion that the military will probably be led to intervene precisely because neither the middle class nor the intelligentsia will understand that the only way to prevent revolutionary upheaval is to integrate the peasantry into the total process of political, economic and social change.

Although he displays few illusions about the consequences of military intervention, Huntington is also realistic in expecting modernization to lead to a proliferation of such intervention. He correctly notes that the peasantry is essentially revolutionary because its demands tend to be redistributive.<sup>32</sup> Because economic growth requires that

30. Huntington may not have intended this inference, for he is interested in a general delineation of military roles at varying stages of economic, social and political modernization. Nevertheless, it must be stressed that few groups that have seized political power have failed to rationalize their often violent intervention by using one variation or another of the "guardianship" concept.

31. *Id.* 223.

32. *Id.* 298-302.

political elites resist such demands and because economic development may actually increase inequality in the short run, failure to harness and direct peasant energies will almost certainly lead to the kind of instability—perhaps violence—that will bring the military forcefully into politics. In these circumstances, we would confront a dramatic example of demands for participation that existing political institutions are unable to handle. Whether destabilizing changes are consciously pursued by centralized authorities or by localized forces, the revolutionary implications of the proliferation of such factors and forces will require that an efficient and effective bureaucratic organization like the military step in to restore some modicum of stability.

If one wishes to exclude the military from politics, another institution must be found to provide the needed stability. For Huntington, that institution is the political party. If modernization leads to greater demands for political participation and traditional political arrangements are ill-equipped to manage this problem, the alternative to the military and its limited techniques of management is the political party. As Huntington puts it, "At some point, political parties become necessary to organize and to structure the expanded participation, but these parties play a secondary role supplementing institutional strength rather than filling an institutional vacuum."<sup>33</sup>

The most persistent theme in this book centers on the potential of the political party for accelerating modernization while at the same time maintaining order. The theme is essentially Leninist, and much of what Lenin said about the instrumental value of the party in *What Is To Be Done?*<sup>34</sup> reverberates throughout this volume. For Huntington, it is Lenin and not Marx who understood the enormous importance of institution-building in political development. Communist movements, he claims, have not been so much distinguished by their *revolutionary* capacities as they have been marked by their ability to create, after revolutions, "modern governments based on mass participation in politics."<sup>35</sup> As he puts it, in one of the many aphorisms strewn throughout the book, "The political function of Communism is not to overthrow authority but to fill the vacuum of authority."<sup>36</sup>

Lenin rather than Marx, Huntington would maintain, had the more ingenious insight into the dynamics of development. Marx was wrong in viewing social class as central to a theory of change. Lenin, not

33. *Id.* 399.

34. V. I. LENIN, *WHAT IS TO BE DONE?* (A. Trachtenberg ed. 1929).

35. HUNTINGTON 335.

36. *Id.* 335.

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Marx's disciple but his perfecter, "stood Marx on his head" in that he understood the critical importance of organizing and disciplining the masses. For, according to Huntington, government is a matter of political institutions and not of social forces. "Parties rule and not classes: a dictatorship must be the dictatorship of a party even if it is in the name of a class."<sup>37</sup> "Marxism," he adds, "is a theory of history. Leninism is a theory of political development. It deals with the bases of political mobilization, the methods of political institutionalization, the foundations of public order."<sup>38</sup>

Whether he is discussing the difficult process of effecting land reform,<sup>39</sup> the need for establishing control of peasant participation in politics, or the general problem of integrating primordial social forces into a single national political community, Huntington continually emphasizes the utility of a political party. The party must be strong and centralized, for it becomes (or may become) in developing countries the latter-day substitute for the highly centralized, absolute monarchies of the past. That such party systems may involve only a single party without competition for power is of much less concern to him than the possibility that "social forces" may enter the political arena insufficiently guided and disciplined.<sup>40</sup> Where highly developed traditional institutions could help absorb the impact and the tremors caused by additional participation, as in Europe, the party might be seen as playing a supplementary or even a secondary role.<sup>41</sup> But in later cases of modernization, where political elites are faced by essentially unprecedented "crisis loads"<sup>42</sup> and lack the well developed traditional institutions which might assist them in managing conflicts, the party is the most obvious and most needed instrument of further development. Huntington then returns to a discussion of the marked success of Communist states in understanding this priority, adding

37. *Id.* 34.

38. *Id.* 342.

39. *Id.* ch. 6.

40. Huntington is concerned that new groups not enter the political system without having learned to play by the existing rules of the game. In addition, he appears to have adopted the concept of "interest aggregation" formulated earlier by Almond and his colleagues on the S.S.R.C. Committee on Comparative Politics. See, e.g., *POLITICAL CULTURE AND POLITICAL DEVELOPMENT* (L. Pye & S. Verba eds. 1965); *THE POLITICS OF DEVELOPING AREAS* (G. Almond & J. Coleman eds. 1960).

41. HUNTINGTON 399.

42. The notion of "crisis loads" as a distinctive aspect of problems in contemporary nation-building has been widely discussed. Like the concept of interest aggregation, it has been central to the writings of the S.S.R.C. Committee on Comparative Politics noted above. "Crises of participation" are specifically treated in the introductory and concluding chapters of *POLITICAL PARTIES AND POLITICAL DEVELOPMENT* (J. LaPalombara & M. Weiner eds. 1966). Cf. *MODERNIZATION: THE DYNAMICS OF GROWTH* (M. Weiner ed. 1966).

that "the more successful efforts at modernization by non-communist, one-party states have also given first priority to political objectives."<sup>43</sup> Turkey and Tunisia are cited as examples of this latter phenomenon, just as Turkey, under Kemal, is viewed as an excellent example of reform-mongering where "blitzkrieg" tactics are used, not in support of whole programs of reform, but to promote single facets of such programs.

Huntington proceeds to an illuminating discussion of the arguments against parties in the developing countries and to a consideration of the evolutionary phases that seem to characterize party systems. He is persuasive in his remarks that the suppression of parties has explosive long-term implications, that many of the objections to parties are really objections to *weak* parties, and that, in general, military intervention will vary inversely with the strength of political parties.<sup>44</sup> He is somewhat less persuasive, but always articulate, when he suggests that from the standpoint of political development what counts is not the number of parties but the strength and adaptability of the party system.<sup>45</sup> Where he examines evidence regarding the relationship between political instability and the number of parties present in a country, he is led to conclude that overall one-party and two-party systems are to be preferred if stability is being sought.<sup>46</sup> In terms of his basic concern for the peaceful integration of new social forces into the polity, he concedes that in late-modernizing societies, multi-party systems are acceptable where they are successful in incorporating a large number of such forces into the system.

We can conclude this brief overview of Huntington's argument by juxtaposing two of his remarks, one referring to the persistent threat to political stability represented by the "Green Uprising" (*i.e.*, the entrance of peasants into politics), the other summarizing the potentially creative role of the party:

The rural-urban gap may be bridged by revolutionaries or by a military elite which consciously appeals to and organizes the countryside. But the assimilation of the rural masses can also be the product of the working of parties and the party system either through the struggle of a nationalist party against colonial rule or through the competition of two or more parties for peasant support.<sup>47</sup>

43. HUNTINGTON 401.

44. *Id.* 407-420.

45. *Id.* 421.

46. *Id.* 423-433.

47. *Id.* 438.

A strong party system has the capability, first, to expand participation through the system and thus to preempt or to divert anomie or revolutionary political activity, and, second, to moderate and channel the participation of newly mobilized groups in such a manner as not to disrupt the system. A strong party system thus provides the institutionalized organizations and procedures for the assimilation of new groups into the system. The development of such party institutions is the prerequisite for political stability in the modernizing countries.<sup>48</sup>

#### IV.

One of the major weaknesses in this fascinating volume is Huntington's lucid but strained effort to contrast the patterns of political development in the United States and Europe.<sup>49</sup> Huntington correctly notes that two aspects of political modernization—the rationalization of authority and the differentiation of governmental structures—occurred in Europe before occurring in the United States, and on the Continent before in England.<sup>50</sup> Only participation, a third aspect of political modernization, occurred earlier in the United States. Yet it is precisely this occurrence that leads many to maintain that the United States has preceded most other countries on the path of political development.<sup>51</sup>

Huntington is utterly unpersuasive in his attempt to show that American political institutions have remained frozen in the Tudor configuration transported here by dissident seventeenth-century Englishmen. His excellent analysis of the great "simplifiers"—those who centralized power in Europe by inventing the concepts of "Divine Right" and "sovereignty"—is therefore marred by his excessive pursuit of an anomalous aphorism. He eventually misrepresents the American doctrine of separation of powers and considerably distorts the extent to which political power is differently allocated in Europe and America. As a result, the aphorisms and metaphors tend to get out

48. *Id.* 412.

49. *Id.* ch. 2.

50. Broadly conceived, Huntington's point seems unexceptionable. As he himself would recognize, however, development manifests important ebbs and flows, even when it involves building political institutions. Thus while the United States did for some time lag behind England and the Continent on both of these dimensions, it sometimes clearly moved ahead. See LaPalombara, *Values and Ideologies in the Administrative Evolution of Western Constitutional Systems*, in *POLITICAL AND ADMINISTRATIVE DEVELOPMENT* 166 (R. Braibanti ed. 1969).

51. HUNTINGTON 93-94.

of hand and often suggest empirical observations that Huntington himself would probably challenge.<sup>52</sup>

For a writer with Huntington's stress on the efficacy of institutionalized centralized power and the role of the political party in providing it, it may be true that "the Kremlin may well be one of the most relevant models for many modernizing countries in this century."<sup>53</sup> As a conclusion or an inference, however, the statement does not follow from the tortured exercise in history and fact which Huntington offers in his second chapter. Huntington neglects, for example, the extent to which the "modernization" of the American governmental structure has made it, for better or for worse, a model which both European and underdeveloped countries have sought to emulate. To argue, as he does, that contemporary America is closer than contemporary Britain to the age of the Tudors, is to take at formalistic face value entirely too much about *both* political systems. To lump England with the Continental European countries and to contrast them with the United States on the basis of subtle and complex concepts like the divine right of kings and national sovereignty is to stretch the facts of history on a conceptual bed that makes Procrustes' pastime look like child's play. If this particular chapter was included as an empirical illustration to ease the reader into the propositions and observations that follow, it might better have been excluded. In addition to the objections to which it is subject, it needlessly distracts the reader from the central argument that Huntington pursues.

The central argument itself contains at least two closely-related theoretical underpinnings that demand clarification—Huntington's treatment of "social forces" and his conception of the "public interest." Huntington's analysis of these concepts reveals what to me is an astonishing and unacceptable view of politics.

Social forces, as Huntington conceives them, may be ethnic, religious, territorial or status groups. When they diversify, proliferate, and

52. "Today America still has a king, Britain only a Crown." *Id.* 115. "[T]he Americans were the first to achieve widespread political participation but the last to modernize their traditional political structures." *Id.* 122. "Divided societies cannot exist without centralized power; consensual societies cannot exist with it." *Id.* 125. "The United States thus combines the world's most modern society with one of the world's most antique polities. The American political experience is distinguished by frequent acts of creation but few, if any, of innovation." *Id.* 129. "America . . . was historically a new society but an old state. Hence the problems of government and political modernization which the contemporary modernizing states face differ fundamentally from those which ever confronted the United States." *Id.* 135. "American society was born modern, and it hence was never necessary to construct a government powerful enough to make it so." *Id.* 135.

53. HUNTINGTON 137.

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enter politics, governing elites and institutions are confronted with problems. How can the institutions respond? How can the newcomers be assimilated? How can the disturbances associated with new entries be minimized? How can the entering groups be persuaded to play by the existing rules of the game? These questions are fair and important, particularly if one is easily made seasick by political boatrocking. It is also painfully obvious, as Huntington exhaustively illustrates, that governing elites and institutions are monotonously unable to respond effectively to the social changes from which the questions arise.

Huntington's overall solution for political instability is, alas, essentially metaphysical. Throughout this volume he assumes that the institutions and procedures associated with government have a reality and validity that transcend the specific interests that one finds in any society.<sup>54</sup> He cannot accept the possibility that social forces may enter the political system employing their own methods and acting directly in the political sphere.<sup>55</sup> He is afraid that these "private interests" will come to dominate or ride roughshod over "public interests." A strongly institutionalized system, he contends, would require socialization into the prevailing patterns of resolving issues of public policy as the price of admission into the political club.<sup>56</sup> When unsocialized forces enter politics in pursuit of their own narrow interests, the outcome is political pathology.<sup>57</sup> Huntington's concern for socialization is so overpoweringly conservative that he is led to view with alarm the emergence of specialized groups which develop a generalized world view or ideology about public policies and which resist incorporation into the prevailing system.<sup>58</sup> Taking a position which reveals his underlying preference for certain aspects of the Anglo-American model, Huntington would prefer to see such social forces emerge as interest groups whose narrow demands are moderated, mediated and aggregated by one or more institutions standing between man and his government.

Private interests are taboo because they cause instability. Yet public interests are not defined as the will of the people, as something found *a priori* in natural law or elsewhere, or as the policy which results

54. *Id.* 21.

55. *Id.* 80.

56. *Id.* 81-82.

57. *Id.* 194ff.

58. The "conservatism" implicit in Huntington's concern for socialization must be viewed, of course, in the context of his emphasis on the highly-disciplined political party as a critical instrument in nation-building and his admiration for Lenin's elaboration of Marx. In the strictest sense, both views are conservative, for they seek to prevent or minimize chaotic mass formations.

from a parallelogram of competing forces, but as the interest of the governmental institutions themselves!

Rather it is whatever strengthens governmental institutions. The public interest is the interest of political institutions. It is something created and brought into existence by the institutionalization of governmental organizations. In a complex political system, many governmental organizations and procedures represent many different aspects of the public interest. The public interest of a complex society is a complex matter.<sup>59</sup>

Is it necessarily the case that what is good for the U.S. Senate, the C.P.S.U., the British Crown, the U.S. Supreme Court, the M.V.D., the Department of Defense, or the Fascist Grand Council, is "good" for the country? It is a complex matter, to be sure, but Huntington's reply seems clearly, perhaps emphatically, to be "yes."

The matter is surely and obviously complex because, while power is rarely a zero-sum phenomenon, the growth of power in one sector of politics or government may represent a loss of practical power in another. Huntington himself recognizes that the growth of executive power has taken place not merely at the expense of parochial, locally-based power, but also at the expense of other institutions operating at the national level. He may welcome centralizing the executive power at the cost of limiting legislative or judicial power because it helps to handle the consequences of modernization efficiently. Or, as he indicates, the central, executive, power-wielding role of the military in praetorian societies may be reduced as political parties and other institutions become strong enough to deal with participation and conflict, a solution which he clearly prefers. In order to gauge how much overall development and decay may be afoot, it seems essential, to use Huntington's terms, that we acknowledge that deinstitutionalization may well characterize the process. If this is so, one wonders whether what is old, stable, adaptable and more institutionalized is always better than what may come along to replace kingships, star chambers and even senates.

The discussion of the public interest, like the analysis of social forces, requires a more thorough treatment than it receives in this volume. Without some clarification, we are led to conclude that the simplest way to assure that the public interest will be served is to find the ways and means of placing maximum power in the hands of an institution occupied by a single person. As Huntington says, "The

59. *Id.* 25.

function of government is to govern."<sup>60</sup> Conceding that, we are still justified in asking not merely *who* governs but *for what* and *for whom*?

These reflections lead to a comment about the metaphysics. Curiously, Huntington does not want social forces and institutions to become politicized—that is, he does not want them to pursue narrow, special interests. He wants political institutions to be autonomous. It is scarcely conceivable that he believes that this has ever been the case anywhere and that those who man political institutions do not pursue either their own narrow interests or those of groups or “social forces” with which they are identified. From an idealistic standpoint in keeping with a noble tradition in Western political thought, it is nice to think that political institutions may exist essentially removed from, or above, the group conflicts (class-based or otherwise) that typify organized societies. But political institutions cannot be reified; one breathes life into them with considerable difficulty; one divorces them with even greater complication from those who man them.<sup>61</sup>

If Huntington is simply trying to identify the forms of political participation he finds objectionable, or which he correctly holds to be politically destabilizing (*e.g.*, bribery, riots, strikes, demonstrations, or coups), he should say so. But to use such examples<sup>62</sup> as evidence that political participants are failing “to relate their private interests to a public good” not only confuses the meaning of public interest but leaves Huntington open to the objection that the prevailing rules of the game may also and often probably do reflect narrow interests masquerading as the public good. Indeed, more than one critic of prevailing governmental institutions has suggested that what was believed to perpetuate or strengthen the “public good” really perpetuated and aggrandized the narrow interests of only some social forces. The complexities of this matter can be highlighted by a series of questions. Can the U.S. Senate be divorced from public policies like the oil-depletion allowance, or the Department of Defense from how much of the national budget goes into ABM or Vietnam as opposed to our decaying cities? Can the institution of the Reichchancellor’s office be separated from a decision that produced the most horrendous instance of genocide in human history? Can the national political institutions at Lagos

60. *Id.* 28.

61. No one will deny that the political institutions as such do condition the behavior of the transient persons who man them, and that in this sense the “interests” of such institutions are to some degree different and separate from all other interests in society. The distinction can be pushed too far, however, and it is possible that this is exactly what has happened in Huntington’s analysis.

62. Similar examples can be found elsewhere in the book. *See, e.g.*, HUNTINGTON 196-197.

be abstracted from the agony of Biafra, or the institutions at Jakarta from the way in which Indonesia responded to the "modernizing" impulse of the P.K.I.?

To call these institutions weak or not sufficiently institutionalized is to restate rather than to solve the problem of the curious way in which Huntington defines the public interest. It brings us back to my initial, deliberate caricature. It is difficult to escape the feeling that the message of this volume is that what exists governmentally is good provided it can maintain order. But to identify this particular capability with the public interest does violence to one's sense of the meaning and of the humanistic instrumental value of social science itself. This interpretation is probably not at all what Huntington intends; it is nevertheless an inference from the book that is not, I think, wholly unwarranted. A formulation that fails to understand that, to some degree, the Marxian definition of the state as the executive committee of the dominant "social forces" is a close fit with reality is almost certainly going to obscure reality and turn metaphysical. That I might agree with the values that underlie Huntington's metaphysics does not make his conception of the public interest any less metaphysical.

Notwithstanding these objections, one can agree with Huntington that the consequences of mobilizing rather than assimilating new social forces into the existing system will be political chaos and praetorianism.<sup>63</sup> His notion that a proliferation of organizations—a plurality of organizations through which participation can be encouraged—is the quintessence of development is instinctively appealing.<sup>64</sup> Indeed, one must grant Huntington the observation that such a plurality of organizations is not necessarily, or probably, to occur only under the conditions which presently characterize democratic societies. It is, however, necessary to add that the problem of "autonomy" he poses for political institutions applies as well to private organizations. What may be missing here, therefore, is the idea that political development requires the "institutionalization" not merely of political bodies but of private-

63. *Id.* 198.

64. The relationship between demands for participation and other problems or "crises" in nation-building is the central focus of the published work of the S.S.R.C. Committee on Comparative Politics. The theoretical formulation with which six of its members have been working, however, specifies that in addition to *differentiation* of government organization and the need for *capability* in political elites, a third dynamic impulse in the historical processes of nation-building is the search for *equality*. The demand for equality is not metaphysical; it can be abundantly documented by history and by contemporary development. See the forthcoming L. BINDER, J. COLEMAN, J. LAPALOMBARA, L. PYE, S. VERBA & M. WEINER, *DILEMMAS OF POLITICAL DEVELOPMENT*.

On the definition of political development as the ability of elites to deal with continuous change, see also G. ALMOND & G. POWELL, *COMPARATIVE POLITICS: A DEVELOP-*

sector organizations (like interest groups) as well. As long as there is some doubt about *whose* order is being protected (by the army, monarch, political party or otherwise) and to what *ends*, it is necessary to refine the notion that institutionalized political power and political development are one and the same thing.

This indeed is what the message finally boils down to. In pursuing this theme over several hundred pages, Huntington has forced all of us to return again to political causes. He has done so at a time when such redirection of attention is greatly needed, and in a way that compels reassessment of many of the easy generalizations that stem from the flourishing of cross-disciplinary excursions in recent years. A salutary consequence of Huntington's effort is that it will lead some of us in other interdisciplinary directions. It is difficult to believe, for example, that anyone who follows Huntington's line of thought will fail to recognize the need to explore the role of law and legal institutions as independent instruments guiding political development. In a sense, we have come full circle, back to some of the earlier concerns of the political scientist, hopefully alerted to the potential use and misuse of the wisdom of sister disciplines.

Huntington's last sentence in this volume, "In the modernizing world he controls the future who organizes its politics,"<sup>65</sup> signals the re-entry of the constitution makers and political institution builders. One would hope that it also heralds the arrival of a hierarchy of values in which power does not perch at the top but serves to promote the realization of a variety of human needs whose cry for satisfaction spans the centuries of political community.

TAL APPROACH (1966); S. EISENSTADT, *THE POLITICAL SYSTEMS OF EMPIRES* (1963); *POLITICAL MODERNIZATION IN JAPAN AND TURKEY* (R. Ward & D. Rustow eds. 1964); L. PYE, *ASPECTS OF POLITICAL DEVELOPMENT* (1966); and A. Diamant, *Political Development: Approaches to Theory and Strategy*, in *APPROACHES TO DEVELOPMENT: POLITICS, ADMINISTRATION, AND CHANGE* 15 (J. Montgomery & W. Siffin eds. 1966).

65. HUNTINGTON 461.

## Labor Law in the Legal Curriculum

Donald H. Wollett†

*Cases and Materials on Labor Law.* By Clyde W. Summers and Harry H. Wellington. *Mineola: Foundation Press*, 1968. Pp. xv, 1229. \$15.00.

The typical law school course in "Labor Law" is a study of collective bargaining—that is, of the institutional arrangements and procedures through which employees participate in making decisions which fix their wages, hours and other terms and conditions of employment. Although the elements of the course in labor law may be treated in varying orders and with divergent emphases, the basic offering will uniformly include a history of labor union activity and its regulation by the courts. It will deal with the statutes which regulate the establishment and maintenance of collective bargaining systems, particularly with defining the dimensions of the appropriate bargaining unit, selecting the employees' organizational representative, and policing the labor practices of employers and unions. It will focus on management and labor at the bargaining table, on the scope of bargaining, the use of strikes and lockouts, and the strategies and tactics, lawful and unlawful, which affect the bargaining process. Finally, it will consider the enforcement of collective bargaining agreements through their interpretation and application, the relationship between the administrative, judicial, and arbitral forums in the enforcement process, and the protection of the rights of individual employees against the inequities of majority rule.

Legislation which directly determines or affects the terms and conditions of employment—wage and hour laws, unemployment insurance and workmen's compensation—is usually the subject of a separate and less emphasized course. Intensive treatment of "action" areas—the development of structured collective bargaining systems in public employment and systematic analysis of major social problems such as those created by racial discrimination in employment—is usually relegated to advanced seminars.

Even within the relatively narrow curricular focus which teachers of labor law have adopted, the corpus of labor law has become increasingly difficult for them to manage. One reason for this difficulty is that the

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basic statutory law of collective bargaining has grown enormously. The Wagner Act,<sup>1</sup> enacted in 1935, was a simple statute of limited scope. The Taft-Hartley amendments<sup>2</sup> in 1947 roughly tripled its regulatory ambit. The Landrum-Griffin Act,<sup>3</sup> which came in 1959 at the end of a second twelve-year cycle, constituted another mammoth increase in the scope of public regulation of collective bargaining, particularly in connection with the internal affairs of unions.

In addition, over the past twenty-five years a vast body of decisional law concerning agreements made by collective bargaining has resulted from the use of arbitration as the primary mechanism for interpreting and applying such agreements. The decisions of labor arbitrators—collected, packaged, indexed and published—now comprise a substantial part of any respectable labor law library.<sup>4</sup>

Finally, the National Labor Relations Board has not only seen its jurisdiction dramatically expanded by the periodic revisions of federal labor law; it has also manifested a marked disposition to push its statutory power to the hilt and to intrude itself into every nook and cranny of the collective bargaining process.

A curricular emphasis on collective bargaining is understandable even though its soundness is not free from doubt. Although collective bargaining covers less than thirty percent of the work force in the United States,<sup>5</sup> it has greater practical significance than its minority share of the work force would suggest. Not only are unions strategically located, but many of the decisions made by collective bargaining affect the levels of compensation and the working conditions which the unorganized segment of the labor force enjoys. Furthermore, the most readily identifiable “labor law practice” for law school graduates is one which involves serving the institutional participants in the collective bargaining process. Labor lawyers are employed by corporations, trade unions, governmental agencies, and serve the private mechanisms of third-party intervention and dispute settlement. The anticipation of this specialized practice has led many labor law teachers to lay primary, if not exclusive, emphasis on collective bargaining in their basic courses.

Yet the traditional study of collective bargaining does not touch many important questions of labor law. In an affluent society, the per-

1. Act of July 5, 1935, Pub. L. No. 74-198, 49 Stat. 449.

2. Act of June 23, 1947, Pub. L. No. 80-101, 61 Stat. 136.

3. Act of September 14, 1959, Pub. L. No. 86-257, 73 Stat. 519.

4. See, e.g., M. BERNSTEIN, *PRIVATE DISPUTE SETTLEMENT: CASES AND MATERIALS ON ARBITRATION* (1968); C. UPDEGRAFF & W. MCCOY, *ARBITRATION OF LABOR DISPUTES* (1961).

5. U.S. BUREAU OF LABOR STATISTICS, DEP'T OF LABOR, *HANDBOOK OF LABOR STATISTICS* 256 (1967).

sistence of hard core unemployment and underemployment among the disadvantaged has impelled law teachers to give increasing attention to the problems of racial discrimination in employment, to the importance of vocational training or retraining and other proposals and programs for utilizing the manpower of the nation more effectively, and to the status of such unorganized and impoverished occupational groups as migratory farm workers. Collective bargaining, an institution for protecting the trade union constituency, is not necessarily an appropriate vehicle for dealing with these problems. Collective bargaining may have relevance to improving the plight of the agricultural worker, but it clearly cannot be expected to resolve all the other thorny issues of manpower policy. While some trade unions may, under given circumstances, cooperate in programs to alleviate hard core unemployment, others can be expected to continue to resist the removal of racial barriers in hiring, skills development and job upgrading.

The rapid development of collective bargaining in public employment has opened another vast new area of compelling interest. Strikes by public employees are common, civil service systems are in jeopardy, and the whole process of making decisions which affect governmental personnel is under substantial stress.<sup>6</sup> Marked changes in the substance and style of public administration are likely. And while most civil servants can hardly be called disadvantaged, there are many disputes in the public sector which involve the exploitation of workers and have unmistakable racial implications. The disputes over the efforts of sanitation workers in Memphis, largely Negroes, to improve their economic lot by collective bargaining provide a current example.

The constraints of the three-year curriculum and the competing claims of other subjects may force the teacher of labor law to make difficult choices of subject matter without having satisfactory criteria to use for guidance. One might suggest *a priori* that the labor law teacher should decide what is to be taught and how it is to be taught on the basis of a practical judgment as to what will be demanded of a law graduate if and when he begins to practice labor law. While I would not suggest the degree of indifference to the "real" world manifested by one labor law teacher who refuses to teach labor arbitration because he doesn't "believe in it," I do suggest that attempts to shape the labor law curriculum on the basis of "market" considerations are futile.

Despite the fact that labor law is usually not a bar examination sub-

6. See Rehmus, *Constraints on Local Governments in Public Employee Bargaining*, 67 MICH. L. REV. 919, 926-927 (1969).

ject, it generally is popular with law students. But the relatively small demand for labor lawyers means that only a few of the students who take the course will in fact become a part of that esoteric group known as the "labor law bar." Furthermore, a study done a decade ago by a Committee of the Section on Labor Relations Law of the American Bar Association showed that the majority of labor law practitioners do not regard formal training in this amorphous specialty as having very much to do with proficiency in its practice.<sup>7</sup> If these data are correct, a labor law teacher who builds his basic course on judgments as to what knowledge and skills are needed in the practice of labor law is not only being unresponsive to the needs and interests of most of his students; he is also engaging in a self-delusive and meaningless exercise.

Professors Summers and Wellington, in this newest of the many textbooks for the basic law course,<sup>8</sup> have wisely avoided the pitfall of tailoring their materials to the needs of would-be labor lawyers. Instead, they have produced a collection of cases and materials which they advertise as the "tentative answer" to the question, "what should be taught in 'Labor Law' to students who [will] never be labor lawyers?"<sup>9</sup> While I applaud their refusal to be guided by judgments as to the practical demands of a labor law practice, I do not understand why the choices which they made in subject matter and in emphasis are preferable, from the standpoint of law students who will not practice labor law, to other choices which they might have made.

Why, for instance, did the authors choose to produce another book in which the primary subject is collective bargaining? Why did they decide, in the section of the book dealing with disputes over the interpretation and application of collective bargaining agreements, to play down the substantial body of arbitral law of collective agreements by failing to include any arbitrators' decisions and by emphasizing, instead, judicial and administrative deference to arbitration? Why did they elect to devote almost seventy pages to a relatively esoteric aspect of collective bargaining—the applicability of the federal antitrust laws to unions—while omitting any systematic consideration of the effects of collective bargaining agreements on the duty to bargain collectively? In a book devoted to collective bargaining, an institution which developed primarily because of the inability of the individual worker to

7. ABA LABOR RELATIONS LAW SECTION, 1960 PROCEEDINGS 159.

8. C. SUMMERS & H. WELLINGTON, CASES AND MATERIAL ON LABOR LAW (1968) [hereinafter cited as SUMMERS & WELLINGTON].

9. SUMMERS & WELLINGTON xiii.

protect and advance his interests, why did they devote nearly one-third of the material to an analysis of individual rights in the collective structure, individual rights and the collective agreement, and union government and individual rights?

The answers to these questions lie, I think, in the fact that a burgeoning and dynamic subject matter is forcing modern labor law teachers to develop interests and abilities which are increasingly diverse and specialized. Some are litigators, who look first to the preparation and trial of lawsuits, to the niceties of motion practice and to the subtleties of appellate advocacy. Others are interested primarily in the collective bargaining process and its fruit, the collective bargaining agreement, on the theory that what happens at the bargaining table is more important than the nitpicking decisions of the N.L.R.B. and the courts. Still others focus on major contemporary social problems, arguing that the training and allocation of manpower in response to the needs of the market should be given first priority and that collective bargaining should only be studied as one of the obstacles to the effective utilization of human resources.

Each of the authors of *Cases and Materials on Labor Law* is an authority in a special area. Professor Wellington works from the premise of freedom of contract and has an overriding interest in the legal process and its practical effects on the decisions of the marketplace.<sup>10</sup> Professor Summers is a civil libertarian who has a central concern for the survival of some degree of individual control over life-giving decisions and who insists that the ultimate test of the social utility of an institutional arrangement is not what it does for the institution but what it does for the people whom it purports to serve.<sup>11</sup> Not surprisingly, the Summers-Wellington book manifests choices based upon these concerns of the authors. The fact that the subject matter of the book is labor law is incidental to the central purpose of helping "students better understand legal processes and institutions."<sup>12</sup> The study of labor law is a felicitous vehicle for achieving this purpose because it provides "instructive examples of more general problems."<sup>13</sup> The authors have not "attempted to work out all of the lacework of legal rules created

10. See H. WELLINGTON, *LABOR AND THE LEGAL PROCESS* (1968).

11. Professor Summers has written in this area for almost two decades. See, e.g., Summers, *Legal Limitations on Union Discipline*, 64 HARV. L. REV. 1049 (1951); Summers, *The Law of Union Discipline: What the Courts Do in Fact*, 70 YALE L.J. 175 (1960). Cf. Etelson & Smith, *Union Discipline under the Landrum-Griffin Act*, 82 HARV. L. REV. 727 (1969).

12. SUMMERS & WELLINGTON xiii.

13. *Id.*

by the busy work of the Board and the courts . . . to include last minute decisions or citations . . . [or to describe] the structure or procedure of collective bargaining or the practical aspects of labor relations."<sup>14</sup> Furthermore, they have sometimes used material that might be considered dated because "it illustrates more effectively than current materials important problems of legal process."<sup>15</sup>

This emphasis explains why, in the introductory chapter, the historical materials are interpreted in terms of their relation to individual bargaining, the freedom of "dissenting" (non-union) employees, management prerogatives, and the political and economic health of the society. Thus is set the backdrop against which to evaluate and re-evaluate the implications of permitting and encouraging the terms and conditions of employment to be fixed by "private ordering," or "free" collective bargaining, and the role of the legal process in enhancing, structuring and curbing this mechanism of private ordering. The focus, then, is on private ordering and public control, on the distribution of power between private and public institutions, and on the locus of public control in a federal system with executive, administrative and judicial branches.

A number of fundamental questions recur. What is the impact of collective bargaining on the freedom of contract of management and of individual employees? What is its impact on political arrangements and power? What is its impact on the economy? What is the role of the courts where they function without statutory guidance? How have public controls worked when the legislature has delegated regulatory powers to the courts or an administrative agency? What does experience show with respect to legislative efforts to regulate and to revise regulation in the light of experience? How should public regulatory power be allocated between the federal system and the state systems? What balance should be struck between the advantages of uniformity and those of limited experimentation?

The basic concerns of Professor Summers and Wellington explain why they are more interested in the interplay between the judicial, administrative and arbitral processes as they operate to enforce collective bargaining agreements than in the substantive law of those agreements.<sup>16</sup> This analysis also explains, illustratively, why the authors devote con-

14. *Id.* at xiv.

15. *Id.*

16. Other major labor law casebooks have given far more attention to arbitration awards. *See, e.g.*, A. COX & D. BOX, CASES AND MATERIAL ON LABOR LAW 516-586 (6th ed. 1965).

siderable space to the application of antitrust concepts to trade unions and collective bargaining,<sup>17</sup> an area in which legislation gives incomplete and ambiguous direction to the courts. The first case they present is *People v. Fisher*,<sup>18</sup> which involved efforts to apply, to an early union effort to increase earnings, a New York statute making it a misdemeanor to conspire to commit an act injurious to public health, morals, trade or commerce. There follows an extensive note dealing with the Sherman Act<sup>19</sup> and its background, the *Danbury Hatters* case,<sup>20</sup> *Gompers v. Bucks Stove*,<sup>21</sup> and *Hitchman Coal & Coke*.<sup>22</sup> Next is considered the Clayton Act,<sup>23</sup> as interpreted in *Duplex v. Deering*.<sup>24</sup> This section is followed by another extensive note covering the *Coronado Coal* cases,<sup>25</sup> *United States v. Brims*,<sup>26</sup> *Bedford Cut Stone*,<sup>27</sup> the Norris-LaGuardia<sup>28</sup> and Wagner<sup>29</sup> Acts, and the *Apex Hosiery* case.<sup>30</sup> After that comes a note on "executive policy making,"<sup>31</sup> followed by the *Hutcheson*<sup>32</sup> case and an extensive review of the scope of the Norris-LaGuardia Act.<sup>33</sup> Finally, there is a discussion of the troublesome remnant of antitrust law applicable, in 1945, to trade unions and collective bargaining (the *Allen Bradley* case<sup>34</sup>) and of the *Pennington*<sup>35</sup> and *Jewel Tea*<sup>36</sup> cases. The result is a fascinating study of legislative, judicial and executive interaction over the problem of public control of private ordering, a problem more perplexing at the end than it was at the beginning.

Interesting as all this is, it is hard not to suspect that the choices of content and emphasis which the book reflects are more responsive to the interests of the authors than to the needs of students who do not

17. SUMMERS & WELLINGTON 168-236.

18. 26 N.Y. Com. L. Rep. 9 (1835).

19. 15 U.S.C. §§ 1 *et seq.* (1964).

20. *Lawlor v. Loewe*, 235 U.S. 522 (1915).

21. *Gompers v. Bucks Stove & Range Co.*, 221 U.S. 418 (1911).

22. *Hitchman Coal & Coke Co. v. Mitchell*, 202 F.2d 512 (N.D.W.Va. 1912).

23. 15 U.S.C. 12 *et seq.* (1964).

24. *Duplex Printing Co. v. Deering*, 254 U.S. 443 (1921).

25. *United Mine Workers v. Coronado Coal Co.*, 259 U.S. 344 (1922); *Coronado Coal Co. v. United Mine Workers*, 268 U.S. 295 (1925).

26. 272 U.S. 549 (1926).

27. *Bedford Cut Stone Co. v. Journeymen Stone Cutters' Ass'n*, 274 U.S. 37 (1927).

28. 29 U.S.C. §§ 101 *et seq.* (1964).

29. 29 U.S.C. §§ 151 *et seq.* (1964).

30. *Apex Hosiery Co. v. Leader*, 310 U.S. 469 (1940).

31. The authors refer to the program of criminal enforcement of the anti-trust laws undertaken by the Department of Justice late in the 1930's. SUMMERS & WELLINGTON 194-196.

32. *United States v. Hutcheson*, 312 U.S. 219 (1941).

33. SUMMERS & WELLINGTON 203-207.

34. *Allen Bradley Co. v. Local 3, IBEW*, 325 U.S. 797 (1945).

35. *United Mine Workers v. Pennington*, 381 U.S. 657 (1965).

36. *Local 189, Amalgamated Meat Cutters v. Jewel Tea Co.*, 381 U.S. 676 (1965).

plan to be labor lawyers. The authors' judgment about their students' needs, on which they claim to base their book, appears to have been distorted by their special competences. These remarks are not intended to deprecate the Summers-Wellington book. In my judgment, it is an excellent collection of materials, punctuated with comments, notes and questions which in scope and quality are reminiscent of those found in the best of law teaching books.<sup>37</sup> My point, rather, is one of profound doubt that it is possible any longer to assemble a single set of materials, tailored to fit the requirements of the technology of the hard-cover book publishing business, which can be marketed as the stuff of the basic labor law course in a law school curriculum. The field is too vast, too dynamic, and too complex, and the criteria governing choice (or relevance, if you will) are too ephemeral to make such an enterprise feasible. Perhaps this is why, although labor law is typically given in the second or third year of the curriculum as one of the "cultural" (rather than "bread and butter") offerings, there are five casebooks listed in the current publishers' catalogues,<sup>38</sup> and at least one more is in the process of production.<sup>39</sup>

As far as any given labor law book is concerned, I doubt that it can properly be characterized and evaluated as an "answer" to anything. It can only be judged, I think, in terms of how well it does its "thing." In light of this criterion, measured as a study of the effectiveness of the legal process in dealing with complex social problems and in protecting the rights of individuals within a vast institutional and bureaucratized structure, the Summers-Wellington materials are entitled to very high marks.

37. See H. M. HART & H. WECHSLER, *THE FEDERAL COURTS AND THE FEDERAL SYSTEM* (1953).

38. The five are A. COX & D. BOK, *CASES AND MATERIALS ON LABOR LAW* (6th ed. 1965); M. HANDLER & P. HAYS, *CASES AND MATERIALS ON LABOR LAW* (4th ed. 1963); R. SMITH, L. MERRIFIELD & T. ST. ANTOINE, *LABOR RELATIONS LAW: CASES AND MATERIALS* (4th ed. 1968); SUMMERS & WELLINGTON; AND J. WILLIAMS, *LABOR RELATIONS AND THE LAW* (3d ed. 1965).

39. The authors of this work are W. Oberer, K. Hanslowe and G. Schatzki. Its projected title is *CASES AND MATERIAL ON LABOR LAW: COLLECTIVE BARGAINING IN A FREE SOCIETY*.

