

scheme is state discretion as to classes aided, standards established, and controls attempted over the personal conduct of recipients. The fact that federal limits are seen as necessary emphasizes the reality of state discretion. I would not gainsay the fruitfulness of further attempts to standardize administration among the states so as to maximize the area of uniformity between state programs which are significantly "national" in tax base and in important policies. Moreover, as Dr. Bell recommends, significant advances in coverage could be gained by "extend[ing] aid to all needy families with children irrespective of home conditions, family composition, or parental conduct and refus[ing] approval of all welfare policies which disproportionately exclude certain types of families on any ground whatsoever."<sup>40</sup>

Nevertheless, intractable pressures for diversity exist; they are generated by the structure.<sup>41</sup> The tortured history of the suitable-home policy attests to this, and the history of other strategies of state control reinforces this fundamental point.

It remains to face the choices—equality for what and at what standard; diversity for what?—and find the structures best adapted to the public's aims. *Aid to Dependent Children* points both a warning and a challenge. To produce a better program will not be easy, but failure to try would be cowardly and irresponsible.

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<sup>40</sup> P. 195.

<sup>41</sup> See, e.g., pp. 150-51; STEINER, *op. cit. supra* note 10, *passim*.

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**Improving the State Legislature.** ILLINOIS COMMISSION ON THE ORGANIZATION OF THE GENERAL ASSEMBLY. Urbana: The University of Illinois Press, 1966. Pp. xiv, 146. \$4.95 (clothbound), \$2.95 (paperbound).

The meaning of words tends to become corroded over years of usage, especially when they are used in the political field. Thus, the term "state's rights" conjures up visions of Governor Faubus defying the Supreme Court of the United States (and the United States Constitution), or the South's lady governor trumpeting in parrot tones that no Congress will make no law that she doesn't like. Since the people have had no vocabulary for talking about the role of the state in the federal system, the real problems of the state animal have been examined only by the academicians, and then only infrequently. It has been much

easier for the politician to curse the dark octopus of the federal government than to throw light on the malfunctions of state government.

The spate of recent activity about the care and nourishment of state government is, therefore, significant. It is either (as some fear and others may hope) the last energy of a light about to fail, or it is the beginning of the re-emergence of state government into the role it was intended to play under our unique federal system. The report of the Illinois Commission on the Organization of the General Assembly, entitled "Improving the State Legislature," poses this conundrum very well. If, in the great tradition of Illinois politics, it is but another commission report to be filed away in the archives and marked for external use only, then the Illinois legislature can continue to wend its way toward obscurity. If, on the other hand, enough private citizens and legislators are willing to save state government, then the report is a very fundamental document indeed.

Representative Harold Katz (the Commission bears his name) and his colleagues have designed an excellent blueprint for rebuilding the sub-structure of the house of state government. Whether there are enough craftsmen and laborers to put the blueprint to use, and then to do the further work to restore the glory that was state government, remains to be seen.

The Katz Commission Report recommends ways of removing the barnacles from the state legislative process. Some of these barnacles exist because, with very few exceptions, the state legislature continues to operate in 1967 the same way it did a century ago. Other impediments were deliberately added over the years by those who found that special interests were better served if the legislative process operated inefficiently and anonymously. That the Report recognizes the existence of these problems is, in itself, a step forward. In the past, battle lines have formed, not as to how to cure the problems, but as to whether the problems existed. For example, the last time the question of whether the legislature should meet annually (rather than biennially as at present) was put before the people by way of a constitutional amendment, the opponents of annual sessions successfully defeated the proposition by persuading a sufficient number of voters that annual sessions would merely give the legislators that much more opportunity to create mischief for the people at large. It is a tribute to Representative Katz that he carried a majority of the Commission (on most occasions, the entire Commission) on so many fundamental recommendations. In part, the success can be attributed to Representative Katz's deliberate design to examine the state legislature dispassionately. The Report is not a manifesto and therein lies the rub.

The Report cannot be used as a political document to rally people to the cause of reform. It is pleasantly surprising to see the amount of newspaper support by way of editorials and comments. However, there has not been enough to launch a crusade. For example, when the legislative leaders failed to implement some of the recommendations concerning committee structure at the beginning of the current session of the legislature, no one mounted the battlements.

The above is not intended as criticism. Representative Katz and others interested in legislative reform face a Hobson's choice. Either they throw down the gauntlet to the special interests and the defenders of the status-quo at the very beginning (in which case there probably would not be a Commission Report worthy of the name), or they leave out the name-calling and the spade-calling which are so necessary to arouse the people's indignation and interest. More of the public at large are aware of and have read Senator Paul Simon's dissection of state government in the *Saturday Evening Post* some years ago than will read and be aware of the Katz Commission Report.

In short, when it comes to implementing the recommendations of the Report, purple prose is going to be needed to get the point across to the public. The people will have to be told why the legislature prefers that no record be kept of legislative debate. The people will have to be told who benefits when committee hearings and schedules are kept as state secrets. The people will have to be told why certain printing unions benefit in maintaining a bill-processing and printing system that is archaic. The people will have to be told that there are distinct benefits to distinct interests in continuing to cause the legislative process to malfunction when it comes to the important questions of the day—because that very malfunction accommodates those who are not known for wearing white hats. Most important, the people will have to be told in language that the Katz Commission Report eschews that they really are getting the kind of government they deserve. So long as legislative service is permitted to remain sometimes anonymous, sometimes a patronage reward for good precinct work, and sometimes a private hunting preserve for special interest groups—then state government will continue to abdicate more and more of its responsibilities to Congress and the federal executive branch. Only the people can change the caliber of their representatives.

In any event, historians will often refer to the Katz Commission Report. It may be cited as the last or near to the last plan which, had it been followed, could have saved state government as a viable institution; hopefully, it may be cited as that discreet but effective proposal from which others found the ingredients for the great political battle

of the 20th century—the restoration of state government to its proper place in the federal system.

The Report quotes from Thomas Jefferson as follows: "I am not an advocate for frequent changes in laws and constitutions [but] . . . with the change of circumstances, institutions must advance also to keep pace with the times . . ." The sequel to the Katz Commission Report (if there is to be one) could use another maxim of Jefferson's: "The care of human life and happiness is the first and only legitimate object of good government." And if such sequel then details the illegitimacy of state government as it exists today in Illinois, it might rouse the people to do something about curing the disease.

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