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pointed out by Mr. Justice Frankfurter<sup>6</sup> and by Mr. Justice Jackson.<sup>7</sup> Here is a field of judicial (one can hardly call it legal) reasoning which calls for better juristic treatment than it has received.

But to return to the main current of Dr. Levi's discussion, he approaches the subject of the judicial process, which has now the place in the science of law held in the last century by the nature of law and the relation of law and morals, in a much better way than most of those whose reference of everything to economics and abnormal psychology has held the ground so fully in the present generation. Along with Llewellyn's work upon the task of the legal order and the relation of sociology and jurisprudence, Dr. Levi's book promises a more real realism and augurs well for the science of law.

Sir Frederick Pollock used to say that a man who would publish a book without an index ought to be banished ten miles beyond Hell where the Devil himself could not go because of the stinging nettles. Things one wants to refer to may be hidden even in 74 pages.

ROSCOE POUND†

THE AMERICAN PEOPLE AND FOREIGN POLICY. By Gabriel A. Almond. New York: Harcourt, Brace & Co., 1950. Pp. 269. \$3.75.

THE stone that Mr. Almond has cast into the sea that is the reading public will light first and expend most of its ripples in the region of the academic doldrums. The hit, to some extent, is the result of direct aim, for most of Mr. Almond's final recommendations affect the educating community. But indirectly his method too stands as a challenge, certainly praiseworthy, to the traditional organization of University studies. Since Mr. Almond has had the temerity to combine in this book three disciplines—sociology, psychology, and international affairs—it is likely that the bright modernity of his approach will be enviously deplored by his crustier colleagues. It is equally likely, however, that professional argument will constitute the only sizable reaction to Mr. Almond's book. For despite his broad purview, Mr. Almond has nothing very remarkable to say.

Beginning his book with a summary of descriptive and psychological studies of the American Character, Almond derives those attributes of the American Character which comprise the psychological data of the problem of making American foreign policy. Noting the stress placed on the struggle for individual success, Almond suggests that in general American interests are largely private and invidious. Interest in foreign affairs is, accordingly, ordinarily low, though characterized by extreme instability and unpredictable moodiness, and subject to quick spurts when stimulated by dra-

6. See *Shapiro v. United States*, 335 U.S. 1, 43-4, 46-50 (1948); *Commissioner v. Wodehouse*, 337 U.S. 369, 409 (1949); *United States v. Sullivan*, 332 U.S. 689, 707 (1948).

7. See *Vermilya-Brown Co. v. Connell*, 335 U.S. 377, 399-401 (1948).

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matic events. In the long run, the great mass of the population remains innocent of a thorough familiarity with foreign affairs, and is constantly tempted to neglect such matters for more immediate private business.

This persistent temptation, though it dooms in advance, as Mr. Almond sanely observes, most efforts at mass education in foreign affairs, need not present serious difficulties, for Mr. Almond concludes from a structural analysis of American society that foreign policy is made by a group of competing elites who in fact comprise the "public" for most foreign policy measures. The real danger lies in the fact that even these elite groups, whose policies Mr. Almond describes in thorough detail, are not sufficiently well-informed. Moreover, the elites are given, on the one hand, to a narrow interpretation of special group interest which often conflicts with the public welfare, and on the other hand to a disposition for utopian sentiments such as pacifism and world government which cannot be integrated into practical politics. Mr. Almond represents these deficiencies as obstructive deviations from a desirable consensus on foreign policy. To remedy them, he calls for an effective campaign, waged especially by the professors, to create "general public confidence that future contingencies are being planned for by the responsible public agencies," and to indoctrinate "the elite groups in the military and defense problems of the future."

Clearly the sum that has emerged from Mr. Almond's hefty calculations is small. Its size is further diminished by what Mr. Almond, with admirable candor, recognizes to be the tentative nature of the evidence adduced. His material on the American Character is drawn from admittedly subjective, individual interpretations, whose shaky validation is consensus. His analysis of the structure and location of American foreign policy opinion is based on public opinion polls which are at best only crude instruments of measurement. Moreover, Mr. Almond's assertion that elites make policy, though it seems sound, is unsupported by historical study of actual policy formation so that one does not know how they make policy, or how and to what extent their ideas and sentiments are influenced by mass feeling.

But if the foregoing are only regrettable limitations, there is one piece of deplorable and not innocuous neglect in Mr. Almond's book. In limiting himself to a recommendation for further unity in foreign policy, Almond intimates that deviations from the consensus are extravagant eccentricities prompted by bad judgement, insufficient education, or dubious loyalty. He furthermore assumes, without defining it, that there is a unity which can fairly accommodate all differences. And he makes this assumption without accounting for, or even suggesting, the sacrifices that cooperation will inevitably demand from different interest groups within the United States. It would seem to this reviewer that to advocate training for harmonious submission to so vague a cohesion is to advocate a pernicious restriction of precious independence.

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