

increasing number of discretionary decisions affecting the rights and interests of citizens are being made—or are not being made—by governmental agencies and employees. Government's policies and the implementation of them through the bureaucracy affect the lives of people not envisaged in a way when the structure and the administrative processes of Federal, State, and local governments were being developed in the United States.

In Jefferson's words the unending conflict between liberty and authority has intensified. The area of rights without remedies is broadening. These things being so, procedures for the redress of citizen grievances become of looming and extraordinary importance. This committee is to be commended for its recognition of and consideration of proposals for improving these conditions.

The discretionary decisions now being made in agencies almost without number have created sore spots because multitudes of people feel aggrieved by government action or inaction. As government has grown bigger and become more omnipresent, the total of such citizens has increased geometrically and multidimensionally. This makes for bitterness and unrest which, in turn, create difficult administrative situations for administrators and an atmosphere that adds to the already monumental difficulties of establishing effective improvement and new service programs. The problem is not one of civil rights. Properly understood, it is basically that most administrations are not sufficiently aware of, much less structured and organized, to provide simple, orderly, inexpensive, widely known, accessible processes for the redress of citizen grievances in keeping with justice and equity where administrative agencies execute a multitude of regulations.

The results of our research indicate a potentially serious weakness in our governmental processes caused by a general absence of such procedures for objecting to decisions or nondecisions. Research reveals a singular lack of attention, literature or comprehensive study, for example, of the quasi-judicial roles of legislators and legislatures. It is said that everybody knows you can appeal to the city council or the State legislature or to your Congressman but there are no general patterns in fulfillment of these roles with which citizens can become generally familiar. Legislatures and legislators serving in a quasi-judicial capacity may make it seemingly easy for a citizen to approach the policymakers with reference to his complaint against administration but there should be a recognition that this blurring tends to eliminate the usual checks, balances, and separation of powers characteristic of American Government. A third party critic in such situations might be helpful.

It was found, for example, early in our project that top level executive officers rarely keep files on complaints and grievances. In our research we were frequently told, "if the departments and agencies under my supervision were not doing a good job vis-a-vis the citizen, I'd be the first to know." Our opinion, however, is that like the traditional cuckolded husband, he is frequently the last to know. The failure to keep adequate records of complaints and grievances make it impossible to discern patterns of dissatisfaction with administrative behavior and decisions. Files are virtually nonexistent. It is our conclusion the bureaucracies do not generally use complaints and grievances known to them as a tool for testing performance and making reforms.