sooner or later "non-socialist" countries may follow this path? Has France just begun to explore those possibilities?

VII

Another word should be said about the growing influence of the judicial branch as a policy-determining power. Inasmuch as the administrative state continues to penetrate all vital spheres of life of the citizen, administrative jurisdiction is bound to grow correspondingly. Taking France as a model, Germany, too, has expanced this type of control of administration and government. Theoretically each citizen of the Federal Republic of Germany is today entitled to ask a court to review the constitutionality of each and every administrative and governmental measure of any and all public agencies (Article 19 of the Basic Law and Par. 90 of the Law of the Federal Constitutional Court). Yet nowhere do we find a more outspoken discrepancy between constitutional law and constitutional reality than in this area. Because of the long duration of the legal procedure and the costs and hardships it involves the protection of the individual is all too often rendered illusory. Here as elsewhere we are faced with the relationship of politics and economics, state and society. Whether or not a right can be enforced, depends among other things, on the economic strength and the educational status of the citizen. It also depends on the extent of democratic attitudes of the officials and judges.

In addition to the administrative jurisdiction, a constitutional jurisdiction has been developed. The Supreme Court of the United States constitutes an eminently political branch of government, existing side by side with (or even superimposed on) the legislative and executive branch. For the past years it has been the agency enforcing the democratic rights of the individual and society against Congress and the States, having been at times supported by the President, but often acting single-handedly. In West Germany, the Federal Constitutional Court has in some cases managed to tame the "Pouvoir Actif" and to force it to remain within its legally defined sphere. It remains doubtfully whether, in the future, this court can also promote effective resistance against the autocratic forces at work.

VIII

As M. de Jouvenel suggests, the development of the state today cannot be properly understood unless the segment of education and scholarship is included. Generally speaking the promotion of public education has only begun. This process will certainly continue. Possibly education and instruction of the broad masses will at first serve to strengthen the power of the power holders, who thus may dispose of "civilian armies" formed by their propaganda and indoctrination and ready to be set in mo-