that the majority on the Court is groping toward a more restrictive role for the judiciary in social conflict, and until their approach moves beyond the invocations of prudence in *Warth* and is anchored in clearer doctrine, any such prognosis must be, as Justice Powell might say, speculative at best.

One final point. Federal judges generally will, without raising questions of standing, allow parties who have participated in agency proceedings to challenge administrative rulings in Court. For example, the Supreme Court recently reviewed a ruling by the FPC that the Commission was not required by its legislative mandate (“in the public interest”) to bring about equal employment in utility companies, contrary to the petition of the NAACP. While upholding the ruling, a “loss” for the NAACP, the Court went on to say that the FPC must make certain that consumers are not required to absorb any costs of strikes, boycotts, loss of contracts, or other effects of compliance or noncompliance with the antidiscrimination statutes — thereby putting a new subject matter on the regulatory agenda and paving the way for future challenges to utility companies. No issue of standing was raised. In the last couple of years the agencies themselves, in part because of prodding by the judiciary, have become relatively relaxed about what parties and organizations they will hear; indeed some are already in the business of financing witnesses to come before them. It is possible that even though the law of standing is tightened, a variety of groups, some with broad-gauge social claims like the NAACP, will reach the court by the administrative route. Moreover, since this Court seems to want to restrain itself from overturning judgments made in the other branches, it would appear also bound to defer to the agencies’ determination of who is a proper party at interest. While in such circumstances judges’ discretion will in this limited sense have been trimmed, all of the dilemmas of interest group litigation discussed in “Standing to Sue” persist.

*Karen Orren

University of California, Los Angeles

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this cannot be treated at length here, I will evade that responsibility by pointing out that I have already treated Aarsleff and Strauss on Lockean "demonstration" and "probability" in my article, "On Finding an Equilibrium between Consent and Natural Law in Locke's Political Philosophy" [Political Studies (Vol. 23, No. 4, 432-452), Oxford (December, 1974)] — an article which at least indicates the passages in Locke, Aarsleff and Strauss which should be consulted, whatever one might think about the proper interpretation of those passages.)

PATRICK RILEY
University of Wisconsin-Madison

TO THE EDITOR:

A brief response is called for — even at this late date — lest I appear ungrateful for Professor Riley's thoughtful critique of my review and for his generosity in drawing to our attention his interesting Locke article in Political Studies. Through his suggestion that I have wrongly accused Aarsleff of trying to "help" Locke, Riley has at least continued to focus our attention on such basic and difficult issues as Locke's position on natural law and the relationship, if any, in his thought between natural law and divine law. Riley stresses in his criticism that "it is Locke himself" who provides Aarsleff with the basic elements of his interpretation.

Now, Riley and I have no argument regarding the Lockean sources of Aarsleff's interpretation. Indeed, I went to considerable pains in my review to emphasize that "Locke's writings are replete with quotations from scripture and his passing of Locke, Aarsleff and Strauss which should be consulted, whatever one might think about the proper interpretation of those passages.

Although Riley struggles manfully and openly to avoid this all too common problem, I daresay that he, too, succumbs to the temptation of trying to "help" Locke. This is suggested by the very title of his article, as well as by its substance, intent as he is "On Finding an Equilibrium Between Consent and Natural Law in Locke's Political Philosophy." It seems to me that it is Riley, not Locke, who provides the "equilibrium." To his credit, Riley identifies elements of Locke's thought that don't fit the "equilibrium" hypothesis. Nevertheless, he concludes rather condescendingly that Locke's "theory of natural (or rather divine) law... taken as a whole, is intelligible, even if one might not wish to derive the validity of such law from divine will, and even if one might wish that he had not (occasionally) argued as if such a law could be derived from reason alone" (Political Studies, p. 452). "But at least," concludes Riley, "the defects of Locke's system can be remedied with his own concepts, and in a Lockean spirit." Whether it is Locke's work or Riley's analysis that stands in need of improvement, the interested reader must judge for himself.

ROBERT H. HORWITZ
Kenyon College

More on Response Instability

TO THE EDITOR:

The recent exchange between Professor Achen and his critics in the American Political Science Review [December, 1976] centered on the problem of whether to attribute the random variability of attitude responses reported by Converse in American panel data to respondents who were vague about their attitudes or to vague questions. I suggest a third model: both respondents and questions were clear but on different wavelengths so that respondents attempting to map clear but complex or ambivalent attitudes onto a clear but simple Likert scale were forced into an unstable translation process that appears to be highly random.

For example, suppose I believe in affirmative federal action to end racial desegregation. But suppose I also oppose coercive government action, especially where it produces strong vocal opposition and civil unrest. An SRC researcher hands me a questionnaire, a seven-point Likert scale asking about my attitude toward court-ordered school busing with options ranging from "agree strongly" to "disagree strongly." I submit that I might reasonably translate my clear attitudes onto this scale by selecting almost any of the responses. I