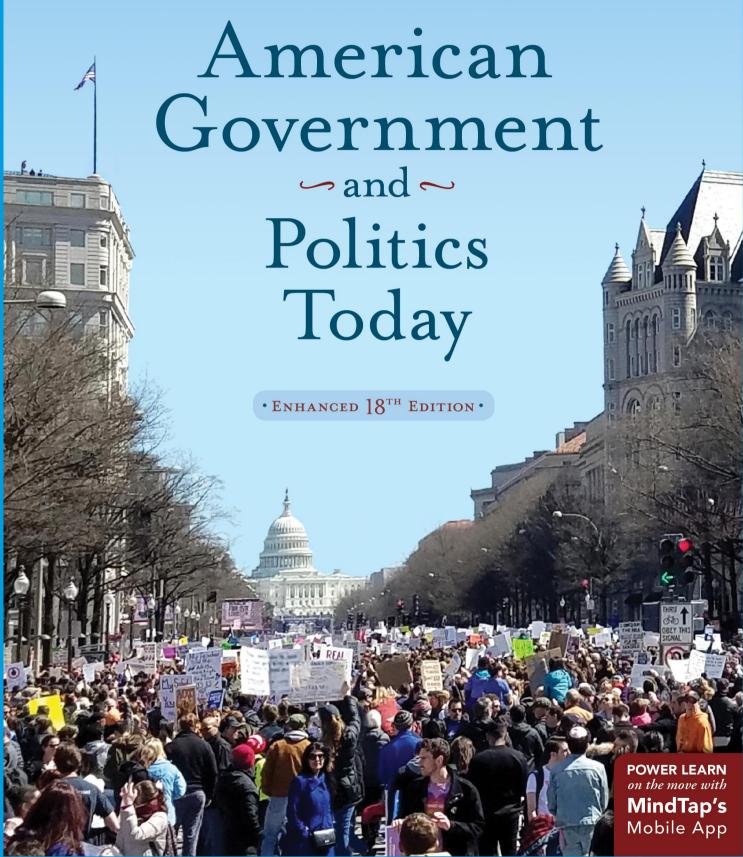


Ford • Bardes • Schmidt • Shelley



American Government and Politics Today



American Government and Politics Today

Lynne E. Ford
College of Charleston

Barbara A. Bardes University of Cincinnati

Steffen W. Schmidt Iowa State University

Mack C. Shelley II lowa State University





American Government and Politics Today, Enhanced Eighteenth Edition Lynne E. Ford, Barbara A. Bardes, Steffen W. Schmidt, Mack C. Shelley II

Product Manager: Richard Lena

Product Assistant: Haley Gaudreau

Senior Marketing Manager: Valerie

Hartmann

Content Manager: David Martinson

Learning Designer: Erika Hayden

IP Analyst: Nancy Dillon

IP Project Manager: Kelli Besse

Production Service and Compositor:

SPI Global

Senior Designer: Sarah Cole

Manufacturing Planner: Julio Esperas

Text Designer: Reuter Design

Cover Designer: Sarah Cole

Cover Image:

© 2020, 2018, 2016 Cengage Learning, Inc.

ALL RIGHTS RESERVED. No part of this work covered by the copyright herein may be reproduced or distributed in any form or by any means, except as permitted by U.S. copyright law, without the prior written permission of the copyright owner.

For product information and technology assistance, contact us at Cengage Customer & Sales Support, 1-800-354-9706 or support.cengage.com.

For permission to use material from this text or product, submit all requests online at **www.cengage.com/permissions**.

Library of Congress Control Number: 2018959786

Student Edition:

ISBN: 978-1-337-79035-2

Loose-leaf Edition: ISBN: 978-0-357-02057-9

Cengage

20 Channel Center Street Boston, MA 02210 USA

Cengage Learning is a leading provider of customized learning solutions with employees residing in nearly 40 different countries and sales in more than 125 countries around the world. Find your local representative at www.cengage.com.

Cengage Learning products are represented in Canada by Nelson Education, Ltd.

To learn more about Cengage platforms and services, register or access your online learning solution, or purchase materials for your course, visit **www.cengage.com**.

Printed in the United States of America Print Number: 01 Print Year: 2018

Brief Contents

PART I	The American System	
Chapter 1:	One Republic—Two Americas?	1
Chapter 2:	The Constitution	35
Chapter 3:	Federalism	70
PART II	Civil Rights and Civil Liberties	
Chapter 4:	Civil Liberties	107
Chapter 5:	Civil Rights	152
PART III	People and Politics	
Chapter 6:	Public Opinion and Political Socialization	207
Chapter 7:	Interest Groups	241
Chapter 8:	Political Parties	272
Chapter 9:	Campaigns, Voting, and Elections	311
Chapter 10:	The Media and Politics	355
PART IV	Political Institutions	
Chapter 11:	The Congress	385
Chapter 12:	The President	422
Chapter 13:	The Bureaucracy	457
Chapter 14:	The Courts	490
PART V	Public Policy	
Chapter 15:	Domestic Policy	523
Chapter 16:	Economic Policy	556
Chapter 17:	Foreign Policy and National Security	585
PART VI	State and Local Politics	
Chapter 18:	State and Local Government	621
Appendix		
Appendix A	The Declaration of Independence	651
Appendix B	The Constitution of the United States	653
Appendix C	The Federalist Papers Nos. 10 and 51	669
Glossary		675
Index		686

Detailed Contents

PART I The American System

CHAPTER 1: One Republic—Two Americas? 1

Politics and Government 7

Why Is Government Necessary? 7

Fundamental Values 8

Liberty 10

Order and the Rule of Law 12

Individualism 12

Equality 12

Property 13

Why Choose Democracy? 14

Direct Democracy as a Model 16

The Limits of Direct Democracy 18

A Democratic Republic 18

Principles of Democratic Government 19

Who Really Rules in America? 20

Majoritarianism 20

Elitism 21

Pluralism 21

Political Ideologies 23

The Traditional Political Spectrum 24

In the Middle: Liberalism and Conservatism 24

The Difficulty of Defining Liberalism and

Conservatism 24

Liberalism 24

Conservatism 25

Libertarianism 25

The Challenge of Change 26

Demographic Change in a Democratic Republic 26

Ethnic Change 27

Globalization 29

The Technology Revolution 30

Environmental Change 32

CHAPTER 2: The Constitution 35

The Colonial Background 37

Separatists, the Mayflower, and the Compact 38

More Colonies, More Government 39

British Restrictions and Colonial Grievances 40

The Colonial Response 40

The First Continental Congress 40

The Second Continental Congress 41

Declaring Independence 41

The Resolution of Independence 41

July 4, 1776—The Declaration of Independence 42

Universal Truths 42

Natural Rights and a Social Contract 42

The Rise of Republicanism 43

The Articles of Confederation: The First Form of Government 43

Accomplishments under the Articles 44

Weaknesses of the Articles 45

Shays' Rebellion and the Need for Revision of the

Articles 46

Drafting the Constitution 46

Who Were the Delegates? 47

The Working Environment 47

Factions among the Delegates 49

Politicking and Compromises 50

The Virginia Plan 50

The New Jersey Plan 50

The "Great Compromise" 51

The Three-Fifths Compromise 52

Other Issues 52

Working toward Final Agreement 52

The Madisonian Model—Separation of Powers 53

The Madisonian Model—Checks and Balances 53

The Executive 54

A Federal Republic 55

The Final Document 55

The Difficult Road to Ratification 55

The Federalists Push for Ratification 56

The Federalist Papers 56

The Anti-Federalist Response 57

The March to the Finish 57

Did the Majority of Americans Support the

Constitution? 57

State Ratifying Conventions 58

Support Was Probably Widespread 58

The Bill of Rights 60

A "Bill of Limits" 60

No Explicit Limits on State Government Powers 61

Altering the Constitution: The Formal Amendment Process 61

Many Amendments Are Proposed; Few Are Accepted 62

Limits on Ratification 63

The National Convention Provision 64

Informal Methods of Constitutional Change 64

Congressional Legislation 65

Presidential Actions 66

Judicial Review 66

Not a Novel Concept 66

Allows the Court to Adapt the Constitution 67

Interpretation, Custom, and Usage 67

CHAPTER 3: Federalism 70

Three Systems of Government 73

A Unitary System 73

A Confederal System 73

A Federal System 73

Why Federalism? 74

A Practical Constitutional Solution 74

Benefits for the United States 75

Allowance for Many Political Subcultures 75

Arguments against Federalism 77

The Constitutional Basis for American Federalism 78

Powers of the National Government 78

The Necessary and Proper Clause 78

Inherent Powers 79

Powers of the State Governments 79

Concurrent Powers 82

Prohibited Powers 82

The Supremacy Clause 82

Vertical and Horizontal Checks and Balances 83

Interstate Relations 83

The Full Faith and Credit Clause 83

Privileges and Immunities 84

Interstate Extradition 84

Defining Constitutional Powers—The Early Years 86

McCulloch v. Maryland (1819) 86

The Constitutional Questions 86

Marshall's Decision 87

Gibbons v. Ogden (1824) 87

The Background of the Case 88

Marshall's Ruling 88

States' Rights and the Resort to Civil War 88

The Shift Back to States' Rights 89

War and the Growth of the National Government 89

The War Effort 89

The Civil War Amendments 90

The Continuing Dispute over the Division of Power 90

Dual Federalism and the Retreat of National Authority 90

A Return to Normal Conditions 91

The Role of the Supreme Court 91

The New Deal and Cooperative Federalism 91

The "New Deal" 92

The End of Dual Federalism 92

Cooperative Federalism 92

Methods of Implementing Cooperative Federalism 93

Categorical Grants 93

Feeling the Pressure—The Strings Attached to Federal

Grants 94

Block Grants 94

Federal Mandates 95

The Politics of Federalism 95

What Has National Authority Accomplished? 96

Civil Rights and the War on Poverty 96

Why Would the States Favor the Status Quo? 96

Federalism Becomes a Partisan Issue 97

The "New Federalism" 98

New Judicial Federalism 98

Federalism in the Twenty-First Century 99

Federalism and the Supreme Court Today 100

Reining in the Commerce Power 100

State Sovereignty and the Eleventh Amendment 101

Tenth Amendment Issues 102

Federalism and State Immigration Policy 102

Other Federalism Cases 103

PART II Civil Rights and Civil Liberties

CHAPTER 4: Civil Liberties 107

Civil Liberties and the Bill of Rights 109

Extending the Bill of Rights to State Governments 110 Incorporation of the Fourteenth Amendment 110

Freedom of Religion 111

The Separation of Church and State—The Establishment

Clause 111

Aid to Church-Related Schools 112

A Change in the Court's Position 113

School Vouchers 113

The Issue of School Prayer—Engel v. Vitale 114

The Debate over School Prayer Continues 115

Prayer Outside the Classroom 115

The Ten Commandments 116

Forbidding the Teaching of Evolution 116

Religious Speech 116

Public Expression of Religion 117

Blasphemy and Free Speech Rights 117

The Free Exercise Clause 118

The Religious Freedom Restoration Act 118

Freedom of Expression 120

No Prior Restraint 120

WikiLeaks, Edward Snowden, and Classified Information

on the Internet 120

The Protection of Symbolic Speech 121

The Protection of Commercial Speech 122

Permitted Restrictions on Expression 123

Clear and Present Danger 123

Modifications to the Clear and Present Danger Rule 123

Unprotected Speech: Obscenity 126

Definitional Problems 126

Protecting Children 126

Pornography on the Internet 126

Should "Virtual" Pornography Be Deemed a Crime? 127

Unprotected Speech: Slander 127

Campus Speech 128

Student Activity Fees 128

Campus Speech and Behavior Codes 128

Hate Speech on the Internet 130

Freedom of the Press 130

Defamation in Writing 130

A Free Press versus a Fair Trial: Gag Orders 131

Films, Radio, and TV 132

The Right to Assemble and to Petition the Government 133

Online Assembly 134

More Liberties under Scrutiny: Matters of Privacy 134

Information Privacy 135

Privacy Rights and Abortion 137

Roe v. Wade 137

The Controversy Continues 137

Privacy Rights and the "Right to Die" 139

What If No Living Will Exists? 139

Physician-Assisted Suicide 139

Privacy Rights versus Security Issues 140

The USA PATRIOT Act 140

Civil Liberties Concerns 141

The Great Balancing Act: The Rights of the Accused versus the Rights of Society 143

Extending the Rights of the Accused 144

Miranda v. Arizona 145

Exceptions to the Miranda Rule 145

Video Recording of Interrogations 146

The Exclusionary Rule 146

The Death Penalty 146

Cruel and Unusual Punishment? 147

The Death Penalty Today 147

CHAPTER 5: Civil Rights 152

African Americans and the Consequences of Slavery in the United States 154

Ending Servitude 155

The Civil Rights Acts of 1865 to 1875 155

The Limitations of the Civil Rights Laws 156

The Civil Rights Cases 157

Plessy v. Ferguson: Separate but Equal 157

Voting Barriers 157

Extralegal Methods of Enforcing White

Supremacy 158

The End of the Separate-but-Equal Doctrine 159

Brown v. Board of Education of Topeka 159

"With All Deliberate Speed" 160

Reactions to School Integration 160

Integration Today 161

The Resurgence of Minority Schools 161

The Civil Rights Movement 162

King's Philosophy of Nonviolence 163

Nonviolent Demonstrations 163

Marches and Demonstrations 163

Another Approach—Black Power 164

VIII

The Escalation of the Civil Rights Movement 164

Modern Civil Rights Legislation 165

The Civil Rights Act of 1964 165

The Voting Rights Act of 1965 166

Urban Riots 166

The Civil Rights Act of 1968 and Other Housing-Reform

Legislation 166

Consequences of Civil Rights Legislation 167

Political Representation by African Americans 169

The U.S. Census and Civil Rights 170

Lingering Social and Economic Disparities 170

Race-Conscious or Post-Racial Society? 171

#BlackLivesMatter 172

Race and Confederate Symbols 173

Women's Campaign for Equal Rights 174

Early Women's Political Movements 174

Women's Suffrage Associations 175

The Second Wave of the Women's Movement 177

The Equal Rights Amendment 180

Three-State Strategy 180

Challenging Gender Discrimination in the Courts

and Legislatures 180

Women in Politics Today 182

Gender-Based Discrimination in the Workplace 183

Title VII of the Civil Rights Act of 1964 183

Sexual Harassment 184

Wage Discrimination 184

The Equal Pay Act of 1963 184

Voting Rights and the Young 187

Immigration, Latinos, and Civil Rights 188

Mexican American Civil Rights 188

The Continued Influx of Immigrants 189

Illegal Immigration 190

Citizenship 191

Accommodating Diversity with Bilingual Education 191

Affirmative Action 192

The Bakke Case 192

Further Limits on Affirmative Action 194

State Ballot Initiatives 195

Making Amends for Past Discrimination through Reparations 196

Special Protection for Older Americans 197

Securing Rights for Persons with Disabilities 198

The Americans with Disabilities Act of 1990 198

Limiting the Scope and Applicability of the ADA 199 The Rights and Status of Gays and Lesbians 199

Progress in the Gay and Lesbian Rights Movement 200

State and Local Laws Targeting Gays and Lesbians 200

Same-Sex Marriage 201

Defense of Marriage Act 202

Gays and Lesbians in the Military 201

A Short History of State Recognition of Gay Marriages 203 Shift in Public Opinion for Marriage Equality 203

PART III People and Politics

CHAPTER 6: Public Opinion and Political Socialization 207

Defining Public Opinion 210

Public Opinion and Policymaking 210

How Public Opinion Is Formed: Political Socialization 212

Models of Political Socialization 212

The Family and the Social Environment 213

Education as a Source of Political Socialization 213

Peers and Peer Group Influence 213

Opinion Leaders' Influence 215

Political Change and Political Socialization 218

The Impact of the Media 218

The Influence of Political Events 220

Political Preferences and Voting Behavior 221

Demographic Influences 221

Education 222

The Influence of Economic Status 222 Religious Influence: Denomination 224

Religious Influence: Religiosity and Evangelicals 224

The Influence of Race and Ethnicity 224

The Gender Gap 225

Reasons for the Gender Gap 226

Geographic Region 227

Measuring Public Opinion 228

The History of Opinion Polls 228

Sampling Techniques 229

Representative Sampling 229

The Principle of Randomness 229

Problems with Polls 231

Sampling Errors 231

Poll Questions 232

Push Polls 232

Technology, Public Opinion, and the Political Process 233

Public Opinion and the Political Process 233
Political Culture and Public Opinion 234

Political Culture and Public Opinion 234

Political Trust and Support for the Political System 234

Public Opinion about Government 236

CHAPTER 7: Interest Groups 241

Interest Groups: A Natural Phenomenon 243

Interest Groups and Social Movements 244

Why So Many? 246

Why Do Americans Join Interest Groups? 246

Incentives 247

Solidary Incentives 247

Material Incentives 248
Purposive Incentives 248

Types of Interest Groups 248

Economic Interest Groups 249

Business Interest Groups 249

Agricultural Interest Groups 250

Labor Interest Groups 250

Public-Employee Unions 252

Interest Groups of Professionals 253

The Unorganized Poor 253

Environmental Groups 254

Public-Interest Groups 255

Nader Organizations 255

Other Public-Interest Groups 255

Other Interest Groups 257

Foreign Governments 257

What Makes an Interest Group Powerful? 257

Size and Resources 258

Leadership 259

Cohesiveness 261

Interest Group Strategies 261

Direct Techniques 261

Lobbying Techniques 261

The Ratings Game 262

Building Alliances 263

Campaign Assistance 263

Indirect Techniques 264

Generating Public Pressure 265

Using Constituents as Lobbyists 265

Unconventional Forms of Pressure 266

Regulating Lobbvists 266

The Results of the 1946 Act 267

The Reforms of 1995 267

Lobbying Scandals 268

Interest Groups and Representative Democracy 268

Interest Group Influence 269

CHAPTER 8: Political Parties 272

What Is a Political Party and What Do Parties Do? 275

Getting Organized: The Three Components of a Party 276

Party Organization 277

The National Convention 277

The State Party Organization 278

Local Party Organizations 280

The Party-in-Government 280

Divided Government 280

The Limits of Party Unity 280

Party Polarization 281

A History of Political Parties in the United States 281

The First-Party System: The Development of Parties,

1789–1828 283

The Era of Good Feelings 284

The Second-Party System: Democrats and Whigs, 1828–1860 284

The Third-Party System: Republicans' Rise to Power and the Civil War, 1860–1896 284

"Rum, Romanism, and Rebellion" 285 The Triumph of the Republicans 285

The Fourth-Party System: The Progressive Interlude and Republican Dominance, 1896–1932 285

The Fifth-Party System: The New Deal and Democratic

Dominance, 1932-1968 286

A Post-Party System Era, 1968-Present? 287

Red State, Blue State 288

Partisan Trends in the Elections of 2012 and 2016 288

The Two Major U.S. Parties Today 289

Who Belongs to Each Political Party? 290
Differences in Party Policy Priorities 292
The 2012 Elections—Shaping the Parties for 2014 and 2016 292
The 2016 Primaries and the Rise of "Outsiders" 294

Why Has the Two-Party System Endured? 297

The Historical Foundations of the Two-Party System 297 Political Socialization and Practical Considerations 297 The Winner-Take-All Electoral System 298

Proportional Representation 298

State and Federal Laws Favoring the Two Parties 299

The Role of Minor Parties in U.S. Politics 300

Ideological Third Parties 301

Splinter Parties 301

The Impact of Minor Parties 302

Influencing the Major Parties 302
Affecting the Outcome of an Election 302

Mechanisms of Political Change 303

Realignment 303

Realignment: The Myth of Dominance 303 Realignment: The Myth of Predictability 303 Is Realignment Still Possible? 305

Dealignment 306

Independent Voters 306 Not-So-Independent Voters 306

Tipping 307

Tipping in Massachusetts 307
Tipping in California 307

Political Parties of the Future 308

CHAPTER 9: Campaigns, Voting,

and Elections 311

Who Wants to Be a Candidate? 313

Why They Run 313 The Nomination Process 313 Who Is Eligible? 314

Women as Candidates 315

Who Runs? 314

The Twenty-First-Century Campaign 316

The Changing Campaign 316
The Professional Campaign Staff 317

The Strategy of Winning 318

Candidate Visibility and Appeal 318
Taking the Public Pulse 319
The Media and Political Campaigns 319

Financing the Campaign 319

Regulating Campaign Financing 322
The Federal Election Campaign Act 322
Further Reforms in 1974 322
Buckley v. Valeo 323

Interest Groups and Campaign Finance: Reaction to New Rules 323

PACs and Political Campaigns 324 Campaign Financing beyond the Limits 324

Contributions to Political Parties 324 Independent Expenditures 326 Issue Advocacy 326

The Bipartisan Campaign Reform Act of 2002 326

Key Elements of the New Law 327 The Rise of the 527s 327

Citizens United, Freedom Now, and the Future of Campaign Finance Regulation 329

Running for President: The Longest Campaign 330

Reforming the Primaries 330
Front-Loading the Primaries 331
The Rush to Be First 331

The 2016 Primary Season 331

On to the National Convention 332 Seating the Delegates 332 Convention Activities 332

On to the General Flection, 333

Voting in the United States 334

Turning Out to Vote 334
The Effect of Low Voter Turnout 336
Is Voter Turnout Declining? 337
Factors Influencing Who Votes 337
Why People Do Not Vote 339

Uninformative Media Coverage and Negative Campaigning 339 The Rational Ignorance Effect 340 Plans for Improving Voter Turnout 340

Legal Restrictions on Voting 341

Historical Restrictions 341

Property Requirements 341
Further Extensions of the Franchise 341
Is the Franchise Still Too Restrictive? 342

Current Eligibility and Registration Requirements 342 Extension of the Voting Rights Act 343

Primary Elections, General Elections, and More 344

Primary Elections 344 Closed Primary 345 Open Primary 345 Blanket Primary 345 Runoff Primary 345

General and Other Elections 345

How Are Elections Conducted? 346

Office-Block and Party-Column Ballots 346 Vote Fraud 347

The Danger of Fraud 347 Mistakes by Voting Officials 347

The Importance of the Voting Machine 348

The Electoral College 348

The Choice of Electors 348
The Electors' Commitment 349
Criticisms of the Electoral College 349

CHAPTER 10: The Media and Politics 355

A Brief History of the Media's Role in United States Politics 357

The Rise of the Popular Press 357

Mass-Readership Newspapers 358

News Delivered over the Airwaves 358

The Revolution in Electronic Media 359

The Special Relationship between the Media

and the Executive 360

The Internet and Social Media 363

The Role of the Media in Our Society 365

The Media's Political Functions 365

Provide Information 366

Identify Problems and Set the Public Agenda 366

Investigate and Report on Wrongdoing 367

Socialize New Generations 368

Providing a Political Forum for Dialogue

and Debate 368

The Media's Impact: Political Campaigns 369

Advertising 369

Management of News Coverage 370

Campaign Debates 371

The Internet and Social Media 372

The Media's Impact: Voters 373

The Government's Regulatory Relationship with Media 374

Government Regulation of the Media 374 Controlling Ownership of the Media 374 Increased Media Concentration 375

Government Control of Content 376

Control of Broadcasting 376

Government Control of the Media during the Second Gulf War 377

The Government's Attempt to Control the Media after the September 11, 2001, Attacks 377 Net Neutrality 377

The Public's Right to Media Access 379

Bias in the Media 379

Do the Media Have a Partisan Bias? 380 A Racial Bias? 380 A Gender Bias? 381

PART IV Political Institutions

CHAPTER 11: The Congress 385

The Functions of Congress 387

The Lawmaking Function 388

The Representation Function 388

The Trustee View of Representation 388

The Instructed-Delegate View of Representation 389

Service to Constituents 389

The Oversight Function 390

The Public-Education Function 391

The Conflict-Resolution Function 391

The Powers of Congress 391

Enumerated Powers 391

Powers of the Senate 392

Constitutional Amendments 392

The Necessary and Proper Clause 392

Checks on Congress 393

House-Senate Differences 393

Size and Rules 394

Debate and Filibustering 394

Prestige 395

Congresspersons and the Citizenry: A Comparison 395

Congressional Elections 396

Candidates for Congressional Elections 396

Congressional Campaigns and Elections 397

Presidential Effects 397

The Power of Incumbency 398

Congressional Apportionment 399

Gerrymandering 400

Redistricting after the 2010 Census 401

Nonpartisan Redistricting 402

"Minority-Majority" Districts 403

Constitutional Challenges 403

Changing Directions 404

Perks and Privileges 404

Permanent Professional Staffs 404

Privileges and Immunities under the Law 405

Congressional Caucuses: Another Source of Support 405

The Committee Structure 406

The Power of Committees 406

Types of Congressional Committees 407

Standing Committees 407

Select Committees 408

Joint Committees 408

Conference Committees 408

The House Rules Committee 408

The Selection of Committee Members 408

The Formal Leadership 409

Leadership in the House 409

The Speaker 409

The Majority Leader 410

The Minority Leader 410

Whips 410

Leadership in the Senate 412

How Members of Congress Decide 413

The Conservative Coalition 413

Polarization and Gridlock 413

"Crossing Over" 414

Logrolling, Earmarks, and "Pork" 414

How a Bill Becomes Law 414

How Much Will the Government Spend? 416

Preparing the Budget 416

Congress Faces the Budget 417

Budget Resolutions 418

CHAPTER 12: The President 422

Who Can Become President? 424

The Process of Becoming President 425

The Many Roles of the President 426

Head of State 426

Chief Executive 427

The Powers of Appointment and Removal 428

The Power to Grant Reprieves and Pardons 428

Commander in Chief 429

Wartime Powers 429

The War Powers Resolution 430

Chief Diplomat 430

Diplomatic Recognition 430

Proposal and Ratification of Treaties 431

Executive Agreements 432

Chief Legislator 433

Legislation Passed 435

Saying No to Legislation 435

The Line-Item Veto 438

Congress's Power to Override Presidential

Vetoes 438

Other Presidential Powers 438

The President as Party Chief and Superpolitician 439

The President as Chief of Party 439

The President's Power to Persuade 439

Constituencies and Public Approval 440

Presidential Constituencies 440

Public Approval 440

George W. Bush and the Public Opinion Polls 441

Obama and Trump: Public Approval 441

"Going Public" 442

Special Uses of Presidential Power 442

Emergency Powers 442

Executive Orders 443

Executive Privilege 444

Limiting Executive Privilege 444

Clinton's Attempted Use of Executive Privilege 444

Abuses of Executive Power and Impeachment 445

The Executive Organization 445

The Cabinet 446

Members of the Cabinet 446

Presidential Use of Cabinets 446

The Executive Office of the President 446

The White House Office 448

The Office of Management and Budget 449

The National Security Council 449

"Policy Czars" 449

The Vice Presidency 450

The Vice President's Job 450

Strengthening the Ticket 450

Supporting the President 451

Presidential Succession 452

The Twenty-fifth Amendment 452

When the Vice Presidency Becomes Vacant 453

CHAPTER 13: The Bureaucracy 457

The Nature of Bureaucracy 459

Public and Private Bureaucracies 459

Models of Bureaucracy 460

Weberian Model 460

Acquisitive Model 460

Monopolistic Model 460

Bureaucracies Compared 461

The Size of the Bureaucracy 461

The Organization of the Federal Bureaucracy 462

Cabinet Departments 463

Independent Executive Agencies 465

Independent Regulatory Agencies 466

The Purpose and Nature of Regulatory Agencies 466

Agency Capture 467

Deregulation and Reregulation 467

Government Corporations 468

Challenges to the Bureaucracy 469

Reorganizing to Stop Terrorism 469

Dealing with Natural Disasters 470

Staffing the Bureaucracy 471

Political Appointees 471

The Aristocracy of the Federal Government 472

The Difficulty in Firing Civil Servants 472

History of the Federal Civil Service 472

To the Victor Belong the Spoils 473

The Civil Service Reform Act of 1883 473

The Civil Service Reform Act of 1978 474
Federal Employees and Political Campaigns 474

Modern Attempts at Bureaucratic Reform 475

Sunshine Laws before and after September 11 475

Information Disclosure 475

Curbs on Information Disclosure 475

Sunset Laws 475

Privatization 476

Incentives for Efficiency and Productivity 476

Government Performance and Results Act 478

Bureaucracy Has Changed Little 478

Saving Costs through E-Government 479

Helping Out the Whistleblowers 479

Laws Protecting Whistleblowers 479

The Problem Continues 479

Bureaucrats as Politicians and Policymakers 480

The Rule-Making Environment 481

Waiting Periods and Court Challenges 481

Controversies 481

Negotiated Rule Making 482

Bureaucrats Are Policymakers 482

Iron Triangles 483

Issue Networks 484

Congressional Control of the Bureaucracy 484

Ways Congress Does Control the Bureaucracy 484 Reasons Why Congress Cannot Easily Oversee the Bureaucracy 486

CHAPTER 14: The Courts 490

Sources of American Law 492

Constitutions 494

Statutes and Administrative Regulations 494

Case Law 494

Judicial Review 494

The Federal Court System 496

Basic Judicial Requirements 497

Jurisdiction 497

Standing to Sue 497

Types of Federal Courts 498

U.S. District Courts 498

U.S. Courts of Appeals 498

The U.S. Supreme Court 500

Specialized Federal Courts and the War on Terrorism 500

The FISA Court 500

Alien "Removal Courts" 501

Parties to Lawsuits 502

Procedural Rules 503

The Supreme Court at Work 503

Which Cases Reach the Supreme Court? 504

Factors That Bear on the Decision 504

Granting Petitions for Review 505

Deciding Cases 505

Decisions and Opinions 505

When There Are Eight Justices 506

The Selection of Federal Judges 507

Judicial Appointments 507

Federal District Court Judgeship Nominations 508

Federal Courts of Appeals Appointments 509

Supreme Court Appointments 509

The Special Role of the Chief Justice 509

Partisanship and Judicial Appointments 510

The Senate's Role 511

Policymaking and the Courts 512

Judicial Review 512

Judicial Activism and Judicial Restraint 512

Strict versus Broad Construction 513

Ideology and the Rehnquist Court 514

The Roberts Court 515

What Checks Our Courts? 516

Executive Checks 516

Legislative Checks 517

Constitutional Amendments 517

Rewriting Laws 518

Public Opinion 518

Judicial Traditions and Doctrines 519

Hypothetical and Political Questions 519

The Impact of the Lower Courts 519

PART V Public Policy

CHAPTER 15: Domestic Policy 523

The Policymaking Process 525

Agenda Building 525

Policy Formulation 526

Policy Adoption 526

Policy Implementation 526

Policy Evaluation 527

Health Care 527

The Rising Cost of Health Care 528

Advanced Technology 528

The Government's Role in Financing Health Care 528

Medicare 529

Medicaid 530

Why Has Medicaid Spending Exploded? 530

Medicaid and the States 530

The Uninsured 531

The 2010 Health-Care Reform Legislation 532

Environmental Policy 532

The Environmental Movement 533

Cleaning Up the Air and Water 534

The National Environmental Policy Act 534

Curbing Air Pollution 534

Water Pollution 535

The Endangered Species Act 535

Sustainability 536

Global Climate Change 538

The Kyoto Protocol 538

COP21: The New Agreement 538

The Global Warming Debate 540

Energy Policy 540

Energy and the Environment 543

Nuclear Power—An Unpopular Solution 544 Alternative Approaches to the Energy Crisis 545

Poverty and Welfare 546

The Low-Income Population 546

The Antipoverty Budget 547

Basic Welfare 548

Welfare Controversies 548

Other Forms of Government Assistance 549

Homelessness-Still a Problem 549

Immigration 550

The Continued Influx of Immigrants 550

Minority Groups' Importance on the Rise 550

The Advantages of High Rates of Immigration 550

Attempts at Immigration Reform 550

The Range of Federal Public Policies 552

CHAPTER 16: Economic Policy 556

Prosperity Is the Goal 559

Unemployment 560

Unemployment Becomes an Issue 560

Measuring Unemployment 561

Inflation 562

The Business Cycle 562

The Economic Toolkit 562

Economic Theory Guides Policy 563

Laissez-Faire Economics 563

Keynesian Economic Theory 564

Supply-Side Economics 564

Fiscal Policy 565

Discretionary Fiscal Policy 565

The Thorny Problem of Timing 566

Government Borrowing 566

The Public Debt in Perspective 567

The Politics of Taxes 569

Federal Income Tax Rates 569

Loopholes and Lowered Taxes 570

Progressive and Regressive Taxation 570

Who Pays? 571

Entitlements: The Big Budget Item 572

Social Security and Medicare 573

Social Security Is Not a Pension Fund 573

What Will It Take to Salvage Social Security? 573

Raise Taxes 573

Consider Other Options 575

Privatize Social Security 575

Monetary Policy 575

Organization of the Federal Reserve System 575

Loose and Tight Monetary Policies 576

Time Lags for Monetary Policy 576

Monetary versus Fiscal Policy 576

Globalization and World Trade 578

Imports and Exports 579

The Impact of Import Restrictions on Exports 579

Quotas and Tariffs 579

Free-Trade Areas and Common Markets 579

The World Trade Organization 580

What the WTO Does 580

Sending Work Overseas 581

Facing the Future 581

CHAPTER 17: Foreign Policy and National

Security 585

Facing the World: Foreign and Defense Policy 587

National Security Policy 588

Diplomacy 588

Who Makes Foreign Policy? 589

Constitutional Powers of the President 589

War Powers 590

Treaties and Executive Agreements 591

Other Constitutional Powers 592

Informal Techniques of Presidential Leadership 592

Other Sources of Foreign Policymaking 593

The Department of State 593

The National Security Council 594

The Intelligence Community 594

Covert Actions 594

Criticisms of the Intelligence Community 595

The Department of Defense (DOD) 595

Congress Balances the Presidency 596

Domestic Sources of Foreign Policy 597

Elite and Mass Opinion 597

Interest Group Politics in Global Affairs 597

The Major Themes of American Foreign Policy 598

The Formative Years: Avoiding Entanglements 598

The Monroe Doctrine 599

The Spanish-American War and World War I 599

The Era of Internationalism 599

The Cold War 600

Containment Policy 600

Superpower Relations 601

The Cuban Missile Crisis 602

A Period of Détente 602

The Reagan-Bush Years 602
The Dissolution of the Soviet Union 603

The War on Terror 603

The Iraq and Afghanistan Wars 604

The Persian Gulf—The First Gulf War 604

The Iraq War 605

Occupied Iraq 605

The Situation Worsens 605

The Bush Surge 605

The "Necessary" War 606

Global Policy Challenges 607

The Emerging World Order 608

The Threat of Terrorism 609

Terrorism and Regional Strife 609

Terrorist Attacks against Foreign Civilians 609

London Bombings 609

Nuclear Weapons 610

The United States and the Soviet Union 610 Nuclear Proliferation 611

The United States and Regional Conflicts 611

The Middle East 611

The Arab Spring 613

Iranian Ambitions 615

Central and South America 615

War and HIV/AIDS in Africa 616

PART VI State and Local Politics

CHAPTER 18: State and Local Government 621

The U.S. Constitution and the State Governments 623

Why Are State Constitutions So Long? 624

The Constitutional Convention and the Constitutional Initiative 625

The State Executive Branch 625

A Weak Executive 625

Increasing the Governor's Power 626

The Governor's Veto Power 627

The State Legislature 627

Legislative Apportionment 629

Minority Representation 629

Political Gerrymandering 629

Term Limits for State Legislators 630

Ethics and Campaign Finance Reform in the States 631

Direct Democracy: The Initiative, Referendum, and

Recall 633

The Initiative 633

The Referendum 633

The Recall 633

The State Judiciary 634

Trial Courts 635

Appellate Courts 635

Judicial Elections and Appointments 635

How Local Government Operates 636

The Legal Existence of Local Government 636

Local Governmental Units 636

Municipalities 636

Counties 637

Towns and Townships 637

Special Districts and School Districts 639

Consolidation of Governments 639

How Municipalities Are Governed 640

The Commission Plan 640

The Council-Manager Plan 641

The Mayor-Administrator Plan 641

The Mayor-Council Plan 641

Machine versus Reform in City Politics 643

Paying for State and Local Government 644

State and Local Government Expenditures 644

State and Local Government Revenues 644

The Struggle to Balance State Budgets 646

Getting into Trouble: Borrowing Too Much 647

Getting into Trouble: Poor Productivity 647

Getting into Trouble: Health-Care Costs 647

States Recover from the Recession 648

States as Policy Pioneers 648

APPENDIX A: The Declaration of Independence 651

APPENDIX B: The Constitution of the United States 653

APPENDIX C: The Federalist Papers Nos. 10 and 51 669

GLOSSARY 675

INDEX 686

A Letter to Instructors

Dear American Politics Instructor:

Americans are often cynical about our national political system. College students in particular are at a loss to know what to do about the polarized politics and policy gridlock occurring within the modern political system, making American Politics a tough course to teach. This edition of American Government and Politics Today is designed to help you move your students from the sidelines of politics to full engagement by equipping them with the knowledge and analytical skills needed to shape political decisions at the local, state, and national levels. Based on review feedback, we include a strong emphasis on the power of modern social media and its ability to engage citizens with one another, as well as to connect citizens with political issues and ideas. The solid content on institutions and the processes of government included in previous editions remains. Features such as "Politics in Practice" and "What if...?" will help you bring politics to life in your classroom, while demonstrating to students why politics matters and how it surrounds them each day—at times without their even knowing it. Each chapter has the most up-to-date data and information and includes coverage of current issues and controversies that we believe will engage students and hold their interest.

We believe that part of America's cynicism stems from the growing reality of "two Americas": one with opportunity afforded by privilege and wealth and another whose opportunities, rights, and privileges seem stunted by a lack of wealth. Does the promise of America exist for both groups or only one? How was this theme reflected in the outcome of the 2016 presidential election and in the decision of the Trump administration? How do those who feel they have been left behind as others have prospered regain the promise of the American Dream? What role can political engagement play in doing so? Knowledge is power, and in this edition we try to strike a balance between the content and the skill building necessary for course success, while also presenting students with current controversies in politics and opportunities to engage with those issues. The new "Politics in Practice" feature found in each chapter highlights the ways people engage in politics to make changes. Each chapter begins with the popular feature "What if...?", which presents students with an opportunity to think through a political scenario that for now is a hypothetical, but could actually happen.

These active learning opportunities bring alive the issues that students are confronted with on a daily basis and give students the opportunity to apply their knowledge and skills.

New to This Edition

 This edition has been substantially revised and updated to include the 2016 national elections and recent data, issues, and engaging examples of politics, politicians, and policies. Following the 2016 presidential election, the text has been updated to include issues and examples from the new Trump administration.

- In response to our reviewers, we have substantially revised Chapter 10: "The Media and Politics." This chapter puts a strong emphasis on the way social media connect us to one another and with ideas and political leaders. President Trump's use of Twitter to communicate directly with his supporters and opponents is evaluated in this context.
- Chapter 9 combines material on "Campaigns, Voting, and Elections" in a format that will lead the student seamlessly through the electoral process. The impact of the 2018 midterm elections on the composition of Congress is included.
- In response to reviewers, the features in this edition have been streamlined and the number reduced to three. Each feature has been revised for this edition. "Politics in Practice" is new to this edition and focuses on making politics and people taking political action visible to students by highlighting examples from popular culture and current events. In Chapter 2, the feature highlights the impact of the Broadway musical *Hamilton*, and in Chapter 5 it shows the power of students to change the racial climate on their campus through protest. The feature is designed to enhance student interest by identifying a person or group of people who took on an issue and made a difference.
- A new feature, "Election 2016," has been added to every chapter in the text.
 Within the context of each chapter's focus, this feature guides students to
 think about the ways an election can change American politics or reinforce
 the status quo. Information from the new Trump administration has been
 added where appropriate.
- Greater attention has been paid to gender issues throughout the text as suggested by reviewers. New material is included on the historic candidacy of Hillary Rodham Clinton, the Equal Pay Act, and the Lilly Ledbetter Act, in addition to updated coverage of women's rights and gender equality, gender and racial discrimination, and the pay gap. The unprecedented number of women running in the 2018 midterm elections is included.
- Care has been taken to reflect the growing political power of Latino/a voters and increasingly diverse communities in the examples used throughout the book.
- Tables and figures have been updated, and the results of the 2016 election are included.
- Recent court decisions on marriage equality and immigration, as well as
 foreign policy issues like the violence in Syria and the refugee crisis, are
 integrated into the appropriate chapters in order to ensure that the book
 addresses the most timely political events and topics.

MindTap

As an instructor, MindTap is here to simplify your workload, organize and immediately grade your students' assignments, and allow you to customize your course as you see fit. Through deep-seated integration with your Learning

Management System, grades are easily exported and analytics are pulled with just the click of a button. MindTap provides you with a platform to easily add in current events videos and RSS feeds from national or local news sources.

Seeing students actively engage with the topics addressed in this book and witnessing an eagerness to learn more about the issues currently facing our nation are some of the most exciting experiences given to any faculty member, particularly when many students will only take one undergraduate course in political science. It is our hope that the revisions to this text will help you reach many students and transform them into thoughtful and engaged citizens for the rest of their lives.

Sincerely,

Lynne E. Ford (FordL@cofc.edu)

Barbara A. Bardes (BardesB@ucmail.uc.edu)

Steffen W. Schmidt

Mack C. Shelley, II

A Letter to Students

Dear Student:

Whether you are a political science major, an international affairs major, or are simply taking this course to fulfill a general requirement, we hope that you will enjoy this book and all of its features. *American Government and Politics Today* is meant to be enjoyed as well as studied. To ensure that the most relevant topics are addressed, the book has been thoroughly revised to include the results of the 2016 national elections, global events and foreign policy, and Supreme Court decisions that affect your life. In every chapter, resources are included to help you go online or use social media to investigate the issues presented in the text that capture your interest. American politics is dynamic, and it is our goal to provide you with clear discussions of the institutions of national government and the political processes so that you can be informed and understand the issues as you participate in our political system.

As a student, the federal government may seem remote from your daily life, but that could not be further from the truth! The issues facing the nation today are serious and require your attention, whether it seems that way upon first glance or not. Decisions made in Washington, DC, and in your state capital can determine, for example, the rate of interest that you will pay on student loans, who must serve in the military, or the level of investment in higher education relative to sustaining pensions and Medicare. You may have heard people talking about the "1 percent" and the "99 percent"—this is a way of capturing the gap between the very rich and everyone else. In what ways does rising wealth inequality matter in America? Is it still possible for everyone to achieve the American Dream? Is political equality possible in the face of economic and social inequality? How did President Trump's election as president reflect a sense that some Americans have been left behind? How will politics change as a result of new groups of political participants? These are just a few of the questions raised by this text. The promise of America is very much alive, but our future is far from certain. Understanding how politics works and knowing your rights as a citizen are critical to shaping the nation's future. Political questions rarely have simple answers. Political issues invite multiple perspectives that can be shaped as much by gender, race, ethnicity, or sexual orientation as by political party or ideology. Throughout this text, we will try to equip you with what you need to develop your own political identity and perspective so that you can fully engage in the national conversation about our shared future.

This edition's interactive features are intended to help you succeed in your coursework as well as to understand the role of politics in the modern world.

 Learning Objectives: These objectives begin each chapter and serve as your "take-aways," highlighting the most important content, concepts, and skills. This will make it easy to check your own learning as you work through each chapter.

- Margin Definitions: These make it easy to double-check your understanding of key terms within the chapters.
- What If: This chapter-opening feature is designed to get you thinking about why politics and government matter to you and your community.
- Politics in Practice: This new feature will help you see politics and popular culture in a new way. In each chapter you will find examples of people using politics to make a change. For example, in Chapter 2 the feature highlights the impact of the Broadway musical *Hamilton* on the public's interest in history, and in Chapter 5 it shows the power of students to change the racial climate on their campus through protest.
- Election 2016: This new feature, appearing in each chapter, will guide you to think about the ways an election can change American politics or reinforce the status quo. Examples from the new Trump administration have been added.
- Social Media Margin Questions: Most chapters include a social media screen capture that poses a critical-thinking question. This feature will challenge you to apply chapter content to the real world.
- Chapter Summaries: Revised for this edition, the end-of-chapter summaries link back to a Learning Objective to better test your understanding of the topics at hand.
- Print, Media, and Online Resources: Each chapter offers a brief list of additional resources that will allow you to explore further the topics that interest you.

The Benefits of Using MindTap as a Student

As a student, the benefits of using MindTap with this book are endless. With automatically graded practice quizzes and activities, an easily navigated learning path, and an interactive eBook, you will be able to test yourself in and outside of the classroom with ease. The accessibility of current events coupled with interactive media makes the content fun and engaging. On your computer, phone, or tablet, MindTap is there when you need it, giving you easy access to flashcards, quizzes, readings, and assignments.

Information is power: when you are well informed, you can participate in discussion with your friends, family, and colleagues and debate ideas with confidence. You can influence events rather than watch as a passive bystander. The future of our republic depends on your full engagement. You are the next generation of leaders, and we wish you well.

Sincerely,

Lynne E. Ford (FordL@cofc.edu)

Barbara A. Bardes (BardesB@ucmail.uc.edu)

Steffen W. Schmidt

Mack C. Shelley, II



Fit your coursework into your hectic life.

Make the most of your time by learning your way. Access the resources you need to succeed wherever, whenever.



Study with digital flashcards, listen to audio textbooks, and take quizzes.



Review your current course grade and compare your progress with your peers.



Get the free MindTap Mobile App and learn wherever you are.

Break Limitations. Create your own potential, and be unstoppable with MindTap.

MINDTAP. POWERED BY YOU.



Resources

Cengage Unlimited

The first-of-its-kind digital subscription designed specially to lower costs. Students get total access to everything Cengage has to offer on demand—in one place. That's 20,000 eBooks, 2,300 digital learning products, and dozens of study tools across 70 disciplines and over 675 courses. Currently available in select markets. Details at www.cengage.com/unlimited

Students

If you purchased MindTap or CourseReader access with your book, enter your access code and click "Register." You can also purchase the book's resources here separately through the "Study Tools" tab.

Instructors

Access your American Government and Politics Today resources via www.cengage.com/login.

Log in using your Cengage Learning single sign-on user name and password, or create a new instructor account by clicking on "**New Faculty User**" and following the instructions.

Text Only Edition

ISBN: 9781337790352

This copy of the book does not come bundled with MindTap.

MindTap for *American Government and Politics Today,* Enhanced Eighteenth Edition

Printed Access Card ISBN: 9780357020524 Instant Access Code ISBN: 9780357020494

MindTap for American Government and Politics Today is a highly personalized, fully online learning experience built upon Cengage Learning content and correlating to a core set of learning outcomes. MindTap guides students through the course curriculum via an innovative Learning Path Navigator where they will complete reading assignments, challenge themselves with focus activities, and engage with interactive quizzes. Through a variety of gradable activities, MindTap provides students with opportunities to check themselves for where they need extra help, and it allows faculty to measure and assess student progress. Integration with programs like YouTube and Google Drive allows instructors to add and remove content of their choosing with ease, keeping their course current while tracking local and global events through RSS feeds. The product can be used fully online with its interactive eBook for American Government and Politics Today Enhanced Eighteenth Edition or in conjunction with the printed text.

CourseReader, Cengage Learning's Powerful, Curated Database of Readings, Is Now Fully Integrated in Every Political Science Mindtap!

Accessed directly from within each MindTap through a new feature called the Instructor's Resource Center, this new tool gives instructors access to readings that were previously exclusively available in a separate digital product. The readings contain primary and secondary sources, are curated by experts, and are designed specifically for use in introductory courses. CourseReader in MindTap is the latest Cengage Learning product to capitalize on the company's unique ability to bring Gale's authoritative library reference content into the classroom.

Instructor Companion Website for Ford/Bardes/ Schmidt/Shelley, *American Government and Politics Today* Enhanced Eighteenth Edition

ISBN: 9780357020487

This Instructor Companion Website is an all-in-one multimedia online resource for class preparation, presentation, and testing. Accessible through Cengage .com/login with your faculty account, you will find available for download: book-specific Microsoft® PowerPoint® presentations; a Test Bank compatible with multiple learning management systems; and an Instructor's Manual.

The Test Bank, offered in Blackboard, Moodle, Desire2Learn, Canvas, and Angel formats, contains learning objective-specific multiple-choice and essay questions for each chapter. Import the test bank into your LMS to edit and manage questions and to create tests.

The Instructor's Manual contains chapter-specific learning objectives, an outline, key terms with definitions, and a chapter summary. Additionally, the Instructor's Manual features a critical thinking question, a lecture launching suggestion, and an in-class activity for each learning objective.

The Microsoft® PowerPoint® presentations are ready-to-use, visual outlines of each chapter. These presentations are easily customized for your lectures.

Cognero for Ford/Bardes/Schmidt/Shelley, *American Government and Politics Today* Enhanced Eighteenth Edition

ISBN: 9780357020555

Cengage Learning Testing Powered by Cognero is a flexible, online system that allows you to author, edit, and manage test bank content from multiple Cengage Learning solutions, create multiple test versions in an instant, and deliver tests from your LMS, your classroom, or wherever you want. The test bank for *American Government and Politics Today* Enhanced Eighteenth Edition contains learning objective—specific multiple-choice and essay questions for each chapter.

Acknowledgments

In preparing this edition of *American Government and Politics Today*, we have received superb guidance and cooperation from a team of publishers and editors at Cengage. We have greatly appreciated the collaboration and encouragement given over the years by Carolyn Merrill, former product team manager. Margaret McAndrew Beasley, our developmental editor, deserves our thanks for keeping us moving toward deadlines and for her well-considered suggestions for improvement. We are also indebted to Megan Garvey, content development manager, and Corinna Dibble, content project manager, for their contributions.

Any errors remain our own. We welcome comments and suggestions from instructors and students alike who are using the book. Their suggestions have helped to strengthen the book and make it more helpful to students and faculty in the changing world of higher education.