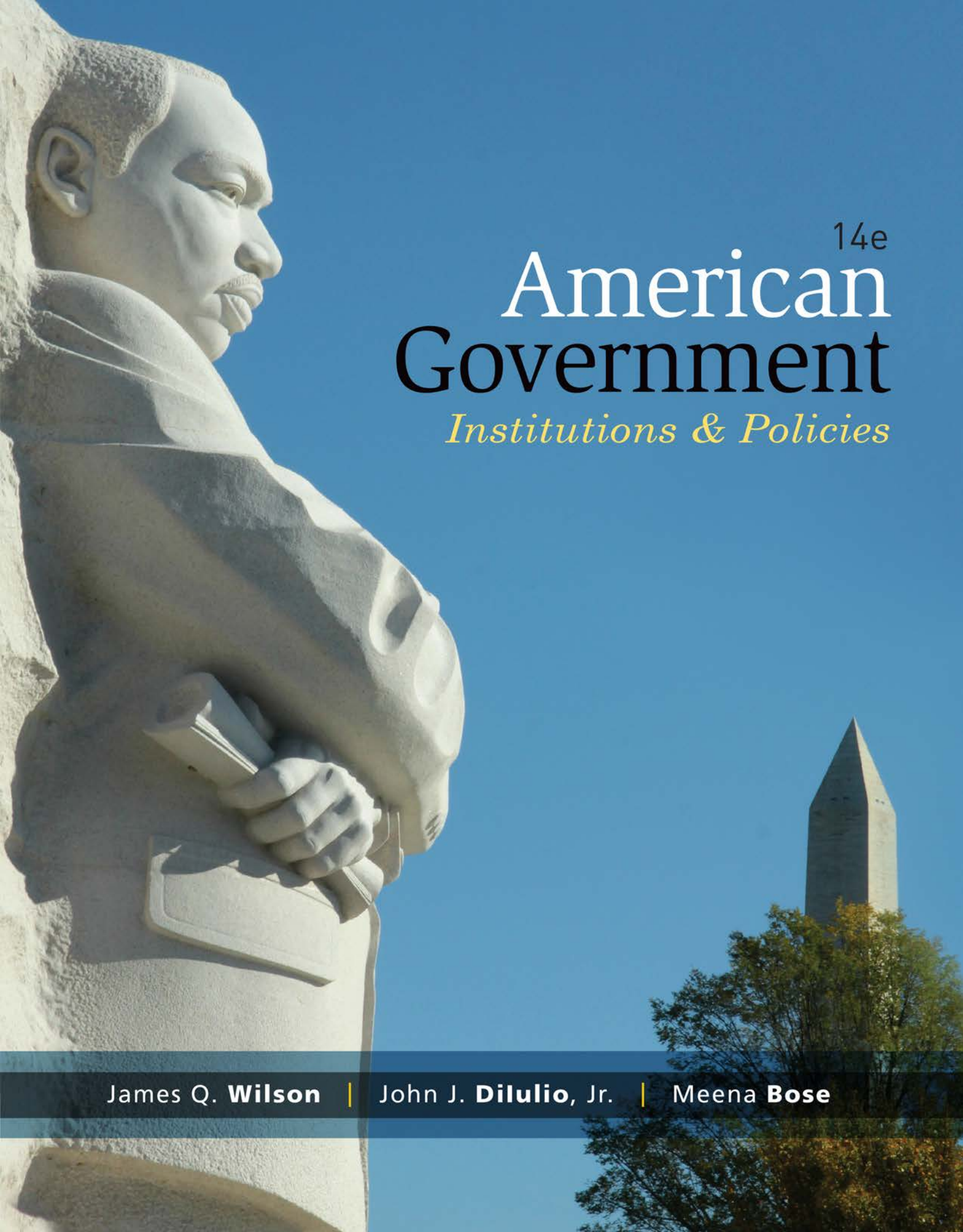


14e

American Government

Institutions & Policies

James Q. **Wilson** | John J. **Dilulio**, Jr. | Meena **Bose**

American Government: Institutions

The American System

The Federalist Papers
http://thomas.loc.gov/home/histdox/fedpapers.html

The Library of Congress's website, named after Thomas Jefferson, includes the full text of all 85 Federalist Papers, published by James Madison, Alexander Hamilton, and John Jay under the pseudonym Publius in New York City newspapers in 1787-88 to rally public support for the Constitution.

The Anti-Federalist Papers
http://www.constitution.org/afp/afp.htm

Selected Anti-Federalist Papers, written by several authors, also under pseudonyms, who opposed ratification of the Constitution, are reprinted by a private, non-profit organization, the Constitution Society.

Yale Law School
Lillian Goldman Law Library
in memory of Sol Goldman

Documents pertaining to the American Constitution
http://avalon.law.yale.edu/subject_menus/constpap.asp
http://avalon.law.yale.edu/default.asp

The Avalon Project of Yale Law School is an online database of document collections, including one on the American Constitution that includes colonial state charters, constitutional convention records, and ratification statements. The website also contains links to presidential papers, the State Department's Foreign Relations of the United States series, and numerous other sites pertaining to American politics and diplomacy.

Opinions, Interests, and Organizations

Current news sources
http://www.realclearpolitics.com

This website provides a daily compilation of news articles, commentary, public opinion polls, and other information about current issues in American politics.

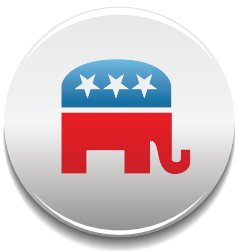
REAL CLEAR POLITICS

Public opinion polls
http://www.pollster.com/

This website compiles polling data for state and national elections, and also includes commentary by website contributors.

http://www.pollingreport.com/

This website compiles public opinion polling data on key issues in American politics.



Major political parties
http://www.democrats.org/

This is the website of the Democratic National Committee.

http://www.rnc.org/splashpage/index.aspx

This is the website of the Republican National Committee.

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University of California, Los Angeles, emeritus
Pepperdine University
Boston College

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University of Pennsylvania

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Hofstra University

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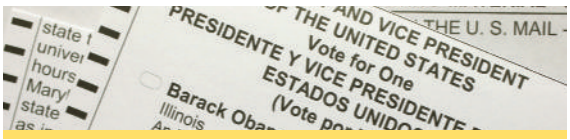

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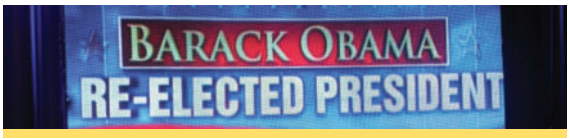

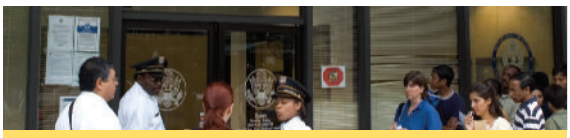

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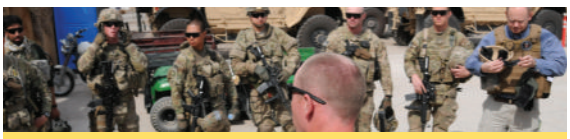

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Preface

We wrote *American Government: Institutions and Policies* not only to explain to students how the federal government works, but also to clarify how its institutions have developed over time and describe their effects on public policy. Within this distinguishing framework, we explain the history of Congress, the presidency, the judiciary, and the bureaucracy because the politics we see today are different from those we would have seen a few decades ago. And, of course, change never stops: in another decade, federal politics may be very different from what they are today.

American Government: Institutions and Policies is written around certain key ideas that help students understand, not simply American government, but the reasons why the government in this country is different from those in other democracies. These ideas are the U.S. Constitution, America's adversarial political culture, and a commitment to freedom and limited government. This book is an attempt to explain and give the historical and practical reasons for these differences.

And as always, the book is thoroughly revised to excite students' interest about the latest in American politics and encourage critical thinking.

Special Features

- Learning Objectives open and close each chapter, serving as a road map to the book's key concepts and helping students assess their understanding.
- Now and Then chapter-opening vignettes offer attention-grabbing looks at a particular topic in the past and in the present, reinforcing the historical emphasis of the text and applying these experiences to the students' lives. These will help sensitize students to the still-unfolding saga of continuity and change.
- New Constitutional Connections features raise analytical issues from the constitutional debates that remain relevant today.
- New Policy Dynamics: Inside/Outside the Box features present policy dynamics and encourage students to think about whether they are entrepreneurial, migrating from client to interest group, or safely majoritarian within *American Government*'s classic politics of policymaking framework, which is now being introduced in Chapter 1.
- New What's Your Issue? features pose contemporary issues, ask students how or whether the issues directly impact them, and encourage students to explore their views on the issues.
- Landmark Cases provide brief descriptions of important Supreme Court cases.
- How We Compare features show how other nations around the world structure their governments and policies in relation to the United States and ask students to think about the results of these differences.
- How Things Work boxes summarize key concepts and important facts that facilitate students' comprehension of the political process.
- What Would You Do? features place students in the role of a decision maker, presenting them with a realistic domestic or foreign policy issue that they can explore in a class discussion or assignment.
- To Learn More sections close each chapter with carefully selected Web resources and classic and contemporary suggested readings to further assist students in learning about American politics.

New to This Edition

Updates throughout the text reflect the latest scholarship and current events. The most current information available has been incorporated into the narrative, and the book's tables, figures, citations, and photographs have been thoroughly revised. The book has been streamlined and reorganized to introduce the politics of the policy process in Chapter 1, so that students can evaluate policy dynamics throughout the rest of the text within the narrative and new Policy Dynamics: Inside/Outside the Box features. The reorganization also consolidates the policy chapters down from five chapters to three to better fit the semester format and encourage reading.

Additionally, significant chapter-by-chapter changes have been made as follows:

- Chapter 1: *American Government's* classic politics of policymaking framework is now introduced in Chapter 1. New features include Constitutional Connections: Deciding What's Legitimate, What's Your Issue?: Medicare, and Policy Dynamics: Obamacare.
- Chapter 2: This chapter includes an expanded discussion of the views of John Locke and Thomas Hobbes and how their philosophies influenced the Framers. A new What's Your Issue? feature looks at income tax rates.
- Chapter 3: The opening vignette looks at the Antifederalists' opposition to the Constitution on the grounds that it gave too much power to the national government and how that has played out today. The chapter includes a new discussion on federalism and health care reform. New features include Constitutional Connections: States and Health Exchanges and What's Your Issue?: Marijuana Laws. The Landmark Cases: Federal-State Relations box has been greatly expanded.
- Chapter 4: The Civic Role of Religion discussion has been updated and includes a new table on American's Belief about Religion. The new What's Your Issue? feature looks at naturalized citizenship and a Constitutional Connections feature examines "A Religious People."
- Chapter 5: New features include Constitutional Connections: Selective Incorporation and What's Your Issue?: Gun Control and the Second Amendment.
- Chapter 6: The opening vignette explores how civil rights have changed over the years and a new section on Race and Civil Rights opens the chapter. The chapter includes updated coverage of affirmative action, same-sex marriage (including the Supreme Court's recent DOMA ruling), and other gay rights issues. New features look at suspect classifications, handguns and civil rights, and same-sex marriage policy. Rev. Dr. Martin Luther King, Jr.'s "I Have a Dream" speech now appears in the appendix.
- Chapter 7: Updated public opinion statistics are included throughout. A new discussion and table look at how religion factors into differences in opinion within different generations. Latino opinion is examined in more depth. The table on ideology typology has been largely revised. New features include Constitutional Connections: Majority Opinion and Public Policy and What's Your Issue?: The Electoral College.
- Chapter 8: A new Constitutional Connections feature looks at state voting laws and What's Your Issue? examines compulsory voting.
- Chapter 9: The chapter has been updated to cover the 2012 elections. A new figure looks at the fact that Americans are divided on the need for a third party, and a new table looks at historical convention bounces. New features include Constitutional Connections: The Spirit of Party, What's Your Issue?: Public Funding of Presidential Campaigns, and Policy Dynamics: The Auto Industry Bailout: Client Politics.
- Chapter 10: 2012 election coverage is included throughout, including a special 2012 Election feature and the most recent statistics on campaign finance. New features include Constitutional Connections: "Natural Born" Presidents and What's Your Issue?: Super PACs.
- Chapter 11: A new section on lobbying closes the chapter and updated financial data are included throughout. New features include Constitutional Connections: "Factions" vs. Special Interests, What's Your Issue?: Lobbying, and Policy Dynamics: Immigration Reform: Client or Majoritarian.
- Chapter 12: This chapter includes expanded coverage of social media's role in politics and new figures on the state of news media. A new Constitutional Connections feature looks at the First Amendment and What's Your Issue? asks whether media news coverage is fair.
- Chapter 13: Updated coverage on the 113th Congress is included throughout. New features include Congressional Connections: From Convention to Congress, What's Your Issue?: A New Congress—and a New Constitution, and Policy Dynamics: National Service: A Bridge to Entrepreneurial Politics.
- Chapter 14: This chapter includes updates throughout on the Obama administration, as well as the 2012 presidential election. New features include Constitutional Connections: Energy in the Executive, What's Your Issue?: Presidential Communication, and Policy Dynamics: Postal Service Reform: Client Politics.
- Chapter 15: New features include Constitutional Connections: Beyond Checks and Balances, What's Your Issue?: Fix the Sewers First, and Policy Dynamics: Postal Service Reform: Client Politics.

- Chapter 16: There is updated coverage on the increase in partisan wrangling over presidential judicial appointments and the confirmation process, including updated statistics about Obama's judicial appointments. The discussion of the public's approval of the Court's performance is expanded and updated. *National Federation of Independent Business v. Sebelius* and other recent Supreme Court cases are included. A new Constitutional Connections feature looks at the "exceptions" clause, What's Your Issue? explores the PRISM surveillance program, and Policy Dynamics examines telecommunications and "decency."
- Chapter 17: This new Domestic Policy chapter condenses material from the previous edition into new sections on Social Welfare Policy, Business Regulation Policy, and Environmental Policy for a more manageable policy unit.
- Chapter 18: This chapter includes updates on the U.S. economy and budget battles.
- Chapter 19: Updates include coverage of foreign-policy decisions on Afghanistan, the Middle East, and North Korea, as well as a new figure on the public's view of America's role as a world leader.
- Chapter 20: The closing chapter leaves readers with a portrait of the current political landscape and tasks them with future examination of their government using the tools they've acquired. A new How We Compare feature looks at deficit spending in America and Europe.

Student and Instructor Supplements

STUDENTS: Access the book's CourseMate, free Companion Website, and other resources via **www.cengagebrain.com/shop/ISBN/9781285195094**.

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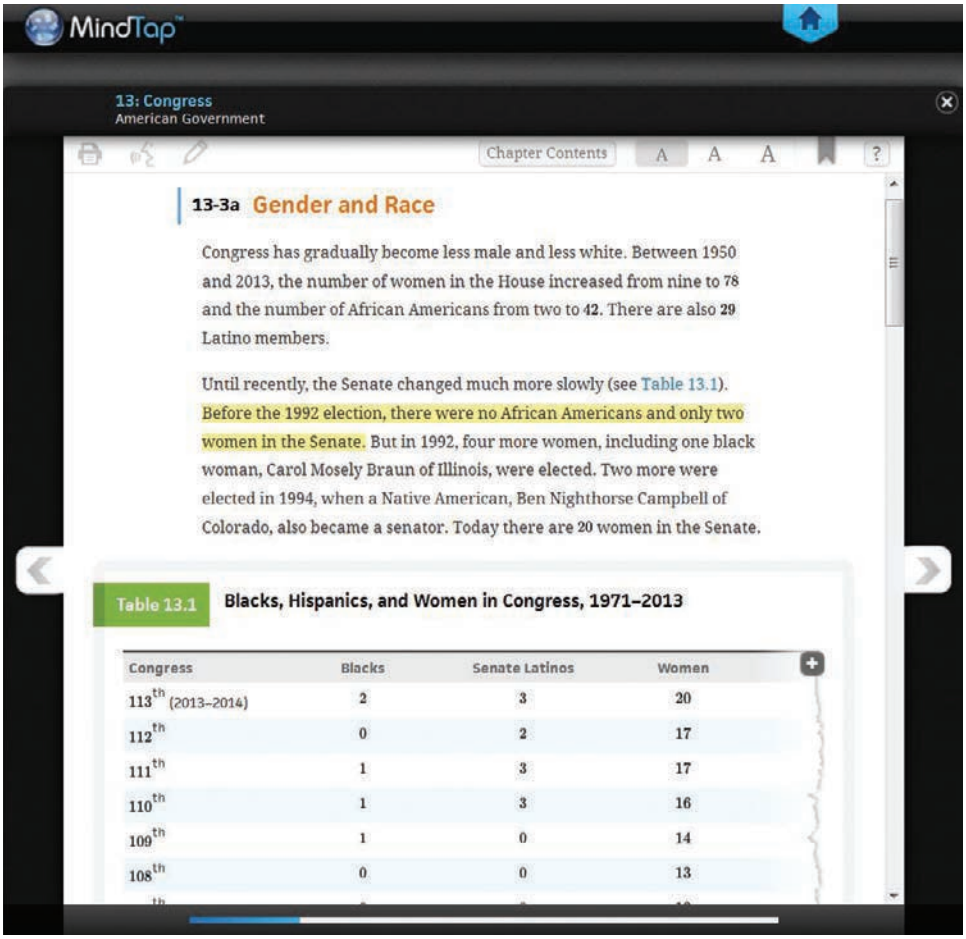

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- The Test Bank, offered in Microsoft® Word® and Cognero® formats, contains Learning Objective-specific multiple choice and essay questions for each chapter. Cognero® is a flexible, online system that allows you to author, edit, and manage test bank content for *American Government: Institutions and Policies, 14e*. Create multiple test versions instantly and deliver through your LMS from your classroom, or wherever you may be, with no special installs or downloads required. This edition's Test Bank is authored by William Hatcher of Eastern Kentucky University.
- 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, lecture launching suggestion, and an in-class activity for each learning objective. This edition's Instructor's Manual is authored by Katherine Falconer of Reynolds Community College.
- The Microsoft® PowerPoint® presentations are ready-to-use, visual outlines of each chapter. These presentations are easily customized for your lectures and offered along with chapter-specific Microsoft® PowerPoint® Image Slides and JPEG Image Libraries. Access your Online PowerLecture at **www.cengage.com/login**.

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Authored by Fernando Pinon, this revised and updated supplement uses real examples to detail politics related to Latino Americans. Contact your Cengage sales representative to customize your text.

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John J. Dilulio, Jr.

John J. DiIulio, Jr., is a professor of political science at the University of Pennsylvania. From 1986 to 1999, he was a professor of politics and public affairs at Princeton University's Woodrow Wilson School of Public and International Affairs. He received B.A. and M.A. degrees from the University of Pennsylvania and M.A. and Ph.D. degrees from Harvard University. He is the author, coauthor, or editor of a dozen books, including *Godly Republic* (2007), *Medicaid and Devolution* (1998, with Frank Thompson), *Deregulating the Public Service* (1994), and *Governing Prisons* (1987). He has received many awards for excellence in teaching including Penn's two most prestigious, the Lindback Award and the Abrams Award.

DiIulio advised both Vice President Al Gore and Governor George W. Bush during the 2000 presidential campaign. While on leave in academic year 2000–2001, he served as assistant to the president of the United States. He served as the first Director of the White House Office on Faith-Based Initiatives and assisted the Obama administration in reconstituting it. He has advised officials at the National Performance Review, the Office of Management and Budget, the General Accounting Office, the U.S. Department of Justice, and other federal agencies. He has served on the boards of Big Brothers Big Sisters of America and other nonprofit organizations.

In 1995, the Association of Public Policy Analysis and Management conferred on him the David N. Kershaw Award for outstanding research achievements, and in 1987 he received the American Political Science Association's Leonard D. White Award in public administration. In 1991–1994, he chaired the latter association's standing committee on professional ethics. Since 2005, he has had a leading role in nonprofit initiatives to assist post-Katrina New Orleans.

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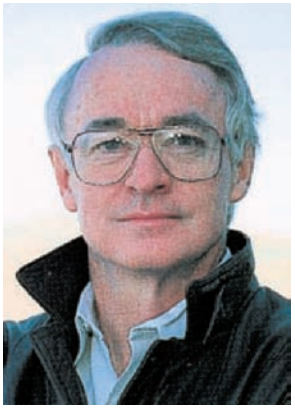
Meena Bose

Meena Bose is Director of the Peter S. Kalikow Center for the Study of the American Presidency at Hofstra University, as well as the Peter S. Kalikow Chair in Presidential Studies and Professor of Political Science. She is the author of *Shaping and Signaling Presidential Policy: The National Security Decision Making of Eisenhower and Kennedy* (1998) and editor of the reference volume *The New York Times on the Presidency* (2009), *Votes to Victory: Winning and Governing the White House in the Twenty-First Century* (2011), and *President or King? Evaluating the Expansion of Presidential Power from Abraham Lincoln to George W. Bush* (forthcoming). She also is co-editor (with Rosanna Perotti) of *From Cold War to New World Order: The Foreign Policy of George H. W. Bush* (2002), co-editor (with Mark Landis) of *The Uses and Abuses of Presidential Ratings* (2003), and co-editor (with John J. DiIulio, Jr.) of *Classic Ideas and Current Issues in American Government* (2007).

Bose was scholar-in-residence for a nonpartisan course sponsored by the Washington Center in connection with the 2008 Republican National Convention in Minneapolis, and she was active in both of the Center's convention courses in 2012. She also has designed and taught several courses for Elderhostel, including "The Wisdom of Our Fathers: The Mount Rushmore Presidents." *Long Island Business News* selected her as one of the "Top 40 Under 40" leaders on Long Island in 2009.

Bose taught for six years at the U.S. Military Academy at West Point, where she also served as Director of American Politics in 2006. She previously taught at Hofstra University from 1996 to 2000 and represented the American Political Science Association on the Department of State's Historical Advisory Committee from 2001 to 2004. She earned her B.A. degree in international politics from Penn State University (1990), and she received her M.A. (1992) and Ph.D. (1996) degrees in politics from Princeton University.

In Memoriam
James Q. Wilson
(May 27, 1931–March 2, 2012)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James Q. Wilson's death made news. There was a front-page story in *The New York Times*. There were stories in *The Wall Street Journal, The Washington Post*, and nearly every other major U.S. newspaper. There were also essays in *The Economist, The New Republic, The Weekly Standard*, and many other magazines; reflections by Ross Douthat, George Will, and many other leading syndicated columnists; postings by think-tank leaders and big-time bloggers; and statements by present and former public officials in both parties.

In 1959, Wilson received his doctoral degree in political science from the University of Chicago. He held endowed chair professorships at Harvard, UCLA, and Pepperdine, and a final post as a Distinguished Scholar at Boston College. Harvard and a half-dozen other universities bestowed honorary degrees on him. He won numerous academic awards, including ones from the American Political Science Association, the Academy of Criminal Justice Sciences, and the Policy Studies Organization. He held board chairmanships, memberships, directorships, or academic advisory group leadership positions with, among other institutions, the Joint Center for Urban Studies of Harvard and MIT, the American Academy of Arts and Sciences, the American Philosophical Society, the American Enterprise Institute, the National Academy of Sciences, the Robert A. Fox Leadership Program at the University of Pennsylvania, and the Pardee Rand Graduate School. He authored or co-authored 17 books, including 13 editions of *American Government* that, all told, sold more than a million copies. He also penned or co-penned several edited volumes and several hundred articles, plus scores of op-eds in leading newspapers.

Predictably, most of the public coverage that followed his passing, even the parts of it that included personal reminiscences or that quoted people who knew him, was mainly about Wilson the eminent and influential public intellectual. That is, it was about the Wilson who Senator Daniel Patrick Moynihan, his friend and former Harvard colleague, famously described to President Richard M. Nixon as "the smartest man in America." It was about the Wilson who served both Democratic and Republican officeholders, including six U.S. presidents, as an advisor. It was about the Wilson who was the chairperson of President Lyndon Johnson's White House Task Force on Crime, the chairperson of President Nixon's National Advisory Commission on Drug Abuse Prevention, and a member of many other public commissions or blue-ribbon bodies, including the President's Foreign Policy Intelligence Board, the President's Council on Bioethics, the Police Foundation's Board of Directors, and the International Council of the Human Rights Foundation. It was about the Wilson who received the Presidential Medal of Freedom in 2003 and was cited by President George W. Bush as "the most influential political scientist in America since the White House was home to Professor Woodrow Wilson."

Wilson, the eminent and influential public intellectual, was a real genius and a laudable giant, but that was not the whole of the man that I was blessed to know over the last 32 years. Even greater, in my view, were Wilson the deeply good family man and neighbor-citizen and Wilson the devoted teacher, dedicated mentor, and pure scholar.

A two-time national high school debate champion, Jim graduated from the University of Redlands and served in the U.S. Navy. He married his high school sweetheart, Roberta. They were happily married for nearly sixty years. Jim is survived by Roberta and their two children, Matthew and Annie, his children's

spouses, a sister, and many grandchildren, nieces, and nephews. Somehow, for all his prolific public and professional pursuits, he spent several lifetimes of quality time with his children, time that included reading all of the Sunday comics to them when they were young, never missing an important event in their lives, and leading them on many trips abroad and other adventures. Jim loved to share the things that he loved. Those things included scuba diving and underwater photography. He and Roberta co-authored a book, *Watching Fishes: Life and Behavior on Coral Reefs* (1985). He also loved cars, fast ones, and was into racing. I once described him as "an open-highway patriot," and he smiled at the description. Jim was a model community member. He coached a local youth soccer team and he served on the board of his local library.

Jim was also an amazingly dedicated undergraduate and graduate student classroom teacher. He was an angel-on-the-shoulder thesis supervisor, dissertation advisor, colleague, co-author, editor, and co-editor. He loved to laugh at himself and with others, and his generosity was genuine and unfailing.

For all Jim's influence and diverse intellectual interests, at the core of his professional and civic being he was a proudly card-carrying political scientist who always pursued knowledge more for its intrinsic than for its instrumental value. Indeed, he was supremely skeptical about what policy-oriented public intellectuals (often offering himself as Exhibit A) had to offer real-world public policymakers and administrators.

In *The Politics of Regulation*, an edited volume featuring chapters by many of his former graduate students, Jim wrote:

> *(M)uch, if not most, of politics consists of efforts to change wants by arguments, persuasion, threats, bluffs, and education. What people want—or believe they want—is the essence of politics.…Both economics and politics deal with problems of scarcity and conflicting preferences. Both deal with persons who ordinarily act rationally. But politics differs from economics in that it manages conflict by forming heterogeneous coalitions out of persons with changeable and incommensurable preferences in order to make binding decisions for everyone. Political science is an effort to make statements about the formation of preferences and nonmarket methods of managing conflict among those preferences; as a discipline, it will be as inelegant, disorderly, and changeable as its subject matter.*

Requiescat in Pace: May he rest in peace.

John J. DiIulio, Jr.

A longer version of this essay appeared in PS: Political Science and Politics*, 2012. This excerpt is reprinted here by permission.*

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PART 1

The American System

In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next place oblige it to control itself.

— FEDERALIST NO.51

1

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The Study of American Government

LEARNING OBJECTIVES

1. **What is meant by "politics"?**
2. **Can you give two definitions of "democracy"?**
3. **How is political power actually distributed in America?**
4. **What is the "political agenda" and why has it expanded?**
5. **How can you classify and explain the politics of different issues?**

Today, Americans and their elected leaders are hotly debating the federal government's spending, taxing, and future finances.

Some things never change.

THEN

In 1786, a committee of Congress reported that since the Articles of Confederation were adopted in 1781, the state governments had paid only about one-seventh of the monies requisitioned by the federal government. The federal government was broke and sinking deeper into debt, including debt owed to foreign governments. Several states had financial crises, too.

In 1788, the proposed Constitution's chief architect, James Madison, argued that while the federal government needed its own "power of taxation" and "collectors of revenue," its overall powers would remain "few and defined" and its taxing power would be used sparingly.[1] In reply, critics of the proposed Constitution, including the famous patriot Patrick Henry, mocked Madison's view and predicted that if the Constitution were ratified, there would over time be "an immense increase of taxes" spent by an ever-growing federal government.[2]

NOW

In 2010, a bipartisan presidential commission warned that by 2015, the federal government would be paying well over $300 billion a year in interest on a roughly $20 trillion national debt, much of it borrowed from foreign nations. The federal budget initially proposed for 2014 called for spending about $3.8 trillion, roughly a fifth of it in deficit spending. Projected total state and local government spending for 2014 was about $3.2 trillion (including federal grants), and many states' and cities' finances were in shambles.[3]

So, in the 1780s, as in the 2010s, nearly everyone agreed that government's finances were a huge mess and that bold action was required, and soon; but in each case, then and now, there was no consensus about what action to take, or when.

Issues and Politics

This might seem odd. After all, it may appear that the government's financial problems, including big budget deficits and revenue shortfalls, could be solved by simple arithmetic: either spend and borrow less, or tax more, or both. But now ask: spend or borrow less for what, and raise taxes on whom, when, how, and by how much? For example, should we cut the defense budget but continue to fund health care programs, or the reverse? Or should we keep defense and health care funding at current levels but reduce spending on environmental protection or homeland security? Should we perhaps increase taxes on the wealthy (define *wealthy*) and cut taxes for the middle class (define *middle class*), or … what?

issue A conflict, real or apparent, between the interests, ideas, or beliefs of different citizens.

Then, as now, the fundamental government finance problems were *political*, not mathematical. People disagreed not only over how much the federal government should tax and spend, but also over whether it should involve itself at all in various endeavors. For example, in 2011, the federal government nearly shut down, not mainly over disagreements between the two parties about how much needed to be cut from the federal budget (in the end, the agreed-to cuts totaled $38.5 billion), but primarily over whether any federal funding at all should go to certain relatively small-budget federal health, environmental, and other programs.

Fights over taxes and government finances; battles over abortion, school prayer, and gay rights; disputes about where to store nuclear waste; competing plans on immigration, international trade, welfare reform, environmental protection, or gun control; contention surrounding a new health care proposal. Some of these matters are mainly about money and economic interests; others are more about ideas and personal beliefs. Some people care a lot about at least some of these matters; others seem to care little or not at all.

Regardless, all such matters and countless others have this in common: each is an **issue**, defined as a conflict, real or apparent, between the interests, ideas, or beliefs of different citizens.[4]

An issue may be more apparent than real; for example, people might fight over two tax plans that, despite superficial differences, would actually distribute tax burdens on different groups in exactly the same way. Or an issue may be as real as it seems to the conflicting parties, as, for example, it is in matters that pose clear-cut choices (high tariffs or no tariffs; abortion legal in all cases or illegal in all cases).

And an issue might be more about conflicts over means than over ends. For example, on health care reform or other issues, legislators who are in the same party and have similar ideological leanings (like a group of liberal Democrats, or a group of conservative Republicans) might agree on objectives but still wrangle bitterly with each other over different means of achieving their goals. Or they might

politics The activity by which an issue is agitated or settled.

power The ability of one person to get another person to act in accordance with the first person's intentions.

authority The right to use power.

agree on both ends and means but differ over priorities (which goals to pursue first), timing (when to proceed), or tactics (how to proceed).

Whatever form issues take, they are the raw materials of politics. By **politics** we mean "the activity—negotiation, argument, discussion, application of force, persuasion, etc.—by which an issue is agitated or settled."[5] There are many different ways that any given issue can be agitated (brought to attention, stimulate conflict) or settled (brought to an accommodation, stimulate consensus). And there are many different ways that government can agitate or settle, foster or frustrate political conflict.

This is a good time to ask yourself what, if any, issues matter to you. Generally speaking, do you care a lot, a little, or not at all about economic issues, social issues, or issues involving foreign policy or military affairs? Do you follow any particular, ongoing debates on issues like tightening gun control laws, expanding health care insurance, regulating immigration, or funding anti-poverty programs?

As you will learn in Part II of this textbook, some citizens are quite issue-oriented and politically active: they vote and try to influence others to vote likewise; they join political campaigns or give money to candidates; they keep informed about diverse issues, sign petitions, advocate for new laws, or communicate with elected leaders; and more.

But such politically attentive and engaged citizens are the exception to the rule, most especially among young adult citizens under age 30. According to many experts, ever more young Americans are closer to being "political dropouts" than they are to being "engaged citizens" (a fact that is made no less troubling by similar trends in the United Kingdom, Canada, Scandinavia, and elsewhere).[6] Many high school and college students believe getting "involved in our democracy" means volunteering for community service, but not voting.[7] Most young Americans do not regularly read newspapers (online or otherwise) or closely follow political news; and most know little about how government works, and exhibit no "regular interest in politics."[8] In response to such concerns, various analysts and study commissions have made proposals ranging from compulsory voting to enhanced "civic education" in high schools.[9]

The fact that you are reading this textbook tells us that you probably have some interest in American politics and government. To help enliven that interest as you learn more about the subject, each chapter in Parts I through III of this textbook contains a feature—**What's Your Issue?**—that encourages you to explore present-day debates over a particular issue.

Power, Authority, and Legitimacy

Politics, and the processes by which issues are normally agitated or settled, involves the exercise of power. By **power** we mean the ability of one person to get another person to act in accordance with the first person's intentions. Sometimes an exercise of power is obvious, as when the president tells the air force that it cannot build a new bomber or orders soldiers into combat in a foreign land. Other times an exercise of power is subtle, as when the president's junior speechwriters, reflecting their own evolving views, adopt a new tone when writing for their boss about controversial social issues like abortion. The speechwriters may not think they are using power—after all, they are the president's subordinates and may rarely see him face-to-face. But if the president lets their words exit his mouth in public, they have used power.

Power is found in all human relationships, but we shall be concerned here only with power as it is used to affect who will hold government office and how government will behave. We limit our view here to government, and chiefly to the American federal government. However, we shall repeatedly pay special attention to how things once thought to be "private" matters become "public"—that is, how they manage to become objects of governmental action. Indeed, as we will discuss more below, one of the most striking transformations of American politics has been the extent to which, in recent decades, almost every aspect of human life has found its way onto the political agenda.

People who exercise political power may or may not have the authority to do so. By **authority** we mean the right to use power. The exercise of rightful power—that is, of authority— is ordinarily easier than the exercise of power not supported by any persuasive claim of right. We accept decisions, often without question, if they are made by people who we believe have the right to make them; we may bow to naked power because we cannot resist it, but by our recalcitrance or our resentment we put the users of naked power to greater trouble than the wielders of authority. In this book, we will on occasion speak

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WHAT'S YOUR ISSUE?

Medicare Reform

There are two basic questions to ask oneself about any given issue:

1. ***What's my* stake *in the issue?*** For instance, if you or people you care about are in college or headed for college, and if you or they rely on government-backed college loans to pay tuition bills, then you might perceive yourself as having a *stake* in the fate of proposals to cut or expand college loans. Perceiving your stake in the issue, you might pay attention to whether these proposals attract public support, gain legislative sponsors, and become laws. (*Do you* think you have a *stake* in this issue, and, if so, what is it?)
2. ***What's my* take *on the issue?*** But even if you perceive no economic, personal, or other stake in an issue, you might yet have a *take* on the issue. For example, you might believe that, in order to reduce socio-economic inequalities, or to ensure that America has a highly educated, globally competitive workforce, or for what you consider to be purely moral reasons, you would favor expanding (or oppose cutting) government-backed college loans. (*Do you* have a *take* on this issue, and, if so, what is it?)

Figuring out whether, or by what definition, you have a *stake*, direct or indirect, in any given issue, and deciding what, in any case, is your *take* on the same issue, can be illuminating, self-revealing, and (dare we political junkies add?) even fun.

For one thing, you will, we hope, not only think more, but learn more and think more deeply, about many different issues, including issues about which you already have opinions or know more than just a little. And, in more than a few cases, you may discover that you have both a stake in and a take on an issue about which you previously knew little and cared less.

For instance, take Medicare, the program that pays for part of the cost of medical care for retired or disabled people. The program is financed mainly by payroll taxes on employees and employers. So, *what's your issue* with Medicare? You might not be elderly, retired, disabled, an employee or an employer (not at present, anyway). But decisions about the program's future are likely to affect you and people you care about—plenty! And the issue involves many fundamental moral and value choices, including ones about government's present and future role in financing and administering health care.

To wit: Medicare cost nearly $600 billion in 2013, and it is projected to cost more than $1 trillion by 2022. The program's trustees announced in 2011 that it would become insolvent by 2017. Since then, no fewer than a dozen proposals have been made by various members of Congress, by the White House, and by various blue-ribbon commissions, to ensure the program's long-term solvency.

But some plans get there by raising taxes on all recipients (including young ones!) and cutting benefits (or just future benefits!); others get there mainly by raising taxes on the wealthiest recipients, or by raising the eligibility age (from 65 to 69 or 70), or by various other means. And some proposals would replace Medicare with a "premium-support" or voucher program. At present, no one Medicare reform plan has both wide and deep public support. Got a stake, a take, or a proposal on the issue? If you're using the full version of this book with separate policy chapters, hold on; you will revisit this issue in Chapter 17.

of "formal authority." By this we mean that the right to exercise power is vested in a governmental office. A president, a senator, and a federal judge have formal authority to take certain actions.

What makes power rightful varies from time to time and from country to country. In the United States, we usually say a person has political authority if his or her right to act in a certain way is conferred by a law or by a state or national constitution. But what makes a law or constitution a source of right? That is the question of **legitimacy**. In the United States, the Constitution today is widely, if not unanimously, accepted as a source of legitimate authority, but that was not always the case.

What Is Democracy?

legitimacy Political authority conferred by law or by a state or national constitution.

On one matter, virtually all Americans seem to agree: no exercise of political power by government at any level is legitimate if it is not in some sense democratic. That wasn't always the prevailing view. In 1787, as the Constitution was being debated, Alexander Hamilton worried that the new government he helped create might be too democratic, while George Mason, who refused to sign the Constitution, worried that it was

democracy The rule of the many.

direct or participatory democracy A government in which all or most citizens participate directly.

representative democracy A government in which leaders make decisions by winning a competitive struggle for the popular vote.

not democratic enough. Today, however, almost everyone believes that democratic government is the only proper kind. Most people believe that American government is democratic; some believe that other institutions of public life—schools, universities, corporations, trade unions, churches—also should be run on democratic principles if they are to be legitimate; and some insist that promoting democracy abroad ought to be a primary purpose of U.S. foreign policy.

Democracy is a word with at least two different meanings. First, the term *democracy* is used to describe those regimes that come as close as possible to Aristotle's definition—the "rule of the many."[10] A government is democratic if all, or most, of its citizens participate directly in either holding office or making policy. This often is called **direct or participatory democracy**. In Aristotle's time—Greece in the 4th century B.C.—such a government was possible. The Greek city-state, or *polis,* was quite small, and within it citizenship was extended to all free adult male property holders. (Slaves, women, minors, and those without property were excluded from participation in government.) In more recent times, the New England town meeting approximates the Aristotelian ideal. In such a meeting, the adult citizens of a community gather once or twice a year to vote directly on all major issues and expenditures of the town. As towns have become larger and issues more complicated, many town governments have abandoned the pure town meeting in favor of either the representative town meeting (in which a large number of elected representatives, perhaps 200–300, meet to vote on town affairs) or representative government (in which a small number of elected city councilors make decisions).

JAVIER SORIANO/AFP/Getty Images

As protestors around the world support democracy activists in Syria, the United States weighs how it should assist opposition groups in other countries that seek to establish democratic governments.

The second definition of *democracy* is the principle of governance of most nations that are called democratic. It was most concisely stated by the economist Joseph Schumpeter: "The democratic method is that institutional arrangement for arriving at political decisions in which individuals [that is, leaders] acquire the power to decide by means of a competitive struggle for the people's vote."[11] Sometimes this method is called, approvingly, **representative democracy**; at other times it is referred to, disapprovingly, as the elitist theory of democracy. It is justified by one or both of two arguments: first, it is impractical, owing to limits of time, information, energy, interest, and expertise, for the people to decide on public policy, but it is not impractical to expect them to make reasonable choices among competing leadership groups. Second, some people (including, as we shall see in the next chapter, many of the Framers of the Constitution) believe direct democracy is likely to lead to bad decisions, because people often decide large issues on the basis of fleeting passions and in response to popular demagogues. This concern about direct democracy persists today, as evidenced by the statements of leaders who disagree with voter decisions. For example, voters in many states have rejected referenda that would have increased public funding for private schools. Politicians who opposed the defeated referenda spoke approvingly of the "will of the people," but politicians who favored them spoke disdainfully of "mass misunderstanding."

Whenever we refer to that form of democracy involving the direct participation of all or most citizens, we shall use the term *direct* or *participatory* democracy. Whenever the word *democracy* is used alone in this book, it will have the meaning Schumpeter gave it. Schumpeter's definition usefully implies basic benchmarks that enable us to judge the extent to which any given political system is democratic.[12] A political system is *non*-democratic to the extent that it denies equal voting rights to part of its society and severely limits (or outright prohibits) "the civil and political freedoms to speak, publish, assemble, and organize,"[13] all of which are necessary to a truly "competitive struggle for the people's vote." A partial list of non-democratic political systems would include absolute monarchies, empires, military dictatorships, authoritarian systems, and totalitarian states.[14]

Scholars of comparative politics and government have much to teach about how different types of political systems, democratic and non-democratic,

JASON REED/Reuters /Landov

Comedians Jon Stewart (right) and Stephen Colbert (left) sing during the "Rally to Restore Sanity and/or Fear" on the Washington Mall, October 30, 2010.

arise, persist, and change. For our present purposes, however, it is most important to understand that America itself was once far less democratic than it is today and that it was so not by accident but by design. As we discuss in the next chapter, the men who wrote the Constitution did not use the word *democracy* in that document. They wrote instead of a "republican form of government," but by that they meant what we call "representative democracy." And, as we emphasize when discussing civil liberties and civil rights (see Chapter 5 and 6), and again when discussing political participation (see Chapter 8), America was not born as a full-fledged representative democracy; and, for all the progress of the past half-century or so, the nation's representative democratic character is still very much a work in progress.

For any representative democracy to work, there must, of course, be an opportunity for genuine leadership competition. This requires in turn that individuals and parties be able to run for office; that communications (through speeches or the press, in meetings, and on the internet) be free; and that the voters perceive that a meaningful choice exists. But what, exactly, constitutes a "meaningful choice"? How many offices should be elective and how many appointive? How many candidates or parties can exist before the choices become hopelessly confused? Where will the money come from to finance electoral campaigns? There are many answers to such questions. In some European democracies, for example, very few offices—often just those in the national or local legislature—are elective, and much of the money for campaigning for these offices comes from the government. In the United States, many offices—executive and judicial as well as legislative—are elective, and most of the money the candidates use for campaigning comes from industry, labor unions, and private individuals.

Some people have argued that the virtues of direct or participatory democracy can and should be reclaimed even in a modern, complex society. This can be done either by allowing individual neighborhoods in big cities to govern themselves (community control) or by requiring those affected by some government program to participate in its formulation (citizen participation). In many states, a measure of direct democracy exists when voters can decide on referendum issues—that is, policy choices that appear on the ballot. The proponents of direct democracy defend it as the only way to ensure that the "will of the people" prevails.

As we discuss in the nearby **Constitutional Connections** feature, and as we explore more in Chapter 2, the Framers of the Constitution did not think that the "will of the people" was synonymous with the "common interest" or the "public good." They strongly favored representative democracy over direct democracy.

Political Power in America: Five Views

Scholars differ in their interpretations of the American political experience. Where some see a steady march of democracy, others see no such thing; where some emphasize how voting and other rights have been

CONSTITUTIONAL CONNECTIONS

Deciding What's Legitimate

Much of American political history has been a struggle over what constitutes legitimate authority. The Constitutional Convention in 1787 was an effort to see whether a new, more powerful federal government could be made legitimate; the succeeding administrations of George Washington, John Adams, and Thomas Jefferson were in large measure preoccupied with disputes over the kinds of decisions that were legitimate for the federal government to make. The Civil War was a bloody struggle over slavery and the legitimacy of the federal union; the New Deal of Franklin Roosevelt was hotly debated by those who disagreed over whether it was legitimate for the federal government to intervene deeply in the economy. Not uncommonly, the federal judiciary functions as the ultimate arbiter of what is legitimate in the context of deciding what is or is not constitutional (see Chapter 16). For instance, in 2012, amidst a contentious debate over the legitimacy of the federal health care law that was enacted in 2010, the U.S. Supreme Court decided that the federal government could require individuals to purchase health insurance but could not require states to expand health care benefits for citizens participating in the federal-state program known as Medicaid.

elite Persons who possess a disproportionate share of some valued resource, like money, prestige, or expertise.

class view View that the government is dominated by capitalists.

power elite view View that the government is dominated by a few top leaders, most of whom are outside of government.

bureaucratic view View that the government is dominated by appointed officials.

steadily expanded, others stress how they were denied to so many for so long, and so forth. Short of attempting to reconcile these competing historical interpretations, let us step back now for a moment to our definition of representative democracy and five competing views about how political power has been distributed in America.

Representative democracy is defined as any system of government in which leaders are authorized to make decisions—and thereby to wield political power—by winning a competitive struggle for the popular vote. It is obvious then that very different sets of hands can control political power, depending on what kinds of people can become leaders, how the struggle for votes is carried on, how much freedom to act is given to those who win the struggle, and what other sorts of influence (besides the desire for popular approval) affect the leaders' actions.

The actual distribution of political power in a representative democracy will depend on the composition of the political elites who are involved in the struggles for power and over policy. By **elite** we mean an identifiable group of persons who possess a disproportionate share of some valued resource—in this case, political power.

There are at least five views about how political power is distributed in America: (1) wealthy capitalists and other economic elites determine most policies; (2) a group of business, military, labor union, and elected officials controls most decisions; (3) appointed bureaucrats ultimately run everything; (4) representatives of a large number of interest groups are in charge; and (5) morally impassioned elites drive political change.

The first view began with the theories of Karl Marx, who, in the 19th century, argued that governments were dominated by business owners (the "bourgeoisie") until a revolution replaced them with rule by laborers (the "proletariat").[15] But strict Marxism has collapsed in most countries. Today, a **class view**, though it may derive inspiration from Marx, is less dogmatic and emphasizes the power of "the rich" or the leaders of multinational corporations.

The second view ties business leaders together with other elites whose perceived power is of concern to the view's adherents. These elites may include: top military officials, labor union leaders, mass media executives, and the heads of a few special-interest groups. Derived from the work of sociologist C. Wright Mills, this **power elite view** argues that American democracy is dominated by a few top leaders, many of them wealthy or privately powerful, who do not hold elective office.[16]

The third view is that appointed officials run everything despite the efforts of elected officials and the public to control them. The **bureaucratic view** was first set forth by the German scholar Max Weber (1864–1920). He argued that the modern

state, in order to become successful, puts its affairs in the hands of appointed bureaucrats whose competence is essential to the management of complex aff airs.[17] These officials, invisible to most people, have mastered the written records and legislative details of the government and do more than just implement democratic policies; they actually make those policies.

The fourth view holds that political resources—such as money, prestige, expertise, and access to the mass media—have become so widely distributed that no single elite, no social class, no bureaucratic arrangement, can control them. Many 20th-century political scientists, among them David B. Truman, adopted a **pluralist view**.[18] In the United States, they argued, political resources are broadly shared in part because there are so many governmental institutions (cities, states, school boards) and so many rival institutions (legislatures, executives, judges, bureaucrats) that no single group can dominate most, or even much, of the political process.

The fifth view maintains that while each of the other four views is correct with respect to how power is distributed on certain issues or during political "business as usual" periods, each also misses how the most important policy decisions and political changes are influenced by morally impassioned elites who are motivated less by economic self-interest than they are by an almost religious zeal to bring government institutions and policies into line with democratic ideals. Samuel P. Huntington articulated this **creedal passion view**, offering the examples of Patrick Henry and the revolutionaries of the 1770's, the advocates of Jackson-style democracy in the 1820's, the progressive reformers of the early 20th century, and the leaders of the civil rights and anti-war movements in the mid-20th century.[19]

Who Governs—and to What Ends?

So, which view is correct? At one level, all are correct, at least in part: economic class interests, powerful cadres of elites, entrenched bureaucrats, competing pressure groups, and morally impassioned individuals have all at one time or another wielded political power and played a part in shaping our government and its policies.

But, more fundamentally, understanding any political system means being able to give reasonable answers to each of two separate but related questions about it: who governs, and to what ends?

We want to know the answer to the first question because we believe that those who rule—their personalities and beliefs, their virtues and vices—will affect what they do to and for us. Many people think they already know the answer to the question, and they are prepared to talk and vote on that basis. That is their right, and the opinions they express may be correct. But they also may be wrong. Indeed, many of these opinions must be wrong because they are in conflict. When asked, "Who governs?" some people will say "the unions" and some will say "big business"; others will say "the politicians," "the people," or "the special interests." Still others will say "Wall Street," "the military," "crackpot liberals," "the media," "the bureaucrats," or "white males." Not all these answers can be correct—at least not all of the time.

pluralist view View that competition among all affected interests shapes public policy.

creedal passion view View that morally impassioned elites drive important political changes.

The answer to the second question is important because it tells us how government affects our lives. We want to know not only who governs, but what difference it makes who governs. In our day-to-day lives, we may not think government makes much difference at all. In one sense that is right, because our most pressing personal concerns—work, play, love, family, health—essentially are private matters on which government touches but slightly. But in a larger and longer perspective, government makes a substantial difference. Consider: in 1935, 96 percent of all American families paid no federal income tax, and for the 4 percent or so who did pay, the average rate was only about 4 percent of their incomes. Today almost all families pay federal payroll taxes, and the average rate is about 21 percent of their incomes. Or consider: in 1960, in many parts of the country, African Americans could ride only in the backs of buses, had to use washrooms and drinking fountains that were labeled "colored," and could not be served in most public restaurants. Such restrictions have almost all been eliminated, in large part because of decisions by the federal government.

It is important to bear in mind that we wish to answer two different questions, and not two versions of the same question. You cannot always predict what goals government will establish by knowing only who governs, nor can you always tell who governs by knowing what activities government undertakes. Most people holding national political office are middle-class, middle-aged, white, Protestant males, but we cannot then conclude that the government will adopt only policies that are to the narrow advantage of the middle class, the middle-aged, whites, Protestants, or men. If we thought that, we would be at a loss to explain why the rich

political agenda
Issues that people believe require governmental action.

are taxed more heavily than the poor, why the War on Poverty was declared, why constitutional amendments giving rights to African Americans and women passed Congress by large majorities, or why Catholics and Jews have been appointed to so many important governmental posts.

This book is chiefly devoted to answering the question, who governs? It is written in the belief that this question cannot be answered without looking at how government makes—or fails to make—decisions about a large variety of concrete issues. Thus, in this book we shall inspect government policies to see what individuals, groups, and institutions seem to exert the greatest power in the continuous struggle to define the purposes of government.

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HOW WE COMPARE

Academic Freedom

You are reading a textbook on American government, but how is the freedom to study, teach, or do research protected from undue government interference? And how do European democracies protect academic freedom?

The U.S. Constitution does not mention academic freedom. Rather, in America, the federal and state courts have typically treated academic freedom, at least in tax-supported universities, as "free speech" strongly protected under the First Amendment.

In each of nine European nations, the constitution is silent on academic freedom, but various national laws protect it. In 13 other European nations, academic freedom is protected both by explicit constitutional language and by national legislation. But is academic freedom better protected in these nations than in either the United States or elsewhere in Europe?

Not necessarily. Germany's constitution states that "research and teaching are free" but subject to "loyalty to the constitution." Italy's constitution offers lavish protections for academic freedom, but its national laws severely restrict those same freedoms.

The United Kingdom has no written constitution, but its national laws regarding academic freedom (and university self-governance) are quite restrictive by American standards.

Source: Terence Karran, "Freedom in Europe: A Preliminary Analysis," *Higher Education Policy* 20 (2007):289–313.

Expanding the Political Agenda

No matter who governs, the most important decision that affects policymaking is also the least noticed one: deciding what to make policy *about,* or in the language of political science, deciding what belongs on the **political agenda**. The political agenda consists of issues that people believe require governmental action. We take for granted that politics is about certain familiar issues such as taxes, energy, welfare, civil rights, and homeland security. We forget that there is nothing inevitable about having these issues—rather than some other ones—on the nation's political agenda.

For example, at one time, it was unconstitutional for the federal government to levy income taxes; energy was a nonissue because everyone (or at least everyone who could chop down trees for firewood) had enough; welfare was something for cities and towns to handle; civil rights were supposed to be a matter of private choice rather than government action; "homeland security" was not in the political lexicon, and a huge federal cabinet department by that name was nowhere on the horizon.

At any given time, what is on the political agenda is affected by at least four things:

- *Shared political values*—for example, if people believe that poverty is the result of social forces rather than individual choices, then there is a reason to enact or expand government programs to combat poverty.
- *The weight of custom and tradition*—people will usually accept what the government has customarily done, even if they are leery of what it proposes to do.
- *The impact of events* such as wars, terrorist attacks, and severe or sustained economic downturns alters our sense of the proper role of government.
- *Changes in the way political elites think and talk about politics.*

Because many people believe that whatever the government now does it ought to continue doing, and because changes in attitudes and the impact of events tend to increase the number of things that government does, the political agenda is always growing larger. Thus, today there are far fewer debates about the legitimacy of a proposed government policy than there were in the 1920s or the 1930s.

For instance, in the 1930s, when what became the Social Security program was first proposed, the debate was largely about whether the federal government should have any role whatsoever in providing financial support for elderly or disabled citizens. In stark contrast, today, not a single member of Congress denies that the federal government should have a *major* role in providing financial support for elderly or disabled citizens or advocates ending Social Security. Instead, today's debates about the program are largely over competing plans to ensure its long-term financial solvency.

Popular views regarding what belongs on the political agenda are often changed by the impact of events. During wartime or after a terrorist attack on this country, many people expect the government to do whatever is necessary to win, whether or not such actions are clearly authorized by the Constitution. Economic depressions or deep recessions, such as the ones that began in 1929 and 2007, also lead many people to expect the government to take action. A coal mine disaster leads to an enlarged role for the government in promoting mine safety. A series of airplane hijackings leads to a change in public opinion so great that what once would have been unthinkable—requiring all passengers at airports to be searched before boarding their flights—becomes routine.

But sometimes the government enlarges the political agenda, often dramatically, without any crisis or widespread public demand. This may happen even at a time when the conditions at which a policy is directed are improving. For instance, there was no mass public demand for government action to make automobiles safer before 1966, when a law was passed imposing safety standards on cars. Though the number of auto fatalities (per 100 million miles driven) had gone up slightly just before the law was passed, in the long term, highway deaths had been more or less steadily trending downward.

It is not easy to explain why the government adds new issues to its agenda and adopts new programs when there is little public demand and when, in fact, there has been an improvement in the conditions to which the policies are addressed. In general, the explanation may be found in the behavior of groups, the workings of institutions, the media, and the action of state governments.

Matt McDermott

Americans felt powerfully connected to their fellow citizens in the immediate aftermath of 9/11.

Groups

Many policies are the result of small groups of people enlarging the scope of government by their demands. Sometimes these are organized interests (for example, corporations or unions); sometimes they are intense but unorganized groups (such as urban minorities). The organized groups often work quietly, behind the scenes; the intense, unorganized ones may take their causes to the streets.

For example, organized labor favored a tough federal safety law governing factories and other workplaces, not because it was unaware that factory conditions had been improving, but because the standards by which union leaders and members judged working conditions had risen even faster. As people became better off, conditions that once were thought normal suddenly became intolerable.

On occasion, a group expresses in violent ways its dissatisfaction with what it judges to be intolerable conditions. The riots in American cities during the mid-1960s had a variety of causes, and people participated out of a variety of motives. For many, rioting was a way of expressing pent-up anger at what they regarded as an unresponsive and unfair society. A sense of relative deprivation—of being worse off than one thinks one *ought* to be—helps explain why so large a proportion of the rioters were not uneducated, unemployed recent migrants to the city, but rather young men and women born in the North, educated in its schools, and employed in its factories.[20] Life under these conditions turned out to

be not what they had come to expect or what they were prepared to tolerate.

The new demands of such groups need not result in an enlarged political agenda, and they often do not produce such results when society and its governing institutions are confident of the rightness of the existing state of affairs. Unions could have been voted down on the occupational safety bill; rioters could have been jailed and ignored. At one time, this is exactly what would have happened. But society itself had changed: many people who were not workers sympathized with the plight of the injured worker and distrusted the good intentions of business in this matter. Many well-off citizens felt a constructive, not just a punitive, response to the urban riots was required and thus urged the formation of commissions to study—and the passage of laws to deal with—the problems of inner-city life. Such changes in the values and beliefs of people generally—or at least of people in key government positions—are an essential part of any explanation of why policies not demanded by public opinion nonetheless become part of the political agenda.

Government Institutions

Among the institutions whose influence on agenda-setting has become especially important are the courts, the bureaucracy, and the Senate.

The courts can make decisions that force the hand of the other branches of government. For example, when in 1954 the Supreme Court ordered schools desegregated, Congress and the White House could no longer ignore the issue. Local resistance to implementing the order led President Eisenhower to send troops to Little Rock, Arkansas, despite his dislike for using force against local governments. Similarly, when the Supreme Court ruled in 1973 that the states could not ban abortions during the first trimester of pregnancy, abortion suddenly became a national political issue. Right-to-life activists campaigned to reverse the Court's decision or, failing that, to prevent federal funds from being used to pay for abortions. Pro-choice activists fought to prevent the Court from reversing course and to get federal funding for abortions. In these and many other cases, the courts act like trip wires: when activated, they set off a chain reaction of events that alters the political agenda and creates a new constellation of political forces.

Indeed, the courts can sometimes be more than trip wires. As the political agenda has expanded, the courts have become the favorite method for effecting change for which there is no popular majority. There may be little electoral support for allowing abortion on demand, eliminating school prayer, ordering school busing, or attacking tobacco companies, but in the courts elections do not matter. The courts are the preferred vehicles for the advocates of unpopular causes.

The bureaucracy has acquired a new significance in American politics not simply because of its size or power but also because it is now a source of political innovation. At one time, the federal government *reacted* to events in society and to demands from segments of society; ordinarily it did not itself propose changes and new ideas. Today, the bureaucracy is so large and includes within it so great a variety of experts and advocates, that it has become a *source* of policy proposals as well as an implementer of those that become law. The late U.S. Senator Daniel Patrick Moynihan called this the "professionalization of reform," by which he meant, in part, that the government bureaucracy had begun to think up problems for government to solve rather than simply to respond to the problems identified by others.[21] In the 1930s, many of the key elements of the New Deal—Social Security, unemployment compensation, public housing, old-age benefits—were ideas devised by nongovernment experts and intellectuals here and abroad and then, as the crisis of the depression deepened, taken up by the federal government. In the 1960s, by contrast, most of the measures that became known as part of Lyndon Johnson's "Great Society"—federal aid to education, manpower development and training, Medicare and Medicaid, the War on Poverty, the "safe-streets" act providing federal aid to local law enforcement agencies—were developed, designed, and advocated by government officials, bureaucrats, and their political allies.

Chief among these political allies are U.S. senators and their staffs. Once the Senate was best described as a club that moved slowly, debated endlessly, and resisted, under the leadership of conservative southern Democrats, the plans of liberal presidents. With the collapse of the one-party South and the increase in the number of liberal activist senators, the Senate became in the 1960s an incubator for developing new policies and building national constituencies.[22]

Media

The national press can either help place new matters on the agenda or publicize those matters placed there by others. There was a close correlation between the political attention given in the Senate to proposals for new safety standards for industry, coal mines, and automobiles and the amount of space devoted to these questions in the pages of *The New York Times.* Newspaper interest in the matter, low before the issue was placed on the agenda, peaked at about the time the bill was passed.[23]

It is hard, of course, to decide which is the cause and which the effect. The press may have stimulated congressional interest in the matter or merely reported on what Congress had already decided to pursue. Nonetheless, the press must choose which of thousands of proposals it will cover. The beliefs of editors and reporters led it to select the safety issue.

Action by the States

National policy is increasingly being made by the actions of state governments. You may wonder how. After all, a state can only pass laws that affect its own people. Of course, the national government may later adopt ideas pioneered in the states, as it did when Congress passed a "Do Not Call" law to reduce how many phone calls you will get from salespeople while you are trying to eat dinner. The states had taken the lead on this issue.

But there is another way in which state governments can make national policy directly without Congress ever voting on the matter. The attorneys general of states may sue a business firm and settle the suit with an agreement that binds the industry throughout the country. The effect of one suit was to raise prices for consumers and create a new set of regulations. This is what happened in 1998 with the tobacco agreement negotiated between cigarette companies and some state attorneys general. The companies agreed to raise their prices, pay more than $240 billion to state governments (to use as they wished) and several billion dollars to private lawyers, and comply with a massive regulatory program. A decade later, the federal government passed laws that reinforced the states' regulations, culminating in the Family Smoking Prevention Tobacco Control Act of 2009.

The Politics of Different Issues

Once an issue is on the political agenda, its nature affects the kind of politicking that ensues. Some issues provoke intense interest group conflict; others allow one group to prevail almost unchallenged. Some issues involve ideological appeals to broad national constituencies; others involve quiet bargaining in congressional offices. We all know that private groups try to influence government policies; we often forget that the nature of the issues with which government is dealing influences the kinds of groups that become politically active.

One way to understand why government handles a given issue as it does is to examine what appear to be the costs and benefits of the proposed policy. The **cost** is any burden, monetary or nonmonetary, that some people must bear, or believe they must bear, if the policy is adopted. The costs of a government spending program are the taxes it entails; the cost of a foreign policy initiative may be the increased chance of having the nation drawn into war.

cost A burden that people believe they must bear if a policy is adopted.

benefit A satisfaction that people believe they will enjoy if a policy is adopted.

The **benefit** is any satisfaction, monetary or nonmonetary, that people believe they will enjoy if the policy is adopted. The benefits of a government spending program are the payments, subsidies, or contracts received by some people; the benefits of a foreign policy initiative may include the enhanced security of the nation, the protection of a valued ally, or the vindication of some important principle such as human rights.

Two aspects of these costs and benefits should be borne in mind. First, it is the *perception* of costs and benefits that affects politics. People may think the cost of an auto emissions control system is paid by the manufacturer, when it is actually passed on to the consumer in the form of higher prices and reduced performance. Political conflict over pollution control will take one form when people think that the polluting industries pay the costs and another form when they think that the consumers pay.

Second, people take into account not only who benefits but also whether it is legitimate for that group to benefit. When programs providing financial assistance to women with dependent children were first developed in the early part of the 20th century, they were relatively noncontroversial because people saw the money as going to widows and orphans who deserved such aid. Later on, giving aid to mothers with dependent children became controversial because some people now perceived the recipients not as deserving widows but as irresponsible women who had never married. Whatever the truth of the matter, the program had lost some of its legitimacy because the beneficiaries were no longer seen as "deserving." By the same token, groups once thought undeserving, such as men out of work, were later thought to be entitled to aid, and thus the unemployment compensation program acquired a legitimacy that it once lacked.

Politics is in large measure a process of raising and settling disputes over who *will* benefit or pay for a program and who *ought* to benefit or pay. Because beliefs about the results of a program and the rightness of those results are matters of opinion, it is evident that ideas are at least as important as interests in shaping politics. In recent years, ideas have become especially important with the rise of issues whose consequences are largely intangible, such as abortion, school prayer, and gay rights.

majoritarian politics
A policy in which almost everybody benefits and almost everybody pays.

Though perceptions about costs and benefits change, most people most of the time prefer government programs that provide substantial benefits to them at low cost. This rather obvious fact can have important implications for how politics is carried out. In a political system based on some measure of popular rule, public officials have a strong incentive to offer programs that confer—or appear to confer—benefits on people with costs either small in amount, remote in time, or borne by "somebody else." Policies that seem to impose high, immediate costs in return for small or remote benefits will be avoided, enacted with a minimum of publicity, or proposed only in response to a real or apparent crisis.

Ordinarily, no president would propose a policy that would immediately raise the cost of fuel, even if he were convinced that future supplies of oil and gasoline were likely to be exhausted unless higher prices reduced current consumption. But when a crisis occurs, such as the Arab oil cartel's price increases beginning in 1973, it becomes possible for the president to offer such proposals—as did Nixon, Ford, and Carter in varying ways. Even then, however, people are reluctant to bear increased costs, and thus many are led to dispute the president's claim that an emergency actually exists.

These entirely human responses to the perceived costs and benefits of proposed policies can be organized into a simple theory of politics.[24] It is based on the observation that the costs and benefits of a policy may be *widely distributed* (spread over many, most, or even all citizens) or *narrowly concentrated* (limited to a relatively small number of citizens or to some identifiable, organized group).

For instance, a widely distributed cost would include an income tax, a Social Security tax, or a high rate of crime; a widely distributed benefit might include retirement benefits for all citizens, clean air, national security, or low crime rates. Examples of narrowly concentrated costs include the expenditures by a factory to reduce its pollution, government regulations imposed on doctors and hospitals participating in the Medicare program, or restrictions on freedom of speech imposed on a dissident political group. Examples of narrowly concentrated benefits include subsidies to farmers or merchant ship companies, the enlarged freedom to speak and protest afforded a dissident group, or protection against competition given to an industry because of favorable government regulation.

The perceived distribution of costs and benefits shapes the *kinds of political coalitions that will form*—but it will not necessarily determine *who wins*. There are four types of politics, and a given popular majority, interest group, client, or entrepreneur may win or lose depending on its influence and the temper of the times.

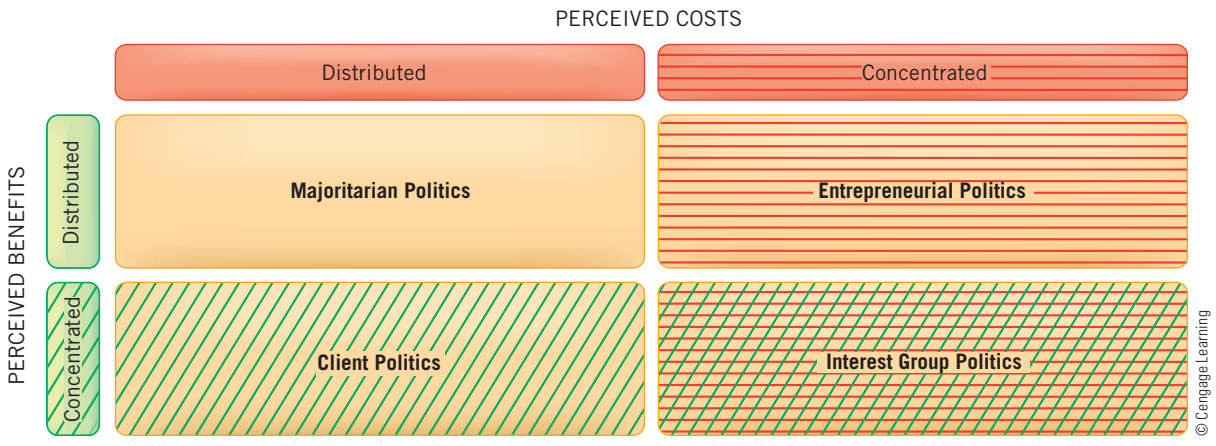
Four Types of Politics

Majoritarian Politics: Distributed Benefits, Distributed Costs

Some policies promise benefits to large numbers of people at a cost that large numbers of people will have to bear (see Figure 1.1). For example, almost everyone will sooner or later receive Social Security benefits, and almost everyone who works has to pay Social Security taxes.

Such **majoritarian politics** are usually not dominated by pulling and hauling among rival

FIGURE 1.1 A Way of Classifying and Explaining the Politics of Different Policy Issues



interest groups; instead they involve making appeals to large segments of voters and their representatives in hopes of finding a majority. The reason why interest groups are not so important in majoritarian politics is that citizens rarely will have much incentive to join an interest group if the policy that such a group supports will benefit everybody, whether or not they are members of the group. This is the "free-rider" problem. Why join the Committee to Increase (or Decrease) the Defense Budget when what you personally contribute to that committee makes little difference in the outcome and when you will enjoy the benefits of more (or less) national defense even if you have stayed on the sidelines?

Majoritarian politics may be controversial, but the controversy is usually over matters of cost or ideology, not between rival interest groups. For example, there was intense controversy over the health care plan that President Obama signed into law, but the debate was not dominated by interest groups and many different types of politics were at play (see **Policy Dynamics: Inside/Outside the Box** on page 18). The military budget went up during the early 1980s, down in the late 1980s, up after 2001, and down again after 2010. These changes reflected different views on how much we need to spend on our military operations abroad.

Interest Group Politics: Concentrated Benefits, Concentrated Costs

In **interest group politics**, a proposed policy will confer benefits on some relatively small, identifiable group and impose costs on another small, equally identifiable group. For example, when Congress passed a bill requiring companies to give 60 days' notice of a plant closing or a large-scale layoff, labor unions (whose members would benefit) backed the bill, and many business firms (which would pay the costs) opposed it.

Issues of this kind tend to be fought out by organized interest groups. Each side will be so powerfully affected by the outcome that it has a strong incentive to mobilize: union members who worry about layoffs will have a personal stake in favoring the notice bill; business leaders who fear government control of investment decisions will have an economic stake in opposing it.

Interest group politics often produces decisions about which the public is uninformed. For instance, there have been bitter debates between television broadcasters and cable companies over who may send what kind of signals to which homes. But these debates hardly draw any public notice—until after a law is passed and people see their increased cable charges.

Though many issues of this type involve monetary costs and benefits, they can also involve intangible considerations. If the American Nazi party wants to march through a predominantly Jewish neighborhood carrying flags with swastikas on them, the community may organize itself to resist out of revulsion due to the horrific treatment of Jews by Nazi Germany. Each side may hire lawyers to debate the issue before the city council and in the courts.

interest group politics A policy in which one small group benefits and another small group pays.

client politics A policy in which one small group benefits and almost everybody pays.

Client Politics: Concentrated Benefits, Distributed Costs

With **client politics** some identifiable, often small group will benefit, but everybody—or at least a large part of society—will pay the costs. Because the benefits are concentrated, the group to receive those benefits has an incentive to organize and work to get them. But because the costs are widely distributed, affecting many people only slightly, those who pay the costs may be either unaware of any costs

Topham/The Image Works

During the Great Depression, depositors besiege a bank hoping to get their savings out.

pork-barrel legislation Legislation that gives tangible benefits to constituents in several districts or states in the hope of winning their votes in return.

log-rolling A legislator supports a proposal favored by another in return for support of his or hers.

entrepreneurial politics A policy in which almost everybody benefits and a small group pays.

policy entrepreneurs Activists in or out of government who pull together a political majority on behalf of unorganized interests.

or indifferent to them, because per capita they are so small.

This situation gives rise to client politics (sometimes called clientele politics); the beneficiary of the policy is the "client" of the government. For example, many farmers benefit substantially from agricultural price supports, but the far more numerous food consumers have no idea what these price supports cost them in taxes and higher food prices. Similarly, for some time airlines benefited from the higher prices they were able to charge on certain routes as a result of government regulations that restricted competition over prices. But the average passenger was either unaware that his or her costs were higher or did not think the higher prices were worth making a fuss about.

Not all clients have economic interests. Localities can also benefit as clients when, for example, a city or county obtains a new dam, a better harbor, or an improved irrigation system. Some of these projects may be worthwhile, others may not; by custom, however, they are referred to as *pork-barrel projects*. Usually several pieces of "pork" are put into one barrel—that is, several projects are approved in a single piece of **pork-barrel legislation**, such as the "rivers and harbors" bill that Congress passes almost every year. Trading votes in this way attracts the support of members of Congress from each affected area; with enough projects a majority coalition is formed. This process is called **log-rolling**.

Not every group that wants something from government at little cost to the average citizen will get it. Welfare recipients cost the typical taxpayer a small amount each year, yet there was great resistance to increasing these benefits. The homeless have not organized themselves to get benefits; indeed, most do not even vote. Yet benefits are being provided (albeit in modest amounts). These examples illustrate the importance of popular views concerning the legitimacy of client claims as a factor in determining the success of client demands.

By the same token, groups can lose legitimacy that they once had. People who grow tobacco once were supported simply because they were farmers, and were thus seen as both "deserving" and politically important. But when people began worrying about the health risks associated with using tobacco, farmers who produce tobacco lost some legitimacy compared to those who produce corn or cotton. As a result, it became harder to get votes for maintaining tobacco price supports and easier to slap higher taxes on cigarettes.

Entrepreneurial Politics: Distributed Benefits, Concentrated Costs

In **entrepreneurial politics**, society as a whole or some large part of it benefits from a policy that imposes substantial costs on some small, identifiable segment of society. The antipollution and safety requirements for automobiles were proposed as ways of improving the health and well-being of all people at the expense (at least initially) of automobile manufacturers.

It is remarkable that policies of this sort are ever adopted, and in fact many are not. After all, the American political system creates many opportunities for checking and blocking the actions of others. The Founders deliberately arranged things so that it would be difficult to pass a new law; a determined minority therefore has an excellent chance of blocking a new policy. And any organized group that fears the loss of some privilege or the imposition of some burden will become a very determined minority indeed. The opponent has every incentive to work hard; the large group of prospective beneficiaries may be unconvinced of the benefit or regard it as too small to be worth fighting for.

Nonetheless, policies with distributed benefits and concentrated costs are in fact adopted, and in recent decades they have been adopted with increasing frequency. A key element in the adoption of such policies has been the work of people who act on behalf of the unorganized or indifferent majority. Such people, called **policy entrepreneurs**, are those both in and out of government who find ways of pulling together a legislative majority on behalf of interests that are not well represented in the government. These policy entrepreneurs may or may not represent the interests and wishes of the public at large, but they do have the ability to dramatize an issue in a convincing manner. Ralph Nader is perhaps the best-known example of a policy entrepreneur, or as he might describe himself, a "consumer advocate." But there are other examples from both ends of the political spectrum, conservative as well as liberal.

Entrepreneurial politics can occur without the leadership of a policy entrepreneur if voters or legislators in large numbers suddenly become disgruntled

by the high cost of some benefit that a group is receiving (or become convinced of the urgent need for a new policy to impose such costs). For example, voters may not care about government programs that benefit the oil industry when gasoline costs only one dollar a gallon, but they might care very much when the price rises to three dollars a gallon, even if the government benefits had nothing to do with the price increase. By the same token, legislators may not worry much about the effects of smog in the air until a lot of people develop burning eyes and runny noses during an especially severe smog attack.

In fact, most legislators did not worry very much about toxic or hazardous wastes until 1977, when the Love Canal dump site near Buffalo, New York, spilled some of its toxic waste into the backyards of an adjacent residential neighborhood and people were forced to leave their homes. Five years later, anyone who had forgotten about the Love Canal was reminded of it when the town of Times Beach, Missouri, had to be permanently evacuated because it had become contaminated with the chemical dioxin. Only then did it become widely known that there were more than 30,000 toxic waste sites nationwide that posed public safety risks. The Superfund program was born in 1980 of the political pressure that developed in the wake of these and other highly publicized tales of toxic waste dangers. Superfund was intended to force industries to clean up their own toxic waste sites. It also authorized the Environmental Protection Agency (EPA) to act speedily, with or without cooperation from industries, in identifying and cleaning up any sites that posed a large or imminent danger.

Superfund suffered a number of political and administrative problems, and only a few of the 1,300 sites initially targeted by the EPA had been cleaned up a dozen years after the program went into effect.[25] Regardless, Superfund is a good illustration of entrepreneurial politics in action. Special taxes on once largely unregulated oil and chemical companies funded the program. These companies once enjoyed special tax breaks, but as the politics of the issue changed, they were forced to shoulder special tax burdens. In effect, the politics of the issue changed from client politics to entrepreneurial politics.

Policy Dynamics: Inside/Outside the Box

Superfund also thereby illustrates how dynamic the politics of policymaking can be. Once an issue makes its way on to the political agenda, the politics of the issue can remain stable, change a little or a lot, and change very slowly or quite suddenly. And policy issues can "migrate" from one type of politics (and one of the four boxes) to another.

By the same token, the policy dynamics of some issues are simply harder to categorize and explain than the policy dynamics of others. For instance, in the mid-2000s, 13 states amended their state constitutions to prohibit or further restrict gay marriage. In 2008, California voters approved a ballot measure, Proposition 8, banning gay marriage. But virtually all of these policies were enacted at a time when popular support for gay rights including same-sex marriage was rising. In 2001, by a margin of 57 percent to 35 percent, Americans opposed gay marriage; but, by 2013, a 49 percent to 44 percent plurality favored gay marriage. In 2012, President Barack Obama, having previously ordered an end to the ban on gays in the U.S. military, publicly declared his support for legalizing same-sex marriage. Surveys indicated that the only groups still harboring wide majorities opposed to same-sex marriage were evangelical Christians and adults born in 1964 or earlier. In 2013, the U.S. Supreme Court struck down a 1996 federal law that allowed the federal government to discriminate against same-sex married couples but did not strike down the state laws banning same-sex marriage.

So, how best can we categorize or explain the politics of this issue? Which type of politics—majoritarian, client, interest group, or entrepreneurial—were most important to policymaking? Why did state laws become more restrictive at the very time that both mass public opinion and elite opinion were trending toward greater acceptance? Do the still-unfolding policy dynamics of this issue fit neatly (or fit at all) in any of our four boxes? Start thinking about these questions; we will revisit them in Chapter 6.

Finally, while the politics of some issues does fit neatly into one box or another, the politics of other issues reflects several different types of politics.

For example, most major pieces of social legislation reflect *majoritarian* politics—Social Security remains a prime example—but the politics of health care issues has often played out within all four boxes—majoritarian, client, interest group, and entrepreneurial—at once. This was certainly true of the politics of the Patient Protection and Affordable Care Act of 2010, better known as "Obamacare." As we illustrate nearby in our first **Policy Dynamics: Inside/Outside the Box** feature, the perceived costs and benefits of the Obama plan affected the political coalitions that formed around it and involved all four types of politics.

Understanding Politics

Whether pondering one's own positions on given issues, attempting to generalize about the politics of different policy issues, or tackling questions about

POLICY DYNAMICS: INSIDE/OUTSIDE THE BOX

Obamacare: All Four Boxes?

When Medicare was enacted in 1965, Democrats in the House and Senate voted for it by a wide margin, but roughly half of the Republicans in each chamber also supported it. But the 2010 health care bill was passed without any Republican support. In other words, the 1965 Medicare bill that President Johnson signed into law had broad bipartisan backing, but the 2010 health care bill that President Obama signed into law had none. Using the model of the policy process explained in this chapter, here is a summary of how the costs and benefits of the Obama plan affected the political coalitions that formed around health care.

Majoritarian Politics: The bill was opposed by a majority of Americans for a variety of easons. Many thought it too expensive ($940billion over 10 years) or worried about the government regulations the law contained.

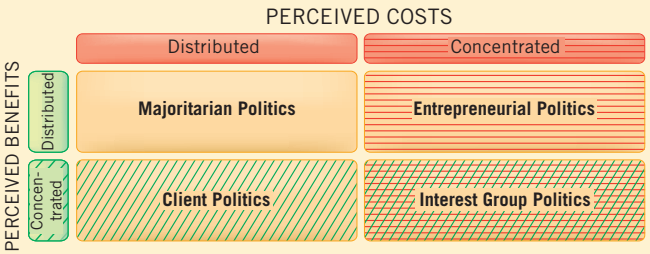
Client Politics: Drug manufacturers looked forward to having many new customers as more people owned health insurance. To get this benefit, the pharmaceutical companies agreed to pay up to $85 billion in higher taxes. Many hospitals thought they would be helped by having more patients who could pay their bills with health insurance.

Interest Group Politics: Labor unions wanted health care coverage, but business firms were upset by the higher taxes and fees they would have to pay. Poorer people liked it, but those earning $200,000 a year or more would see their taxes escalate. Elderly people on Medicare and many doctors worried that the new law promised to cut payments to physicians, but the American Medical Association and the AARP (the largest organization representing senior citizens) endorsed the law.

Policy Entrepreneurs: In early 2010, the winners were President Obama and the Democratic leaders in the House who got a bill passed over popular and interest group opposition. In the latter half of 2010, however, the winners were the Republicans who opposed "Obamacare" and used the issue on the way to sweeping GOP* victories in the November 2010 elections.

When the 112th Congress was seated in 2011, Republicans in the House made good on a pledge to vote for the outright repeal of the new law (the symbolic bill died in the Senate), and several state's attorneys general challenged the law's constitutionality in the federal courts (focusing mainly on the provision mandating that individuals purchase health insurance). In 2012, the U.S. Supreme Court upheld the constitutionality of the law's individual mandate, but ruled against certain other provisions of the law, including ones pertaining to changes in the federal-state program known as Medicaid, a program that was created in 1965 alongside Medicare (see Chapter 17 in full edition).

The Medicare law and the new health care law mobilized very different coalitions in part because, between 1965 and 2010, Congress became a far more polarized institution (see Chapter13). The "Obamacare" policy was based on a combination of majoritarian, client, interest group, and entrepreneurial politics. The politics of the issue was neither inside nor outside any one of the four boxes, but spread across all four.



*"GOP" refers to "Grand Old Party," a widely used synonym for the Republican party.

American government, institutions, and policies, an astute student will soon come to know what Aristotle meant when he wrote that it is "the mark of the educated person to look for precision in each class of things just so far as the nature of the subject admits."[26]

Ideally, political scientists ought to be able to give clear answers, amply supported by evidence, to the questions we have posed about American democracy, starting with "who governs?" In reality they can (at best) give partial, contingent, and controversial answers. The reason is to be found in the nature of our subject. Unlike economists, who assume that people have more or less stable preferences and can compare ways of satisfying those preferences by looking at the relative prices of various goods and services, political scientists are interested in how preferences are formed, especially for those kinds of services, such as national defense or pollution

John Moore/Getty Images

Government employees protest being furloughed, or placed on unpaid leave, in response to the "sequester"—automatic budget cuts that began when Congress and the White House failed to reach a long-term budget agreement in early 2013.

control, that cannot be evaluated chiefly in terms of monetary costs.

Understanding preferences is vital to understanding power. Who did what in government is not hard to find out, but who wielded power—that is, who made a difference in the outcome and for what reason—is much harder to discover. *Power* is a word that conjures up images of deals, bribes, power plays, and arm-twisting. In fact, most power exists because of shared understanding, common friendships, communal or organizational loyalties, and different degrees of prestige. These are hard to identify and almost impossible to quantify.

Nor can the distribution of political power be inferred simply by knowing what laws are on the books or what administrative actions have been taken. The enactment of a consumer protection law does not mean that consumers are powerful, any more than the absence of such a law means that corporations are powerful. The passage of such a law could reflect an aroused public opinion, the lobbying of a small group claiming to speak for consumers, the ambitions of a senator, or the intrigues of one business firm seeking to gain a competitive advantage over another. A close analysis of what the law entails and how it was passed and administered is necessary before much of anything can be concluded.

This book will avoid sweeping claims that we have an "imperial" presidency (or an impotent one), an "obstructionist" Congress (or an innovative one), or "captured" regulatory agencies. Such labels do an injustice to the different roles that presidents, members of Congress, and administrators play in different kinds of issues and in different historical periods.

The view taken in this book is that judgments about institutions and interests can be made only after one has seen how they behave on a variety of important issues or potential issues, such as economic policy, the regulation of business, social welfare, civil rights and liberties, and foreign and military affairs. The policies adopted or blocked, the groups heeded or ignored, the values embraced or rejected—these constitute the raw material out of which one can fashion an answer to the central questions we have asked: Who governs—and to what ends?

The way in which our institutions of government handle social welfare, for example, differs from the way other democratic nations handle it, and it differs as well from the way our own institutions once treated it. The description of our institutions in Part III will therefore include not only an account of how they work today but also a brief historical background on their workings and a comparison with similar institutions in other countries. There is a tendency to assume that how we do things today is the only way they could possibly be done. In fact, there are other ways to operate a government based on some measure of popular rule. History, tradition, and belief weigh heavily on all that we do.

Although political change is not always accompanied by changes in public laws, the policy process is arguably one of the best barometers of changes in who governs. Our way of classifying and explaining the politics of different policy issues has been developed, refined, and tested over more than two decades (longer than most of our readers have been alive!). Our own students and others have valued it mainly because they have found it helps to answer such questions about who governs: How do political issues get on the public agenda in the first place? How, for example, did sexual harassment, which was hardly ever discussed or debated by Congress, burst onto the public agenda? Once on the agenda, how does the politics of issues like income security for older Americans—for example, the politics of Social Security, a program that has been on the federal books since 1935 (see Chapter 17 in full edition)—change over time? And if, today, one cares about expanding civil liberties (see Chapter 5) or protecting civil rights (see Chapter 6), what political obstacles and opportunities will one likely face, and what role will public opinion, organized interest groups, the media, the courts, political parties, and other institutions likely play in frustrating or fostering one's particular policy preferences, whatever they might be?

Peek ahead, if you wish, but understand that the place to begin a search for how power is distributed in national politics and what purposes that power serves is with the founding of the federal government in 1787: the Constitutional Convention and

WHAT WOULD YOU DO?

MEMORANDUM

To: *Governor Steven Finore*

From: *Edmund Heron, chief policy adviser*

Subject: *Initiative repeal*

You have supported several successful initiatives (life imprisonment for thrice-convicted violent felons, property tax limits), but you have never publicly stated a view on the initiative itself, and the repeal proposal will probably surface during tomorrow's press briefing.

Arguments for a ban:

1. Ours is a representative, not a direct, democracy in which voters elect leaders and elected leaders make policy decisions subject to review by the courts.
2. Voters often are neither rational nor respectful of constitutional rights. For example, many people demand both lower taxes and more government services, and polls find that most voters would prohibit people with certain views from speaking and deprive all persons accused of a violent crime from getting out on bail while awaiting trial.
3. Over the past 100 years, hundreds of state-wide ballot initiatives have been passed in 24 states. Rather than giving power to the people, special-interest groups have spent billions of dollars manipulating voters to pass initiatives that enrich or benefit them, not the public at large.

Arguments against a ban:

1. When elected officials fail to respond to persistent public majorities favoring tougher crime measures, lower property taxes, and other popular concerns, direct democracy via the initiative is legitimate, and the courts can still review the law.

News »

Legal and Policy Experts Call for a Ban on Ballot Initiatives

A report released yesterday and signed by more than 100 law and public policy professors statewide urges that the state's constitution be amended to ban legislation by initiative. The initiative allows state voters to place legislative measures directly on the ballot by getting enough signatures. The initiative "has led to disastrous policy decisions on taxes, crime, and other issues," the report declared.

2. More Americans than ever have college degrees and easy access to information about public affairs. Studies find that most average citizens are able to figure out which candidates, parties, or advocacy groups come closest to supporting their own economic interests and personal values.
3. All told, the 24 states that passed laws by initiative also passed thousands more laws by the regular legislative process (out of tens of thousands of bills they considered). Studies find that special-interest groups are severely limited in their ability to pass new laws by initiative, while citizens' groups with broad-based public support are behind most initiatives that pass.

Your decision:

Favor ban _____ Oppose ban _____

the events leading up to it. Though the decisions of that time were not made by philosophers or professors, the practical men who made them had a philosophic and professorial cast of mind, and thus they left behind a fairly explicit account of what values they sought to protect and what arrangements they thought ought to be made for the allocation of political power.

LEARNING OBJECTIVES

1. What is "politics"?

Politics is the activity by which an issue is agitated or settled. Politics occurs because people disagree and the disagreement must be managed. Disagreements over many political issues, including disputes over government budgets and finances, are often at their essence disagreements over what government should or should not do at all.

2. Can you give two definitions of "democracy"?

Democracy can mean either that everyone votes on all government issues (direct or participatory democracy) or that the people elect representatives to make most of these decisions (representative democracy).

3. How is political power actually distributed in America?

Some believe that political power in America is monopolized by wealthy business leaders, by other powerful elites, or by entrenched government bureaucrats. Others believe that political resources such as money, prestige, expertise, organizational position, and access to the mass media are so widely dispersed in American society, and the governmental institutions and offices in which power may be exercised so numerous and varied, that no single group truly has all or most political power. In this view, political power in America is distributed more or less widely. Still others suggest that morally impassioned leaders have at times been deeply influential in our politics. No one, however, argues that political resources are distributed equally in America.

4. What is the "political agenda" and why has it expanded?

The political agenda consist of those issues that people believe require government action. The behavior of groups, the workings of institutions, the media, and the actions of state governments have all figured in the expansion of America's political agenda. The great shifts in the character of American government—its size, scope, institutional arrangements, and the direction of its policies—have reflected complex and sometimes sudden changes in elite or mass beliefs about what government is supposed to do. The federal government now has policies on street crime, the environment, homeland security, and many other issues that were not on the federal agenda a half-century (or, in the case of homeland security, just 15 years) ago.

5. How can you classify and explain the politics of different issues?

One way to classify and explain the politics of different issues is in relation to the perceived costs and benefits of given policies and how narrowly concentrated (limited to a relatively small number of identifiable citizens) or widely distributed (spread over many, most, or all citizens) their perceived costs and benefits are. This approach gives us four types of politics: *majoritarian* (widely distributed costs and benefits), *interest group* (narrowly concentrated costs and benefits), *client* (widely distributed costs and narrowly concentrated benefits), and e*ntrepreneurial* (narrowly concentrated costs and widely distributed benefits). Different types of coalitions are associated with each type of politics. Issues can sometimes "migrate" from one type of politics to another. Some policy dynamics involve more than one type of politics. And the politics of some issues is harder to classify and explain than the politics of others.

TO LEARN MORE

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Weber, Max. *From Max Weber: Essays in Sociology*. Translated and edited by H. H. Gerth and C. Wright Mills. London: Routledge & Kegan Paul, 1948, ch. 8. A theory of bureaucracy and its power.

Wilson, James Q. *Political Organizations*. New York: Basic Books, 1973. It is from a theory originally developed in this treatise that the four-box model of how to classify and explain the politics of different issues that is presented in this chapter was derived.

Steve McAlister/Photographer's Choice/Getty Images

2

The Constitution

LEARNING OBJECTIVES

1. **Why was a Bill of Rights adopted so soon after the ratification of the Constitution?**
2. **Why did so many authors of the Constitution fear factions?**
3. **Why did the Framers agree on the idea of a separation of powers?**
4. **What is the difference between a democracy and a republic?**
5. **How did Thomas Hobbes and John Locke differ about democracy, and which thinker did the Framers follow?**
6. **What branch of government has the greatest power?**
7. **Does the Constitution tell us what goals the government should serve?**
8. **Whose freedom does the Constitution protect?**

THEN

When the Constitutional Convention was held in Philadelphia in 1787, its members were all white men. They were not chosen by popular election, and a few famous men, such as Patrick Henry of Virginia, refused to attend. One state, Rhode Island, sent no delegates at all. They met in secret and there was no press coverage. The delegates met to remedy the defects of the Articles of Confederation, under which the rebellious colonies had been governed, but instead of fixing the Articles, they wrote an entirely new constitution. They then publicized it and said that it would go into effect once it had been ratified, not by state legislatures, but by popular conventions in at least nine states.

NOW

Suppose you think we should have a new constitutional convention to remedy what you and others think are defects in the present document. As you will see later in this chapter, opinions about how our Constitution might be improved are quite diverse. Some critics want the Constitution to create an American version of the parliamentary system of government one finds in the United Kingdom; others would rather that it weaken the federal government by (for example) having a requirement that the budget be balanced or setting a limit on tax revenue each year. Now try to imagine your answers to these questions: How would delegates be picked? How many would there be? Is there any way to limit what the new convention does? Should the meeting be covered by live television, and should the delegates be free to send emails and Twitter messages to outsiders?

The Problem of Liberty

The goal of the American Revolution was liberty. It was not the first revolution with that object (nor was it the last), but it was perhaps the clearest case of a people altering the political order violently, simply in order to protect their liberties. Subsequent revolutions had more complicated or utterly different objectives. The French Revolution in 1789 sought not only liberty, but "equality and fraternity." The Russian Revolution (1917) and the Chinese Revolution (culminating in 1949) chiefly sought equality and were scarcely concerned with liberty as we understand it.

What the American colonists sought to protect when they signed the Declaration of Independence in 1776 were the traditional liberties to which they thought they were entitled as British subjects. These liberties included the right to bring their legal cases before truly independent judges, rather than ones subordinate to the king; to be free of the burden of having British troops quartered in their homes; to engage in trade without burdensome restrictions; and, of course, to pay no taxes levied by a British Parliament in which they had no direct representation. During the ten years or more of agitation and argument leading up to the War of Independence, most colonists believed their liberties could be protected while they remained a part of the British Empire.

Slowly but surely opinion shifted. By the time war broke out in 1775, a large number of colonists (though perhaps not a majority) had reached the conclusion that the colonies would have to become independent of Great Britain if their liberties were to be assured. The colonists had many reasons for regarding independence as the only solution, but one is especially important: they no longer had confidence in the English constitution. This constitution was not a single document, but rather a collection of laws, charters, and traditional understandings that proclaimed the liberties of British subjects. In the eyes of the colonists, these liberties were regularly violated, despite their constitutional protection. Clearly, then, the English constitution was an inadequate check on the abuses of political power. The revolutionary leaders sought an explanation of the insufficiency of the constitution and found it in human nature.

The Colonial Mind

"A lust for domination is more or less natural to all parties," one colonist wrote.[1] Men will seek power, many colonists believed, because they are ambitious, greedy, and easily corrupted. John Adams denounced the "luxury, effeminacy, and venality" of English politics; Patrick Henry spoke scathingly of the "corrupt House of Commons"; and Alexander Hamilton described England as "an old, wrinkled, withered, worn-out hag."[2] This was in part flamboyant rhetoric designed to whip up enthusiasm for the conflict, but it was also deeply revealing of the colonial mindset. Their belief that English politicians—and by implication, most politicians—tended to be corrupt was the colonists' explanation of why the English constitution was not an adequate guarantee of the liberty of the citizens. This opinion was to persist and, as we shall see, profoundly affect the way the Americans went about designing their own governments.

The liberties the colonists fought to protect were, they thought, widely understood. They were based not on the generosity of the king or the language of statutes but on a "higher law" embodying "natural rights" that were ordained by God, discoverable in nature and history, and essential to human progress.

These rights, John Dickinson wrote, "are born with us; exist with us; and cannot be taken away from us by any human power."[3] There was general agreement that the essential rights included life, liberty, and property long before Thomas Jefferson wrote them into the Declaration of Independence. (Jefferson changed "property" to "the pursuit of happiness," but almost everybody else went on talking about property.)

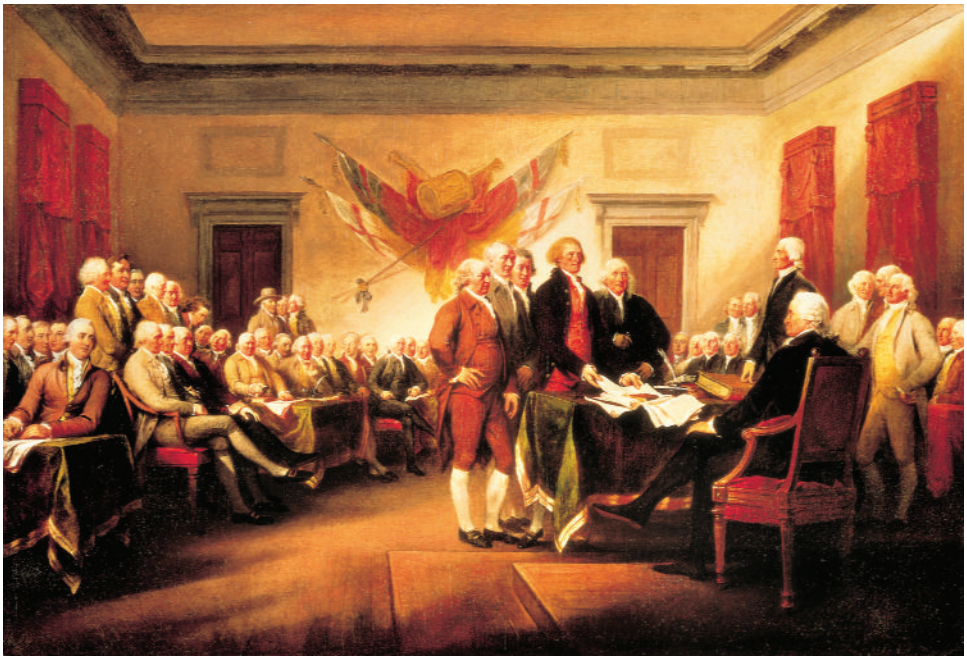
This emphasis on property did not mean the American Revolution was thought up by the rich and wellborn to protect their interests or that there was a struggle between property owners and the propertyless. In late-18th-century America, most people (except the black slaves) had property of some kind. The overwhelming majority of citizens were self-employed—as farmers or artisans—and rather few people benefited financially by gaining independence from England. Taxes were higher during and after the war than they were before it, trade was disrupted by the conflict, and debts mounted perilously as various expedients were invented to pay for the struggle. There were, of course, war profiteers and those who tried to manipulate the currency to their own advantage, but most Americans at the time of the war saw the conflict in terms of political rather than economic issues. It was a war of ideology.

We all recognize the glowing language with which Jefferson set out the case for independence in the second paragraph of the Declaration:

> *We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed—that whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, having its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.*

unalienable A human right based on nature or God.

What almost no one recalls, but what is an essential part of the Declaration, are the next 27 paragraphs, in which Jefferson listed, item by item, the specific complaints the colonists had against George III and his ministers. None of these items spoke of social or economic conditions in the colonies; all spoke instead of specific violations of political liberties. The Declaration was in essence a lawyer's brief, prefaced by a stirring philosophical claim that the rights being violated were **unalienable**—that is, based on nature and Providence, and not on the whims or preferences of people. Jefferson, in his original draft, added another complaint—that the king had allowed the slave trade to continue *and* was inciting slaves to revolt against their masters. Congress, faced with so contradictory a charge, instead decided to include a muted reference to slave insurrections and omit all reference to the slave trade.



De Agostini/Getty Images

Signing the Declaration of Independence, painted by John Trumbull.

The Real Revolution

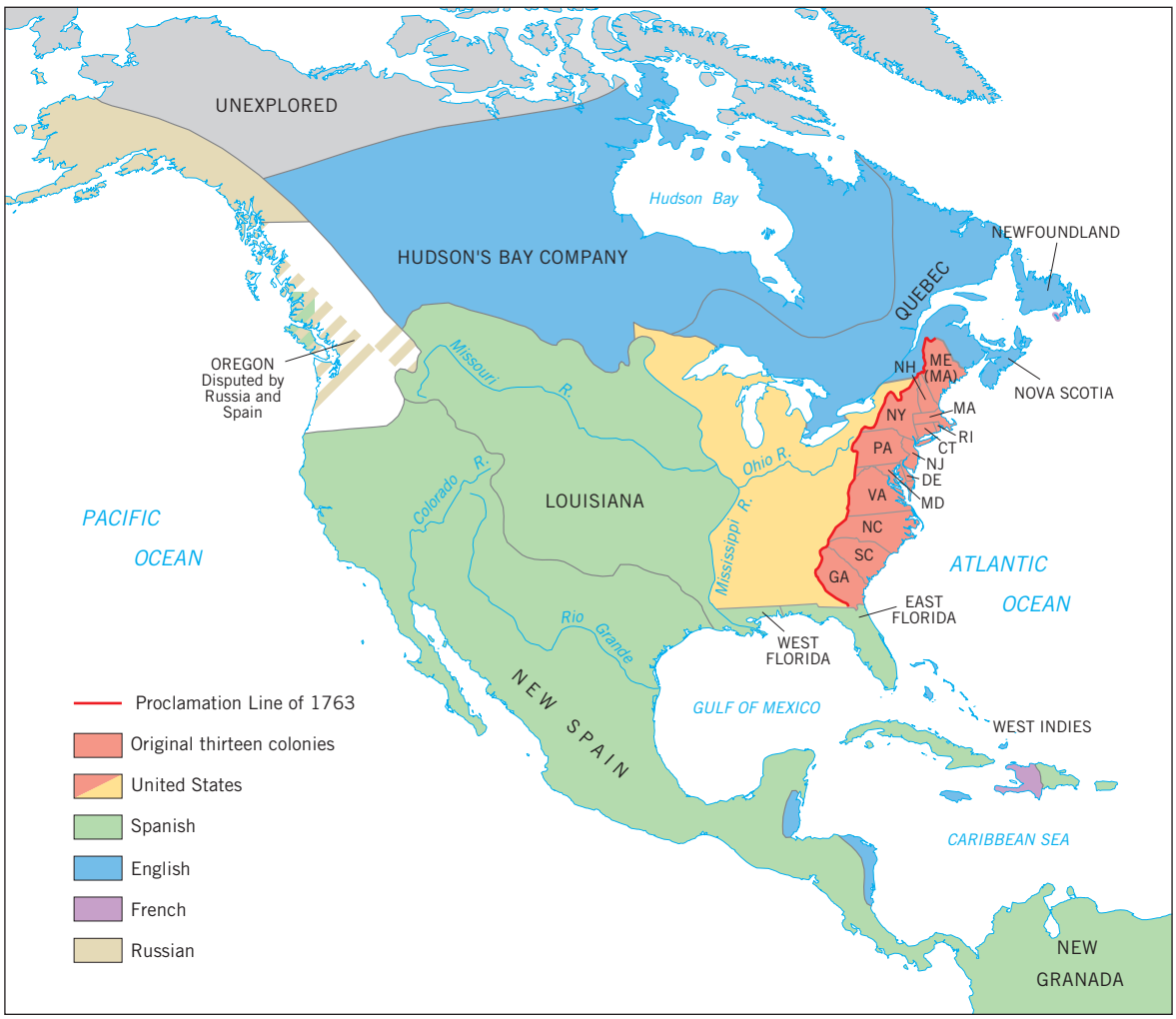
The Revolution was more than the War of Independence. It began before the war, continued after it, and involved more than driving out the British army by force of arms. The *real* Revolution, as John Adams afterward explained in a letter to a friend, was the "radical change in the principles, opinions, sentiments, and affections of the people."[4] This radical change had to do with a new vision of what could make political authority legitimate and personal liberties secure. Government by royal prerogative was rejected; instead, legitimate government would require the consent of the governed. Political power could not be exercised on the basis of tradition, but only as a result of a direct grant of power contained in a written constitution. Human liberty existed before government was organized, and government must respect that liberty. The legislative branch of government, in which the people were directly represented, should be superior to the executive branch.

These were indeed revolutionary ideas. No government at the time had been organized on the basis of these principles. To the colonists, such notions were not empty words, but rules to be put into immediate practice. In 1776, eight states adopted written constitutions. Within a few years, every former colony had adopted one except Connecticut and Rhode Island, two states that continued to rely on their colonial charters. Most state constitutions had detailed bills of rights defining personal liberties, and most placed the highest political power in the hands of elected representatives.

Written constitutions, representatives, and bills of rights are so familiar to us now that we don't realize how bold and unprecedented those innovations were in 1776. Indeed, many Americans did not think they would succeed: such arrangements would be either so strong that they would threaten liberty or so weak that they would permit chaos.

The 11 years that elapsed between the Declaration of Independence and the signing of the

FIGURE 2.1 North America in 1787



Constitution in 1787 were years of turmoil, uncertainty, and fear. George Washington headed a bitter, protracted war effort without anything resembling a strong national government to support him. The supply and financing of his army were based on a series of hasty improvisations, most badly administered and few adequately supported by the fiercely independent states. When peace came, many parts of the nation were a shambles. At least a quarter of New York City was in ruins, and many other communities were nearly devastated. Though the British lost the war, they still were powerful on the North American continent, with an army available in Canada (where many Americans loyal to Britain had fled) and a large navy at sea. Spain claimed the Mississippi River Valley and occupied what are now Florida and California. Men who had left their farms to fight came back to discover themselves in debt with no money and heavy taxes. The paper money printed to finance the war was now virtually worthless.

Weaknesses of the Confederation

The 13 states had formed only a faint semblance of a national government with which to bring order to the nation. The **Articles of Confederation**, which went into effect in 1781, created little more than a "league of friendship" that could not levy taxes or regulate commerce. Each state retained its sovereignty and independence, each state (regardless of size) had one vote in Congress, nine (of 13) votes were required to pass any measure, and the delegates who cast these votes were picked and paid for by the state legislatures. Congress did have the power to make peace, and thus it was able to ratify the treaty with England in 1783. It could coin money, but there was precious little to coin; it could appoint the key army officers, but the army was small and dependent for support on independent state militias; it was allowed to run the post office, then, as now, a thankless task that no one else wanted. In 1785, John Hancock was elected to the meaningless office of "president" under the Articles and never showed up to take the job. Several states claimed the unsettled lands in the West, and they occasionally pressed those claims with guns. Pennsylvania and Virginia went to war near Pittsburgh, and Vermont threatened to become part of Canada. There was no national judicial system to settle these or other claims among the states. To amend the Articles of Confederation, all 13 states had to agree.

Articles of Confederation A weak constitution that governed America during the Revolutionary War.

Constitutional Convention A meeting in Philadelphia in 1787 that produced a new constitution.

Many of the leaders of the Revolution, such as George Washington and Alexander Hamilton, believed a stronger national government was essential. They lamented the disruption of commerce and travel caused by the quarrelsome states and deeply feared the possibility of foreign military intervention, with England or France playing one state off against another. A small group of men, conferring at Washington's home at Mount Vernon in 1785, decided to call a meeting to discuss trade regulation. That meeting, held at Annapolis, Maryland, in September 1786, was not well attended (no delegates arrived from New England), and so another meeting, this one in Philadelphia, was called for the following spring—in May 1787—to consider ways of remedying the defects of the Confederation.

Alonzo Chappel/Bettmann/Corbis

In 1775, British and American troops exchange fire in Lexington, Massachusetts, the first battle of the War of Independence.

The Constitutional Convention

The delegates assembled at Philadelphia at the **Constitutional Convention**, for what was advertised (and authorized by Congress) as a meeting to revise the Articles; they adjourned four months later having written a wholly new constitution. When they met, they were keenly aware of the problems of the confederacy, but far from agreement as to what should be done about those problems. The protection of life, liberty, and property was their objective in 1787 as it had been in 1776, but they had no accepted political theory that would tell them what kind of national government, if any, would serve that goal.

Shays's Rebellion A 1787 rebellion in which ex–Revolutionary War soldiers attempted to prevent foreclosures of farms as a result of high interest rates and taxes.

The Lessons of Experience

They had read ancient and modern political history, only to learn that nothing seemed to work. James Madison spent a good part of 1786 studying books sent to him by Thomas Jefferson, then in Paris, in hopes of finding some model for a workable American republic. He took careful notes on various confederacies in ancient Greece and on the more modern confederacy of the United Netherlands. He reviewed the history of Switzerland and Poland and the ups and downs of the Roman republic. He concluded that there was no model; as he later put it in one of the *Federalist* papers, history consists only of beacon lights "which give warning of the course to be shunned, without pointing out that which ought to be pursued."[5] The problem seemed to be that confederacies were too weak to govern and tended to collapse from internal dissension, while all stronger forms of government were so powerful as to trample the liberties of the citizens.

State Constitutions

Madison and the others did not need to consult history, or even the defects of the Articles of Confederation, for illustrations of the problem. These could be found in the government of the American states at the time. Pennsylvania and Massachusetts exemplified two aspects of the problem. The Pennsylvania constitution, adopted in 1776, created the most radically democratic of the new state regimes. All power was given to a one-house (unicameral) legislature, the Assembly, the members of which were elected annually for one-year terms. No legislator could serve more than four years. There was no governor or president, only an Executive Council that had few powers. Thomas Paine, whose pamphlets had helped precipitate the break with England, thought the Pennsylvania constitution was the best in America, and in France philosophers hailed it as the very embodiment of the principle of rule by the people. Though popular in France, it was a good deal less popular in Philadelphia. The Assembly disfranchised the Quakers, persecuted conscientious objectors to the war, ignored the requirement of trial by juries, and manipulated the judiciary.[6] To Madison and his friends, the Pennsylvania constitution demonstrated how a government, though democratic, could be tyrannical as a result of concentrating all powers into one set of hands.

The Massachusetts constitution, adopted in 1780, was a good deal less democratic. There was a clear separation of powers among the various branches of government, the directly elected governor could veto acts of the legislature, and judges served for life. Both voters and elected officials had to be property owners; the governor, in fact, had to own at least £1,000 worth of property. The principal officeholders had to swear they were Christians.

Shays's Rebellion

But if the government of Pennsylvania was thought too strong, that of Massachusetts seemed too weak, despite its "conservative" features. In January 1787, a group of ex–Revolutionary War soldiers and officers, plagued by debts and high taxes and fearful of losing their property to creditors and tax collectors, forcibly prevented the courts in western Massachusetts from sitting. This became known as **Shays's Rebellion**, after one of the officers, Daniel Shays. The governor of Massachusetts asked the Continental Congress to send troops to suppress the rebellion, but it could not raise the money or the manpower. Then he turned to his own state militia, but discovered he did not have one. In desperation, private funds were collected to hire a volunteer army, which marched on Springfield and, with the firing of a few shots, dispersed the rebels, who fled into neighboring states.

Shays's Rebellion, occurring between the aborted Annapolis and the coming Philadelphia conventions, had a powerful effect on opinion. Delegates who might have been reluctant to attend the Philadelphia meeting, especially those from New England, were galvanized by the fear that state governments were about to collapse from internal dissension. George Washington wrote a friend despairingly: "For God's sake, if they [the rebels] have real grievances, redress them; if they have not, employ the force of government against them at once."[7] Thomas Jefferson, living in Paris, took a more detached view: "A little rebellion now and then is a good thing," he wrote. "The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants."[8] Though Jefferson's detachment might be explained by the fact that he was in Paris and not in Springfield, there were others, like Governor George Clinton of New York, who shared the view that no strong central government was required. (Whether Clinton would have agreed about the virtues of spilled blood, especially his, is another matter.)

The Framers

The Philadelphia convention attracted 55 delegates, only about 30 of whom participated regularly in the proceedings. One state, Rhode Island, refused to send anyone. The convention met during a miserably hot Philadelphia summer, with the delegates pledged to keep their deliberations secret. The talkative and party-loving Benjamin Franklin was often accompanied by other delegates to make sure that