









The following dedication to James Madison is from the oldest American government textbook we have found: William Alexander Duer's *Outlines of the Constitutional Jurisprudence of the United States*, published in 1833.

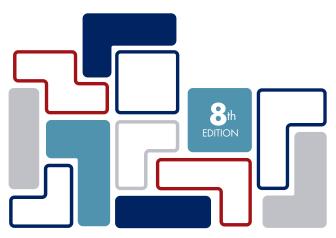
To you, Sir, as the surviving member of the august assembly that framed the Constitution, and of the illustrious triumvirate who, in vindicating it from the objections of its first assailants, succeeded in recommending it to the adoption of their country; to you, who, in discharging the highest duties of its administration, proved the stability and excellence of the Constitution, in war as well as in peace, and determined the experiment in favor of republican institutions and the right of self-government; to you, who in your retirement, raised a warning voice against those heresies in the construction of that Constitution which for a moment threatened to impair it; to you, Sir, as along amongst the earliest and the latest of its defenders, —this brief exposition of the organization and principles of the National Government, intended especially for the instruction of our American youth, is most respectfully, and, in reference to your public services, most properly inscribed.

Columbia College, N.Y. August 1st, 1833.

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PRFFACE

ome elections seem only to point out the illogic of American politics. The presidential contest of 2016, at first glance, confused and confounded pollsters, pundits, and professors alike. Since this book's last edition went to press, American politics has been consumed by this historic, continually surprising campaign and the shock of a

the political forces underlying Donald Trump's come-from-behind victory, it turned out to be quite an ordinary election.

Throughout Trump's journey from reality TV star to fringe candidate to primary front-runner to General Election underdog, he upended much of the conventional wisdom about American politics. Yet his route to victory turned out to be quite conventional. Decades of research on presidential elections have taught us two clear lessons. First, in the words of Bill Clinton's 1992 campaign advisors, "it's the economy, stupid." One of the strongest predictors of presidential election results in November is the American economy's growth rate in the spring. Though the American economy has been growing since the end of the global recession, its resurgence has been slower than expected and unevenly distributed across the nation. Donald Trump's frankly stated critique of all that was still going wrong for the American worker resonated across the "rust belt" from Pennsylvania to Ohio to Wisconsin, states that have seen many manufacturing jobs disappear in recent decades. Voters may not have known exactly what either candidate would deliver in the future, so judging the two parties on their past performance in managing the economy was a rational response.

truly extraordinary election night. But perhaps the biggest surprise is that, reflecting on

Second, we know from history how tremendously difficult it is for one party to stay in power for more than eight years. Just as Americans voted for Barack Obama's hope and change after two terms of Republican rule under George W. Bush, fatigue with Democratic Party leadership stacked the deck against Obama's chosen heir, Hillary Clinton. Some of the statistical models published by political scientists well in advance of the election predicted, based on these two factors, a Trump victory. Other models predicted a Clinton win, because the economy was indeed improving, albeit slowly. The mixed predictions of the statistical models underlined how terrifically close the election was always meant to be. With polls showing Clinton in the lead, however, most political scientists refused to believe our own closely divided models and predicted that she would win in a landslide, because the image of a President Trump seemed so far from plausibility. Yet the models turned out to be right, in an election that was decided by just over 100,000 votes.

Another truism of presidential elections was confirmed this year: Democrats win when they cobble together strong supermajorities of voters from racial and ethnic minority groups; Republicans triumph when they consolidate the white vote. The Obama coalition brought together so many African American, Latino, and Asian American voters that he could afford to perform more poorly among white voters in 2012 than any candidate since Michael Dukakis, winning only 39 percent of this group. But, according to exit polls, Hillary Clinton polled one percentage point worse among white voters, and five to eight points worse among the major racial and ethnic groups. This was a traditional recipe for Republican victory, even one by the least traditional Republican in modern history.

One of the themes of *The Logic of American Politics* is that, alongside the outsized personalities that inhabit Washington, DC, and the idiosyncratic events that appear to drive it, systematic forces remain at work. The book's goal is to help students understand these forces and to see how they shape the choices of political leaders today. We want to help readers discern the rationale embedded in the extraordinary and complex array of American political institutions and practices. To accomplish this goal, we analyze political institutions and practices as (imperfect) solutions to problems facing people who need to act collectively. We highlight recurring obstacles to collective action in various contexts to illuminate the diverse institutional means that American politicians have created to overcome them. These obstacles include the conflict over values and interests, the difficulty of aggregating individual preferences into collective decisions, the need for coordination, and the threat of reneging implicit in every collective undertaking. Stable political communities strengthen their capacity to act collectively and reduce the costs of doing so by fashioning appropriate institutions. These institutions feature majority and plurality rules and procedures that convert votes into representation, delegate authority to agents, and permit some institutional actors to propose courses of action while allocating to others the right to veto proposals. Throughout the book we emphasize the strategic dimension of political action, from the Framers' tradeoffs in crafting the Constitution to the efforts of contemporary officeholders to shape policy, so students can understand current institutions as the products of political conflicts, as well as the venues for resolving them.

New challenges pose fresh problems for collective action for which current institutions may seem inadequate. Yet as illustrated by the prolonged response to the September 11, 2001, attacks and, more recently, the tentative regulatory reforms intended to prevent a repeat of the mortgage crisis and near-meltdown of the financial system, reforms are not automatic or easy. The institutions created to deal with the challenges of collective action at one historical moment can continue to shape politics long after those challenges have receded. Therefore, we pay a good deal of attention to the historical development of political institutions, a narrative that reveals politicians and citizens grappling intellectually, as well as politically, with their collective action problems and discovering the institutional means to resolve them.

This book is the product of our nearly forty years of teaching American politics in a way that seeks to go beyond the basics. In addition to introducing students to descriptive facts and fundamental principles, we have sought to help them cultivate an ability to analyze and understand American politics for themselves. Each of us is variously associated with the rational choice school, yet over time our research and teaching have benefited from many of its insights, especially those familiarly referred to as "the new institutionalism." We have found these insights helpful in making sense of American politics in terms that students can grasp intuitively. Having absorbed these ideas into our own scholarly thinking, we employ them here to help students understand what the American political system looks like and why it has assumed its present shape. We will be more timely in our analysis in this and in future editions, because we will now revise the book every two years. Our editions will follow the electoral cycle. Yet rather than rushing to press immediately after an election, as some texts do, we will take time to gather complete data and to reflect. By writing a new edition during and after each election cycle, we can present students with a deeper analysis of each election's lesson for American politics.

ORGANIZATION OF THE BOOK

Our emphasis on the primacy of institutions extends well beyond collecting and processing the preferences of citizens and politicians. In that institutions may structure the choices available to voters and their leaders, we view them as indispensable in explaining public opinion and the strategic behavior of the political organizations that seek to influence and mobilize these preferences. We therefore have adopted a somewhat unorthodox structure for the book. We cover the rules of the game and the formal institutions of government before discussing the "input" side of the political process—public opinion, elections, parties, and interest groups—because we emphasize the way rules and institutions structure the actions and choices of citizens and politicians alike.

The first two chapters present the concepts and ideas that form the framework for the subsequent chapters. The core concepts address problems of making and implementing collective choices. Along with traditional concepts that remain indispensable to understanding American politics—such as representation, majority rule, and separation of powers—we introduce students to a number of ideas from economics that political scientists have found increasingly useful for exploring American politics. These include the focal points of coordination, prisoner's dilemma, free riding, tragedy of the commons, transaction costs, principal—agent relations, and public goods. Other concepts, with a more specialized and limited application in our discussion (such as negative agenda control), are presented later in the book, where they are most relevant.

The substantive chapters are arranged in four parts. Part I covers the foundational elements of American politics: the Constitution, federalism, civil rights, and civil liberties. The chapters that cover these topics give students an understanding of the political origins and development of the basic structure and rules of the national polity.

Part II examines the major formal institutions of national government: Congress, the presidency, the bureaucracy, and the federal judiciary. These chapters reveal how the politics and logic of their development have shaped their current organizational features, practices, and relations with one another.

Part III analyzes the institutions that link citizens with government officials, again in terms of their historical development, political logic, and present-day operations. Chapters in this section are devoted to public opinion; voting, campaigns, and elections; political parties; interest groups; and the news media.

Part IV features a concluding chapter that evaluates American policymaking through the lens of our collective action framework. Through five vignettes that span policies from health care reform to global climate change, this chapter uses the concepts covered throughout the book to yield insights into the sources of policy problems, point to possible solutions, and explain why agreement on those solutions is often difficult to achieve. Equipped with this understanding of the logic of policymaking, students can apply the same logic underlying these examples to other policy challenges, from immigration reform to pork barrel spending and U.S. disputes with other nations. Students come away from the chapter and the book as a whole with the tools needed to think in new ways about how American government works.

In elaborating on and reinforcing the themes of the text, we include several sets of boxes in every chapter. The "Logic of Politics" boxes explain the logical rationale or implications of some institutional feature presented in the text. In Chapter 7, "The Presidency," where

the text presents the standard descriptive facts about the Constitution's provision for a presidential veto and the frequency with which it has been enlisted over the past two centuries, the adjacent "Logic of Politics" box compares those circumstances in which this "take it or leave it" choice confers real influence on the president in settings where a veto holds little promise for advancing the president's policy preferences. Another set of boxes, "Strategy and Choice," explores how politicians use institutions and respond to the incentives that institutions provide in pursuing their personal or constituencies' interests. In Chapter 3, "Federalism," we learn about the greater freedom that state governments may have in seeking compromise when Washington is gridlocked, but as Mitt Romney and Chris Christie found when they ran for their party's presidential nomination, such strategies do not always play well on a larger stage. In Chapter 14, "The News Media," we examine how the advent of Wi-Fi brought together government, entrepreneurs, and researchers to solve coordination problems. In addition to examining the logic of the policymaking process in our concluding chapter, we continue to cover public policy where it is most relevant to the discussion, incorporating policy issues throughout the book. "Politics to Policy" boxes explain how policies reflect the underlying political rationale of the institutions that produce them. For example, in Chapter 8, "The Bureaucracy," we examine the effects of the Affordable Care Act's poor policy implementation, which left millions of hopeful Americans uninsured as the federal bureaucracy struggled to correct the problems that led to a sluggish and unresponsive national health care exchange.

INSTRUCTIONAL FEATURES

The Logic of American Politics includes special features designed to engage students' attention and to help them think analytically about the subject. Thematic questions at the beginning of each chapter preview important themes and set the tone for critical thinking. Each chapter then opens with a story that sets the scene, often dramatically, for the topic at hand. For example, Chapter 5, "Civil Liberties," opens with the controversy of deadly police shootings of African Americans. Video recordings often don't show the full context of the events that unfold, and law enforcement follows a set protocol for investigation. Yet few convictions of police officers result, much to the growing ire of the public. What is the judicial doctrine in such cases? With pressure mounting from the public, as well as many elected officials at all levels of government, police departments are struggling to refocus their efforts and engage more in deescalation tactics and community relations. The struggle for civil liberties did not end with the civil rights movement of the 1960s, and groups today continue to fight for their rights. Chapter 5 explores the rights guaranteed under the U.S. Constitution and examines the civil liberties battles that continue to be fought. Chapter 14 explores the implications of the modern news environment for citizens and governance, never forgetting that, in the United States, the vital civic function of informing the public is provided by private, profit-based, competitive businesses. In this edition, the chapter closely examines the media's struggle to cover Donald J. Trump's unconventional candidacy and presidential campaign. From the concerns over how seriously to take Trump early on in the campaign to exactly how explicit to get in covering inflammatory statements such as those he made regarding women, the chapter asks students how they would balance the need to inform the electorate about the candidates, their character, and their qualifications for office with regulations prohibiting the broadcast of obscene, indecent, or profane content.

The introduction offers ideas and concepts that are employed throughout the text. They can be classified under two broad categories: collective action problems and institutional design concepts. Both sets of ideas have deeply informed each chapter's argument. Because this is an introduction to American politics, rather than to political theory, we have intentionally sublimated the analytic ideas in favor of enlisting them to explicate real politics. But be assured that these concepts and theoretical issues are never far beneath the surface of the narrative. To help the student reader spot these concepts when they occasionally break to the surface, we have highlighted these passages in bright blue text. In addition, important terms and concepts throughout the text appear in boldface the first time they are defined. These key terms are listed at the end of each chapter, with page references to their explanations, and are defined in a glossary at the back of the book. To encourage students to continue their studies of American politics beyond the pages of this volume, we have included annotated reading lists at the end of each chapter. An outstanding reference is offered to professors who adopt the text (subject to restrictions by the publisher): subscriptions to CQ Weekly, the same source that political Washington relies on for nonpartisan coverage and insightful analysis, are available. Finally, knowing that students today spend far more time on electronic devices than in libraries, this edition features more robust ancillary offerings through SAGE edge, which offers benefits to both students and instructors.

DIGITAL RESOURCES

We know how important good resources can be in the teaching of American government. Our goal has been to create resources that not only support but also enhance the text's themes and features. **SAGE edge** offers a robust online environment featuring an impressive array of tools and resources for review, study, and further exploration, keeping both instructors and students on the cutting edge of teaching and learning. SAGE edge content is open access and available on demand. Learning and teaching has never been easier! We gratefully acknowledge Tony Hill and Nicole Kalaf-Hughes for developing the ancillaries on this site.

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- All tables and figures from the textbook

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 - American Government News Clips connect brief 2- to 4-minute news clips of current events with core chapter content
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 important research and scholarship to chapter concepts to strengthen learning

A number of instructors helped to guide the development of the new **Topics in American Government** videos available with this edition. These SAGE original videos are accompanied by assessment questions and can be assigned through an LMS, making them a valuable resource for instructor assignments and student study. We appreciate the time and careful thought our reviewers put into their feedback, which helped us to refine the material and ensure that we provide content useful to both instructors and students. We offer special thanks to Christina B. Lyons, ByLyons LCC; Justin S. Vaughn, Boise State University; and to:

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A NOTE TO STUDENTS

PLAN OF THE BOOK

Our analysis of the logic of American politics begins in Chapter 1 with an introduction to the analytical concepts we draw on throughout the text. Although these concepts are straightforward and intuitive, we do not expect you to understand them fully until they have been applied in later chapters. The rest of the text is arranged in four main parts. Part I looks at the foundational elements of the political system that are especially relevant to understanding modern American politics. It begins with the constitutional system (Chapter 2, "The Constitution") and then moves on to the relations between the national government and the states (Chapter 3, "Federalism"), the evolution of civil rights and the definition of citizenship (Chapter 4, "Civil Rights"), and the establishment of civil liberties, such as freedom of speech and religion (Chapter 5, "Civil Liberties"). A recurring theme of Part I is *nationalization*, the gradual shift of authority from state and local governments to the national government.

Part II examines the four basic institutions of America's national government: Congress (Chapter 6), the presidency (Chapter 7), the bureaucracy (Chapter 8), and the federal judiciary (Chapter 9). The development of effective, resourceful institutions at the national level has made it possible for modern-day politicians to tackle problems that in an earlier time they would have been helpless to solve. We explain how all four institutions have evolved along the paths initiated and confined by the Constitution in response to the forces of nationalization and other social and economic changes.

Part III surveys the institutions that keep citizens informed about what their representatives are doing and enale them to influence their elected officials through voting and other forms of participation. Chapter 10, "Public Opinion," explores the nature of modern political communication by focusing on the ins and outs of mass public opinion. Chapter 11, "Voting, Campaigns, and Elections," examines the ways in which candidates' strategies and voters' preferences interact at the polls to produce national leaders and, on occasion, create mandates for policies. The Constitution mentions neither political parties nor interest groups, and the Framers were deeply suspicious of both. But they are vital to helping citizens make sense of politics and pursue political goals effectively. In Chapter 12, "Political Parties," and Chapter 13, "Interest Groups," we explain how and why parties and interest groups have flourished as intermediaries between citizens and government officials. President Woodrow Wilson once aptly observed that "news is the atmosphere of politics." Chapter 14 looks at the news media both as channels of communication from elected leaders to their constituents and as independent sources of information about the leaders' performance. The chapter also considers the implications of the rise of the Internet in coordinating the collective efforts of unorganized publics.

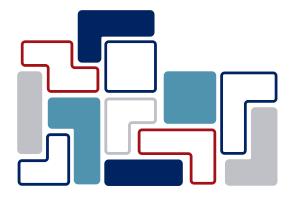
Part IV, which consists of Chapter 15, concludes our inquiry by evaluating American public policymaking through the lens of our collective action framework to discern the logic of the policymaking process.

SPECIAL FEATURES

This book contains several special features designed to help you grasp the logic of American politics. At the outset of each chapter are questions that preview important themes and, we hope, will pique your curiosity. To help you more easily spot discussions of collective action problems and institutional design concepts, important passages and analytic points are highlighted in bright blue text. Each chapter opens with a story from the real world of politics that introduces one or more of the central issues to be explored. Within each chapter, thematic boxes labeled "Logic of Politics" consider more fully the logical rationale and implications of certain features of government design that are introduced in the core text. Another set of boxes, "Strategy and Choice," focuses on the sometimes imaginative ways politicians enlist institutions to advance their agendas and their constituents' goals. A third set of thematic boxes, "Politics to Policy," treats some of the public policy issues that have sprung forth from the political process. Additional boxes, tables, figures, photographs, and other visuals clarify and enliven the text. Since these features, including the substantive captions, play an integral role in the presentation and discussion, you should read them with as much care as you do the text. Key terms, another feature, appear in boldface when first explained and are grouped together at the end of chapters. Definitions of these terms are listed in the glossary at the back of the book. Finally, to encourage you to pursue more information on topics you find particularly interesting, we have included annotated lists of suggested readings at the end of each chapter. We also feature review questions from the companion website to make it easier for you to study and review, as well as to explore a wealth of online resources.

But more lies beyond the covers of this book. Be sure to check out the *Logic of American Politics* website (edge.sagepub.com/kernell8e), where you will find chapter summaries, review questions, and interactive quizzes that will give you a chance to test and extend your knowledge of the material. In addition, the site offers a wide variety of skill-building exercises that will improve your ability to analyze data, such as a table, figure, or public opinion poll.

Politics, like every significant human endeavor, becomes more intriguing the more deeply it is explored and understood. Our book aims to give you not only a strong basic foundation for understanding political life in the present-day United States but also a glimpse of how intellectually enjoyable it can be to grapple with its puzzles and paradoxes.



The Logic of American Politics





Drew Angerer/Getty Images

President Barack Obama signs the Every Student Succeeds Act (ESSA) in 2015, after both houses of Congress worked together—for different reasons—to replace the unpopular and flawed No Child Left Behind law. It serves as an example of the compromises often required in government, where no side can get exactly what it wants and through collective effort must strive to find a mutually acceptable policy. With the confirmation of President Trump's appointment of Betsy DeVos as secretary of the Department of Education—an appointment opposed by every Democratic senator (and a couple of Republicans)—the prospect of cutting future education reform deals will be more difficult.

A +

his is a Christmas miracle," a beaming President Obama proclaimed on signing the Every Student Succeeds Act (ESSA) in December 2015. Flanked at the signing ceremony by congressional leaders from both political parties, the president added, "We should do this more often." Indeed, in Washington's present-day polarized politics, bipartisan agreement on major policy is a rare sight. But ESSA—affecting 50 million students and their teachers across 100,000 schools—passed with huge majorities in both houses of Congress. What occurred differently that allowed Congress and the president to break their normal gridlock and pass this major law? Answering this question may or may not provide Washington with a roadmap past gridlock. What it certainly offers students of American politics, however, is insight into the process that leads politicians who are ideologically and politically distant from one another to settle on a policy that they (and their like-minded colleagues) prefer to current policy.

The Every Student Succeeds Act represents a sweeping revision of the fourteen-year-old No Child Left Behind (NCLB) law. That law, championed by Republican president George W. Bush, sought to strengthen K–12 education by holding laggard schools up to strict performance standards. To qualify for indispensable federal grants under NCLB, schools needed to track students' performance with standardized tests. Schools in the bottom 5 percent of test scores that failed to significantly improve student performance would be overhauled and possibly closed.

The goal of strengthening education was laudable, but Democrats and Republicans in Congress had different reasons for supporting President Bush's initiative. Republicans were helping their president fulfill a campaign promise to improve K–12 education across the nation. In addition, NCLB gave them a way of preventing school districts from taking and freely spending federal money without accountability—schools had to demonstrate that they were using it to improve their programs. Democrats were perhaps even more enthusiastic with the Republican president's initiative. They had long promoted federal aid in education, and impoverished, minority students appeared to stand to gain the most from close scrutiny of failing schools. To satisfy the objectives of accountability and reform, both parties agreed to the creation of a standardized national test of students' verbal and math skills.† Each side quickly found something it liked in NCLB and passed it promptly, at least when compared with the normal lengthy vetting that accompanies most legislation that creates new policy.

^{*}Welcome to the world of acronyms, where staff on Capitol Hill can be heard saying such things as, "OMB sent over a SAP threatening SSA." Translation: The Office of Management and Budget (OMB) issued a Statement of Administration Policy (SAP) in which President Obama threatened to veto Republicans' 2013 legislation, the Student Success Act (SSA).

[†]This became the Common Core, one of the most controversial features of NCLB.

1.1

Summarize the importance of institutional design in governance.

1.2

Discuss the role of a constitution in establishing the rules and procedures that government institutions must follow for collective agreement.

1.3

Identify different types of collective action problems.

1.4

Explain the costs of collective action.

1.5

Relate the different ways that representative government works.

1.6

Discuss the similarities and differences between private, public, and collective goods.

1.7

Explain what motivated the Founders to try to solve collective action problems.

Not long into the administration of NCLB, however, problems started cropping up. The success envisioned in the law's timelines for student improvement in reading and math test scores failed to materialize, as was bound to happen. NCLB mandated an ambitious 100 percent student proficiency on these tests within 12 years (2014). Moreover, many center city and rural schools that faced special challenges in educating their students continued to fail—some miserably—in improving their students' tests scores. According to critics, as pressures to meet Department of Education performance deadlines approached, schools began concentrating on student performance on standardized tests to the neglect of a broader, quality education. A few teachers responded to the pressures with direct action—coaching students on answers during tests and, afterward, even correcting students' answers. School districts and state agencies began requesting deadline exemptions and extensions of deadlines to accommodate their inability to meet NCLB's stiff standards. By 2015, forty-three of the fifty states had received waivers.

Clearly, NCLB failed to live up to its aspirations. Democrats and Republicans initially responded quite differently to this failure. Republicans focused on the duress Washington's "one size fits all" performance standards presented to their states' educational systems. Even though NCLB had been their president's initiative, many Republicans in Congress chafed at the way it had dramatically shifted educational policy from local control to Washington. In 2013 the Republican-majority House of Representatives passed a bill that eliminated most of NCLB's federal oversight provisions, as well as the unreachable 2014 target date for 100 percent proficiency. States would be able to set achievement standards and develop their own testing methods for measuring success and identifying underachieving schools. President Obama, prodded by civil rights groups who worried that the legislation would allow states to abandon efforts to upgrade failing schools, threatened a veto of the bill, and it died in the Senate.

At the same time, numerous states were seeking waivers to NCLB's unrealistic test score goals. The Obama administration agreed to the requested waivers, but only after a state agreed to institute teacher evaluation procedures that took standardized test scores into account in teacher retention and promotion. Teachers' organizations—traditional supporters of Democratic members of Congress—objected strenuously to this sudden, externally imposed policy that upset many long-standing contracts with local school districts. By 2015 Democrats and Republicans in Congress each had their own compelling reasons to rewrite No Child Left Behind.

NCLB had become so unpopular that it forced Democrats and Republicans to search for and settle on a new law that neither side embraced as ideal but accepted as better than the status quo. Over the fall of 2015, bipartisan teams in both chambers and, later, in conference committee negotiations hammered out a compromise bill—the Every Student

^{*} Federal mandates attached to financial aid are a standard practice whereby Congress asserts a national policy without directly taking over administration. We explore the "carrot/stick" properties of federal grants in Chapter 3.

Succeeds Act. Republicans won major concessions that allowed states to develop their own student and teacher performance goals and tests. Moreover, the Department of Education would no longer mandate changes in teacher evaluation or dictate changes in failing schools. Democrats won a major concession requiring states to continue some form of student testing and results reporting to the Department of Education. With these instruments, failing schools could still be identified and efforts to improve them assessed.

As this example shows, social choices inevitably breed conflict, especially when they involve issues that affect the political parties' core constituencies. Through politics, people try to manage such conflicts. Neither side may be thrilled by the results, but when politics succeeds, both sides discover a course of action that satisfies them more than the status quo. However, politics does not always end in success. Resources are too scarce to satisfy the competing claimants, and values prove irreconcilable. Even when the configuration of preferences might allow reconciliation, the political process itself may impede lawmakers' efforts to agree on a new policy. (You will soon discover that this text is concerned with understanding how America's political institutions expedite or interfere with citizens' and their representatives' ability to discover and pursue a collectively agreed to policy). Finally, successful politics does not always lead to happy endings. In the example of the ESSA, no one in either political party expressed enthusiasm for the education package beyond "the best deal we could get."

In more formal terms, politics is the process through which individuals and groups reach agreement on a course of common, or collective,* action—even as they disagree on the intended goals of that action. This definition covers a great variety of social relations. Parents and teenagers negotiate over use of a family car; bosses and employees haggle over working conditions and pay; and organized crime families jockey over turf for conducting illicit activities. Politics matters because each party needs to find a solution to its conflict or disagreement. A solution requires parties to cooperate, even when cooperation is costly and difficult to achieve.

Success at politics almost invariably requires bargaining and compromise. Where the issues are simple and the participants know and trust one another, bargaining may be all that is needed for the group to reach a collective decision. An example is the prolonged exchange of proposals and counterproposals between teenagers and their parents. Although successful bargaining could lead to the discovery that the contending parties actually agree with each other or possibly to one side's capitulation (such as handing over the keys without any conditions attached), generally it ends in a compromise, or a settlement in which each side concedes some preferences to secure others.

Those who create government institutions (and the political scientists who study them) tend to regard preferences as "givens"—individuals and groups know what they want—that must be reconciled if they are to agree to some common course of action. Preferences may reflect the individual's economic situation, religious values, ethnic identity, or some other valued interest. We commonly associate preferences with some perception of self-interest, but they need not be so restrictive. Millions of Americans oppose capital punishment, but few of those who do so expect to benefit personally from its ban.

^{*}This text concentrates on politics in the American national government, but it also draws freely on examples from other settings because the logic embedded in political processes is not confined to matters related to government. Consequently, throughout the text we frequently refer to some generic collectivity, whose members engage each other in reaching a collective decision either to undertake some collective action or to produce some collective good. We enlist these general terms whenever we offer a definition, an observation, or a conclusion that has a general application.

Library of Congress



During the Great Depression, when millions of Americans were suddenly impoverished, many critics blamed unfettered capitalism. The National Association of Manufacturers, still a politically active industry association, posted billboards like this one around the country in an effort to bolster support for "private enterprise" by associating it with other fundamental preferences.

Reconciling preferences represents a fundamental problem of governance. James Madison played a dominant role in drafting the Constitution, and we repeatedly turn to him for guidance throughout this book. In one of the most memorable and instructive statements justifying the new Constitution, he explains that the new government must be devised to represent and reconcile society's many diverse preferences that are "sown into the nature of man":

A zeal for different opinions concerning religion, concerning government, and many other points . . . have, in turn, divided mankind into parties, inflamed them with mutual animosity, and rendered them much more disposed to vex and oppress each other than to co-operate for their common good. So strong is this propensity of mankind to fall into mutual animosities, that where no substantial occasion presents itself, the most frivolous and fanciful distinctions have been sufficient to kindle their unfriendly passions and excite their most violent conflicts.*

Certainly, Madison's observation appears no less true today than when he wrote it in 1787.

[&]quot;This passage is from Madison's *Federalist* No. 10, published initially in 1787 as a newspaper editorial supporting the Constitution's ratification. We shall examine this truly exceptional essay in Chapter 2. We encourage you to read and study it; it is reprinted in its entirety in the Appendix.

THE IMPORTANCE OF INSTITUTIONAL DESIGN

As participants and preferences in politics multiply and as issues become more complex and divisive, unstructured negotiation rarely yields a collective decision that all parties can accept. It may simply require too much time and effort. More crucially, it may expose each side to too great a risk that the other will not live up to its agreements. Fear of reneging may foster mutual suspicions and lead each side to conclude that "politics" will not work. When this occurs, war may become the preferred alternative. The conflict in the 1990s among Serbs, Croats, and Muslims in Bosnia followed such a dynamic. The earlier collapse of Yugoslavia's communist government resurrected ancient enmities among people who had lived peacefully as neighbors for decades. In the absence of effective political institutions they could count on to manage potential conflicts, ethnic and religious rivals became trapped in a spiral of mutual suspicion, fear, and hostility. Without a set of rules prescribing a political process for reaching and enforcing collective agreements, they were joining militias and killing one another with shocking brutality within a year. Today the former Yugoslav states are separate national governments striving to build institutions that replace violence with politics.

Whether at war or simply at odds over the mundane matter of scheduling employee coffee breaks, parties to a conflict benefit from prior agreement on rules and procedures for negotiations. Indeed, this theme reappears throughout this book: a stable community, whether a club or a nation-state, endures by establishing rules and procedures for promoting successful collective action. In January 1999, when the Senate turned to the impeachment trial of President Bill Clinton, the stage was set for an escalation of the partisan rancor that had marred the same proceedings in the House of Representatives. Yet the Senate managed to perform its constitutional responsibility speedily and with a surprising degree of decorum thanks to an early, closed-door meeting in which all one hundred senators endorsed a resolution that laid out the trial's ground rules. More important, they agreed to give the chamber's Democratic and Republican leaders the right to reject any changes to these rules. Thus members on both sides of the partisan divide could proceed toward a decision without fear that the other side would resort to trickery to get the results it favored. That the Senate would find a way to manage its disagreements is not surprising. Its leaders take pride in finding collegial ways of containing the potential conflicts that daily threaten to disrupt its business.

Reliance on rules and procedures designed to reconcile society's competing preferences is nothing new. In an era of arbitrary kings and aristocrats, republican political theorists understood their value. In a 1656 treatise exploring how institutions might be constructed to allow conflicting interests to find solutions in a more egalitarian way, English political theorist James Harrington described two young girls who were arguing about how to share a single slice of cake. Suddenly one of the girls proposed a rule: "Divide,' said one to the other, 'and I will choose; or let me divide, and you shall choose." At this moment, Harrington stepped away from his story and seemingly shouted to the reader, "My God! These 'silly girls' have discovered the secret of republican institutions."* With that ingenious rule, both girls were able to pursue their self-interest (the largest possible slice of cake) and yet have the collective decision result in a division both could happily live with.¹



Actually, Harrington exclaimed, "Mon Dieu!" Note that the lowercase "republican" refers to a form of government, and not the (uppercase) Republican Party. The same case distinction applies to "democratic" and the Democratic Party. Both of these forms of government are examined later in the chapter.

More than one hundred years after Harrington's treatise, the Framers of the Constitution spent the entire summer of 1787 in Philadelphia debating what new rules and offices to create for their fledgling government. They were guided by their best guesses about how the alternatives they were contemplating would affect the interests of their states and the preferences of their constituencies (see Chapter 2). The result of their efforts, the Constitution, is a collection of rules fundamentally akin to the one discovered by the girls in Harrington's story. (Think about it: Both the House of Representatives and the Senate must agree to a bill before it can be sent to the president to be signed into law.) The events in Philadelphia remind us that however lofty the goal that gives rise to reform, **institutional design** is a product of politics. As a result, institutions may confer advantages on some interests over others. Indeed, sometimes one side, enjoying a temporary advantage, will try to permanently implant its preferences in difficult-to-change rules and procedures. The present-day Department of Education, for example, arose from the former Department of Health, Education, and Welfare in 1977 after newly elected president Jimmy Carter proposed this split as a reward for early support from teacher organizations that had long regarded a separate department as key to their ability to win increased federal funding for schools and teacher training. The history of this department bears out the wisdom of their strategy. Republican Ronald Reagan followed Carter into the White House with the full intention of returning the education bureaucracy to its former status. But before long the cabinet secretary he appointed to dismantle the department began championing it, as did many Republicans in Congress whose committees oversaw the department's activities and budgets. Nearly four decades later, the Department of Education is entrenched in Washington, and as we found in the introduction, national education policy has become a central issue for politicians from both political parties.

CONSTITUTIONS AND GOVERNMENTS

All organizations are governed by rules and procedures for making and implementing decisions. Within colleges and universities, the student government, the faculty senate, staff associations, academic departments, and, of course, the university itself follow rules and procedures when transacting regular business. Although rules and procedures go by different names (for example, constitution, bylaw, charter), their purpose is the same: to guide an organization's members in making essentially political decisions—that is, decisions in which the participants initially disagree about what they would like the organization to do.

And what happens when the organization is a nation? Consider the problems: The number of participants is great, the many unsettled issues are complex, and each participant's performance in living up to agreements cannot be easily monitored. Yet even with their conflicts, entire populations engage in politics every day. Their degree of success depends largely on whether they have developed constitutions and governments that work.

The **constitution** of a nation establishes its governing **institutions** and *the set of rules and procedures these institutions must (and must not) follow to reach and enforce collective agreements.* A constitution may be a highly formal legal document, such as that of the United States, or it may resemble Britain's unwritten constitution, an informal "understanding" based on centuries of precedents and laws. A **government**, then, consists of these institutions and the legally prescribed process for making and enforcing collective agreements. Governments may assume various forms, including a monarchy, a representative democracy, a theocracy (a government of religious leaders), or a dictatorship.

Authority versus Power

The simple observation that governments are composed of institutions actually says a great deal and implies even more. Government institutions consist of offices that confer on their occupants specific authority and responsibilities. Rules and procedures prescribe how an institution transacts business and what authority relations will link offices together. Authority is the acknowledged right to make a particular decision. Only the president possesses the authority to nominate federal judges. However, a majority of the Senate's membership retains sole authority to confirm these appointments and allow the nominees to take office.

Authority is distinguishable from power, a related but broader concept that we return to throughout the book. Power refers to an officeholder's actual influence with other officeholders and, as a consequence, over the government's actions. An office's authority is an important ingredient in its occupant's power, but that power includes the skill to deploy that authority when dealing with other officeholders and politicians. For instance, President Obama has the authority only to nominate a judge. Whether the Senate confirms his appointment may rest on Obama's persuasiveness with members of the Senate Judiciary Committee, his mobilization of key support groups to lobby undecided senators, and his ability to generate favorable publicity for his candidates and perhaps even unfavorable publicity for his opponents.

Institutional Durability

Institutions are by no means unchangeable, but they tend to be stable and resist change for several reasons. First, with authority assigned to the office, not to the individual holding the office, established institutions persist well beyond the tenure of the individuals who occupy them. A university remains the same institution even though all of its students, professors, and administrators are eventually replaced. Institutions, therefore, contribute a fundamental continuity and orderliness to collective action. Second, the people who are affected by institutions make plans on the expectation that current arrangements will remain. Imagine how senior college students would react if, during their last semester, their college or university increased the required course units for a degree. Or consider the anxiety that the millions of workers approaching retirement must feel whenever politicians in Washington talk about changing Social Security.*

Sometimes institutions are altered to make them perform more efficiently or to accomplish new collective goals. In 1970 an executive reorganization plan consolidated components of five executive departments and agencies into a single independent agency, the Environmental Protection Agency, with a strong mandate and commensurate regulatory authority to protect the environment. By coordinating their actions and centralizing authority, these formerly dispersed agencies could more effectively monitor and regulate polluting industries.

^{*}In his 2005 State of the Union address President George W. Bush sought to reassure the most anxious segment of the public approaching retirement—specifically, those over age fifty-five—that his sweeping reform proposal would not apply to them.

The Political System's Logic

The quality of democracy in modern America reflects the quality of its governing institutions. Embedded in these institutions are certain core values, such as the belief that those entrusted with important government authority must periodically stand before the citizenry in elections. Balanced against this ideal of popular rule is the equally fundamental belief that government must protect certain individual liberties even when a majority of the public insists otherwise. Throughout this text we will find politicians and citizens disagreeing on the precise meaning of these basic beliefs and values as they are applied or redefined to fit modern society.

Also embedded in these institutions—initially by the Framers in the Constitution and later by amendment and two centuries of political evolution—is a logic based on principles about how members of a community should engage one another politically to identify and pursue their common goals. Although the Framers did not use the vocabulary of modern political science, they intuitively discerned this logic and realized that they must apply it correctly if the "American Experiment" were to succeed.* For us, too, this logic is essential for understanding the behavior of America's political institutions, the politicians who occupy them, and the citizens who monitor and respond to political actions. To that end, the concepts presented in the remainder of this chapter are the keys to "open up" America's political institutions and to reveal their underlying logic. We begin with the problems (or one can think of them as puzzles) that confront all attempts at collective action. Many institutional arrangements have been devised over time to solve these problems. Those we examine here are especially important to America's political system, and the concepts will reappear as key issues throughout the book.

COLLECTIVE ACTION PROBLEMS

By virtue of their size and complexity, nations encounter special difficulties in conducting political business. In those nations where citizens participate in decisions through voting and other civic activities, still more complex issues arise. Successful collective action challenges a group's members to figure out what they want to do and how to do it. The former involves comparing preferences and finding a course of action that sufficient numbers of participants agree is preferable to proposed alternatives or to doing nothing. The latter concerns implementation—not just the nuts and bolts of performing some task, but reassuring participants that everyone will share the costs (such as taxes) and otherwise live up to agreements.

Even when members basically agree to solve a problem or achieve some other collective goal, there is no guarantee that they will find a solution and implement it. Two fundamental barriers—coordination problems and prisoner's dilemmas—may block effective collective action. Coordination can be problematic at both stages of collective action—as members



^{*}They were, after all, contemporaries of Isaac Newton and found in his theory of mechanics inspiration to search for similar natural laws to create a well-functioning polity. With Britain's monarchy the only real-world model to guide them—and one they tended to judge more as a model of what to avoid than to emulate, the Framers depended heavily on carefully reasoned ideas, which took them to Newtonian physics. Consequently, the terms force, counterweight, and balance were familiarly used during debates at the Constitutional Convention and by both sides in the Constitution's subsequent ratification campaign.

decide to undertake a task and subsequently work together to achieve it. Coordination in making a joint decision mostly involves members sharing information about their preferences; coordination in undertaking a collective effort involves effectively organizing everyone's contribution. On this second matter, coordination may become problematic when individual members realize that the success of the collective enterprise will require their contribution may not depend on their costly effort. For instance, individual members may be asked to make a severe contribution such as going to war, and despite their costly effort, the collective effort might fail.

This fundamental problem introduces a class of issues commonly referred to as the prisoner's dilemma. It refers to a variety of settings in which individuals find themselves personally better off by pursuing their private interests and undermining the collective effort even when they want it to succeed. Prisoner's dilemmas pervade all of politics, from neighbors petitioning city hall for a stop sign to legislators collaborating to strike budget deals in Congress. These dilemmas especially interest us because the "solution"—that is, having everyone contribute to the collective undertaking—depends heavily on providing the kinds of incentives to individuals that governments are well suited to provide.

Coordination

Whether in deciding what to do or how to do it, coordination is more difficult for large than for small groups. Several friends can easily share their preferences in great detail on how to spend the weekend together. Now consider Republican voters in the spring of 2016 trying to decide who their presidential nominee should be. An NBC/Wall Street Journal survey in early March found 30 percent favoring Donald Trump, with Ted Cruz, John Kasich, and Marco Rubio following with 27, 22, and 20 percent support respectively. But this only scratched the surface of their preferences on what they wanted their party to do. The survey followed up by pitting Trump against each of the other candidates in a two-man race. In Figure 1.1 we find that Trump loses each contest. A lot of Republican respondents to the survey wanted anyone but Trump. Each candidate's "true" supporters teamed with the "anyone by Trump" respondents formed a clear majority. But as primaries and caucuses continued through early June, the coordination problem persisted. In the end, the "anyone but Trump" Republicans never managed to coordinate on an alternative candidate.

Now consider how size affects the capacity of a group to coordinate in achieving an agreed to goal. Here, a classical music performance offers an education in the costs of coordinating collective action. During a concert the members of a string quartet coordinate their individual performances by spending nearly as much time looking at one another as they do following their music. Volume, tempo, and ornamentation must all be executed precisely and in tandem. By the end of a successful concert, the effort required is evident on the triumphant musicians' perspiring faces. A symphony orchestra, by contrast, achieves comparable coordination, despite its greater numbers, by retaining one of its members to put aside the musical instrument and take up the conductor's baton. By focusing on the conductor, orchestra members are able to coordinate their playing and produce beautiful music. And at the end of the concert, the conductor is the first one to mop a perspiring brow.

Large groups trying to reach a shared goal might emulate the symphony in designating and following a leader. Members of the House of Representatives and the Senate configure procedures to enable Congress to decide policy for the hundreds of issues presented each session. But to achieve the same objective, the 435-member House and the 100-member Senate



60 57 56 51 50 43 43 Percent for Candidate 40 10 0

Cruz

Rubio

Figure 1.1 Republican Voters Trying to Coordinate in the Selection of Their Party's Nominee

Source: NBC/Wall Street Journal poll, March 3-6, 2016, N = 397 Republican primary voters nationwide.

Note: The percentages do not sum to 100 because a few respondents refused to pick either candidate.

Trump

proceed quite differently, following a logic reflecting the size of their organizations. The House delegates to a Rules Committee the responsibility for scheduling the flow of legislation onto the floor and setting limits on deliberations and amendments. This important committee becomes the "leader" in setting the body's agenda. The entire House cedes this authority to a committee because coordination is vital if the chamber is to identify and pass the most preferred legislation. By contrast, the smaller Senate has found that it can achieve comparable levels of coordination without having to surrender authority to a specialized committee. In the Senate, informal discussions among members and party leaders suffice.

When the number of participants desiring to coordinate is very large—say, a state's voters—coordination may generally be unachievable. This explains why a society's collective decisions are generally delegated to a small group of professionals, namely politicians, who intensively engage one another in structured settings, namely government, in order to discover mutually attractive collective decisions.

The challenges to successful coordination increase with size. For some problems simple, self-enforcing rules—such as traffic staying to the right side of the street—might be all that is required. For other kinds of collective choices, institutions severely limit options, allowing like-minded individuals to coordinate easily. Political party nominations offer voters an obvious common choice.

Successful mass coordination occasionally arises even in the absence of institutions channeling individuals' choices. The 2012 presidential primaries saw conservative Republican voters race en masse from one candidate to another in search of an alternative—apparently any alternative—to moderate and eventual winner Mitt Romney. As displayed in Figure 1.2,

45 40 35 Percent for Candidate 30 25 20 15 10 5 Jan 2012 0 May 2011 m15011 Pern Santorum Cain Paul Bachmann

Figure 1.2 Republicans Pick a Presidential Nominee, 2012

Source: Data from RealClearPolitics.com, 2012 Republican Presidential Nomination, accessed at www.realclearpolitics.com/ epolls/2012/president/us/republican_presidential_nomination-1452.html#polls.

five of Romney's serious challengers for the nomination briefly achieved front-runner status in the public opinion polls. On reaching the top of the pile, each faltered and was quickly discarded by voters in favor of yet another "anyone but Romney" nominee. Eventually, they all stumbled badly, leaving Romney the only viable candidate still in the race. At this point, conservative Republicans switched their mantra to "anyone but Obama" and rallied behind their party's nominee.

Among the several surprising outcomes in this chronology is the speed with which Republican voters' preferences switched from one candidate to another. How, for example, did so many survey respondents manage to shift from front-runner Rick Perry (after he forgot the names of several government departments he promised to disband) to Herman Cain, who until Perry's debate fiasco had barely registered a blip in the polls? In such instances a critical ingredient of success lies in identifying a common focal point to help individuals target their energies toward a common purpose. A focal point is some prominent cue that helps individuals recognize the preferences of others with whom they want to cooperate. A strong debate performance might win some supporters, but equally important, it might identify to all the candidates who will attract the most support. Similarly, a narrow victory in a state delegate caucus could signal which candidate all like-minded voters should gather behind. Or endorsement by some accepted authority—like the Tea Party—could concentrate support. Each of these kinds of focal point cues guided conservative Republicans as they

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Renán Almendárez Coello, "the Latino Howard Stern"



Humberto Luna



Eddie "Tweety Bird" Sotelo



These Los Angeles Spanish-language DJs, among others, are credited with turning out nearly five hundred thousand demonstrators for an immigration reform rally in downtown L.A. in March 2006.

AP Photo/Ric Francis

settled on an "anyone but Romney" alternative who, shortly thereafter, displayed some fatal flaw that sent them searching for another candidate.

Internet-based social networks offer levels of focal point coordination unimaginable in earlier decades. A remarkable example of nearly spontaneously coordinated protest activity occurred in 2006, when a Los Angeles union and church organized a protest march against anti-immigrant legislation under consideration by the House of Representatives. The organizers hoped to arouse twenty thousand participants, but after they persuaded several Spanish-radio DJs to publicize the rally, over half a million protesters showed up. The size of the turnout amazed everyone, including the organizers, and the crowd quickly overwhelmed the police force. Clearly, there was a pent-up demand needing only a cue as to when and where everyone would show up.

Coordination problems essentially arise from uncertainty and insufficient information and may prevent collective undertakings even when a great majority agrees on a course of action, such as Republicans' desire to win back the presidency in 2012. We now turn to potentially more problematic challenges to collective action—the problems of the prisoner's dilemma. Unlike a lack of coordination, where mutual ignorance prevents participants from identifying and working together for a common goal, prisoner's dilemma problems find participants privately calculating that they would be better off by not contributing to the collective action even when they wholeheartedly agree with its purpose. Where coordination problems frequently require no more than direction and information, prisoner's dilemmas generally necessitate monitoring and the threat of coercion.

The Prisoner's Dilemma

Since it was first formally introduced in the late 1950s, the prisoner's dilemma has become one of the most widely used concepts in the social sciences. A casual Google search generated over half a million hits on this phrase, bringing up websites on subjects far afield from political science and economics (where systematic consideration of the concept originated), including psychiatry, evolutionary biology, and drama theory. The prisoner's dilemma depicts a specific tension in social relations, one long intuitively understood by political thinkers. Solving this dilemma fundamentally distinguishes political success and failure and is a cornerstone of our inquiry. What precisely is the prisoner's dilemma, and why is it so important for the study of American politics?

The prisoner's dilemma arises whenever individuals who ultimately would benefit from cooperating with each other, also have a powerful and irresistible incentive to break the agreement and exploit the other side. Only when each party is confident that the other will live up to an agreement can they successfully break out of the dilemma and work to their mutual advantage. A simple example of how this works is the original exercise that gives the prisoner's dilemma its name. In the movie stills from the 1941 drama I Wake Up Screaming (see photos), homicide detectives are subjecting screen legends Victor Mature and Betty Grable to the prisoner's dilemma. Specifically, each murder suspect is being advised to confess and testify against the other, in return for a lighter prison sentence. The diagram on the next page maps out the likely prison term each faces. Deep down Mature and Grable know that the police do not have enough evidence to convict them of murder. All they have to do is stick to their story (i.e., cooperate) and, at worst, they may have to spend six months in jail on a gun possession charge. If both were to confess, each would get a five-year sentence. Each of them is offered a deal: in exchange for a full confession, the "squealer" will get off scot-free, while the "fall guy" or "sucker" will be convicted and likely receive a ten-year prison term. In the movie both suspects are isolated in their cells for a few days, with the detectives hinting that their partner is "singing like a canary." As the days pass, each begins to recognize the other's character flaws and panics. If Mature squeals, Grable realizes, she must also in order to avoid a ten-year stretch. If, however, she has underestimated his virtues and he holds out, well, that would be unfortunate, but she gains some solace in knowing that her lone confession will be her "get-out-of-jail" card. Of course, Mature, stewing in his cell, reaches the same conclusion. Why this movie presents a genuine dilemma is that *in this setting* confessing offers the best outcome for each suspect, regardless of what the other individual does. So, in the end, they both confess and spend the next five years in the slammer.*

		Victor Mature	
		Stays Silent	Confesses
Betty Grable	Stays Silent	6 months, 6 months	10 years, No jail
	Confesses	No jail, 10 years	5 years, 5 years
		(Grable's sentence is listed first.)	





Century Fox/Photofes

Subjected to the classic prisoner's dilemma interrogation, Victor Mature and Betty Grable turn out to have nothing to confess in the 1941 whodunit I Wake Up Screaming. Since its introduction in the 1950s, thousands of articles have enlisted this metaphor to explore the fundamental conflict between what is rational behavior for each member of a group and what is in the best interest of the group as a whole.

For this reason police have traditionally objected to giving suspects early access to lawyers, who might help the otherwise isolated prisoners coordinate their plan. But this is a different story we will return to in Chapter 5. By the way, the movie offers a happy ending.

So what does this dilemma have to do with American politics? Everything. Every successful political exchange must tacitly solve the prisoner's dilemma. Exchanges occur because each side recognizes that it will be better off with a collective outcome rather than with trying to act alone. Had Mature and Grable somehow managed to stay silent, their cooperation would have shaved all but six months from their five-year terms. And both knew this. Yet neither could be sure the other confederate would stay silent. To get something worthwhile, both sides must typically give up something of value in return. The moral: unless participants in a collective decision can trust each other to abide by their commitments, they will not achieve a mutually profitable exchange.

How do the Matures and Grables shift the outcome from that quadrant, where neither cooperates, to the one where they both do? One solution involves making reneging and defection very expensive. In some settings this can be achieved informally. For example, politicians who repeatedly make campaign promises that they subsequently fail to act on lose credibility with voters, and become vulnerable to defeat in the next election. Once in office, reneging on an agreement will quickly damage a politician's reputation, and others will refuse to deal with her in the future. Where failure to live up to one's agreements imposes costs down the road, politicians will think twice before doing so.

Another common solution is to create institutions that help parties discover opportunities to profit through cooperation and, most important, guarantee that agreements are honored. Here, government's coercive authority is useful. An anthropologist once reported that two tribes in a remote region of New Guinea lived in a state of continual warfare, to the point that many more men from both tribes had died in battle than from natural causes. The anthropologist summed up their dilemma: "In the absence of any central authority, they are condemned to fight forever . . . since for any group to cease defending itself would be suicidal." He added that these tribes might "welcome pacification." One day the distant government in Papua sent a ranger armed with a handgun to establish territorial boundaries between the tribes and rules governing their chance encounters. Suddenly, the decades-long warfare ended. Each side believed the ranger with his single sidearm presented sufficient force to punish any breaches (defection) of the peace agreements, and the now-peaceful neighbors began to use politics not war—to solve their conflicts.² Members of a society must be able to engage one another politically. Without confidence that agreements will be enforced, the political process quickly unravels. Participants will balk at undertaking mutual obligations they suspect their bargaining partners will not honor.

In his 1651 treatise on the origin and purposes of government, Leviathan, political philosopher Thomas Hobbes examined the straits to which society is reduced when its government is unable to enforce collective obligations and agreements. (See the Logic of Politics box "Hobbes on Monarchs.") In a famous passage he warned that life would return to "a state of nature . . . solitary, poor, nasty, brutish and short." The mortality rate of New Guinea tribesmen confirmed Hobbes's insight. They were not naturally combative; rather, these tribes simply could not trust each other. Thus enforcement succeeded in encouraging cooperation, but not through flaunting overwhelming force or imposing a solution on the contending parties. The ranger's presence simply rendered any party's defection more costly than its compliance.



HOBBES ON MONARCHS

logic of politics

In 1651 Thomas Hobbes argued in *Leviathan*, one of the most important books in political theory, that the English monarch was a necessary guarantor of collective agreements. He proposed that since the king and his offspring derived their wealth directly from the population in taxes and labor, they would pursue the nation's welfare because it would enrich them as well. Even if the monarch were wicked and expropriated too much of the nation's wealth for himself, the citizenry was still better off with him wielding power arbitrarily than if no one had enforcement authority. Restated in the vocabulary of this text, Hobbes argued that monarchs offered a cost-effective means to collective action.



1. Thomas Hobbes, Leviathan, or The matter, forme, & power of a commonwealth ecclesiasticall and civill (1651; reprint, Oxford: Clarendon Press, 1958).

Hopefully, the relevance of the prisoner's dilemma to American politics is becoming clearer. Virtually every policy the government adopts represents a successful resolution of this dilemma. Constituencies and their representatives cooperate to achieve their separate goals—recall our definition of politics on page 3—because institutions have developed to help diverse constituencies discover opportunities for mutual gain through cooperation and, just as important, to deter them from reneging on their agreements. Like the ranger with a handgun from Papua, America's political institutions foster collective action by solving the prisoner's dilemma.

There are failures, to be sure. Antitrust laws are designed to prevent competitors in the marketplace from colluding to fix prices or restrain trade in other ways, but they can have unintended consequences. For instance, in 2014 new oil production technologies combined with a slumping world economy to suddenly create a worldwide oversupply of oil. Crude oil prices plummeted to less than half their value of a couple of years earlier, leaving the American oil industry in a predicament. Many drillers that had recently taken on debt to expand production now found themselves contributing to an oil glut. One obvious solution would be for everyone to cut back production. And yet, unable to coordinate, they individually drill harder to service their debt in the face of depressed prices while hoping that their competitors will cut back.⁴

Other issues simply do not offer mutual gains through cooperation. One party's gain is the other's loss, and politics may break down and give way to force. National policy on rights to abortion frequently becomes just such an issue where irreconcilable preferences seek to control policy. Chapter 4 recounts the most intractable issue of all in American political history—the failure, despite repeated compromise attempts, to come up with a policy on slavery's extension into the territories during the 1850s. This issue was resolved only by the deadliest war of its time.

Even when each side can envision opportunities for mutual gains, American politics is not failure proof. Everyone agrees that in several decades the Social Security program will be

unable to provide its current level of benefits for the next generation of retirees. Both Republican and Democratic politicians in Washington want to fix it, and from time to time one side will make an overture to the other. But all of the solutions are costly or unpopular, either requiring hefty new taxes or curtailing benefits. Both political parties worry that as soon as they offer a tough solution, the other side will seek to exploit it and score points in the next election. Until politicians figure out a way to cooperate and share the blame, Social Security reform will remain the proverbial "third rail" of politics: "Touch it and you are dead."*

FREE-RIDER PROBLEM. A form of the prisoner's dilemma that afflicts large groups is the free-rider problem. With each individual's contribution to the success of the collective activity being quite small and seemingly inconsequential, each member will be tempted to free ride—that is, to defect from the agreement by withholding a contribution to the group's undertaking while enjoying the benefits of the collective effort. Pediatricians report that some parents openly state their intention to free ride in not having their children immunized from measles and other contagious childhood diseases. Misinformed by baseless claims that common inoculations cause autism, they reason that since all the other kids are getting the shots, theirs need not do so.⁵

To better understand the critical role of group size to this particular form of prisoner's dilemma, let us return to the collective efforts of our quartet and symphony. Suppose a violinist is tempted to skip practice and party with friends the evening before a performance. As a member of a quartet, the violinist faces powerful incentives to fulfill her obligations. If she performs poorly, her three colleagues will quickly notice, as will music critics and many in the audience. Since each musician's contribution is manifestly vital to the quartet's collective product, all are likely to stay home and practice. Now consider the decision of the would-be partygoer who is a member of the symphony. As one of twenty violinists in the orchestra, each performer's contribution adds only marginally to the collective product, certainly much less than do the contributions of members of the string quartet. This introduces an opportunity to free ride. The symphony musician might be tempted to spend the night on the town knowing that he could still bask in the orchestra's beautiful music.

The free-rider problem arises whenever individuals recognize that their small contributions to the collective enterprise will not affect its success or failure. And because contributing is somewhat costly, they decide not to make the effort. Even those who enthusiastically support an enterprise realize that they can escape fulfilling their obligations. If many people react this way—and many do—and suspect their neighbors of doing so as well, too few people will contribute to collective endeavors, and, thus, some may fail.

During Barack Obama's 2008 presidential campaign, "get out the vote" operatives discovered that organizing volunteers into groups of more than ten volunteers reduced the group's success in contacting prospective voters. Instead of crusaders making a difference, they felt like "numbers on a spreadsheet." A lot of them dropped out of the campaign. Having learned this lesson, in 2012 the Obama campaign organized volunteers into smaller teams where they could more easily see that their contribution made a difference. As a result, the campaign's voter contact efforts proved more successful.⁶

^{*}The third rail metaphor refers to the third rail of subway tracks, the one that carries the electricity.

GOOGLE PROPOSES A LIBRARY IN A CLOUD



In 2004 Google unveiled a grandiose plan to digitize every book and make each of them universally available on the Web. It launched the project by announcing agreements with more than a dozen major research universities throughout the world, allowing Google to copy their collections. In effect, the Google project envisioned the creation of a new "commons"the ability to search every book online and, depending on the copyright, read select passages or the entire book. The benefit to users was obvious. Books long out of print, many out of copyright, and many others "orphans" in that their copyright holder was unclear would come out of the recesses of library storage and become instantly accessible via Google's search engine. Although the concept won widespread support, the project ran into opposition on two fronts. First, other companies-such as Amazon-had their own designs on creating downloadable libraries. Google's plan would give it a huge advantage over others in providing print on demand and other services. Moreover, everyone going to this new "commons" would pass through Google's site, which is loaded with advertising banners.

The second group of critics consisted of authors and publishers. Google anticipated complaints from these producers, and it assured everyone their copyrights were safe. The public could "preview" books by reading a selection of pages, but other pages would be omitted. Those who sued held that Google proposed to offer too much and that, since it had a financial stake in drawing users to its site, it was the inappropriate party to decide what contents of a book would be available. Copyright holders' objections were unabashedly self-interested. After all, those who contribute to the expansion of knowledge should be compensated. Without control over copyright, which the Google plan compromised, authors and publishers would be less likely to undertake books and journals.

Ironically, Google's thoroughly twenty-first-century concept of a "cloud" library conjures up the same issues that afflicted publishing at its founding. It is a history that offers a moral arguably more relevant today than at any time during the intervening four centuries. Shortly after the invention and manufacture of the printing press in the early seventeenth century, a class of freelance printers, or publishers, sprang up throughout England. The number of books published exploded. But within a



few years authors and publishers experienced a crisis that threatened the future of the industry. Some wily publishers would only "publish" books that already had a market-the same strategy pursued by those who make knockoffs of designer handbags today. They would reprint a text and, to gain a market edge, attribute authorship to someone famous. Authors and publishers had no legal recourse because the copyright had not yet been invented. Their books entered the public domain, freely available for anyone to copy. Given the prospect that even a highly successful book would offer publishers little return on their investment, these early printerpublishers petitioned the government for protection. In 1709 the British Parliament decided to privatize this commons in passing the first copyright law, with its title appropriately beginning with "An Act for the Encouragement of Learning." This history raises the following question for the Google project: Would reverting to a commons ruin the resource (i.e., knowledge) that Google purports to advance?1

^{1.} In a series of settlements, Google introduced some limitations on access and gave authors a right to remove their books from the proposed digital library. Lawsuits, tentative settlements, and Justice Department antitrust investigations ensued. Early in 2014, the federal courts dismissed a major lawsuit against Google, and the massive scanning project continues.