



Part

# 1

## The American System

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*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

# The Study of American Government

## LEARNING OBJECTIVES

### WHAT YOU NEED TO KNOW

- What is meant by “politics”?
- How is politics in the government different from politics in your family, school, or business?
- Can you give two definitions of *democracy*?
- How did Thomas Hobbes and John Locke differ about democracy?

### WHO GOVERNS?

1. How is political power actually distributed in America?
2. What explains major political change?

### TO WHAT ENDS?

1. What value or values matter most in American democracy?
2. Are trade-offs among political purposes inevitable?

As the 2012 U.S. national elections approached, Americans and their elected leaders hotly debated 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.<sup>1</sup> 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.<sup>2</sup>

**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 2012 called for spending about \$3.7 trillion, over a third of it in deficit spending. Projected total state government spending for 2012 was about \$3 trillion as well, and many states’ finances were a shambles.<sup>3</sup>

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,



AP Photo/J. Scott Applewhite

then and now, there was no consensus about what action to take, or when.

This might seem odd. After all, at one level, 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 keep on funding health care programs, or the reverse? Or should we keep defense and health care funding where they are 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?

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 in given areas it should be doing anything at all. 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.

Thus, from the days of Madison and Henry right down to the present, debates over government finances often, at bottom, have been debates about the size, scope, competency, and legitimacy of the federal government, and about how to divide powers and responsibilities between the federal government and the state governments. Since the 1960s, political debates have grown ever more partisan and rancorous in part because there has been ever more government to fight about: America's total federal and state government spending has followed trends in other democratic nations in becoming a bigger and bigger share of the country's economy. For example, between 1960 and 2009, government spending in the U.S. rose from 27 percent to 42.2 percent of the nation's Gross Domestic Product (GDP, a measure of all the goods and services produced in a nation over a given period).<sup>4</sup> Over the same period, government spending as a percentage of GDP rose from 28.6 percent to 43.8 percent in Canada, from 17.5 percent to 39.7 percent in Japan, and from 31 percent to 52.7 percent in Sweden.<sup>5</sup> Between 2000 and 2009, government spending in the U.S. rose faster than it did in most European democracies, and by 2009 government spending per person was higher in the U.S. than it was in France, Germany, and the United Kingdom.<sup>6</sup>

Still, why way back then couldn't the differences over the Constitution be resolved in a snap, and why can't we now quickly come together over how to fix government finances and address other widely acknowledged problems?

### **The answer, in a word, is *politics*.**

Politics exists in part because people normally differ about two things: who should govern, and the ends toward which they should work.

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.

## 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.

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 been almost 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 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. We shall see that power and purpose are inextricably intertwined.

## What Is Political 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. Some claim it is exercised in subtle ways that may not be evident even to the participants, 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. This fails to take into account many important things. If a corporation closes a factory in a small town where it was the major employer, it is using power in ways that affect deeply the lives of people. When a university refuses to admit a student or a medical society refuses to license a would-be physician, it is also using power. But to explain how all these things happen would be tantamount to explaining how society as a whole, and in all its particulars, operates. 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, 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 governmental agenda. In the 1950s, the federal government would have displayed no interest in a factory closing its doors, a university refusing an applicant, or a profession not accrediting a member. Now government actions can and do affect all these things.

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 of “formal authority.” By this we mean that the

**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.

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.

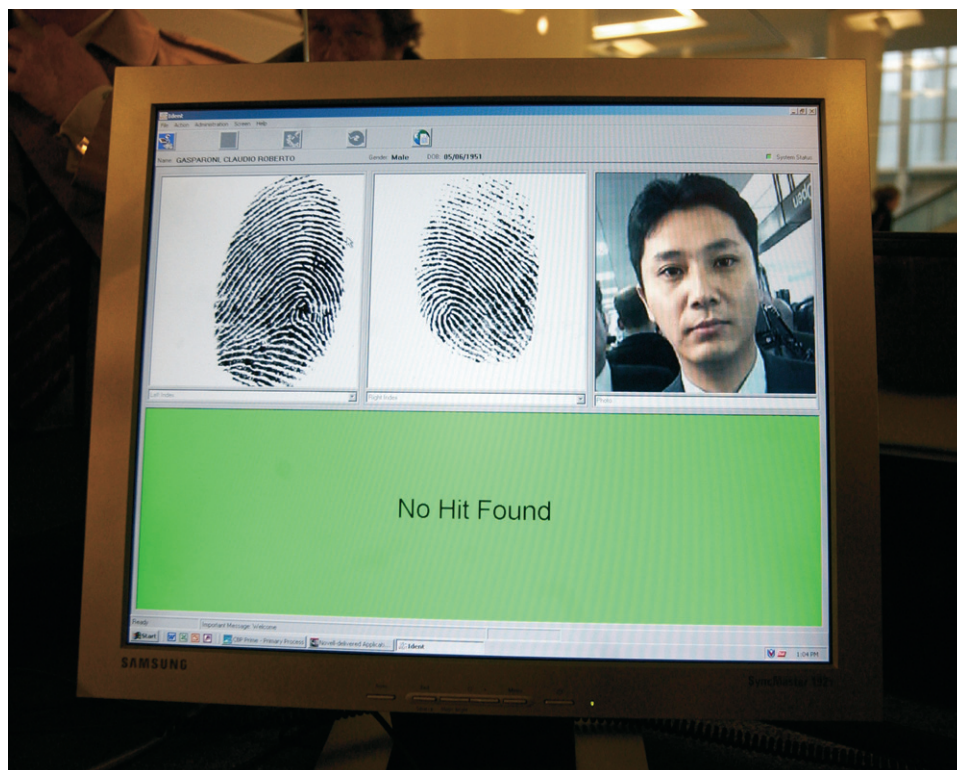
What makes power rightful varies from time to time and from country to country. In the United States, we usually say a person has political authority if his or her right to act in a certain way is conferred by a law or by a state or national constitution. But what makes a law or constitution a source 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.

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

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

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. In our own day, even many citizens who take the same view on a hot-button topic like gay marriage disagree over whether it is legitimate to address the issue through an amendment to the Constitution that bans it nationally or whether the matter ought to be left for each state to decide.

On one thing, however, 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 was hardly 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 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



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To enter the United States, foreigners must now produce a photograph and fingerprints.



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Afghan President Hamid Karzai has been backed by the United States but has also challenged American policy in Afghanistan.

legitimate; and some insist that promoting democracy abroad ought to be a primary purpose of U.S. foreign policy.

Whether democracy is the best way of governing all institutions and whether promoting democracy either has been or ought to be a major objective of U.S. foreign policy are both worthwhile questions. The former question goes beyond the scope of this book, but we will touch upon the latter question later in the text.

## What Is Democracy?

**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.”<sup>7</sup> 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 fourth 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).

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.”<sup>8</sup> 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

**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.

# Can a Democracy Fight a War Against Terrorists?

On September 11, 2001, a date that will forevermore be referred to as 9/11, war came to the United States when terrorists crashed four hijacked airliners, filled with passengers, into the two towers of the World Trade Center in New York City, into the Pentagon in Washington, D.C., and into some empty land in Pennsylvania. About 3,000 people were killed.

How can a democratic nation respond to a war waged, not by an enemy nation, but by a loose collection of terrorists with cells in many parts of the world? America's new war against terrorism is much more difficult to fight than the one against Nazi Germany and the Japanese warlords in 1941.

- How can we reorganize the military so that it can respond swiftly and effectively against small targets?
- Is it constitutional to try captured terrorists in military tribunals?
- How much new law enforcement authority should be given to police and investigative agencies?
- Should America invade nations that support terrorists?

Over the last decade, these questions have raised profound challenges for American democracy. How would you begin to answer them?



Matt McDermott

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

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 seen from the statements of leaders who do not like what voters have decided. 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.”

## Is Representative Democracy Best?

Whenever the word *democracy* is used alone in this book, it will have the meaning Schumpeter gave it. 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.” 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.

For representative government 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 communication (through speeches or the press, and in meetings) be free, and that the voters perceive that a meaningful choice exists. Many questions still remain to be answered. For instance: 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 is more than one answer 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.

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. They believed that government should mediate, not mirror, popular views and that elected officials should represent, not register, majority sentiments. They supposed that most citizens did not have the time, information, interest, and expertise to make reasonable choices among competing policy positions. They suspected that even highly educated people could be manipulated by demagogic leaders who played on their fears and prejudices. They granted that representative

democracy often proceeds slowly and prevents sweeping changes in policy, but they cautioned that a government capable of doing great good quickly also can do great harm quickly. They agreed that majority opinion should figure in the enactment of many or most government policies, but they insisted that the protection of civil rights and civil liberties—the right to a fair trial; the freedom of speech, press, and religion; or the right to vote itself—ought never to hinge on a popular vote. Above all, they embraced representative democracy because they saw it as a way of minimizing the chances that power would be abused either by a tyrannical popular majority or by self-serving officeholders.

The Framers were powerfully influenced by philosophers who had discussed democracy. Aristotle, who lived four centuries before Christ, defined democracy as the rule of the many; that is, rule by ordinary people, most of whom would be poor. But democracy can, he suggested, easily decay into an oligarchy (the rule of the rich) or a tyranny (the rule of a despot). To prevent this, a good political system will be a mixed regime, combining elements of democracy and oligarchy: most people will vote, but talented people will play a large role in managing affairs.

But the decisive influence on the Framers was wielded by John Locke, the 17th-century English writer who argued against powerful kings and in favor of popular consent.<sup>9</sup> People can exist in a state of nature—that is, without any ruler—so long as they can find enough food to eat and a way to protect themselves. But food may not be plentiful and, as a result, life may be poor and difficult.

The human desire for self-preservation will lead people to want a government that will enable them to own property and thereby to increase their supply of food. But unlike his English rival, Thomas Hobbes, Locke did not think it necessary to have an all-powerful government. Hobbes had argued that people live in a “war of all against all” and so an absolute, supreme ruler was essential to prevent civil war.<sup>10</sup> Locke disagreed: people can get along with one another if they can securely own their farms and live off what they produce.

A decent government must exist with the consent of the governed and be managed by majority rule. To prevent a majority from hurting a minority of the people, Locke wrote, the government should separate its powers, with different and competing legislative and executive branches.

As we shall see in the next chapter, what the Framers tried to do in 1787 was to create a government that would protect freedom and private property. And as

with Aristotle, they hoped they had created a moderate regime that would simultaneously safeguard people and leave them alone.

## How is Political Power Distributed?

The second question asks how political power has actually been distributed in America's representative democracy. 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 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 four 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.

In some cases, the leaders will be so sharply constrained by what most people want that the actions of officeholders will follow the preferences of citizens very closely. We shall call such cases examples of *majoritarian politics* wherein elected officials are the delegates of the people, acting as the people (or a majority of them) would act were the matter put to a popular vote. The issues handled in a majoritarian fashion can be only those sufficiently important to command the attention of most citizens, sufficiently clear to elicit an informed opinion from citizens, and sufficiently feasible to address so that what citizens want done can in fact be done.

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

**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.

When circumstances do not permit majoritarian decision making, then some group of officials will have to act without knowing (and perhaps without caring) exactly what people want. Indeed, even on issues that do evoke a clear opinion from a majority of citizens, the shaping of the details of a policy will reflect the views of those who are sufficiently motivated to go to the trouble of becoming active participants in policymaking. These active participants usually will be a small, and probably an unrepresentative, minority. Thus the actual distribution of political power, even in a democracy, will depend importantly on the composition of the political elites who are actually involved in the struggles 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 four ways of describing political elites: (1) elites reflect a dominant social class; (2) a group of business, military, labor union, and elected officials controls all decisions; (3) appointed bureaucrats run everything; and (4) representatives of a large number of interest groups are in charge.

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”).<sup>11</sup> But strict Marxism has collapsed in most countries. Today a **class view**, though it may take some inspiration from Marx, is less dogmatic and emphasizes the power of “the rich” or the leaders of multinational corporations.

The second theory ties business leaders together with whatever other elites concern some people: top military officials, labor union leaders, mass media executives, and the heads of a few special-interest groups. 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.<sup>12</sup>

The third concept 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 affairs.<sup>13</sup> 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.

# RESEARCH FRONTIERS

## How to Explain Political Behavior

In this book, most chapters will have a box called “Research Frontiers” that calls attention to new puzzles or findings about American government and politics. You can use these ideas for discussing issues or doing your own research.

But here, in the first such box, let us start by thinking about what a serious student of politics does. Contrary to what you may see on television or read in a Web blog, political scientists do not spend much time trying to tell you who the next Democratic or Republican presidential candidates will be. (In fact, before the 2008 election almost everybody who wrote about this got it wrong: they thought Hillary Clinton would run against Rudolph Giuliani.)

What political scientists do is to try to explain what has happened. Something has occurred (for example, most Hispanics voted for Barack Obama in 2008) and we try to figure out what caused this. Among the possible causes of this voting behavior are low incomes, a desire for changes in immigration laws, high unemployment rates, living in a big city, and so on.

What most people call an effect (for example, how Hispanics voted) and what they call a cause (for example, income or unemployment) are called something else by political scientists (and by most scholars). The effect is called a *dependent variable* and the causes are called *independent variables*. A variable is dependent if it changes because of changes in independent variables. In school or college, some people are more popular than others. You can easily think of reasons why a person is popular: he or she is physically

attractive, has a warm personality, or is good at sports. Being popular does not make you attractive, engaging, or skilled; it is having these traits that makes you popular. In short, changes in an independent variable cause changes in the dependent variable.

The problem for scholars is that there is rarely one independent variable that produces the dependent variable. Let’s go back to Hispanic voting behavior. We know from opinion polls that Hispanics from Cuba are much more likely to vote Republican than are those from Mexico. There is also evidence that Hispanics who have lived in this country for several generations are less likely to have liberal political views than those who arrived very recently. Moreover, Hispanics who have embraced a fundamentalist Protestant faith are less likely to be Democrats than those who have remained Roman Catholics.

If we want to explain Hispanic voting behavior, we have to use several independent variables: country of origin, time in America, and religious beliefs. There are probably even more independent variables that may be relevant. So now we face a problem: how much does each independent variable affect Hispanic voting behavior? Answering that question requires some complicated statistical techniques. Since this isn’t a course on statistics, we won’t bother you with this.

But whenever in the chapters you are about to read you come across some behavior you want to explain, bear in mind that a complete explanation will require you to look at several causes, and discuss with the instructor how best to sort them out.

The fourth view argues 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.<sup>14</sup> Political power is instead based on a **pluralist view**. In the United States, 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.

As you go through this book, we will evaluate these rival theories and indicate under what circumstances one or the other is true. A more precise statement of how policies are made can be found in Chapter 17.

### *pluralist view*

The belief that competition among all affected interests shapes public policy.

## Is Democracy Driven by Self-Interest?

Of the four views of how political power has been distributed in the United States, the pluralist view does the most to reassure one that America has been, and continues to be, a democracy in more than name only. But the pluralist view, not less than the other three, may lead some to the cynical conclusion that, whichever view is correct, politics is a self-seeking enterprise in which everybody is out for personal gain. Though there is surely plenty of self-interest among political elites (at least as much as there is among college or high school students!), it does not necessarily follow that the resulting policies will be wholly self-serving. Nor does it follow that democracy itself is driven mainly or solely by people's baser motives or selfish desires.

For one thing, a policy may be good or bad independent of the motives of the person who decided it, just as a product sold on the market may be useful or useless regardless of the profit-seeking or wage-seeking motives of those who produced it. For another thing, the self-interest of individuals often is an incomplete guide to their actions. People must frequently choose between two courses of action, neither of which has an obvious “payoff” to them. We caution against the cynical explanation of politics that Americans seem especially prone to adopt. Alexis de Tocqueville, the French author of a perceptive account of American life and politics in the early 19th century, noticed this trait among us.

*Americans . . . are fond of explaining almost all the actions of their lives by the principle of self-interest rightly understood. . . . In this respect I think they frequently fail to do themselves justice; for in the United States as well as elsewhere people are sometimes seen to give way to those disinterested and spontaneous impulses that are natural to man; but the Americans seldom admit that they yield to emotions of this kind; they are more anxious to do honor to their philosophy than to themselves.*<sup>15</sup>

The belief that people will usually act on the basis of their self-interest, narrowly defined, is a theory to be tested, not an assumption to be made. Sometimes, as happened in New York City on September 11, 2001, elected officials, government workers, and average citizens behave in ways that plainly transcend personal or professional self-interest. There are countless other far less dramatic but still telling examples of people acting publicly in ways that seem anything but self-interested. To understand

why people behave as they do, it is not enough to know their incomes or their jobs; one must also know something about their attitudes, their allies, and the temper of the times. In short, political preferences cannot invariably be predicted simply by knowing economic or organizational position.

Yet another reason to resist interpreting American democracy as if it were always and everywhere driven by narrowly self-interested individuals and groups is that many of the most important political happenings in U.S. history—the revolutionary movement of the 1770s and 1780s, the battle for civil rights in the 1950s and 1960s, to name just two—were led against long odds by people who risked much knowing that they might not succeed and suspecting that, even if they did succeed, generations might pass before their efforts truly benefited anyone. As we shall see, self-interest figures mightily in politics, but so do ideas about the common good and public-spirited behavior.

## What Explains Political Change?

When we see American democracy from the perspective of the past, we will find it hard to accept as generally true any simple interpretation of politics. Economic interests, powerful elites, entrenched bureaucrats, competing pressure groups, and morally impassioned individuals have all played a part in shaping our government and its policies. But the great shifts in the character of our 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.



Enigma/Alamy

When thousands of people could no longer pay their mortgages, a major recession occurred.

In the 1920s, it was widely assumed that the federal government would play a small role in our lives. From the 1930s through the 1970s, it was generally believed that the federal government would try to solve whatever social or economic problem existed. From 1981 through 1988, the administration of Ronald Reagan sought to reverse that assumption and to cut back on the taxes Washington levied, the money it spent, and the regulations it imposed. It is clear that no simple theory of politics is likely to explain both the growth of federal power after 1932 and the effort to cut back on that power starting in 1981. Every student of politics sooner or later learns that the hardest things to explain usually are the most important ones.

Take the case of foreign affairs. During certain periods in our history we have taken an active interest in the outside world—at the time the nation was founded, when France and England seemed to have it in their power to determine whether or not America would survive as a nation; in the 1840s, when we sought to expand the nation into areas where Mexico and Canada had claims; in the late 1890s, when many leaders believed we had an obligation to acquire an overseas empire in the Caribbean and the Pacific; and in the period from the 1940s to the 1960s, when we openly accepted the role of the world’s police officer. At other times America has looked inward, spurning opportunities for expansion and virtually ignoring events that in other periods would have been a cause for war, or at least mobilization. Today, America seems to be looking outward once again, spurred, on the one side, by unprecedented terrorist attacks against the country and, on the other side, by historic opportunities to make new friends with old foreign foes.

Deep-seated beliefs, major economic developments, and widely shared (or competing) opinions about what constitutes the dominant political problem of the time shape the nature of day-to-day political conflict. What this means is that, in any broad historical or comparative perspective, politics is not just about “who gets what,” though that is part of the story. It is about how people, or elites claiming to speak for people, define the public interest. Lest one think that such definitions are mere window dressing, bear in mind that on occasion men and women have been prepared to fight and die for one definition or another. Suppose you had been alive in 1861. Do you think you would have viewed slavery as a matter of gains and losses, costs and benefits, winners and losers? Some people did. Or do you think you would have been willing to fight to abolish or preserve it? Many others did just that. The

differences in these ways of thinking about such an issue are at least as important as how institutions are organized or elections conducted.

## The Nature of Politics

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 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 said.

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. In Chapter 17, we offer a way of classifying and explaining the politics of different policy issues. The model we present there 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 19)—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, to the book's policy chapters, 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 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.

# WHAT WOULD YOU DO?

## MEMORANDUM

**To:** Governor Steve Finore

**From:** Edward 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 statewide ballot initiatives have been passed in twenty-four 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.

### Your decision:

Favor ban \_\_\_\_\_

Oppose ban \_\_\_\_\_

## 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.

## LEARNING OBJECTIVES

### WHAT YOU NEED TO KNOW

#### ✓ What is meant by “politics”?

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 bottom disagreements over what government should or should not do at all.

#### ✓ How is politics in the government different from politics in your family, school, or business?

Governmental politics is different from private politics because the government, unlike the family, school, or business, can make decisions that bind us all.

#### ✓ Can you give two definitions of *democracy*?

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

#### ✓ How did Thomas Hobbes and John Locke differ about democracy?

Thomas Hobbes thought democracy was impossible because the self-interest of people required an all-powerful government to prevent a “war of all against all”; John Locke, by contrast, believed that people, though self-interested, can get along with one another if they consent to the government and it is ruled by the majority.

### RECONSIDERING WHO GOVERNS?

#### 1. 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. No one, however, argues that political resources are distributed equally in America.



## 2. What explains major political change?

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. For instance, before Franklin Roosevelt’s New Deal, most leaders and citizens did not automatically look to the federal government to improve the economy, and many doubted that Washington had any legitimate role to play in managing economic affairs. Today, however, leaders in both political parties assume that Washington must help reduce unemployment, create jobs, and otherwise actively manage the country’s economy. 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, a mere decade) ago.

## RECONSIDERING TO WHAT ENDS?

### 1. What value or values matter most in American democracy?

The Framers of the Constitution had their vision of American democracy and favored certain values, but neither they nor the Constitution specify what values matter most or how best to make trade-offs among or between competing political ends.

### 2. Are trade-offs among political purposes inevitable?

Yes. For instance, the government cannot spend more on health care without spending less on something else we may also desire—college loans, police patrols, or toxic waste cleanups. Nor can it maximize one value or purpose (say respecting the rights of persons suspected or accused of terrorist acts) without minimizing others (like liberty and associated legal rights). And, even if everyone agreed that the same one value—say liberty—was supreme, we could not all exercise it at the same time or to the fullest or just as we pleased without all losing it in the bargain: if everybody is at liberty to shout simultaneously, nobody is at liberty to be heard individually. We often cannot have more of some things we desire without having less of other things we desire, too. That is as true in politics and government, and as true for American democracy, as it is in other parts of life.

## QUESTIONS TO CONSIDER

1. How, if at all, does the rise of the Internet and average citizens' now virtually limitless access to information undercut many or most of the reasons for which the Framers of the Constitution favored representative democracy over direct democracy, and would you favor a majority-ruled, "direct digital democracy"?
2. Is democracy in any form sufficient to protect the rights and liberties of an unpopular minority of citizens, and in what ways do you think that the Constitution keeps American democracy from becoming "two wolves and a sheep deciding what's for supper"?
3. How is power distributed in the nongovernmental bodies that you know best (schools, religious groups, sports teams, businesses, social clubs, and others), and are many or most organized "democratically" or not?
4. Who are the federal, state, and local legislators who represent the community where you now reside (members of Congress, state senators and representatives, and members of the county, city, or town council or government), what is the party affiliation of each member, how long has each been in office, and what issue is he or she best known for?
5. Does your home state, the state in which you now reside, or a nearby state allow ballot initiatives or referenda, and, if so, what are the most recent examples (win or lose, by a lot or by a little, and highly controversial or not)?
6. How does the "nature of politics" differ between the United States and the United Kingdom with respect to how each nation's central government decides on how much to spend each year, and which has cut spending more deeply over the last three years?

## TO LEARN MORE

- Banfield, Edward C. *Political Influence*. New York: Free Press, 1961. A method of analyzing politics—in this case, in the city of Chicago—comparable to the approach adopted in this book.
- Crick, Bernard, *The American Science of Politics*. London: Routledge & Kegan Paul, 1959. A critical review of the methods of studying government and politics.
- Marx, Karl, and Friedrich Engels. "The Manifesto of the Communist Party." In *The Marx-Engels Reader*, 2d ed., edited by Robert C. Tucker. New York: Norton, 1978, 469–500.
- Schumpeter, Joseph A. *Capitalism, Socialism, and Democracy*. 3d ed. New York: Harper Torchbooks, 1950, chs. 20–23. A lucid statement of the theory of representative democracy and how it differs from participatory democracy.
- Truman, David B. *The Governmental Process*. 2d ed. New York: Knopf, 1971. A pluralist interpretation of American politics.
- 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.