

AMERICAN GOVERNMENT



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with Sidney E. Zimmerman

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For Cary, welcome

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PREFACE

This brief text for the introductory course in U.S. government covers the nuts and bolts of American politics. Written in a style we believe will hold student interest, *American Government: The Core* was created as an alternative to the huge standard textbook. Such textbooks may well be over 700 pages long and cost students as much as three times the price of our book. Moreover, our book's brevity permits professors assigning *The Core* to use a variety of supplements—readers, monographs, articles—that enrich and expand their courses as desired.

Although our purpose in writing a brief text was to keep the subject within manageable limits for students, we also wanted them to grasp the dynamics of American politics. To that end we placed our discussions of political institutions and processes within appropriate historical contexts. We also stressed the constitutional framework within which political action takes place. Students are thus able to see changes that have taken place within our political structures and yet sense the restraints on those changes that stem from the Constitution.

But a purely institutional approach to politics may be too abstract and forbidding for most students. We have therefore illustrated the text with short anecdotes drawn from the past, some of which is very recent. These little stories not only lighten the text, they also give it a human dimension and help students understand how political principles operate in the real world.

American Government: The Core takes the normal instructional route of introductory courses. The opening chapter provides the background and context for the study of American politics and democracy. It is followed by chapters devoted to the Constitution, civil liberties and civil rights, political parties, interest groups, Congress, the presidency, the bureaucracy, the judiciary, federalism, and policies and politics. Each of the chapters following the first opens with a brief and very general discussion of its subject, then provides background—for the most part historical—on the subject, goes on to discuss the essentials of the subject, and ends with a summary and conclusion.

The text introduces students to both the formal and informal forces that have

shaped our governmental institutions and political processes. Chapter 1 discusses the nature of government, politics, and democracy as they developed within history. The chapter also presents very short comparisons of American democracy with other democratic systems and briefly introduces students to some of the central concepts that have shaped our politics.

The second chapter presents the Constitution. Here the debates and political maneuvering at the Constitutional Convention of 1787 are portrayed. After treating the battle for ratification, the essentials of the Constitution are discussed. This discussion covers the electoral process, the impact of constituencies, checks and balances, and the structure of federalism. The chapter then continues with a brief discussion of the role of the Bill of Rights and a slightly longer treatment of the amendment process.

Next, Chapter 3 covers civil liberties and civil rights, tracing their origin and development throughout history. The political dimensions of civil liberties and rights are treated at some length. Each of the first ten amendments is analyzed and its broader significance discussed. A substantial part of the chapter is devoted to the nationalization of most of the Bill of Rights under the due process clause of the Fourteenth Amendment.

The text proceeds to the essentials of political parties and interest groups in chapters 4 and 5 respectively. The constitutional context of each is analyzed, and the important role that parties and interest groups play is stressed. Chapter 4 discusses the two-party system, party organization, national nominating conventions, and a variety of factors affecting voters and elections. Chapter 5 portrays lobbying and how lobbyists operate, and includes the important topic of political action committees and their role in the democratic process. Students are introduced here to different types of interest groups: business, labor, agricultural, professional, ideological, and public.

The text turns next to an analysis of governmental institutions. First, Chapter 6 depicts the “keystone of the Washington political establishment”—Congress. Included in the analysis are the constitutional structure of Congress, committee organization, congressional parties, and how a bill becomes law. In addition, the political environment of Congress and the power relationship of the president and the legislature are discussed.

The president and the bureaucracy are respectively covered in chapters 7 and 8. The seventh chapter analyzes the origin and nature of presidential power, and the complex role of the chief executive. This chapter includes a discussion of problems of succession and transition. Turning from the White House to the bureaucracy, Chapter 8 notes the growth of the American bureaucracy and its ambiguous role in our constitutional system. The structure and functions of the bureaucracy are next presented, including a discussion of the cabinet and its relationship to the Executive Office of the President. Other topics include rule making and adjudication by the bureaucracy, congressional oversight, and the development of the civil service.

The judiciary and particularly the Supreme Court occupies a unique position in the American political system. This is discussed in Chapter 9, which covers the origins of the judiciary and its role in contemporary politics. While the focus

of the chapter is the Supreme Court, the organization and role of the lower federal judiciary is also discussed.

Each of the chapters on Congress, the presidency, the bureaucracy, and the judiciary presents a separate case study on policy-making to give students concrete examples of the important connection between government and the policies that rule them. While short illustrative examples of policy-making are given throughout the text where relevant, these unique case studies give students a more in-depth look at how public policy is actually made.

Having covered the origins, political processes, and institutions of the national government, the text turns to a discussion of state government and the essentials of federalism in Chapter 10. The structure of state and local governments is covered, as is the relationship between them and the national government. State experiments with public policy, one of the chief reasons usually given to buttress state and local governments, are discussed.

Finally, Chapter 11 gives an overview of policies and politics. Issues of legitimacy in making policy are addressed, and the ways in which policy-making and the political process interact are analyzed. The chapter concludes with a look at democracy in America—past, present, and future—and restates one of the basic themes of the book, first proposed in Chapter 1, that American democracy is a dynamic process undergoing continuous change.

PEDAGOGICAL AIDS

Subheadings guide the student throughout the text. Each chapter begins with a background discussion of its topic, and a conclusion and summary help give the reader perspective. Each chapter but the first contains an essentials section, with subheadings that pinpoint the major topics of the chapter. Important terms are set in italics and defined in the text. At the back of the book, students will also find a glossary that provides them with the vocabulary of current political discourse. Tables, charts, and diagrams containing important information on American political institutions and processes are furnished throughout the text and in appendices in the back of the book. The appendices also contain the Declaration of Independence and the Constitution for the interested student's easy reference.

A separate instructors' manual, prepared by Martin Sutton of Bucks County Community College in Pennsylvania, contains multiple choice, true/false, and essay questions as well as learning objectives and bibliographies for each chapter.

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Bertrand Lummus, our editor, conceived of the project and skillfully guided it to completion. The authors greatly appreciate his generous spirit, which was comforting and stress-reducing but not at the expense of being properly demanding. Patricia Plunkett and Sheila Friedling greatly contributed to the book, guiding its development and production

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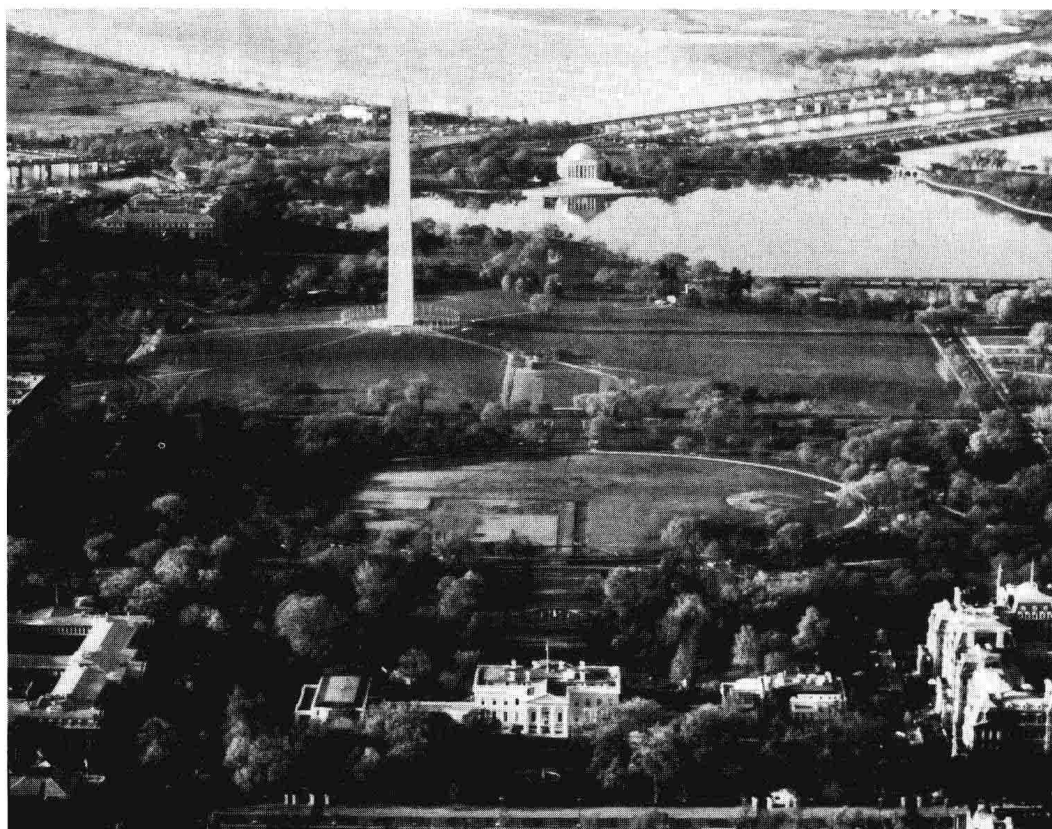
Finally, the book could not have been completed without the dedication and hard work of Elaine Herrmann, who took time out of a very busy schedule to word-process the manuscript. She was a calm and important kingpin of the project.

A M E R I C A N G O V E R N M E N T



chapter

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BACKGROUND and CONTEXT: POLITICS and AMERICAN DEMOCRACY

The polis exists to assure the good life.

Aristotle

The American political system is the end product of a long development. The process started in antiquity, reached a culmination in the eighteenth century, and has continued into our own age. Values that the ancient Greeks promoted more than 2,500 years ago still command the allegiance of some Americans today. Socrates, for example, refused to escape prison and certain death because as a good citizen he felt he had to obey the authorities of ancient Athens. During the Iran-contra affair, several American military men accepted disgrace, a kind of professional death, because they felt that they had to carry out the wishes of the top authorities in the United States government. In both instances, the state was considered “prior to the individual,” to quote another ancient Greek.

But, for the most part, the American political system does not stress the “priority” of the state. Indeed, the American tradition instead places a strong emphasis on individual rights and government as the servant—rather than the master—of that collection of individuals known as *the people*. However, the American tradition is not monolithic, as we can see from our brief review of the individual and the state.

Clearly, several perspectives influence the American way of politics. Some views, such as the priority of the state, are of ancient vintage; some, such as the emphasis on individual rights, stem from the seventeenth and eighteenth centuries; and some, such as the notion that government should guarantee the well-being of all the people, became prominent in the twentieth century. Central to each of these ways of looking at politics is the relationship of government to the individuals who are governed. This then raises the question: What do we mean by government?

WHAT IS GOVERNMENT?

Any attempt to answer the question of what government is must first deal with the issue of how government came to be. This is a very difficult problem to solve. The earliest written records that we have were produced about 5,500 years ago by the priestly rulers of the city-state of Ur between the Tigris and Euphrates rivers in present-day Iraq. It is clear from these records that government—and bureaucracy—had already been in existence for a long time. We know from other archeological remains that there were cities in the Middle East almost 10,000 years ago. Cities require social organization, and social organization implies the presence of government, however rudimentary.

Any social grouping that lasts, however small, possesses a kind of governmental structure. We can take the family as an example. A family is usually headed by a father or mother who, within the family, generally exercises the highest authority (i.e., legitimate power). Nevertheless, he or she is usually bound by family custom—a set of unwritten laws—and according to those customs arbitrates family disputes. A prime responsibility of the family head is thus to keep the peace within the family. One aspect of keeping the peace is to make certain that all family members receive their due. This does not necessarily mean that everyone receives the same amount of something, but rather that they all accept as just the amounts they do receive. On the basis of this description, we can say that the family customarily has a system of authority, a tradition of justice, and an acceptable distribution of family rewards. The parental figure who assures the smooth functioning of this arrangement we can reasonably consider a government.

Larger political structures, such as the nation-state, serve much the same purpose as the family. States are societies seen from within a political perspective. They are organized communities that occupy large territories and provide authority, security, laws, justice, and rewards. Perhaps a short digression is in order here. The term *state* is used not only with reference to the large political entity just described; it is also often used to mean *government*. We shall try to keep these terms distinct, although it may not always be possible, as when quoting Louis XIV, the seventeenth-century king of France, who said “I am the state,” meaning quite correctly that he was the government.

In any case, we can tentatively define government as that organ of the state which exercises the highest authority so as to provide security and justice ac-