

JAMES Q.WILSON

AMERICAN GOVERNMENT

INSTITUTIONS AND POLICIES

SECOND EDITION

AMERICAN GOVERNMENT INSTITUTIONS AND POLICIES

SECOND EDITION

JAMES O WILSON
HARVAR UNIVERSITY

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For Roberta, Matthew, Annie . . . again. And Annabelle.



James Q. Wilson has taught government at Harvard since 1961, where he is now the Henry Lee Shattuck Professor of Government. Raised in California, Wilson attended the University of Redlands and received his Ph.D. from the University of Chicago. He is the author of seven books: Negro Politics, The Amateur Democrat, City Politics (with Edward C. Banfield), Varieties of Police Behavior, Political Organizations, Thinking About Crime, and The Investigators. While at Harvard, he has been chairman of the Department of Government, director of the Joint Center for Urban Studies of MIT and Harvard, chairman of the Standing Committee on Athletic Sports, and chairman of a task force whose report led to the creation of a Core Curriculum.

Wilson has served in a number of advisory posts in the federal government: chairman of the White House Task Force on Crime in the Lyndon Johnson administration, chairman of the Task Force on Order and Justice for Vice-President Hubert Humphrey, and chairman of the National Advisory Commission for Drug Abuse Prevention in 1972–1973. In 1977 the American Political Science Association conferred on him the Charles E. Merriam Award for advancing the art of government through the application of social science knowledge.

He is a Fellow of the American Academy of Arts and Sciences and a member of the National Association of Underwater Instructors.

PREFACE TO THE SECOND EDITION

Although the structure and tone of the first edition seem to have met with general approval, I have not hesitated to make changes in this edition, both to improve its coverage and to update its analysis.

The advent of the Reagan administration poses something of a challenge to a text writer. The Reagan proposals are sufficiently bold, and his conception of the role of the federal government is sufficiently different from that of his predecessors, to warrant extended discussion of his initiatives. On the other hand, the results of these initiatives are not yet clear. To deal with this, I have completely rewritten the chapters on federalism and economic policy, both to reflect the intense debate occasioned by Reagan policies and to put into more readable form material that students often find difficult. I have also added, in five chapters, boxes, labeled "Reagan's First Year," which summarize his major policy proposals and the congressional response thus far. These will highlight "Reaganism" for the student without burdening the text with an overly long discussion of programs that may or may not endure.

Three other changes deserve emphasis. At the end of Chapter 12 I have supplied a table of the more commonly used abbreviations by which federal agencies are known. This listing should make it easier for students to find their way, not only through the discussion here of bureaucracy, but also through accounts they will read in newspapers, magazines, and other books. I have added to Chapter 19 a lengthy section on the development of court rulings on sex discrimination and on the politics of the Equal Rights Amendment.

After Chapter 23 I have provided the text of the Declaration of Independence.

All the other chapters have been updated. In particular, there is a discussion of the "Moral Majority" and the opinions of bornagain Christians in Chapter 5, and a complete analysis of the 1980 election, with attention to single-issue groups, in Chapter 7. The description of national party organization has been revised to take into account the new Republican structure and the Democratic party rule changes developed by the Hunt Commission. A brief account of "Abscam" appears, together with lists of the party leaders and committee chairmanships in Congress. New studies of public attitudes toward the Supreme Court have been added.

The growth of the deregulation movement is treated in Chapter 15, the impasse over social security funding in Chapter 17, and the resumption of the military buildup in Chapter 21.

I cannot acknowledge all the helpful letters I have received from professors and students around the country who have offered suggestions, corrected errors, and (not least!) given encouragement and praise. I do wish to mention several students at Harvard who have supplied valuable research assistance or detailed comments: Wendy Blatt, David Blomquist, Eliot Cohen, Nelson Lund, Arthur Sanders, and James Stoner. Sylvia Mallory at D. C. Heath has been a splendid editor, Ann Knight a source of wise counsel, and Sharon Donahue an indefatigable photo researcher.

J.Q.W. April 1982

PREFACE TO THE FIRST EDITION

I wrote this text with the conviction that students want to know not only who governs but also what difference it makes who governs. These questions can be answered, I believe, only by linking the analysis of governmental institutions and political processes to an explanation of how and why major policy decisions are made as they are.

It has been my experience in teaching an introductory course in American government that one must try both to describe and explain—to make clear how people and institutions behave in political matters and as well to show that this behavior importantly affects the kinds of policies we do (or do not) get.

These two goals cannot be met by writing a descriptive account of government that appends, almost as an afterthought, a chapter on "policy" at the end. A one-chapter discussion of policy is probably worse than no discussion at all, since about all that can be said in so little space is too general to be useful or too opinionated to be credible. Conclusions about an "imperial presidency" or an "imperial judiciary," about the "power" of the media or the "role" of the parties, strike me as little more than conjecture if they are not based on a careful examination of how presidents, judges, reporters, and party leaders actually affect, or fail to affect, a range of policy questions. Nor will a "policy analysis" book be satisfactory if there is no reference to the structure of governing supplied by the Constitution, by laws and institutions, and by political values and opinions.

The first three parts of this book should serve as a comprehensive introduction to the institutions and processes of American government. But the very first chapter raises questions about who rules, and to what ends, and promises that the answers will not be found until one has at least sampled the analysis of specific policies. Part IV is devoted to the politics of policy-making, organized around a simple—but I think useful—conceptual scheme that can help students understand why the politics of certain policies are different from those of others, and to see why certain actors and institutions have more influence in some matters than in others.

I also believe that American politics must be seen as an evolutionary process growing out of political beliefs and institutional arrangements different from those found in other democratic nations. Each chapter about a governmental institution or a major political process begins by placing the American system in a larger context. I try, in a brief space, to show how historical forces have shaped our present-day arrangements and how they differ in interesting ways from similar arrangements in Britain and Europe.

Some topics are treated in greater detail in this book than in many others. There is an entire chapter on the media—their structure, historical evolution, and political role. The chapter on public opinion deals at length with elite as well as mass opinion. To show how the less obvious, more fundamental features of the American mind may affect politics, I supply a chapter on American political culture that emphasizes its distinctive features. The Supreme Court obviously is important, but the greatest impact of the judiciary comes from the decisions of lower federal courts that never receive a systematic re-

view by the highest court. Therefore, I devote considerable space in the chapter on the judiciary to how and at what cost people get access to lower courts and the resulting influence on public policy.

This book can be used in a variety of ways. A teacher can assign it to be read in sequence. I do this, and it works well. Or one can skip about. For example, one can assign the chapter on the presidency and then follow it with policy chapters (such as those on foreign affairs and military spending) in which the president plays an especially important role. Then one can assign the chapters on Congress and the media, followed by policy chapters (such as those on business regulation and social welfare) in which these actors are particularly influential. And the chapter on the judiciary can be followed by chapters on civil liberties and civil rights wherein the courts have obviously played a major part.

It is not necessary to read all the policy chapters to understand the conclusions I draw from them since the highlights of these chapters are summarized in Chapter 22. It is important, however, to read Chapter 14, because the conceptual tools introduced there are repeatedly referred to in the rest of the policy chapters.

In any book, but especially in a textbook, an author must consider carefully how to handle personal beliefs. The study of politics is not a value-free science, but admitting that ought not to confer a license for the author to pontificate at will. To me, the crucial question is the attitude one takes to problems of evidence and inference. I believe an author ought to write a text in which major controversies are clearly labeled as such, competing arguments are summarized, and the problems of evidence and inference are taken seriously. I have tried to avoid describing politics as a struggle between the good guys and the bad guys, to shun snap judgments and loaded language, and to postpone reaching conclusions about who wins and who loses until after a review of several policy areas.

This is not the same as claiming that I have been "objective" or "detached"—I doubt any text writer ever has or ever can be—but it does represent a genuine effort (no doubt inadequate) to avoid sloganeering and indoctrination. I think there ought to be more "discipline" in our academic discipline than is sometimes apparent.

I have tried to select illustrative material that will catch the students' attention and direct that attention to political matters. In the chapter on civil liberties students are challenged to choose how they would decide actual Supreme Court cases. At the back of the book there is a complete listing of presidents and Congresses showing the partisan composition of each. I also decided to put in lists of "political trivia" and some of the popular "laws" of politics, because the student mind tends to be fascinated with these and to find them memorable. Since I believe politics is fascinating and ought to be memorable, I hope these and other illustrative materials will help convey to the student the excitement of studying-and practicing-politics.

Others will decide whether this text has any merit, but I am confident that the supplementary materials available are of remarkably high quality. Richard Pious of Barnard College has prepared an imaginative Student Handbook. By using some self-administered tests, simple dataanalysis projects, and some larger student exercises, he shows students how they can expand their own knowledge of politics while remembering (or criticizing) the key concepts supplied by the text. John McAdams of Marquette University has produced an extraordinary Instructor's Guide that offers, not only interesting references and discussion topics, but classroom projects (such as polls of student opinion) that focus attention on the relationship-if any-between popular beliefs and public policy. There is also a Test Item File with text page references.

Since I have drawn on the work of so many other scholars in writing this book, I hope they—and any reader—will feel free to write me with suggestions on how it can be improved.

Several students at Harvard University served ably as research assistants: Leslie Cornfeld, Michael Cornfeld, Robert Katzmann, William Kristol, John McAdams, Joan Meier, Patricia Rachal, Victoria Radd, Beth Rubinstein, and George White. Various typists, but principally Sally Cox, Wendy Gelberg, Jennifer Hitchcock, and Mary Marvin, performed splendidly. D.C. Heath and Company supplied me with the ser-

vices of an exceptionally able staff of editors and designers, notably Betty Ann Tyson, Sharon Donahue, and Esther Agonis. John Harney talked me into this; I didn't think it was possible.

Given all this assistance, all that remained for me was to make the mistakes. That I no doubt have done.

J.Q.W.

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Every author depends on others in writing any book, but writing a textbook requires the services of so many persons that one almost feels as though he were the recording secretary for an academic conference. The words in this book are all mine, but my debts for ideas, facts, and illustrations are so diverse as to defy enumeration. I am delighted, however, to mention those who have been of special value.

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Individual chapters were reviewed by experts in these subjects. To avoid imputing to them responsibility for the chapters they saw, I list them here, with my deep gratitude, in alphabetical order:

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