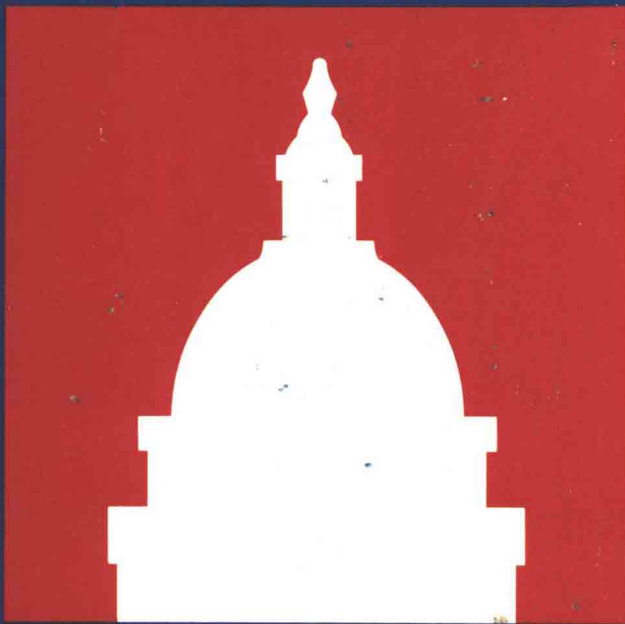


Peter Woll.  
**American  
Government**  
Readings and Cases



Eighth Edition

# **AMERICAN GOVERNMENT**

## **Readings and Cases**

**EIGHTH EDITION**

**PETER WOLL**  
*Brandeis University*



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*This book is dedicated to*  
JOHN W. WOLL  
*and*  
RUTH C. WOLL

# Preface

This book provides key readings and cases to introduce students to the underpinnings and contemporary practices of American government. As a sourcebook, it complements regular texts by illustrating and amplifying important issues and concepts. At the same time, the organization and design of the book make it suitable for use as a core text. Extensive notes are included that introduce, connect, and comment upon the selections within the broader context of American government.

This new edition contains up-to-date and relevant material designed to stimulate student interest and discussion and at the same time to show how our government functions. As in previous editions, a balance is maintained among classical readings, important historical and current constitutional law cases, and contemporary readings that pinpoint and analyze evolving political trends.

The basic areas covered in this edition include the nature and origins of constitutional theory and practice; federalism and intergovernmental relations; the civil liberties and civil rights of citizens; the organization and functions of political parties; elections and electoral behavior; political campaigning; the media and political consultants; the nature and functions of interest groups; the powers, responsibilities, and limitations of the presidency; the presidential establishment; presidential character and style; the president and the press; the scope of executive privilege; the nature and functions of the bureaucracy and its key role as part of the Washington establishment; the organization of Congress, including the legislative veto and the separation of powers; the relationship between members of Congress and their constituencies; the increased role of committee and personal staffs; the Supreme Court, in particular the politics of judicial appointments, using Sandra Day O'Connor as a case study; and the nature of judicial decision making, including a special interview with Justice Harry A. Blackmun.

The selections for this edition were chosen with a view not only to presenting students with important readings and cases that give new per-

spectives on American constitutional development and political institutions, but also to heightening their interest and appreciation of the richness and excitement of politics.

This new edition continues to introduce students to the constitutional background of political institutions and processes through selections from *The Federalist*, including Federalist Papers 47, 48, and 51 (separation of powers and checks and balances); 10 (parties and interest groups); 39 (federalism); 70 (presidency); and 78 (judicial review).

Major Supreme Court cases are given, including *Marbury v. Madison* (1803), *McCulloch v. Maryland* (1819), *Dennis v. United States* (1951), *Brown v. Board of Education of Topeka* (1954, 1955), *Gideon v. Wainwright* (1963), *Regents of the University of California v. Bakke* (1978), *United States v. Nixon* (1974), and the important new legislative veto case, *Immigration and Naturalization Service v. Chadha* (1983).

Classic articles by John P. Roche on the Founding Fathers, Charles A. Beard on the framing of the Constitution, John Locke's *Second Treatise, Of Civil Government*, and Garry Wills's important new work, *Explaining America*, provide a unique basis for students to help them understand the foundations of American government.

Complementing the classics are exciting new selections to heighten students' interest. New to this edition are highly readable articles by Michael Kinsley on affirmative action; Larry J. Sabato on the rise of political consultants; Jeff Greenfield discussing the media and the 1980 presidential election; a *Time* account of running with the PACs, portraying how Political Action Committees influence politics and government; *New York Times* correspondent Fox Butterfield describing the anatomy of a nuclear protest; the dean of American journalism, Douglass Cater, and former presidential adviser George E. Reedy examining the role of the press as a critic and ally of government; *Washington Post* reporter David S. Broder depicting the frustrations, machinations and occasional victories of House Majority Leader Jim Wright under the Reagan administration. The politics of Supreme Court appointments is the focus of a new case study on the first woman to be appointed to the Court, Sandra Day O'Connor. Supreme Court Justice Harry A. Blackmun gives his candid views on the inner workings of the Court in an interview with correspondent Daniel Schorr.

The new edition continues to present a balanced viewpoint by including highly readable classics in political science literature and the best of contemporary research that is of importance to students if they want to keep abreast of current knowledge about American political institutions and processes. Representing important political science perspectives on interest groups, for example, are selections by E. E. Schattschneider, David B. Truman, Theodore J. Lowi; political parties and elections are discussed by Walter Dean Burnham, V. O. Key, Jr.,

and Nelson W. Polsby in a new and provocative selection on the consequences of party reform; Clinton Rossiter, Richard E. Neustadt, and Thomas E. Cronin in an updated selection, discuss the powers, responsibilities, limits, and capabilities of the presidency. James David Barber examines presidential character. On Congress, new selections by Gary Jacobson on Congressional elections, and by Michael K. Malbin on the importance of staff, the "unelected representatives," complement the continuing analysis of Congress given by Eric Redman, Richard F. Fenno, Jr., and David Mayhew.

As in previous editions, an extensive Instructor's Manual accompanies the text. The Manual provides a comprehensive guide to the selections in the text. Background material is given to help place the selections in their appropriate historical and contemporary contexts.

Over the years numerous individuals have generously given their time, energy, and ideas to help the author make this work a major sourcebook in American government. Sam Beer has continued to review the federalism chapter and has made an important personal contribution to it in this edition. Henry J. Abraham's expertise in the judiciary continues to buttress that section of the book, as have his suggestions for other parts. Tom Cronin reviewed the chapter on the presidency, which contains his own updated selection on the presidential establishment. Frederick Zuercher has taken an interest in the book from the very beginning, and has helped to shape its contents over the years. Neil Sullivan has acted as a research assistant for the book in the past and continues critically and effectively to review and recommend selections, as does Rochelle Jones.

Finally, I would like to thank Donald Palm, who skillfully guided the revision, and Cynthia Chapin, who handled the production of the book. The assistance of Barbara Nagy, who adeptly typed the manuscript, was, as usual, invaluable.

P. W.

# Contents

<b>Part 1</b>	<b>THE SETTING OF THE AMERICAN SYSTEM</b>	
<b>Chapter 1</b>	<b>CONSTITUTIONAL GOVERNMENT</b>	<b>3</b>
	<b>FRAMING THE CONSTITUTION: ELITIST OR DEMOCRATIC PROCESS?</b>	
<b>1</b>	<b>John P. Roche The Founding Fathers: A Reform Caucus in Action</b>	<b>4</b>
	The Constitution was largely the result of political trade-offs among the state delegations, and not a conspiracy of the elite or the result of theoretical considerations.	
<b>2</b>	<b>Charles A. Beard Framing the Constitution</b>	<b>29</b>
	The framers of the Constitution “represented the solid, conservative, commercial and financial interests of the country. . . .” They were largely an economic elite seeking to preserve their property. They were distrustful of majority rule and sought by every device possible to structure the government in a way that would prevent the excesses of democracy and safeguard the interests of the propertied class.	
	<b>LIMITATION OF GOVERNMENTAL POWER AND OF MAJORITY RULE</b>	
<b>3</b>	<b>Alexander Hamilton Federalist 1</b>	<b>41</b>
	<i>The Federalist</i> will discuss, in a series of articles, why citizens should support the proposed Constitution.	



- 4 James Madison**  
**Federalist 47, 48, 51** **42**

The Constitution provides for a system of separation of powers and checks and balances designed to prevent the arbitrary exercise of governmental power. Each branch of government is given the necessary means and motives to resist encroachments from coordinate branches.

**CONSTITUTIONAL DEMOCRACY:  
 THE RULE OF LAW**

- 5 John Locke**  
**Second Treatise, Of Civil Government** **48**

Political society is formed because of the inadequacies of human existence in a state of nature, and the purposes and processes of government are shaped by natural law and natural rights.

**AN OVERVIEW OF THE FRAMING  
 AND PURPOSE OF THE CONSTITUTION**

- 6 Garry Wills**  
**Explaining America** **55**

The world of the American Enlightenment, characterized by a belief in rationality, progress, and public virtue, guided James Madison as he set out to explain the new Constitution in *The Federalist*.

**Chapter 2 FEDERALISM** **61**

**CONSTITUTIONAL BACKGROUND:  
 NATIONAL v. STATE POWER**

- 7 Alexander Hamilton**  
**Federalist 16, 17** **63**

It is necessary to create a national government that can act directly upon the citizens of states to regulate the common concerns of the nation.

- 8 James Madison**  
**Federalist 39** **67**

The new Constitution is both “federal” and national, requiring agreement among the states on affairs of concern to them, and allowing the national government to act directly upon the people on national matters.

- 9 Alexis de Tocqueville**  
**Democracy in America: The Federal Constitution** **75**

Alexis de Tocqueville came to America in the early nineteenth century and was astonished by what he found. He was sanguine

about the future of democracy, yet was also concerned about a possible tyranny of the majority. He particularly admired the federal system, which gave the national government the necessary power to act for the nation while preserving the interests of the states.

## THE SUPREMACY OF NATIONAL LAW

### 10 *McCulloch v. Maryland* (1819) 86

Congress may exercise powers that can be implied from its enumerated authority in Article 1 of the Constitution. The Constitution and laws based upon it are supreme over conflicting state laws.

## A PERSPECTIVE ON FEDERALISM: PRESENT AND FUTURE

### 11 *Samuel H. Beer* The Future of the States in the Federal System 93

The nature of intergovernmental relations reflects underlying political conditions and realities. The original constitutional scheme represented a delicate balance between national and state interests, which is continually changing as the national government and the states struggle for political power.

## Chapter 3 CIVIL LIBERTIES AND CIVIL RIGHTS 111

### THE NATIONALIZATION OF THE BILL OF RIGHTS

### 12 *Gideon v. Wainwright* (1963) 116

The right to counsel is fundamental to a fair trial and must be guaranteed by the states under the Due Process Clause of the Fourteenth Amendment.

## FREEDOM OF SPEECH AND PRESS

### 13 *John Stuart Mill* Liberty of Thought and Discussion 122

Freedom of speech and press is essential to constitutional democracy, because all people are fallible and no one person has the right to enforce views arbitrarily upon others.

### 14 *Dennis v. United States* (1951) 129

Congress can abridge freedoms of speech and press where there is a clear and probable danger that the exercise of these freedoms will undermine the government.

## EQUAL PROTECTION OF THE LAWS: SCHOOL DESEGREGATION

- 15** *Brown v. Board of Education of Topeka* (1954) **138**

State laws that establish separate public educational facilities based on race violate the Equal Protection of the Laws Clause of the Fourteenth Amendment. Separate facilities are inherently unequal even though they may be equal physically.

- 16** *Brown v. Board of Education of Topeka* (1955) **141**

Because of varied local school problems relating to desegregation, the federal district courts are delegated the authority to implement the 1954 *Brown* decision. These courts are to proceed "with all deliberate speed," while balancing the community and personal interests involved.

## EQUAL PROTECTION OF THE LAWS: REVERSE DISCRIMINATION

- 17** *Regents of the University of California v. Bakke* (1978) **148**

The use of quotas by a university to give preference to racial groups in an admissions program is a violation of the Equal Protection Clause of the Fourteenth Amendment. However, an applicant's race can be considered as one factor in the admissions process.

- 18** Michael Kinsley  
Equal Lack of Opportunity:  
Affirmative Action for the 1980s **164**

Faulty reasoning characterizes the arguments of both the proponents and opponents of affirmative action programs. The former stress the need to give preferential treatment to minorities to remedy the effects of past discrimination, while the latter argue that society's benefits should be distributed on the basis of the merits of individuals rather than the characteristics of groups. Neither approach is responsive to the broader problem of social justice.

## EQUAL PROTECTION OF THE LAWS: ELECTORAL REAPPORTIONMENT

- 19** *Baker v. Carr* (1962) **171**

The apportionment of state legislative electoral districts is a proper matter for judicial determination under the Equal Protection of the Laws Clause of the Fourteenth Amendment.

## **Part 2 POLITICAL PARTIES, ELECTORAL BEHAVIOR, AND INTEREST GROUPS**

### **Chapter 4 POLITICAL PARTIES AND THE ELECTORATE 189**

#### **CONSTITUTIONAL BACKGROUND**

#### **20 James Madison Federalist 10 190**

Factions are groups that unite to serve selfish goals, not the national interest. It is necessary to control factions through constitutional means, one of which is the creation of a large republic that helps to disperse factions and reduces their influence on the national legislature.

#### **21 E. E. Schattschneider Party Government 196**

Interest groups are controlled by a variety of constitutional provisions, including the separation of powers and checks and balances. Moreover, groups are checked because of their inability to claim the total loyalty of their members.

#### **FUNCTIONS AND TYPES OF ELECTIONS**

#### **22 V. O. Key, Jr. A Theory of Critical Elections 200**

Critical elections are those in which voting patterns suggest that there has been a permanent realignment of the electorate between parties.

#### **VOTING BEHAVIOR: RATIONAL OR IRRATIONAL?**

#### **23 Bernard R. Berelson, Paul F. Lazarsfeld, and William N. McPhee Democratic Practice and Democratic Theory 212**

Although democratic theory assumes that all voters are rational and interested in participating in elections, in fact many citizens are irrational in making political choices and often apathetic.

#### **THE ROLE OF PARTIES IN THE POLITICAL PROCESS**

#### **24 Walter Dean Burnham The End of American Party Politics 220**

The decline of voter identification with political parties is producing a trend toward politics without parties. This threatens the

democratic process, because parties are the major link between the general public and government.

- 25 Nelson W. Polsby**  
**Consequences of Party Reform** **238**

Democratic theory does not require that the rank and file party members participate directly through primaries in the selection of presidential candidates. Other methods of nomination may better serve the public will.

## **POLITICAL CAMPAIGNING**

- 26 Joe McGinniss**  
**The Selling of the President 1968** **247**

Political campaigning is primarily a public relations job. Voters are to be treated as largely irrational; and, in order to gain votes, appeals must be made more to emotion than to reason.

## **POLITICAL CONSULTANTS AND THE MEDIA**

- 27 Larry J. Sabato**  
**The Rise of Political Consultants** **257**

Changes in the rules of the political game, particularly the new system of campaign financing, the growing importance of the media, and the decline of political parties, have contributed to the rise of political consultants who have become an independently powerful political force.

- 28 Jeff Greenfield**  
**The Chase and the Call:**  
**The Media and the General Election** **262**

In covering elections, the media focuses more upon the political game, and those who are the likely winners, than upon issues.

## **THE RESPONSIBLE ELECTORATE**

- 29 V. O. Key, Jr.**  
**The Voice of the People: An Echo** **270**

Voters are not fools, and behave as rationally as can be expected in a political system where candidates focus more upon images than issues.

<b>Chapter 5</b>	<b>INTEREST GROUPS</b>	<b>275</b>
	<b>THE NATURE AND FUNCTIONS OF INTEREST GROUPS</b>	
<b>30</b>	<b>David B. Truman</b> <b>The Governmental Process</b>	<b>277</b>
	There is no "national interest" apart from the interests of pressure groups. Pressure groups provide the necessary linkage between people and government, and by pursuing their own interests these groups define the national interest.	
<b>31</b>	<b>Theodore J. Lowi</b> <b>The End of Liberalism: The Indictment</b>	<b>284</b>
	The group theory of politics is inadequate because of its failure to recognize the need to develop standards of law that will be above the selfish interests of pressure groups.	
<b>32</b>	<b>V. O. Key, Jr.</b> <b>Pressure Groups</b>	<b>289</b>
	Interest groups interact with government primarily through the voices of their leadership, which often does not reflect the involvement of the membership of the groups.	
	<b>CASE STUDIES IN PRESSURE GROUP POLITICS</b>	
<b>33</b>	<b>Walter Isaacson</b> <b>Running with the PACs</b>	<b>296</b>
	Political Action Committees win friends and influence elections by supplying the most important grist for the electoral mill—money.	
<b>34</b>	<b>Fox Butterfield</b> <b>Anatomy of a Nuclear Protest</b>	<b>308</b>
	Lobbying at the grassroots by mobilizing public opinion behind political causes, resulting in letter-writing campaigns to Congress, demonstrations and marches, and voter support for candidates favoring special interests, characterizes the nuclear freeze protest movement.	
	<b>THE MEDIA AS AN INTEREST GROUP</b>	
<b>35</b>	<b>Douglass Cater</b> <b>The Press: Critic and Ally of Government</b>	<b>319</b>
	The press is a unique kind of interest group, a "fourth estate," that is often a critic of government but perhaps more importantly	

and more frequently an ally of politicians, presidential appointees, and bureaucrats in their quest for political support within and without government.

### **Part 3 NATIONAL GOVERNMENTAL INSTITUTIONS**

#### **Chapter 6 THE PRESIDENCY 329**

##### **CONSTITUTIONAL BACKGROUND: SINGLE v. PLURAL EXECUTIVE**

##### **36 Alexander Hamilton Federalist 70 330**

"Energy in the executive is a leading character in the definition of good government." The executive office must be single—that is, occupied by only one person—to guarantee the necessary executive power and responsibility.

##### **THE NATURE OF THE PRESIDENCY: POWER AND PERSUASION**

##### **37 Clinton Rossiter The Presidency—Focus of Leadership 333**

Strong presidential leadership has been necessary since the framing of the Constitution to overcome the forces of disunity within the political system.

##### **38 Richard E. Neustadt Presidential Power 339**

The Constitution makes the president more of a clerk than a king. Presidential influence depends upon powers of persuasion. There is never assured support for White House policies. To be effective, the president must persuade constituents—the bureaucracy, Congress, the president's political party, citizens at large, and foreign governments—that presidential policies are in their interests.

##### **THE PRESIDENTIAL ESTABLISHMENT**

##### **39 Thomas E. Cronin The Swelling of the Presidency: Can Anyone Reverse the Tide? 345**

The Executive Office of the President has become a dominant force in the White House, often overshadowing the person who occupies the Oval Office. Presidents often promise to reduce the size of the presidential bureaucracy, but the political realities that

buttress a large presidential establishment have remained unchanged.

## PRESIDENTIAL CHARACTER AND STYLE

- 40 James David Barber**  
**The Presidential Character** 360

It is the total character of the person who occupies the White House that is the determinant of presidential performance.

## THE PRESIDENT AND THE MEDIA

- 41 George E. Reedy**  
**The Press and the President** 372

From the vantage point of the White House, the press, while *potential useful conduit of managed news*, is seen more as a critic than an ally.

## PRESIDENTIAL POWER AND EXECUTIVE PRIVILEGE

- 42 *United States v. Richard M. Nixon* (1974)** 376

The president cannot claim executive privilege and refuse to obey a court subpoena to produce evidence relative to a criminal case on the general grounds that the material sought is confidential, and that it would be inconsistent with the public interest to release it.

## JUDGING THE PRESIDENCY

- 43 Nelson W. Polsby**  
**Against Presidential Greatness** 386

Striving to become a "great president" in the eyes of history may adversely affect performance in the White House. Style may become a substitute for substance. False expectations may be raised and constitutional prescription ignored.

- Chapter 7 THE BUREAUCRACY** 393

## CONSTITUTIONAL BACKGROUND

- 44 Peter Woll**  
***Constitutional Democracy***  
**and Bureaucratic Power** 394

The constitutional system did not take into account the rise of the administrative branch, which has become a fourth branch of government exercising legislative, judicial, and executive functions.



## **THE BUREAUCRACY AND CONGRESS: FRIENDS OR FOES?**

- 45 Aaron Wildavsky**  
**The Politics of the Budgetary Process: Agency Strategies Be-**  
**fore Congress** **400**

Top-level bureaucrats keep attuned to the politics of Capitol Hill as they develop strategies to maintain or increase their power and appropriations.

## **PRESIDENTIAL CONTROL OF THE BUREAUCRACY: MYTH OR REALITY?**

- 46 Rochelle Jones and Peter Woll**  
**The President v. The Bureaucracy:**  
**The Interest Vested in Chaos** **406**

Presidential plans to reorganize the bureaucracy are often frustrated by the permanent Washington establishment, which consists of powerful members of Congress and their aides, top career civil servants, the Cabinet and other political appointees.

## **Chapter 8 CONGRESS** **413**

### **CONSTITUTIONAL BACKGROUND: REPRESENTATION OF POPULAR, GROUP, AND NATIONAL INTERESTS**

- 47 James Madison**  
**Federalist 53, 56, 57, 58, 62, 63** **415**

The functions of the House and Senate are fundamentally different. The House, popularly elected for a two year term, stands close to the people and represents popular interests in matters of local concern. Senators, indirectly elected for staggered six year terms, are more detached, deliberative, and conservative. A primary responsibility of the Senate is to act as a conservative check on the House.

### **THE LEGISLATIVE VETO**

- 48 *Immigration and Naturalization Service v. Chadha* (1983)** **425**

The legislative veto is unconstitutional because it violates the doctrine of separation of powers and checks and balances.