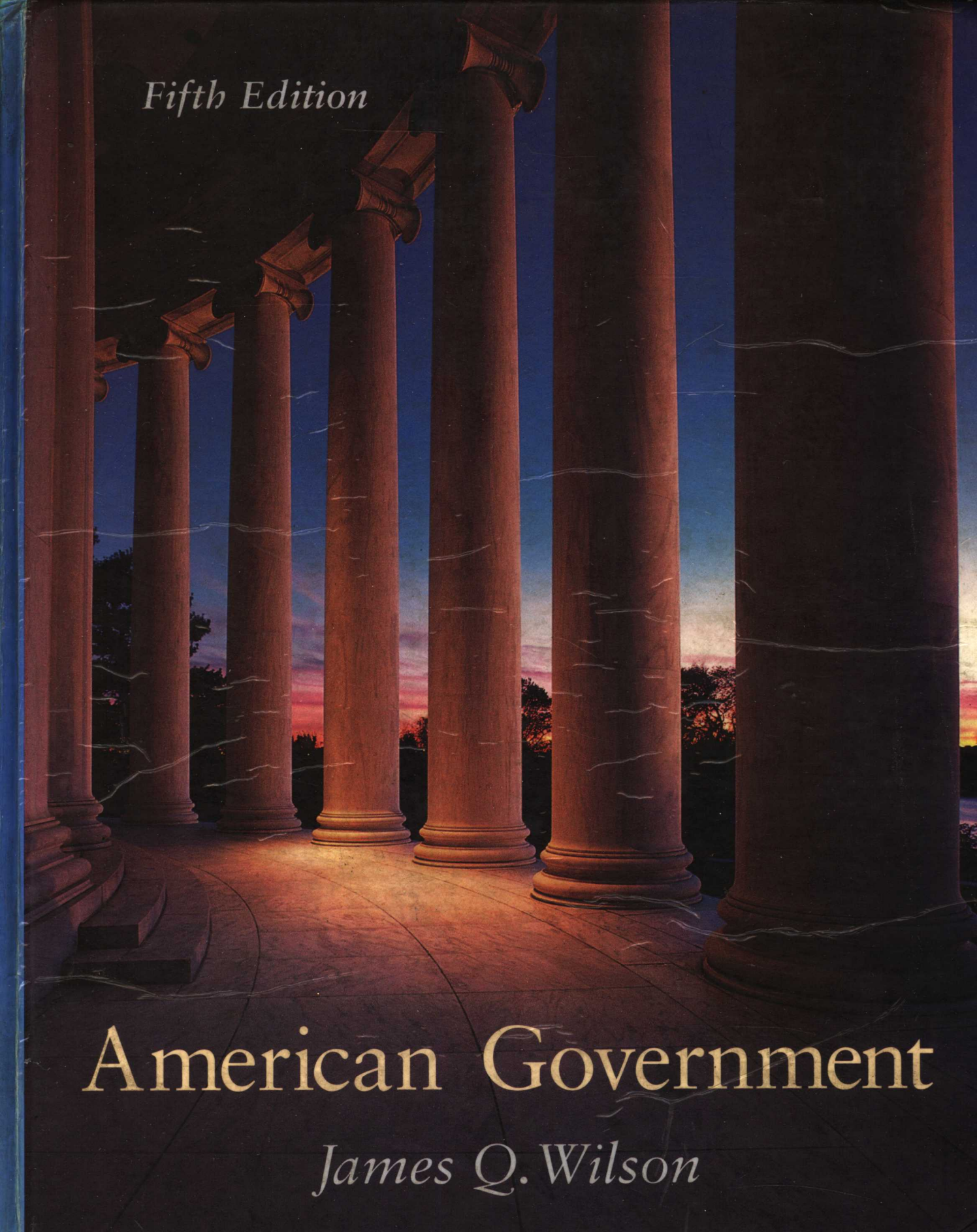




Fifth Edition

American Government

James Q. Wilson

AMERICAN GOVERNMENT

INSTITUTIONS AND POLICIES

Fifth Edition

James Q. Wilson
University of California, Los Angeles

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James Q. Wilson is the Collins Professor of Management and Political Science at the University of California, Los Angeles. He was previously the Shattuck Professor of Government at Harvard University. Raised in California, Wilson received a B.A. degree from the University of Redlands and a Ph.D. degree from the University of Chicago. He is the author or coauthor of twelve books, including *Negro Politics*, *The Amateur Democrat*, *City Politics* (with Edward C. Banfield), *Varieties of Police Behavior*, *Political Organizations*, *Thinking about Crime*, *The Investigators*, *Bureaucracy*, *Watching Fishes: Life and Behavior on Coral Reefs* (with Roberta Wilson), and *Crime and Human Nature* (with Richard J. Herrnstein).

Wilson has served in a number of advisory posts in the federal government. He was chairman of the White House Task Force on Crime in 1967, chairman of the National Advisory Council on Drug Abuse Prevention in 1972–1973, a member of the Attorney General's Task Force on Violent Crime in 1981, and a member of the President's Foreign Intelligence Advisory Board (1986–1990).

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 and in 1990 the James Madison Award for distinguished scholarship. In 1991–1992 he was President of the Association.

He is a Fellow of the American Academy of Arts and Sciences and a member of the American Philosophical Society. When not writing, teaching, or advising, he goes scuba diving. He says that it clears the brain.

PREFACE

I wrote this text in the conviction that students want to know not only who governs but also what difference it makes who governs. In teaching an introductory course in American government, I have found that student interest is most fully engaged when the instructor can show how our government institutions and political processes help explain why some policies, and not others, are adopted.

Explaining both who governs, and to what ends, cannot be done without treating the politics of policy-making in some detail. For this reason I have examined several policy areas in the light of a simple—but I think useful—conceptual scheme that helps students understand why some groups or individuals exert more power on certain issues than on others. Unless the instructor links institutions and policies in a systematic way, the student is likely to judge the worth or power of the institutions by resorting to such familiar but misleading catch phrases as the “imperial presidency,” a “do-nothing Congress,” or the “biased media.”

Perspectives

Merely attending to politics and policies is not enough, however. Many students, understandably, have very little historical perspective, know next to nothing about how other democratic governments behave, and believe that the Constitution is largely of antiquarian interest. To impress upon students what is distinctive about our government, I have tried to write each chapter with three perspectives in mind. First, contemporary American politics has been profoundly shaped by historical forces. Some important aspects of politics are of recent origin, but others—I think most—are the result of long-standing

arrangements and past experiences. Second, the Constitution is one of those arrangements that color almost every aspect of politics and the underlying political culture. I try to give special attention to the way in which the Founding created a distinctive regime. Third, that regime differs from the governing arrangements of most other democratic nations. If we want to know why things happen as they do here, it is often helpful to know how they might happen if we were in Britain, France, or Sweden. Because of these beliefs, I try to set the institutions and policies of American government into the context of historical change, constitutional procedures, and comparative perspectives.

The Fifth Edition

Environmentalism has become one of the biggest national issues; accordingly, the new chapter on environmental policies and politics is the biggest single change in this edition. Almost as important are the many changes made in existing chapters that reflect the dramatic turn of world events: The chapter on foreign policy has been rewritten to reflect the breakup of the Soviet empire, that on military policy to include the war in the Persian Gulf.

In welfare politics, the issues have changed of late to include the problems of work requirements for AFDC recipients, cost containment for health care providers, and supplying services to the homeless. Chapter 17 has been revised to deal with these new concerns.

Civil rights continues to be contentious. In Chapter 19 I follow the newest contortions of the Supreme Court as it copes with affirmative action procedures and abortion restrictions, and

I describe the provisions of the recently enacted Americans With Disabilities Act.

The federal government still seems unable to cope with the deficit; Chapter 16 discusses how the “economic summit” led to the replacement of Gramm-Rudman deficit targets with a new set of budget constraints. I also supply a box that explains how the country got into the savings and loan mess.

Since I just published a book on the bureaucracy, it seemed like a good time to revise Chapter 13 by adding to it a more serious discussion of agency culture and the constraints on administrative action.

Needless to say, all the chapters on participation, campaigning, elections, and state government have been made current through the 1990 elections. A revised and updated version of this edition of the text containing all the latest returns will be made available shortly after the 1992 presidential race.

Although Congress has not changed greatly in the last few years, I revised the material in Chapter 11 to make the complexities of legislative procedure a bit clearer and added a new conclusion that systematically contrasts the “old Congress” with the “new Congress.”

Instructor's Options for Using This Book

This text can be used in a variety of ways. It can be assigned to be read in its present sequence. Or one can assign a chapter on a particular institution (say, Congress) and then follow that immediately with a chapter about a policy with which that institution has been extensively involved (say, civil rights). In the same way, the chapter on the presidency could be followed by the chapter on foreign policy, and the chapter on the judiciary by the one on civil liberties. Alternatively, the chapters on civil liberties and civil rights could be assigned immediately after the chapter on the Constitution.

Most instructors will want to assign all the chapters in Part 1 (The American System), Part 2 (Opinions, Interests, and Organizations), and

Part 3 (Institutions of Government). If they wish their students to be familiar with the politics of policy-making, they should assign at least Chapter 15 of Part 4 (The Politics of Public Policy). Additional policy chapters can be used as the instructor's preferences suggest. In any case, the main themes of Part 4 are summarized in Chapter 23.

Illustrative and Reference Material

I have added several features to the book that will, I hope, stimulate thinking about political issues. The first is a series of boxes headed “What would you do?” These pose hypothetical problems confronting a decision maker, such as a candidate, a president, a senator, or a Supreme Court justice. Should we send in troops? Take money from a political-action committee? Vote for or against the constitutionality of a state law banning contraception? Each dilemma comes in the form of a brief memo, similar to ones that presidents and others actually receive. The issues on both sides are summarized, and the student is asked to come to a decision as if he or she were the decision maker. These boxes can be used for class discussions, as a springboard for class debates, or as the basis of student papers.

The “Politically Speaking” boxes constitute another new feature. Two dozen or so bits of political jargon—including *litmus test*, *logrolling*, *lame duck*, *muckraker*, *coattails*, *boycott*, *Third World*—are defined, and the history of these terms is briefly stated. Politics is about words and symbols, and I have found that when students know how some of these words came into political use, they remember not only the words, but the meaning, context, and issues.

The lists of political trivia and of the popular maxims of politics have been retained, as has been the box containing some Supreme Court cases that the student is asked to decide.

Since I believe that politics is fascinating and ought to be memorable, I hope that these materials not only will provide a refreshing pause in the text but also will help fix certain events in the reader's mind.

At the end of the book the Declaration of Independence, the Constitution, and *Federalist* papers 10 and 51 are included, along with a complete listing of presidents and Congresses showing the partisan composition of each.

Personal Views

The study of politics is not a value-free science, but admitting that point ought not to entitle an author to pontificate at will. The author of a textbook is under a special obligation to handle matters of evidence and inference in a systematic and evenhanded manner. Major controversies ought to be clearly described and the opposing positions fairly presented. I have tried to avoid making snap judgments, using loaded language, and describing politics as a struggle between good and bad guys. I do not claim that I have succeeded or that I am “objective”—I doubt that any writer can ever be—but I have labored mightily to avoid sloganeering or indocination. I hope that colleagues will not hesitate to point out where I have failed.

Supplements

An outstanding supplementary program is offered in connection with the fifth edition, including the *Student Handbook*, the *Instructor's Guide*, a *Computerized Testing Program* by Publishing Innovations, Inc., the *Test Item File*, and full-color overhead transparencies.

The *Student Handbook* is designed to help the student master the text as well as prepare for examinations. Each *Handbook* chapter offers a “Chapter Focus,” illuminating the chapter's main points and listing learning objectives for the student; a “Study Outline” of the major topical areas covered; “Key Terms” to understand, including the significant names and concepts introduced; a “Did You Think That . . . ?” section, treating some of the possible misconceptions about material in the chapter; a “Data Check” section, clarifying the points made in the chapter's quantitative tables, graphs, and diagrams;

a “Practicing for Exams” section, with sample true/false, multiple-choice, and essay questions; and completely revised “Applying What You've Learned,” detailing special projects to help develop mastery of key text concepts. Another *Handbook* feature is a selection of primary-source readings—“Classic Statements”—providing provocative excerpts from significant documents in American government. In addition, a computerized version of the *Student Handbook* is now available for both IBM and Macintosh computers.

The *Instructor's Guide* offers a wealth of valuable resources designed to help instructors plan their course and to prepare for and implement lectures and discussions. Featured as introductory materials are “Resources and References in American Government,” a comprehensive bibliography; a Film Guide; and a Videotape Guide. A “What's New Here, and Why?” section for the six parts of the text spells out the major changes in the fifth edition of *American Government*; this unique feature greatly streamlines the transition from the fourth to the fifth edition. Each *Instructor's Guide* chapter furnishes an “Overview and Objectives” outline; an expanded “Lecture Outline with Keyed-in Resources”; a list of “New Terms” introduced; and a “Themes” section, focusing on the general themes or topics around which the *Guide's* resource materials are organized. Then follow the resources themselves: a descriptive “Summary” of the theme; “Discussion Questions”; “Data and Perspectives for Analysis,” offering exercises that center on investigation of data, events, and theoretical perspectives; an “Abstracts” section, synthesizing an article or book relevant to the theme; an “Additional Lecture Topics” section for many of the themes selected; and listings of “Suggested Student Reading.”

The greatly expanded *Computerized Testing Program* and the *Test Item File* now offer about 4500 true/false, multiple-choice, and essay questions. Quizzes and examinations may be constructed from either the *Computerized Testing Program* or the *Test Item File*. The *Computerized Program* provides access to all questions in the *Test Item File* and allows instructors to tailor tests for their own classes. Instructors may also

use software to delete, add, or even change questions, as well as to print an answer key with page references for each question.

Further, to help the instructor improve students' analytical skills, we have produced a package of full-color overhead transparencies. The text's key maps, graphs, and diagrams are included, and text-page references are provided to facilitate use.

Each student will also receive free with the text a copy of a helpful and concise companion volume, *A Vade Mecum for American Government*, by Kenneth Holland of Memphis State University. This new volume provides students with a wealth of practical advice on such important skills as note taking, taking tests, writing research papers, and using the library.

Of special interest is a new D. C. Heath text entitled *Perspectives on American Government: A Comprehensive Reader*, edited by William S. Lasser of Clemson University. A rich and varied collection of cases, articles, documents, and cartoons covering virtually all major topics in *American Government*, this volume will present students with a wealth of background information and provocative points of view on numerous issues concerning American politics.

Finally, in recognition of the pedagogical value of new technologies, D. C. Heath is making available to instructors a variety of software programs that allow students to gain a more intimate understanding of political processes by manipulating statistical data or simulating campaigns and elections. Also, a number of excellent videos on topics such as civil rights and the Persian Gulf War are available for classroom use. Your local Heath sales representatives can supply you with the details.

Instructors may wish to take full advantage of these valuable teaching and learning resources in planning their courses.

The Help of Others—Now and in the Future

The new chapter on environmental policy was critically read by professors Marc Landy of Boston College, Kenneth Meier of the University of Wisconsin, Walter Rosenbaum of Florida State University, and David Vogel of the University of California at Berkeley. They saved me from several errors; I absolve them of those that remain.

My colleague Steven Ansolabehre of UCLA offered a number of useful suggestions on how to improve Chapters 8 and 11; I have tried to incorporate them all. Micki Chen supplied lucid and precise guidance to recent changes in court procedures and in the case law of civil liberties and civil rights. Xandra Kayden, Kevin Laverty, and Daron Shaw provided valuable research assistance.

I continue to benefit from letters I receive from users of past editions of the book. Leslie Friedman Goldstein of the University of Delaware pointed out some errors that I was happy to correct.

Systematic reviews of the text were supplied by several faculty users to whom I am very grateful: John M. Buckley (Orange Coast College), William Brundage (United States Air Force Academy), Robert L. Delorme (California State University at Long Beach), John Dister (United States Military Academy), John E. Lampe (Southwest Texas Junior College), Alan Monroe (Illinois State University), John K. Price (Louisiana Tech University), Ron Shaiko (Virginia Polytechnic Institute), and Frank Wayman (University of Michigan). I would also like to thank our phone survey respondents: Ellen Antoine (El Camino College), Lynn Bachelor (University of Toledo), Joel Goldstein (University of Louisville), Bruce Odom (Trinity Valley College), Mark Rushefsky (Southwest Missouri State University), and Glenn Stockwell (College of the Redwoods).

My editors at D. C. Heath—Paul Smith and Karen Wise—were, as always, splendid colleagues.

J. Q. W.

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The Study of American Government



- Who holds political power
- Formal authority
- Legitimacy of government
- Forms of democracy
- Democratic centralism
- Participatory democracy
- Representative democracy
- Popular rule
- Theories as to who rules
- Influence

There are two questions about politics: Who governs? To what ends?

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 may also 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” or “the people” or “the communists.” Still others will say “Wall Street,” “the military,” “crackpot liberals,” “the media,” “bureaucrats,” or “the Moral Majority.” Not all these answers can be correct—at least not all of the time.

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—are essentially 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 income taxes, and the average rate is 20 percent of their incomes. Through laws that have been enacted since the 1930s, the federal government has taken charge of an enormous amount of the

nation’s income, with results that are still being debated. Or consider: in 1960, in many parts of the country, blacks 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 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 only adopt policies that are to the narrow advantage of the middle class, or the middle-aged, or whites, or 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 a War on Poverty was declared, why constitutional amendments giving rights to blacks 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, especially in Part 4, 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. Power and purpose are inextricably intertwined.



Dramatic changes have occurred in what people believe it is legitimate for the government to do. We now submit to searches before boarding an aircraft, unthinkable before hijackings made such government regulations seem necessary.

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 can or cannot build the B-1 bomber. More often, power is exercised in subtle ways that may not be evident even to the participants, as when the president's economic advisers persuade him to impose or lift wage and price controls. The advisers may not think they are using power—after all, they are the president's subordinates—but if the president acts in accord with their intentions as a result of their arguments, 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 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. In Chapter 15, where we begin the discussion of policy-making, we will look closely at how issues get onto the governmental agenda. 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 that is 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. We will on occasion speak of “formal authority.” By this we mean that the 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.