

Benjamin Ginsberg • Theodore J. Lowi • Margaret Weir

WE THE PEOPLE

AN INTRODUCTION TO AMERICAN POLITICS



SHORTER FIFTH EDITION

WE THE PEOPLE

An Introduction to American Politics

BENJAMIN GINSBERG

THE JOHNS HOPKINS UNIVERSITY

THEODORE J. LOWI

CORNELL UNIVERSITY

MARGARET WEIR

UNIVERSITY OF CALIFORNIA AT BERKELEY

SHORTER FIFTH EDITION



W • W • NORTON & COMPANY • NEW YORK • LONDON



W. W. Norton & Company has been independent since its founding in 1923, when William Warder Norton and Mary D. Herter Norton first published lectures delivered at the People's Institute, the adult education division of New York City's Cooper Union. The Nortons soon expanded their program beyond the Institute, publishing books by celebrated academics from America and abroad. By mid-century, the two major pillars of Norton's publishing program—trade books and college texts—were firmly established. In the 1950s, the Norton family transferred control of the company to its employees, and today—with a staff of four hundred and a comparable number of trade, college, and professional titles published each year—W. W. Norton & Company stands as the largest and oldest publishing house owned wholly by its employees.

Copyright © 2005, 2003, 2001, 1999, 1997 by W. W. Norton & Company, Inc.

All rights reserved

Printed in the United States of America

Illustration credits and copyrights are given on page A57, which constitutes an extension of this copyright page.

Editor: Stephen Dunn

Editorial assistant: Kelly Rolf

Project editor: Kim Yi

Production manager: Diane O'Connor

Book design: Chris Welch

Figures: John McAusland

Managing editor, College: Marian Johnson

Composition: TSI Graphics

Manufacturing: Quebecor/Versailles

Cover illustration: Mick Wiggins

Photo research: Neil Ryder Hoos

E-media editor: Denise Shanks

Library of Congress Cataloging-in-Publication Data

Ginsberg, Benjamin

We the people: an introduction to American politics/Benjamin Ginsberg,

Theodore J. Lowi, Margaret Weir.—Shorter, 5th ed.

p. cm.

Includes bibliographical references and index.

ISBN 0-393-92619-2

1. United States—Politics and government. I. Lowi, Theodore J. II. Weir, Margaret, 1952-III. Title.

JK271.G65 2005

320.473—dc22

2004058308

W. W. Norton & Company, Inc., 500 Fifth Avenue, New York, N.Y. 10110

www.wwnorton.com

W. W. Norton & Company Ltd., Castle House, 75/76 Wells Street, London W1T 3QT

2 3 4 5 6 7 8 9 0

PREFACE

This book has been and continues to be dedicated to developing a satisfactory response to the question more and more Americans are asking: Why should we be engaged with government and politics? Through the first four editions, we sought to answer this question by making the text directly relevant to the lives of the students who would be reading it. As a result, we tried to make politics interesting by demonstrating that students' interests are at stake and that they therefore need to take a personal, even selfish, interest in the outcomes of government. At the same time, we realized that students needed guidance in how to become politically engaged. Beyond providing students with a core of political knowledge, we needed to show them how they could apply that knowledge as participants in the political process. The "Get Involved: What You Can Do" conclusions to each chapter helped achieve that goal.

This fifth edition retains the same goals and methods as earlier editions, but goes beyond them. As events from the last four years have reminded us, "what government does" can be a matter of life and death. During that time, events have reinforced the centrality of government in citizens' lives. The U.S. government has fought a war abroad, while compromising the liberties of its citizens at home. The administration has adopted policies that have further polarized Democrats and Republicans and exacerbated the economic inequality in this country. These events have prompted more critical attention to the Bush administration specifically and to the practices of American government more broadly. America's role in the world is discussed daily both inside and outside the classroom. Moreover, students and younger Americans have become more aware of and involved in politics, as the 2004 campaign for president illustrated. Reflecting all of these trends, this new fifth edition shows more than any other book on the market (1) how American government is connected to the world; (2) how students are connected to government; and (3) why students should think critically about government and politics. These themes are incorporated in the following ways:

- **New "America in the World" boxes show students how American government is connected to the world.** These one-page boxes in every chapter illustrate the important political role the United States plays abroad. Topics include "Should America Export Democracy?" "The American Constitution: A Model for the World?" "Participation and Democracy in Iraq," and "Congress, the President, and Foreign Trade." These new boxes exemplify the critical-analytical approach that characterizes the new edition and include "For Critical Analysis" questions.

- Chapter introductions focus on “What Government Does and Why It Matters.” During the past two decades, cynicism about “big government” has dominated the political zeitgeist. But critics of government often forget that governments do a great deal for citizens. Every year, Americans are the beneficiaries of billions of dollars of goods and services from government programs. Government “does” a lot, and what it does matters a great deal to everyone, including college students. At the start of each chapter, this theme is introduced and applied to the chapter’s topic. The goal is to show students that government and politics mean something to their daily lives.
- “Get Involved: What You Can Do” conclusions and new “Interactive Politics” boxes at the end of every chapter show students why political participation matters and how they can participate. The “Get Involved” sections offer specific instructions and guidance on how college students can become involved in their own communities, as well as at the state and national level. The “Interactive Politics” boxes provide specific role-playing scenarios that encourage students to think about the many forms of political participation.
- New “Previewing Liberty, Equality, and Democracy” and “Thinking Critically about ...” content highlights the critical-analytical approach of this new edition. American history reveals large gaps between the principles of liberty, equality, and democracy and the practice of American politics. Are these principles mere ideals? How are they applied? How effective is our government at upholding these ideals? Every chapter begins with a new “Previewing Liberty, Equality, and Democracy” section that sets the stage for how liberty, equality, and democracy apply to the chapter’s topic, identifies the gap between those principles and actual government practice, and explores the potential conflict between those three principles. “Thinking Critically about ...” sections later in the chapter show students how to apply a critical perspective to these issues. For example, in Chapter 10, “Campaigns and Elections,” the preview emphasizes that while the essence of democracy is citizens participating equally in competitive elections, actual electoral practices seem inconsistent with our egalitarian values. The text explores whether the disproportionate role played by elites fails our democratic ideal of “government by the people.” The “Thinking Critically about the Electoral Process” section further explores how the question of campaign finance illustrates a clash between equality and liberty in that Americans seem wary of the apparently sinister role that wealthy individuals and well-heeled interest groups play in elections, but efforts to make the electoral process more equal could come at the expense of liberty.
- New “For Critical Analysis” questions are incorporated in the “America in the World” and “Policy Debate” boxes and appear throughout the chapter to prompt students’ own critical thinking. The “America in the World” boxes demonstrate the important role the United States plays in the world. The two “For Critical Analysis” questions that conclude each box get students to think critically about that role. For example, the Chapter 1 box “Should America Export Democracy?” describes U.S. attempts to export democracy to countries such as Iraq. The “For Critical Analysis” questions that conclude the box ask students to think about whether it is appropriate for America to try to shape the governmental institutions and political arrangements of other countries in the first place. “Policy Debate” boxes describe the various issues surround-

ing a policy conflict. For example, the box in Chapter 3 explores the debate on the 2002 No Child Left Behind Act. The “For Critical Analysis” questions that conclude the box ask students to consider “Why might the federal government be better able than state and local governments to ensure that low-income students receive a high-quality education?” and “Why do critics call this act an unfunded mandate that will harm low-income students?”

One remaining feature of our text that we hope will help students become informed and critical citizens is what we call our “Greek chorus.” Each chapter includes a “Student Debate” that presents the opposing views of students on current issues. As with the chorus in Greek drama, our student chorus illustrates the range of enlightenment. We continue to hope that our book will itself be accepted as a form of enlightened political action. This fifth edition is another chance. It is an advancement toward our goal. We promise to keep trying.

ACKNOWLEDGMENTS

Our students at Cornell, Johns Hopkins, Harvard, and Berkeley have been an essential factor in the writings of this book. They have been our most immediate intellectual community, a hospitable one indeed. Another part of our community, perhaps a large suburb, is the discipline of political science itself. Our debt to the scholarship of our colleagues is scientifically measurable, probably to several decimal points, in the endnotes of each chapter. Despite many complaints that the field is too scientific or not scientific enough, political science is alive and well in the United States. It is an aspect of democracy itself, and it has grown and changed in response to the developments in government and politics that we have chronicled in our book. If we did a “time line” on the history of political science, it would show a close association with developments in “the American state.” Sometimes the discipline has been out of phase and critical; at other times, it has been in phase and perhaps apologetic. But political science has never been at a loss for relevant literature, and without it, our job would have been impossible.

We are especially pleased to acknowledge our debt to the many colleagues who had a direct and active role in criticism and preparation of the manuscript. Our thanks go to

First Edition Reviewers

Sarah Binder, Brookings Institution
Kathleen Gille, Office of Representative David Bonior
Rodney Hero, University of Colorado at Boulder
Robert Katzmann, Brookings Institution
Kathleen Knight, University of Houston
Robin Kolodny, Temple University
Nancy Kral, Tomball College
Robert C. Lieberman, Columbia University
David A. Marcum, University of Wyoming
Laura R. Winsky Mattei, State University of New York at Buffalo
Marilyn S. Mertens, Midwestern State University
Barbara Suhay, Henry Ford Community College
Carolyn Wong, Stanford University
Julian Zelizer, State University of New York at Albany

Second Edition Reviewers

Lydia Andrade, University of North Texas
John Coleman, University of Wisconsin at Madison

Daphne Eastman, Odessa College
Otto Feinstein, Wayne State University
Elizabeth Flores, Delmar College
James Gimpel, University of Maryland at College Park
Jill Glaathar, Southwest Missouri State University
Shaun Herness, University of Florida
William Lyons, University of Tennessee at Knoxville
Andrew Polsky, Hunter College, City University of New York
Grant Reeher, Syracuse University
Richard Rich, Virginia Polytechnic
Bartholomew Sparrow, University of Texas at Austin

Third Edition Reviewers

Amy Jasperson, University of Texas at San Antonio
Loch Johnson, University of Georgia
Mark Kann, University of Southern California
Andrea Simpson, University of Washington
Brian Smentkowski, Southeast Missouri State University
Nelson Wikstrom, Virginia Commonwealth University

Fourth Edition Reviewers

M. E. Banks, Virginia Commonwealth University
Mark Cichock, University of Texas at Arlington
Del Fields, St. Petersburg College
Nancy Kinney, Washtenaw Community College
William Klein, St. Petersburg College
Christopher Muste, Louisiana State University
David Rankin, State University of New York at Fredonia
Paul Roesler, St. Charles Community College
J. Philip Rogers, San Antonio College
Greg Shaw, Illinois Wesleyan University
Tracy Skopek, Stephen F. Austin State University
Don Smith, University of North Texas
Terri Wright, Cal State, Fullerton

Fifth Edition Reviewers

Denise Dutton, Southwest Missouri State University
Rick Kurtz, Central Michigan University
Kelly McDaniel, Three Rivers Community College
Eric Plutzer, Pennsylvania State University
Daniel Smith, Northwest Missouri State University
Dara Strolovitch, University of Minnesota
Stacy Ulbig, Southwest Missouri State University

We also must pay thanks to the many collaborators we have had on this project: Robert J. Spitzer of the State University of New York at Cortland; Mark Kann and Marcella Marlowe of the University of Southern California.

We are also grateful for the talents and hard work of several research assistants, whose contributions can never be adequately compensated. In particular, Mingus

Mapps, Doug Harris, and Ben Bowyer put an enormous amount of thought and time into the figures, tables, and study aids that appear in the text. Israel Waismel-Manor also kept a close eye on keeping the book as up-to-date as possible.

We would like to give special thanks to Jacqueline Pastore at Cornell University, who not only prepared portions of the manuscript but also helped to hold the entire project together. We especially thank her for her hard work and dedication.

Perhaps above all, we wish to thank those at W. W. Norton. For its five editions, our editor, Steve Dunn, has helped us shape the book in countless ways. We thank Neil Ryder Hoos and Abigail Becker for devoting an enormous amount of time to finding new photos and selecting pieces for the “Student Debates.” For our interactive Web site for the book, Denise Shanks has been an energetic and visionary editor. Patterson Lamb edited the manuscript with Marian Johnson’s superb direction, and project editor Kim Yi devoted countless hours keeping on top of myriad details. Diane O’Connor has been dedicated in managing production. Finally, we wish to thank Roby Harrington, the head of Norton’s college department.

We are more than happy, however, to absolve all these contributors from any flaws, errors, and misjudgments that will inevitably be discovered. We wish the book could be free of all production errors, grammatical errors, misspellings, misquotes, missed citations, etc. From that standpoint, a book ought to try to be perfect. But substantively we have not tried to write a flawless book; we have not tried to write a book to please everyone. We have again tried to write an effective book, a book that cannot be taken lightly. Our goal was not to make every reader a political scientist or a political activist. Our goal was to restore politics as a subject matter of vigorous and enjoyable discourse, recapturing it from the bondage of the thirty-second sound bite and the thirty-page technical briefing. Every person can be knowledgeable because everything about politics is accessible. One does not have to be a television anchorperson to profit from political events. One does not have to be a philosopher to argue about the requisites of democracy, a lawyer to dispute constitutional interpretations, an economist to debate a public policy. We would be very proud if our book contributes in a small way to the restoration of the ancient art of political controversy.

BENJAMIN GINSBERG
THEODORE J. LOWI
MARGARET WEIR

NOVEMBER 2004

CONTENTS

PREFACE AND ACKNOWLEDGMENTS xxi

1 AMERICAN POLITICAL CULTURE 2

Part I FOUNDATIONS

What Americans Think about Government	6
Trust in Government	8
Political Efficacy	10
What Americans Know about Government	13
Citizenship: Knowledge and Participation	13
The Necessity of Political Knowledge	14
Government	15
Is Government Needed?	16
Forms of Government	16
Limiting Government	17
Access to Government: The Expansion of Participation	18
Influencing the Government through Participation: Politics	18
American Political Culture: Shared Values, but Disagreements over the Role of Government	19
Liberty	20
Equality	21
Democracy	22
Does the System Uphold American Political Values?: Thinking Critically about Liberty, Equality, and Democracy	24
Values and the Ends of Government	30
Who Benefits from Government?	30
What You Can Do: Test the Political Waters	31
SUMMARY	33
FOR FURTHER READING	34
STUDY OUTLINE	34
PRACTICE QUIZ	34
KEY TERMS	35

2 THE FOUNDING AND THE CONSTITUTION 36

The First Founding: Interests and Conflicts	39
British Taxes and Colonial Interests	40
Political Strife and the Radicalizing of the Colonists	41
The Declaration of Independence	42
The Articles of Confederation	43
The Second Founding: From Compromise to Constitution	43
International Standing and Balance of Power	44
The Annapolis Convention	44
Shays's Rebellion	45
The Constitutional Convention	45
The Constitution	50
The Legislative Branch	50
The Executive Branch	52
The Judicial Branch	53
National Unity and Power	54
Amending the Constitution	54
Ratifying the Constitution	54
Constitutional Limits on the National Government's Power	54
The Fight for Ratification	57
Federalists versus Antifederalists	58
Reflections on the Founding	63
The Citizen's Role and the Changing Constitution	64
Amendments: Many Are Called, Few Are Chosen	64
The Case of the Equal Rights Amendment	67
Which Were Chosen? An Analysis of the Twenty-Seven	68
Thinking Critically about Liberty, Equality, and Democracy	73
What You Can Do: Become a Framers	74
SUMMARY	75
FOR FURTHER READING	77
STUDY OUTLINE	77
PRACTICE QUIZ	79
KEY TERMS	79

3 FEDERALISM 80

The Federal Framework	84
Federalism in the Constitution	84
Restraining National Power with Dual Federalism, 1789–1937	88
Federalism and the Slow Growth of the National Government's Power	90
The Changing Role of the States	93
Who Does What? The Changing Federal Framework	96
Expansion of the National Government	97
Federal Grants	97
Cooperative Federalism	99
Regulated Federalism and National Standards	100
New Federalism and State Control	103
Devolution: For Whose Benefit?	108
Thinking Critically about Liberty versus Equality	110
What You Can Do: Participate at Different Levels of the Federal System	111
SUMMARY	113
FOR FURTHER READING	115
STUDY OUTLINE	115
PRACTICE QUIZ	116
KEY TERMS	116

4 CIVIL LIBERTIES 118

A Brief History of the Bill of Rights	121
Nationalizing the Bill of Rights	122
The First Amendment and Freedom of Religion	126
Separation Between Church and State	126
Free Exercise of Religion	129
The First Amendment and Freedom of Speech and the Press	131
Absolutely Protected Speech	131
Freedom of the Press	134
Conditionally Protected Speech	135

The Second Amendment and the Right to Bear Arms	139
Rights of the Criminally Accused	141
The Fourth Amendment and Searches and Seizures	142
The Fifth Amendment	144
The Sixth Amendment and the Right to Counsel	146
The Eighth Amendment and Cruel and Unusual Punishment	147
The Right to Privacy	149
Thinking Critically about the Future of Civil Liberties: Does the War on Terrorism Affect It?	154
What You Can Do: Defend Liberty	156
SUMMARY	159
FOR FURTHER READING	159
STUDY OUTLINE	160
PRACTICE QUIZ	160
KEY TERMS	161

5 CIVIL RIGHTS 162

The Struggle for Civil Rights	165
Slavery and the Abolitionist Movement	165
The Link to the Women's Rights Movement	166
The Civil War Amendments to the Constitution	167
Civil Rights and the Supreme Court: "Separate but Equal"	167
Organizing for Equality	168
Litigating for Equality after World War II	169
Civil Rights after <i>Brown v. Board of Education</i>	171
The Civil Rights Acts	175
The Universalization of Civil Rights	183
Women and Gender Discrimination	183
Latinos and Asian Americans	186
Native Americans	190
Disabled Americans	191
The Aged	191
Gays and Lesbians	191

Affirmative Action	193
The Supreme Court and the Burden of Proof	193
Referendums on Affirmative Action	198
Thinking Critically about the Affirmative Action Debate	198
What You Can Do: Mobilize for Civil Rights	203
SUMMARY	206
FOR FURTHER READING	206
STUDY OUTLINE	207
PRACTICE QUIZ	207
KEY TERMS	208

6 PUBLIC OPINION 210

Political Values	213
Fundamental Values	213
Forms of Disagreement	215
How Political Values Are Formed	215
Influences on Our Political Values	217
From Political Values to Ideology	226
How We Form Political Opinions	229
Political Knowledge	231
The Influence of Political Leaders, Private Groups, and the Media	232
Measuring Public Opinion	237
Constructing Public Opinion from Surveys	238
Thinking Critically about Public Opinion and Democracy	244
What You Can Do: Become Politically Knowledgeable	247
SUMMARY	247
FOR FURTHER READING	249
STUDY OUTLINE	249
PRACTICE QUIZ	250
KEY TERMS	251

Part II POLITICS

7 THE MEDIA 252

The Media Industry and Government 255

Types of Media 255

Regulation of the Broadcast Media 258

Organization and Ownership of the Media 259

Nationalization of the News 264

News Coverage 265

Journalists 266

Subjects of the News 267

The Power of Consumers 270

Media Power in American Politics 272

Shaping Events 272

The Sources of Media Power 273

The Rise of Adversarial Journalism 280

Thinking Critically about Media Power and Democracy 282

What You Can Do: Analyze News Sources 283

SUMMARY 285

FOR FURTHER READING 285

STUDY OUTLINE 286

PRACTICE QUIZ 286

KEY TERMS 287

8 POLITICAL PARTICIPATION AND VOTING 288

Political Participation 290

Forms of Participation 291

Voting 294

Who Participates, and How? 297

African Americans 300

Latinos 300

Asian Americans 302

Women versus Men 302

Religious Identity and Politics 304

Age and Participation 306

Explaining Political Participation	308
Socioeconomic Status	308
Civic Engagement	308
Formal Obstacles	313
Political Mobilization	315
Thinking Critically about Political Participation and Liberty, Equality, and Democracy	319
What You Can Do: Become a Voter	320
SUMMARY	323
FOR FURTHER READING	324
STUDY OUTLINE	324
PRACTICE QUIZ	324
KEY TERMS	325

9 POLITICAL PARTIES 326

What Are Political Parties?	329
Outgrowths of the Electoral Process	329
Outgrowths of the Policy-Making Process	329
The Two-Party System in America	330
Historical Origins	330
Party Systems	337
Electoral Alignments and Realignment	341
American Third Parties	343
Party Organization	347
National Convention	348
National Committee	352
Congressional Campaign Committees	353
State and Local Party Organizations	353
Parties and the Electorate	354
Group Affiliations	355
Parties and Elections	357
Recruiting Candidates	357
Nominations	359
Getting Out the Vote	359
Facilitating Voter Choice	360

Parties and Government	360
Parties and Policy	360
Parties in Congress	361
President and Party	363
Thinking Critically about the Role of Parties in a Democracy	364
What You Can Do: Become a Party Activist	367
SUMMARY	369
FOR FURTHER READING	370
STUDY OUTLINE	370
PRACTICE QUIZ	371
KEY TERMS	372

10 CAMPAIGNS AND ELECTIONS 374

Elections in America	377
Types of Elections	377
The Criteria for Winning	379
Electoral Districts	380
The Ballot	382
The Electoral College	387
Election Campaigns	388
Advisers	389
Polling	390
The Primaries	392
Presidential Elections	393
The Convention	393
The General Election Campaign and High-Tech Politics	398
Campaigns and Political Equality: From Labor-Intensive to Capital-Intensive Politics	401
How Voters Decide	403
Partisan Loyalty	404
Issues	405
Candidate Characteristics	406
The 2004 Elections	407
Building Blocks of Republican Success	409
Democratic Opportunities	410
Republican Strategy	411
The End Game	412