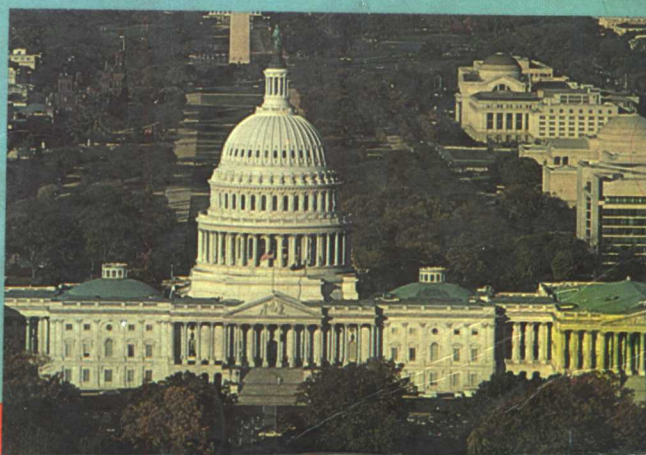


# America's Political System

Fourth  
Edition



Peter Woll  
Robert H. Binstock



# America's Political System

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FOURTH EDITION

Peter Woll

Brandeis University

Robert H. Binstock

Brandeis University



Random House • New York

*For Jennifer,  
and for Tammy, Rob, and Kim*

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Fourth Edition 987654321

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# Preface

*America's Political System* is a comprehensive introduction to the whole landscape of American government. An examination of our rich constitutional and political traditions is complemented by an analysis of our contemporary political institutions and practices. Every aspect of the American system is examined in the context of the Constitution, enabling students to compare the present state of American democracy with the intentions and hopes of the Founding Fathers.

The Fourth Edition has been revised to better serve the introductory American government course as it is now taught. Most obviously, the text is shorter, a handier size, and available in paperback again, making it reasonable in cost and easy to carry to class. The basics of American government are still covered in depth: the constitutional framework (including a more detailed discussion of the Constitutional Convention of 1787); civil rights and civil liberties (moved closer to the beginning of the book, where most instructors prefer to teach it); political attitudes (with a convenient summary of the latest research on such topics as political tolerance and the "gender gap"); parties, interest groups, and elections (with up-to-date analyses of the 1980 and 1982 campaign results); and Congress, the presidency, the bureaucracy, and the courts (including a full discussion of the impact of the Reagan presidency on all four branches of government). To these the Fourth Edition has added three new chapters on topics of intense current interest. "The Media" shows how the "fourth estate" shapes politics as both a critic and ally of politicians and government. "Government Policies: Their Nature and Scope" examines how the political process sets the agenda of public policy and determines its content. "The Distribution of Government Responsibilities" explains the complex web of state and local governments and their problematic relationships with Washington.

The inclusion of case studies at the end of each chapter, written by leading political reporters and commentators, allows *America's Political System* to be used without a supplementary reader, if desired. Thirteen new case studies have been added to the Fourth Edition:

*Marbury v. Madison*

Carl Cohen and Gilbert Gordon, "Skokie—The Extreme Test"

Ed Magnuson, "New Federalism or Feudalism?"

*Public Opinion*, "National Opinion Poll"

Center for Political Studies, "1980 Election Study"

James M. Perry, "How One Practitioner Plays the Washington Power Game"

Albert R. Hunt, "In Defense of a Messy Congress"

Alan Ehrenhalt, "In the Senate of the '80s, Team Spirit Has Given Way to the Rule of Individuals"

Theodore C. Sorensen, "Presidential Politics"

David M. Alpern, "The President's Men"

Timothy Crouse, "Splicing the News"

James Fallows, "The Development of the F-16 Fighter Airplane"

Richard C. Wade, "The Suburban Roots of the New Federalism"

Views of contemporary politics in action are provided by boxed inserts throughout the text. The topics range from the controversial role of political action committees and the arguments for and against "court stripping" to the orchestration of presidential news conferences and the impact of California's Proposition 13.

The book is generously illustrated by over 90 political cartoons that present different and often provocative perspectives on the political process. Newly drawn figures help the student trace the structures and processes of politics and government.

Finally, at the end of the book, the Constitution has now been annotated for easy reference. It is followed by a new bibliography, "The Student Researcher," which is designed to help students carry out research projects and pursue topics of special interest. The "Researcher" includes an extensive listing of primary source materials available from both government agencies and private groups, as well as the titles of secondary works of particular importance and usefulness. In addition, a new Glossary of political terms has been prepared for the convenience of the student.

An Instructor's Manual for *America's Political System* is available to teachers on request. Random House also publishes a Study Guide for students, which can be ordered through the college bookstore.

The revision and strengthening of the text would have been impossible without the sage guidance of our editor, Bertrand Lummus. He skillfully pinpointed needed areas for change, and was a steadying influence throughout the project. Jennifer Sutherland adeptly guided the book to completion, not only handling the myriad details, but also making invaluable suggestions on the book's content which immeasurably improved the final copy. We would also like to thank the following professors for their careful reading of the manuscript and suggestions: Herbert C. Hannah, Sam Houston State University; James H. Kuklinski, Stanford University; David B. Magleby, Brigham Young University; Ronald M. Mason, Southern Illinois University; Patricia Rachal, City University of New York; Paul Rossman, Quinsigamond Community College; James R. Soles, University of Delaware; Martin P. Sutton, Bucks County Community College; and Joseph W. Westphal, Oklahoma State University. Finally, we wish to thank our typist, Barbara Nagy, who is always a joy to work with and whose dedication and professionalism made the completion of the task possible.

PETER WOLL  
ROBERT H. BINSTOCK

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# An Overview of the American Political System

## CHAPTER 1

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The United States of America is the beacon of democracy throughout the world. Over the course of American history millions of people have uprooted themselves from their native lands to journey to freedom and what they hoped would be prosperity in the United States. They came to a land incomparably rich in natural resources, a nation that was the first to promise liberty and justice for all.

### THE SIGNIFICANCE OF THE CONSTITUTION

The system of government created by the Framers of the Constitution reflected the revolutionary ideals of the eighteenth-century Enlightenment: All men are created equal and are endowed with natural rights. Government must be responsible to its citizens and cannot abridge their inalienable rights. Moreover, the Framers shared the eighteenth century's burning faith in progress, an almost unbridled optimism about the future of the new republic. They sought to create a perfect government, in the words of the preamble to the Constitution, "a more perfect Union," that would "establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity."

Creative, poetic imaginations have helped make the Constitution far more to us than a simple political document. The literature, drama, and poetry of the nation have romantically portrayed the founding of the republic as the beginning of the American mission to promote individual liberty, foster progress, and serve as a model of democracy for the world. But the true significance of the debates over the Constitution was explained at the time by one of the leading Framers, Alexander Hamilton. In the first of a famous series of newspaper articles written to per-





(Drawing by P. Steiner, © 1982  
The New Yorker Magazine, Inc.)

"Remember, gentlemen, we aren't here just to draft a constitution.  
We're here to draft the best damned constitution in the world."

The Founding Fathers believed that the American mission was to set an example for the world.

suade the state of New York to ratify the Constitution, Hamilton wrote

It has been frequently remarked that it seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions upon accident and force. If there be any truth in the remark, the crisis at which we are arrived may with propriety be regarded as the era in which that decision is to be made; and a wrong election of the part we shall act may, in this view, deserve to be considered as the general misfortune of mankind.<sup>1</sup>

While the Framers were idealists, they were also realists. They had studied history and were

<sup>1</sup>The Federalist, No. 1.

aware of the mistakes of past republics which had led to their replacement by despotic regimes. Above all they understood the frailties of human nature. Thus, in constructing the new American government, they let themselves be guided by the practical lessons of the new science of politics. As Hamilton observed,

The science of politics, . . . like most other sciences, has received great improvement. The efficacy of various principles is now well understood, which were either not known at all, or imperfectly known to the ancients. The regular distribution of power into distinct departments; the introduction of legislative balances and checks; the institution of courts composed of judges holding their offices during good behavior; the representation of the people in the legislature by deputies of their own election: these are wholly new discoveries, or have made their principal progress towards perfection in modern times. They are means, and powerful means, by which the excellencies of Re-

The framers learned and were cautious because of the mistakes made in the past



publican government may be retained and its imperfections lessened or avoided.<sup>2</sup>

The Framers recognized both the opportunities and the perils of their task. John Adams, later to serve as our second president, undoubtedly spoke for all politically aware Americans of his time when he wrote

The institutions now made in America will not wholly wear out for thousands of years. It is of the [utmost] importance, then, that they should begin right. If they set out wrong, they will never be able to return, unless it be by accident, to the right path.<sup>3</sup>

*redness*

## THE NATURE OF POLITICS

Wherever there is government, there is politics. Politics concerns power, who gets what, when, and how. As the political scientist and philosopher Harold Laswell has written, "The study of politics is the study of influence and the influential. The science of politics states conditions; the philosophy of politics justifies preferences."<sup>4</sup>

### The Constitution and the Arenas of Politics

*The Constitution*  
The Constitution, especially its provisions for the separation of powers and checks and balances, created a number of independent but overlapping political arenas. It formally established three distinct branches of government—the presidency, Congress, and the courts—each with different constituencies, powers, and politics. It accommodated the emergence in the twentieth century of the federal bureaucracy as

<sup>2</sup>The Federalist, No. 9.

<sup>3</sup>John Adams, *A Defense of the Constitutions of Government of the United States of America*. (New York: Da Capo Press, 1971), p. xxv.

<sup>4</sup>Harold Laswell, *Politics: Who Gets What, When, How* (New York: Meridian Books, 1958), p. 13.

an unofficial fourth branch of government, with powers and a politics of its own. Also, in creating a federal system, it guaranteed a rich diversity of state and local politics. And finally, through its First Amendment freedoms of expression and association, the Constitution has sustained the politics of political parties and interest groups that have become a vital part of the democratic process. Citizens are free to organize for political purposes, provided they respect the constitutional rights of others and do not present a threat to the government itself. The freedom to petition government for a redress of grievances is fundamental. Freedom of the press protects the independence of the media, without which democracy would be meaningless.

### Contemporary Politics

The game of American politics has rules and a flavor all its own, which only its participants fully understand and appreciate. Journalist Jimmy Breslin has captured some of its flavor in his description of politics in Massachusetts, where the game is played with relish and for keeps.

There is in this country no place that could even be suggested as being anywhere near the Massachusetts State House for bone politics. . . . In Massachusetts, the legislators prefer to sit forever. They usually have to be driven out of the building, practically at gunpoint. If a Massachusetts legislator is removed from his game, his sport, his very life, then all that is left for him to do is return home to his wife and family, and in Massachusetts anybody can have a family, but the true goal of life is to be a politician; or, true term, a Pol. It is not uncommon for the Massachusetts Pols to sit in the State House throughout the summer, arguing, spreading rumors, using the phones, and—true glory—plotting against each other.<sup>5</sup>

The pluralism and freedom of American politics makes it unique and exciting. The game is

<sup>5</sup>Jimmy Breslin, *How the Good Guys Finally Won* (New York: Viking, 1975), pp. 136–137.



(Drawing by D. Fradon; © 1968  
The New Yorker Magazine, Inc.)



*"How many times have you asked yourself, 'What can I, as a single person, possibly do to help shape the destiny of mankind?' Well, I'll tell you what you can do. You can vote for me."*

**Each person's wishes, wants, and needs should be the principal concern of his or her elected representatives.**

played with great intensity, and its outcomes are important to every citizen. All those who have the desire and skills can participate. For those who do not wish to be directly involved, politics remains a great spectator sport carried to the nation through the mass media. But most spectators cannot appreciate its internal "politics,"—the constant machinations and striving for power—the game the participants are *really* playing for themselves, not for the outside world. The participants and insiders in the different political arenas convey the flavor of politics best when they speak for themselves.

### Congressional Politics

Congress, from its lofty position on Capitol Hill, oversees the White House and the bureaucracy to the west and looks eastward to the Supreme Court. Congress is the keystone of Washington politics, having the sole authority to make the nation's laws. It shapes policy also

CONG - Pres  
HOUSE - Senate

through its exclusive authority to authorize and appropriate money for all federal programs. The Constitution pits Congress against the president in a never-ending battle for supremacy, while in the meantime the House and the Senate check and balance each other.

Capitol Hill politics weaves complicated webs of relationships on the outside with the president and his staff, the bureaucracy, special interests, political parties, and of course the voters who choose the members of Congress in the first place. Politics is equally complicated within Congress, as members vie with each other for power and status (represented by choice committee assignments and congressional party leadership positions). Above all, Congress is not as it is usually pictured—an institution that simply reflects the pressures of voters and special interest groups.

**Committees.** Approximately 300 committees on Capitol Hill divide legislative power and are the lifeblood of the legislative process. Some committees have more authority and status than others, and there is keen competition to obtain seats on them. In the House the Ways and Means and Appropriations Committees, and in the Senate the Judiciary and Foreign Relations Committees, are at the top of the power hierarchy.

Committees shape the federal budget, formulate legislation, hold investigations, oversee the bureaucracy, and, in the Senate, conduct special hearings on executive nominations. As the late Congressman Clem Miller of California astutely observed, "There are all sorts of ways to get things done in Congress. The best way is to live long enough to get to be a committee chairman, and be brilliant enough to be a good one. Chairmen complain to me that they are frustrated too, but this is really beside the point. If things can be done, they can do them; we are very sure of that."<sup>6</sup>

<sup>6</sup>Clem Miller, *Letters of a Congressman*, ed. John W. Baker (New York: Scribner's, 1962), p. 39.

**Congressional staff.** Congressional staffers play politics as assiduously and are as conscious of power and status as their bosses. Those who hold important positions on personal or committee staffs are surrogate members of Congress, who can be highly influential in the decision-making process of Capitol Hill. (They have been quite appropriately called “the unelected representatives.”)<sup>7</sup>

The House Armed Services Committee is one of many that illustrates the power of staff. One observer commented: “The members of that staff are the high priests of the legislative process.” The staff director, noted one military lobbyist, “is the de facto chairman of the committee.”<sup>8</sup>

Members of Congress and their aides, once they leave Capitol Hill, either on their own initiative or buffeted by shifting political winds, generally want to stay in the highly charged and exciting political environment of Washington. They have caught [Potomac fever,] the term applied to addiction to the politics of the nation’s capital. Retired members of the Capitol Hill community often seek positions with interest groups, law firms, in party and campaign organizations, and in the bureaucracy.

## Presidential Politics

A sign that always stood on the desk of President Harry S. Truman read: “The Buck Stops Here.” Truman believed, as do all strong presidents, that the White House should be the focal point of political leadership. The nation expects it. Presidents who want to take their place in history with the great leaders of the past, as almost all do, must be capable of making difficult and often unpopular decisions in the national interest as they see it. Truman com-

mented, “There’s always a lot of talk about how we have to fear the man on horseback, have to be afraid . . . of a strong man, but so far, if I read my American history right, it isn’t the strong men that have caused us most of the trouble, it’s the ones who were weak.”

Presidential power is not omnipotent, but it is awe-inspiring. One of Lyndon B. Johnson’s chroniclers, Ronnie Dugger, described his first-hand impression of presidential power during the Johnson administration. One night, after meeting with Johnson, he wrote:

I walked the streets of Washington, which are well known to me. Huddled in my overcoat against the cold, looking through the bars of the iron fence at the power-glowing White House, I thought about Johnson in there that night. Half a million Americans were fighting in Vietnam at his command. He personally at that exact moment which I was also living, could destroy hundreds of millions of people. He personally could destroy human civilization from this venerable old house.<sup>9</sup>

The power of the president, however, is exaggerated. Although his finger may be on the nuclear button, he cannot press any other “button” that will automatically result in decisions. President Harry Truman, before he left the White House in 1952, remarked to an aide, as he thought about Eisenhower in the Oval Office: “He’ll sit here . . . and he’ll say, ‘Do this! Do that!’ and nothing will happen. Poor Ike—it won’t be a bit like the Army. He’ll find it very frustrating.”<sup>10</sup>

The president’s extraordinary authority in foreign and military affairs is not duplicated in the domestic sphere. His power, as political scientist Richard Neustadt has pointed out, reaches only as far as his ability to persuade

<sup>7</sup>Michael A. Malbin, *Unelected Representatives: Congressional Staff and the Future of Representative Government* (New York: Basic Books, 1979).

<sup>8</sup>Richard Halloran, “Military Panel Staff: Roots of Power,” *The New York Times*, June 28, 1982, p. A13.

<sup>9</sup>Ronnie Dugger, *The Politician* (New York: Norton, 1982), p. 22.

<sup>10</sup>Richard E. Neustadt, *Presidential Power* (New York: Wiley, 1960), p. 9.