



SOURCES

Notable Selections in American Government

MITCHEL GERBER

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Notable Selections in *American* *Government*

Edited by

MITCHEL GERBER

Southeast Missouri State University

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This book is dedicated to the loving memory of my grandparents, Morris and Yetta Slossman; my nurturing parents, Stanley and Jeanette Gerber; my loving wife, Barbara; and my exceptional son, Yale Philip, my future.

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Preface

Politics is dynamic! The study of American government entails a critical analysis of human political behavior within the context of diverse institutions and processes. The fundamental objective of political scientists who study American government is to acquire a broad understanding of American politics through descriptions, explanations, and evaluations of often complex political phenomena. Political scientists systematically attempt to make intelligible those governmental activities that often seem remote, obscure, inaccessible, complicated, and unintelligible to most citizens. Observations, explanations, and analyses of American politics also offer ample opportunities for evaluative critiques of how the government ought to function.

American government has been explored through a rich diversity of perspectives, approaches, and interpretations. Political scientists who focus on the American government do not conform to one particular mode of inquiry; they follow different paths of investigation and use distinct tools, techniques, and methods of analysis. *Sources: Notable Selections in American Government* brings together 41 selections from classic primary sources that have had dramatic impact upon the ways in which people think about American government and politics. Many of these selections have not only influenced contemporary understanding of complex institutions, processes, and behavior, but they have also directly shaped and altered the critical political decisions and acts of a multitude of policymakers and political practitioners (e.g., voters, lobbyists, legislators, judges, presidents, bureaucrats, and political party leaders). The literature included here reflects the efforts of numerous American government scholars to intertwine insights and interpretations of the political system with invaluable predictions and suggestions for reform.

The selections chosen for this book cover a wide range of substantive topics and incorporate an extensive variation of the most notable perspectives found within the study of American government. For example, the selections in Part 1 provide exposure to the distinct world views and interpretative analyses of the classical liberal theoretical tradition (founded by John Locke in the seventeenth century and reaffirmed by Louis Hartz in the twentieth century), the democratic-egalitarian tradition (represented by Alexis de Tocqueville), and the communitarian school of American political thought (articulated by Robert N. Bellah and Amitai Etzioni) in reference to the cultural, ideological, and intellectual context of the American political system. This format is consistent throughout this book, as alternative scholarly views and explanatory models are offered to the critically active reader for her or his interpretation and assessment.

I consistently focused on several criteria as I engaged in the design of this volume of readings. I wanted students to become enthusiastic in their discovery of topics that have been of profound significance to the evolution of the American government. In order to fulfill this objective, I initially collected over 100 potential sources for inclusion in this book. I subsequently weeded out selections that replicated other sources as well as those that were not as readable as others. Second, I chose selections that would inspire the reader to seriously think about key issues, topics, themes, theories, concepts, problems, and solutions pertinent to the literature on American government. A good number of selections provide examples of how concrete political behavior and policies are linked to abstract political concepts and political theories. Third, I incorporated sources that were rich in their depth and scope of coverage of the American political system. The selections range from a source that was written in the seventeenth century to many sources from the twentieth century; from English and French theorists to many American analysts; and from sources that are highly laudatory of the American government to sources that suggest major political, social, and economic reforms. Although most of the sources were written by traditional political scientists who primarily study American government, several of the selections were authored by nonpolitical scientists (e.g., sociologists, historians, and mass media communication experts). Fourth, I wanted the selections to articulate as lucidly as possible the multiple tensions endemic to the American political system and the continuous struggle of ethnic and racial minorities and women to fully achieve their democratic rights. Finally, and perhaps most important, a fundamental objective of this book is to enable students to develop some proficiency in their critical thinking, critical reading, reasoning, and analytical skills, in addition to acquiring general information on the American government. I firmly believe that the selections chosen are provocative, challenging, and readable.

Organization of the book The selections are organized topically around the major areas of study within American government. Part 1 includes selections on the intellectual and ideological context of American government; Part 2, the constitutional framework and the Federalist system; Part 3, civil liberties and civil rights; Part 4, democratic participatory organizations; Part 5, democratic participatory processes; Part 6, institutions of national government; and Part 7, dimensions of public policy. The selections are further organized into 15 chapters that correspond to most introductory American government textbooks and therefore offer ample opportunities for students to read and analyze the original sources of topics as they are presented throughout the course. Selections can be assigned as independent entities or in sets of readings, depending upon the preference of the instructor. Each selection is introduced by a brief headnote that establishes the selection's significance to the literature and offers pertinent biographical information on the author.

Suggestions for reading the selections I strongly recommend that students first read the introductory headnotes before reading the selections, as they provide substantial commentary on significant issues in American government and elaborate on the general context from which the text is derived. The reader

should be sensitive to the direct impact and influence of context (e.g., conventional and scholarly language usage of the period and the cultural, intellectual, social, economic, demographic, and political forces) upon the content of each particular selection. In this regard, the reader should remember the evolutionary nature of language. Each selection is culturally and socially derived and consequently reflects the language used in the period in which it was written. For example, many of the older selections use the masculine pronouns *he* and *him* to refer to all humans regardless of gender. Contemporary authors are much more sensitive to such gender-biased language.

Be aggressive in your reading, analysis, and interpretation of each selection. Do not hesitate to raise both explanatory and evaluative questions. For example, when reading a selection on interest groups or political parties, ask yourself what factors might help to explain their behavior and whether or not such behavior is legitimate.

A word to the instructor An *Instructor's Manual With Test Questions* (multiple-choice and essay) is available through the publisher for instructors using *Sources: Notable Selections in American Government* in the classroom.

Acknowledgments I was very enthusiastic when Mimi Egan, publisher for the Sources series at Dushkin Publishing Group/Brown & Benchmark Publishers, communicated with me about developing *Sources: Notable Selections in American Government*. For many years I have strongly desired to be able to offer my students the opportunity to read original sources in American government that have had a profound impact upon the dialogue over the objectives of the American government and the actual shaping of the political system. Mimi provided endless encouragement, outstanding counsel, and enthusiastic support to me during the entire publication process. I especially want to thank Debbie Devenport, secretary of the political science department at Southeast Missouri State University, for her quick and precise typing of original material for this volume. My colleagues in the political science department offered many helpful insights on this project. And the Southeast Missouri State University library staff was very helpful in locating many resources. I also want to take this opportunity to thank David Dean, list manager of the Sources series, for his support and assistance, and David Brackley, developmental editor, for his work on this project. My wife, Barbara, proofread the original manuscript and provided enthusiastic support and encouragement throughout the process of completing this book. And my son, Yale Philip, was always patient in my delays to play catch with him as I worked on *Sources: Notable Selections in American Government*.

I would greatly appreciate any commentary from readers about this book or suggested sources for consideration for future revisions. I encourage you to write to me in care of Sources, Dushkin Publishing Group/Brown & Benchmark Publishers.

Mitchel Gerber
Southeast Missouri State University

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1.3 **LOUIS HARTZ**, from *The Liberal Tradition in America: An Interpretation of American Political Thought Since the Revolution* 16

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3.3 **DANIEL J. ELAZAR**, from "Opening the Third Century of American Federalism: Issues and Prospects," *The Annals of the American Academy of Political and Social Science* 76

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5.2 JANE J. MANSBRIDGE, from *Why We Lost the ERA* 122

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5.3 HUGO L. BLACK, from *Korematsu v. United States*, U.S. Supreme Court 129

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6.2 BURDETT A. LOOMIS AND ALLAN J. CIGLER, from "The Changing Nature of Interest Group Politics," in Allan J. Cigler and Burdett A. Loomis, eds., *Interest Group Politics*, 3rd ed. 142

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- 7.2 JAMES L. SUNDQUIST**, from "Strengthening the National Parties," in A. James Reichley, ed., *Elections American Style* 161

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- 8.2 WALTER DEAN BURNHAM**, from *Critical Elections and the Mainsprings of American Politics* 179

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- 8.3 W. LANCE BENNETT**, from *The Governing Crisis: Media, Money, and Marketing in American Elections* 187

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- 9.2 KATHLEEN HALL JAMIESON AND KARLYN KOHRS CAMPBELL,** from *The Interplay of Influence: News, Advertising, Politics, and the Mass Media*, 3rd ed. 202

“Image versus issues; character versus positions. Scholars have wasted a lot of time trying to distinguish between messages that relate to candidate image and messages that relate to candidates’ stands on issues. The problem, of course, is that almost every message says something that can be interpreted as an issue and tries to enhance the candidate’s credibility, hence image.”

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- 10.2 RICHARD F. FENNO, JR.,** from *Home Style: House Members in Their Districts* 219

“In a House member’s first years, the opportunities for gaining inside power and policy influence are limited. . . . It requires time and energy to develop a successful career in Washington just as it does to develop a successful career in the district. Because it may not be possible to allocate these resources to House and home, each to an optimal degree, members may have to make allocative and goal choices.”

- 10.3 ROGER H. DAVIDSON AND WALTER J. OLESZEK,** from *Congress and Its Members*, 4th ed. 229

“By most accounts individual members of Congress are faring rather well. The hours are long and the pay relatively modest, but diligence and attentive home styles yield dividends at the polls. If voters think that elected officials as a class are rascals, they do not feel that way about their own elected officials.”

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11.2 RICHARD E. NEUSTADT, from *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan* 245

"The essence of a President's persuasive task, with congressmen and everybody else, is to induce them to believe that what he wants of them is what their own appraisal of their own responsibilities requires them to do in their interest, not his."

11.3 DUANE M. OLDFIELD AND AARON WILDAVSKY, from "Reconsidering the Two Presidencies," *Society* 252

"Foreign policy has become more like domestic policy—a realm marked by serious partisan divisions in which the president cannot count on a free ride."

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"With a degree of certainty rare in social science, political executives can be predicted to be disproportionately white, male, urban, affluent, middle-aged, well educated at prestige schools, and pursuers of high-status white-collar careers. They are unlikely to be female, nonwhite, wage-earning, from a small town, or possessors of average educational and social credentials."

12.2 JAMES Q. WILSON, from *Bureaucracy: What Government Agencies Do and Why They Do It* 267

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13.2 LAURENCE H. TRIBE, from *God Save This Honorable Court: How the Choice of Supreme Court Justices Shapes Our History* 279

"All that the President and the Senate need do is stop appointing 'activist' judges who impose their own philosophies upon the document they are

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14.2 **THEODORE R. MARMOR**, from *Understanding Health Care Reform* 294

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"It may well be said that a foreign policy guided by universal moral principles, by definition relegating the national interest to the background, is under contemporary conditions of foreign policy and warfare a policy of national suicide, actual or potential."

15.2 **RICHARD N. HAASS**, from "Paradigm Lost," *Foreign Affairs* 308

"Global changes have undoubtedly complicated the conceiving and conducting of U.S. foreign policy. Ours is a period of 'international deregulation,' one in which there are new players, new capabilities, and new alignments—but, as yet, no new rules."

PART ONE

The Intellectual and Ideological Context of American Government

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CHAPTER 1 American Political Culture and Ideology

1.1 JOHN LOCKE

The Second Treatise

John Locke (1632–1704), the English political philosopher and the founder of classical liberalism, articulated a political theory of natural rights, individualism, private property ownership, constitutionalism, and limited government that greatly influenced the framers' design of the U.S. Constitution. Classical liberalism emphasizes human rationality, the legitimacy of a constitutional limited government, the central significance of natural rights (particularly property rights), the freedom of the individual, and the critical need of privacy. In particular, the idea of legitimate government based upon a social contract and the consent of individuals inspired James Madison and the other framers.

In the following selection, excerpted from his classic work *Two Treatises of Government* (1690), Locke expounds on his political theory, which was derived from his interpretation of human nature in the context of a state of nature. He depicts the state of nature as a primitive society without government, in which individuals are relatively equal, free, independent, rational agents primarily motivated by the pursuit to acquire private property. The law of nature is defined as an objective moral principle obliging individuals to preserve their own lives and property and not to harm the lives and property of others. The universal applicability of this normative principle of