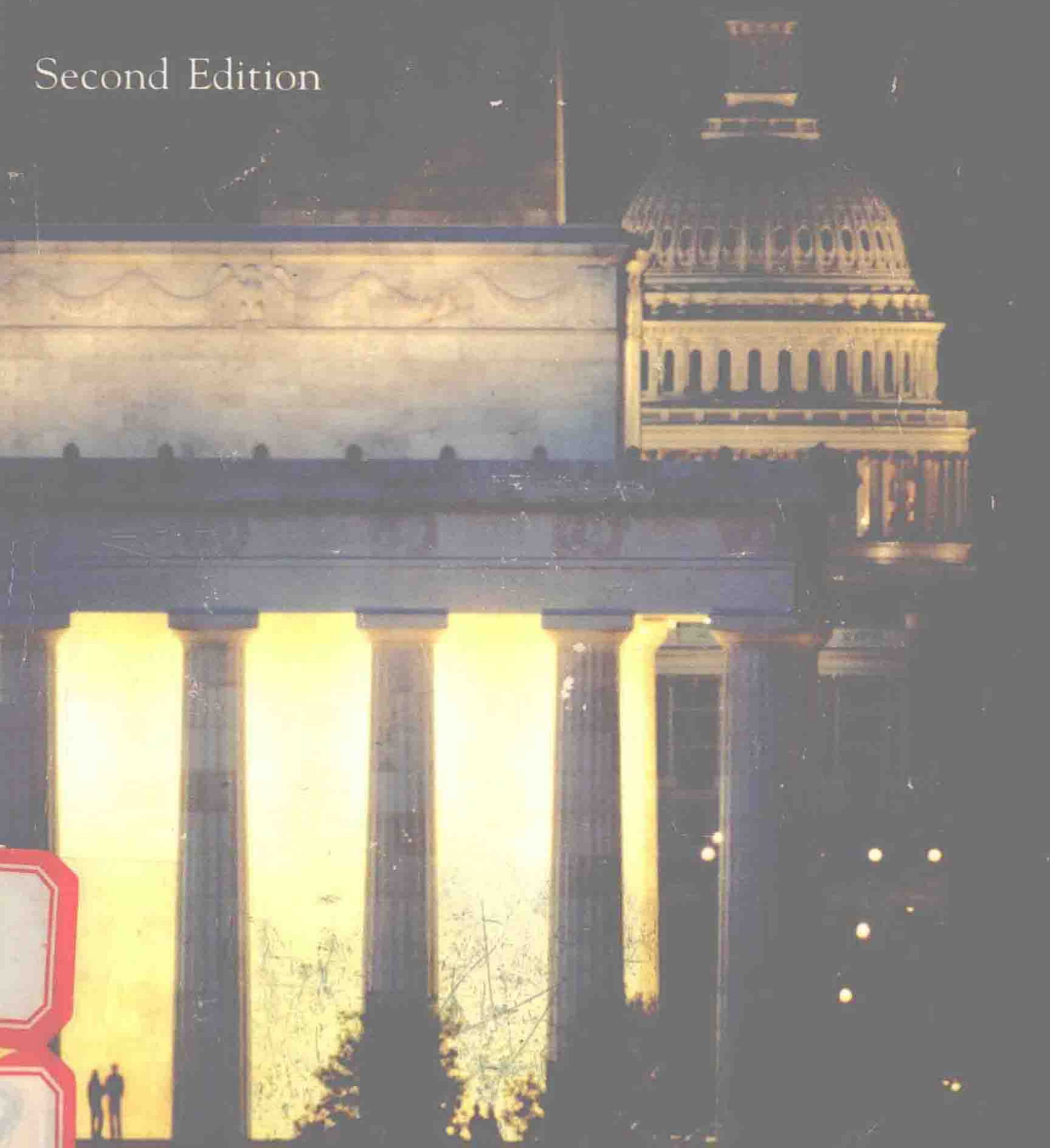
James Q. Wilson

AMERICAN GOVERNMENT

BRIEF VERSION

Second Edition



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To Diane

Preface

I have been deeply gratified by the positive response to the first edition of this book. Several of the instructors who had written to me saying that they needed a brief, readable, and systematic introduction to American government adopted this text. Obviously there are many schools where a short text fits well into the curriculum, either because the course is of short duration (for example, in schools that are on the quarter system) or because it relies on primary-source readings.

The challenge in preparing a brief text is to be clear without being simple-minded. One could merely list the essential facts about the institutions of American government, but this "nuts and bolts" approach leaves the student with little more than lists to memorize. Such an exercise will not convey to the reader the excitement, subtleties, and historical trends in American politics. Or one could write an extended essay that "interpreted" American politics, but that would supply the reader with mere opinions that, in so short a volume, could not possibly be supported with reasoned arguments and adequate documentation.

The approach I adopted is a compromise between interpretation and recitation. Chapter 1 tries to arouse the students' interest in American government by showing them how unusual are many aspects of our political system that most of us take for granted. The last chapter describes how greatly American government has changed in the last few decades. In between, the book describes the philosophical foundations of our system (the chapters on the Constitution, federalism, and civil liberties and civil rights), the fundamental processes of politics (the chapters on public opinion, the media, political parties, interest groups, campaigns, and elections), and the operations of the major institutions of government (the chapters on the Congress, presidency, bureaucracy, and courts).

Among the topics taken up in this book that are often omitted from brief texts are the role of the media, the nature of federalism, the differences between mass and elite opinion, and the philosophical basis of the Constitution. As an introduction to the politics of public policy, the organizations and procedures used to make both foreign and economic policy are described.

In preparing this new edition, I have made a special effort to keep the writing bright and accessible and I have retained both the themes of the first edition and its endmatter: the texts of key documents (the Declaration of Independence, the Constitution, and *Federalist* papers 10 and 51) and a list of the presidents of the United States. Everything has been updated through the 1988 election. I have also made a number of changes and additions to clarify and improve matters. By chapter, these include:

Introduction: Boxes defining such key words as *government, authority, power, politics, constitution, majority rule,* and *minority rights.*

Constitution: A box that answers the question, "Were women left out of the Constitution?" and one that describes how the Constitution specifies the relationship between the federal government and state governments.

Federalism: A new section on the relationship between federalism and public policy.

Civil Liberties and Civil Rights: An expanded discussion of freedom of speech, with special reference to court rulings about the rights of corporations, associations, and high-school students; a new section on how the courts have interpreted the right to privacy as it may effect searches and testing for AIDS or drug use; a careful analysis of the current state of the law regarding affirmative action.

Public Opinion: Thoroughly revised treatment highlighting the uncertainties that attend any effort to measure opinion on policy issues; new tables comparing the political beliefs of blacks, Latinos, Asian-Americans, and Anglo-whites and comparing the views of journalists and the public on certain issues.

Political Parties: A revised description of the organization of the Democratic and Republican parties; a box describing the principal "third" or minor parties in American history.

Campaigns and Elections: Updated material (through the 1988 elections) on voting, public opinion, elite opinion, and political action committees; a box with a narrative account of the 1988 campaign; a revised analysis of voting turnout that focuses on explaining why the United States differs from other European nations.

Congress: A more detailed analysis of the ideological positions of members of Congress; boxes classifying congressional committees in terms of the rules governing membership on them ("exclusive," "major," and "minor") and listing federal laws from which Congress is exempt.

Presidency: A new section describing the personalities and characters of the presidents from Dwight Eisenhower through Ronald Reagan; a more exact statement of the War Powers Act; a new section on the Iran-contra affair.

Bureaucracy: A new figure showing the organization of a federal agency.

Judiciary: A new figure showing the structure of the federal courts, and a discussion of the struggle over the rejection of Robert Bork as a Supreme Court justice.

I wish to thank the following scholars who offered useful comments on the first edition and thereby aided me greatly in preparing the second: Peter Bergerson of Southeast Missouri State University, John DiIulio of Princeton University, Larry

Elowitz of Georgia College, William Eubank of the University of Nevada at Reno, Leon Hurwitz of Cleveland State University, Willoughby Jarrell of Kennesaw College, and Sandra Thornton of the Georgia Institute of Technology.

J. Q. W.

Supplements

An *Instructor's Guide* includes chapter summaries, quizzes, and suggested readings to help instructors prepare their classes. Also available to adopters is a computerized *Test Item File*.

In addition, we offer two complimentary supplements to the text, *The 1988 Election* and *State and Local Government* for those instructors who wish to cover these topics in their classes.

Contents

1 What Should We Know About American Government?

When Americans look at their government, they take much of what they see for granted. They may like or dislike some federal policy, but exactly *how* that policy was made seems familiar to them. In our political system the president suggests a course of action and then tries to persuade members of Congress to vote for it. The Senate and the House, even when controlled by the same party, disagree, and there is a long period of bargaining. Finally, something emerges that differs in important ways from what the president wanted, but he signs the bill anyway. A federal agency—part of the government bureaucracy—starts implementing the policy, but in ways that neither the president nor Congress quite likes. In response, the president may fire the agency head, or Congress may investigate the agency's work, or both. A citizen who dislikes the policy may sue the agency, and a federal judge may tell the bureaucrats to change how they are carrying out the law. Meanwhile, the head of the agency is trying to get state governors to follow the federal policy. Some resist. Perhaps the policy turns out to be very unpopular. But in the next election, the great majority of members of Congress who voted for it will be reelected anyway.

To most Europeans, all this would be absolutely baffling. In a country such as Great Britain, the legislature automatically approves almost any policy the chief executive (the prime minister) proposes, and does so without making any changes. The bureaucracy carries out the policy without resistance, but if something should go wrong, the legislature does not investigate the agency to see what went wrong. No citizen can sue the government; if one tried, the judge would throw the case out of court. There are no governors who have to be induced to follow the national policy; the national government's policies are, for most purposes, the *only* policies. If those policies prove unpopular, there is a good chance that many members of the legislature will not be reelected.

American government is not like any other democratic government in the world. Far from taking it for granted, students here should imagine for a moment that they are not young Americans but young Swedes, Italians, or Britons and ask themselves

Some Key Political Concepts

Government: Government consists of those institutions that have the authority to make decisions binding on the whole society.

Note—Many institutions, such as colleges, corporations, and private clubs, exercise power over us. A government differs from these in two ways:

1. *Authority:* People believe that the government has the right to exercise power over all subordinate parts of society; a government can lawfully issue orders to a corporation or college, but a college or a corporation cannot lawfully issue orders to the government.
2. *Power:* A government has a monopoly over the use of legitimate force. Governments, not private organizations, control the army, the police, and the prisons.

Politics: Politics is the activity by which conflict is carried on over who will run the government and what decisions it will make.

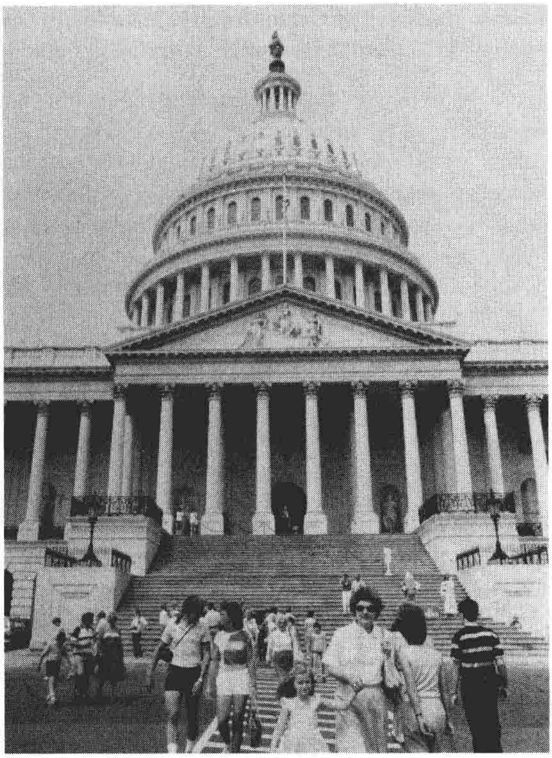
Note—Politics exists wherever there is disagreement about who should hold office or what decisions he or she should make. Thus, it is no more possible to "take politics out of government" than it is to take emotion out of marriage.

why American politics is so different and how that difference affects the kinds of policies produced here.

Consider these differences in *politics*:

- In the United States, the police and the public schools are controlled by the towns, cities, and states. In Europe, they are usually controlled by the national government.
- If you want to run for office in the United States, you can do so by collecting the required signatures on a petition in order to get on the ballot in a primary election; if you win the primary, you then run in the general election. In Europe, there usually aren't any primary elections; instead, party leaders decide who gets on the ballot.
- In the United States, fewer than one worker in five belongs to a labor union. In many European nations, the majority of workers belong to unions.
- The United States has no large socialist, communist, or Marxist political party. In France, Great Britain, Italy, and elsewhere, socialist and Marxist parties are large and powerful.
- The United States has a large number of politically active persons who consider themselves born-again Christians. Such persons are relatively rare in Europe and certainly not a political force there.

The United States Capitol.



- In the United States, judges have decided whether abortions shall be legal, which pornographic movies can be shown, and what shall be the size of a congressional district. In Europe, the legislature decides such things.
- When Prime Minister Thatcher of Great Britain signs a treaty, her nation is bound by it; when President Bush signs a treaty, he is only making a promise to try to get the Senate to ratify it.

Consider also these differences in *policies*:

- The tax burden in the United States is about half what it is in Sweden and many other European nations.
- The United States adopted federal policies to provide benefits to the elderly and the unemployed about a quarter of a century *after* such policies were already in effect in much of Europe.
- The United States government owns very few industries. In much of Europe, the government owns the airlines, the telephone system, the steel mills, the automobile factories, even the oil companies.
- Throughout much of the 1980s, President Reagan and the Congress could not agree on a budget—on how much to spend, where to make cuts, and whether taxes should be increased; as a result, for much of the decade, the country had

neither a budget nor the authority it needed to borrow money to keep paying its bills. In European democracies, this kind of deadlock almost never occurs.

How do we explain these differences? It is not that America is "democratic" and other nations are "undemocratic." Great Britain and the United States are both democracies—but two different *kinds* of democracies. The American kind is the product of two factors, our constitutional system and the opinions and values of the people. The two are closely related: we have the kind of constitution we do because the people who wrote it had certain beliefs about how government should be organized, and those beliefs are perpetuated and sharpened by the workings of the government created by that constitution.

In this book, we will not try to explain all the ways in which America differs from Europe. This is not a book about comparative politics; it is one about American politics. But keeping in mind the distinctive features of our system will, I hope, make what you read in the following chapters more interesting. You might try the following experiment. As you read this book, see how many of the differences listed above you can explain. You won't be able to explain them all, but you will be able to explain several.

THE MEANINGS OF DEMOCRACY

To explain why American democracy differs from democracy in Britain or Sweden, we must first understand what is meant by *democracy*. That word is used to describe three different political systems. In one system, found in the Soviet Union and its satellites and in China, Cuba, and many Third World dictatorships, a government is said to be "democratic" if its decisions serve the "true interests of the people," whether or not those people had any say in making the decisions. This is called *democratic centralism.*

The term democracy is used in a second way to describe political systems in which all or most citizens participate directly in making governmental decisions. The New England town meeting, for example, comes close to fitting this definition of *direct democracy*. Once or twice a year all the adult citizens of a town come together to vote on all major issues and expenditures. In many states, such as California, a kind of direct democracy exists whenever voters are asked to approve or reject a specific policy, such as a plan to cut taxes or build a water system (a *referendum*), remove an elected official before his or her term has expired (a *recall*), or propose a new piece of legislation or a constitutional amendment (an *initiative*).

The third meaning of democracy was most concisely stated in 1942 by the economist Joseph Schumpeter: "The democratic method is that institutional arrangement for arriving at political decisions in which individuals [that is, officeholders] acquire the power to decide by means of a competitive struggle for the people's vote." This system is usually called a *representative democracy*. The Framers of the American constitution called it a *republic*.

One or all of the following arguments are made on behalf of representative democracy over direct democracy. First, direct democracy is not practical because