

AMERICAN GOVERNMENT

Institutions and Policies

JAMES Q. WILSON

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For Roberta, Matthew, Rebecca, and Annie. And, of course, Annabelle.



James Q. Wilson teaches both at Harvard University (where he is the Shattuck Professor of Government) and at the University of California at Los Angeles (where he is the Collins Professor of Management). Raised in California, Wilson received the B.A. degree from the University of Redlands and the Ph.D. from the University of Chicago. He is the author or coauthor of ten books, including Negro Politics, The Amateur Democrat, City Politics (with Edward C. Banfield), Varieties of Police Behavior, Political Organizations, Thinking About Crime, The Investigators, 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: chairman of the White House Task Force on Crime in 1967, chairman of the National Advisory Council on Drug Abuse Prevention in 1972–1973, and member of the Attorney General's Task Force on Violent Crime in 1981. 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.

He is a Fellow of the American Academy of Arts and Sciences, a member of the American Philosophical Society, and a member of the National Association of Underwater Instructors.

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 "donothing 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 Third Edition

In recognition of the bicentennial of the Constitution, I have expanded the discussion of the Founding to include the views of the Antifederalists, the debate over small versus large (or "extended") republics, and several current proposals for constitutional reform, both those that would make governmental action easier (by reducing the separation of powers) and those that would make it more difficult (by, for example, requiring a balanced budget). To make it easier to study the Founding, I have added *Federalist* papers 10 and 51 to the appendix, right after the Declaration of Independence and the Constitution.

The controversies over the policies of the Reagan administration have made it easier, I think, for the student to grasp how everyday politics can be shaped by competing views on matters of fundamental constitutional significance. The debates about affirmative action,

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prayer in the schools, the line-item veto, and the exclusion of improperly gathered evidence from criminal trials are all discussed in this edition; the church-state question is given an especially extended treatment.

To make it easier for the student to grasp the policy typology, I have consolidated into a single chapter (Chapter 14) the previously separate discussions of policy-making and government regulation of business. By bringing these two matters together, I have eliminated some repetition and illustrated the typology with examples of business regulation.

The other significant changes are these: Chapter 8 on interest groups has been completely rewritten to give the student a better sense of the different kinds of groups that are active, the incentives each employs to attract supporters, and the ways by which they seek to influence policy. The gender gap as an issue in elections is discussed. Some findings from the newest scholarship on public opinion and voting patterns have been incorporated, especially refinements in our understanding of popular confidence in government, the differences between retrospective and prospective voting, and the competing claims of those who believe that people vote their pocketbooks and those who believe that other-regarding (or "sociotropic") factors also influence voting.

The text has, of course, been updated through the 1984 elections and the early months of President Reagan's second term. Not only are the election results and polls current through that time but also the new organization of the White House is depicted and the committee chairmanships of Congress are listed.

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 particularly 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.

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 14 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 21.

Illustrative and Reference Materials

I have tried to select illustrative materials that will catch the student's attention and reference materials that will make it easy to look up essential facts. I have included lists of political trivia and some of the popular maxims of politics because many people find them fascinating or memorable. In Chapter 17 on civil liberties, students are challenged to decide actual Supreme Court cases—with the Court's decision given on a later page. Since I believe politics is fascinating and ought to be memorable, I hope these materials not only will provide a refreshing pause in the text but also will help fix certain events and issues in the reader's mind.

The full-color insert in the middle of the book has been completely revised. It is now an essay on how changes in political mood have been reflected in changes in the artistic style of American painters from the eighteenth century to the present. The casual reader may think this bit of art history is mere filler; it is not. I have found that if students can form a strong visual image of a period in our history, this image will

reinforce and make vivid for them what otherwise might seem abstract or distant. The differences between how Copley painted Paul Revere and how Bingham painted a county election can convey to the student as much information about the differences between the political culture of the Revolutionary period and the Jacksonian era as several hundred words of historical narrative. And words alone cannot convey the meaning of manifest destiny quite as well as the painting by John Gast, Westward-ho.

At the end of the book, after the Declaration of Independence, the Constitution, and Federalist papers 10 and 51, there is 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 even-handed 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, or 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 indoctrination. I hope colleagues will not hesitate to point out where I have failed.

Supplements

A number of useful supplements are offered in connection with the third edition, including the Student Handbook, the Instructor's Guide, the Archive Computerized Testing Program, the Test Item File, and a series of video programs exploring criminal-justice-related issues, some

of major constitutional significance. Instructors may wish to take full advantage of these valuable teaching resources in designing their courses.

The Help of Others—Now and in the Future

I have drawn on the help of scores of people in writing this book. I would particularly like to thank those who wrote me on their own initiative with suggestions and criticisms, including Professors James C. Dick, Michael Drissman, Walfred Peterson, Jack C. Plano, and Stephen Wasby. I hope in the future others will follow their example whenever they find ways in which the text can be improved.

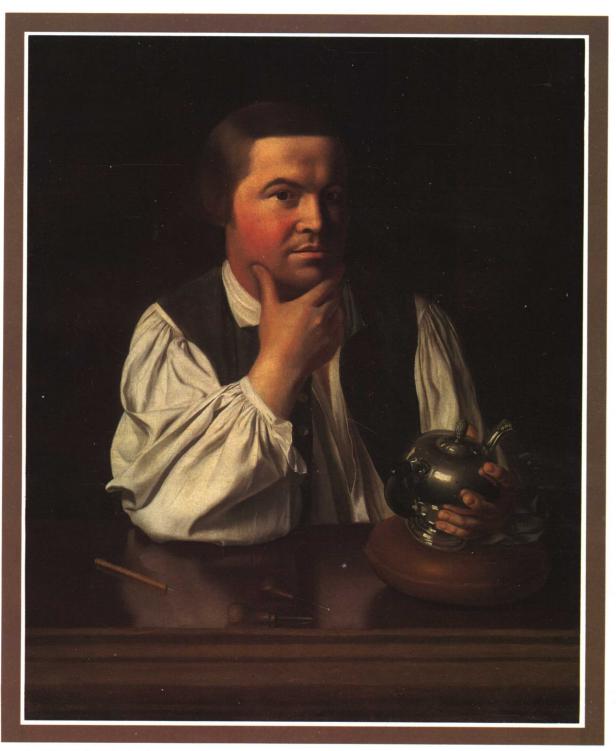
As I was preparing to write this third edition, a number of other scholars graciously responded to requests for detailed reviews of chapters in the second edition. These included Steven Chan, Texas A&M University; Timothy Conlan; Michael Cornfield; William Crotty, Northwestern University; George C. Edwards III. Texas A&M University; Richard E. Ellis, State University of New York at Buffalo; David J. Garrow, City University of New York at City College; Doris Graber, University of Illinois at Chicago; Harlan D. Hahn, University of Southern California; Jerome J. Hanus, American University; Paul Light, National Academy of Public Administration; Richard W. Murray, University of Houston; Candice J. Nelson, Georgetown University; Bruce I. Oppenheimer, University of Houston; Doris Marie Provine, Syracuse University; Paul Quirk, University of Pennsylvania; Arthur Sanders, Hamilton College; James Stoner, Goucher College; John Tierney, Boston College; and Christopher Wolfe, Marquette University.

The creation and improvement of this book through the first and second editions were materially assisted by a great number of people. I wish to acknowledge those scholars who read

all or part of the manuscript during its formative years: Henry J. Abraham, Robert J. Art, Gottlieb J. Baer, David Blomquist, Timothy J. Conlan, Peter B. Clark, William B. Cody, Eliot Cohen, Joseph Cooper, Martha Derthick, Kenneth Deutsch, Daniel I. Elazar, Richard F. Fenno, Jr., Stephen I. Frank, Paul J. Halpern, Charles V. Hamilton, Murray C. Havens, Douglas Hibbs, Harry N. Hirsch, Herbert Kaufman, Xandra Kayden, Ethel Klein, Louis W. Koenig, Lawrence J. Korb, Everett Carll Ladd, Jr., David Lawrence, Seymour Martin Lipset, Nelson Lund, Norman R. Luttbeg, Eugene Mawhinney, Stephen J. Mazurana, John McAdams, Thomas K. McCraw, Forrest Mc-Donald, Ernest R. May, R. Shep Melnick, John E. Mueller, Henry V. Muse, Mark V. Nadel, Douglas Neal, Pietro Nivola, Gary Orfield,

Norman J. Ornstein, Joseph Pechman, James Perkins, Richard Pious, Gerald M. Pomper, Henry J. Pratt, C. Herman Pritchett, Austin Ranney, Michael J. Robinson, Stanley Rothman, Francis E. Rourke, Robert H. Salisbury, Arthur Sanders, Robert Shapiro, James Sheffield, Martin Shefter, Manfred Stevens, James Stoner, James J. Sundquist, Edward R. Tufte, Robert Weissberg, Christopher Wolfe, and Gordon Wood.

My thanks to my research assistants—Leslie Cornfeld, Patricia Miranda, Rebecca Saikia Wilson, and Ann Wilson—and to the editorial staff at D. C. Heath—Judith Leet, Sylvia Mallory, James Miller, Martha Shethar, and especially to my boss, Linda Halvorson. My wife, Roberta, helped greatly in research for and the preparation of the color insert.



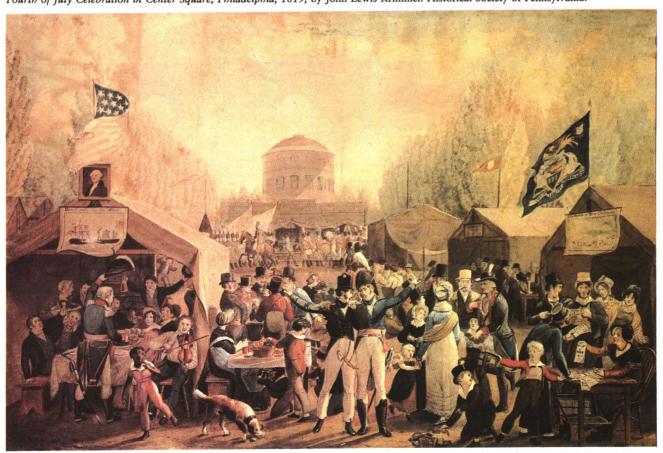
Paul Revere, by John Singleton Copley, ca. 1768–1770. Museum of Fine Arts, Boston, Gift of Joseph W., William B., and Edward H. R. Revere.

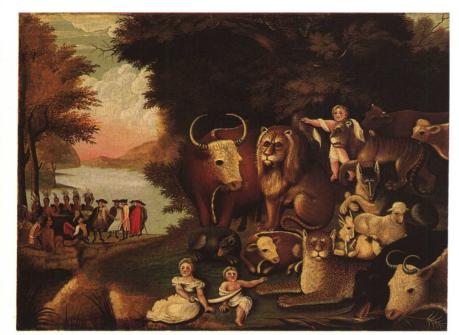


Washington Being Transported to Heaven, Unknown. Courtesy, The Henry Francis du Pont Winterthur Museum.

As the new nation struggled to acquire an identity, it began to idealize those who had helped found it. George Washington was so revered that after his death in 1799 an artist painted him being transported into heaven. The Fourth of July, a popular holiday from the beginning, was commemorated with growing enthusiasm, as shown in this painting by John Lewis Krimmel of an Independence Day celebration in Philadelphia in 1819.

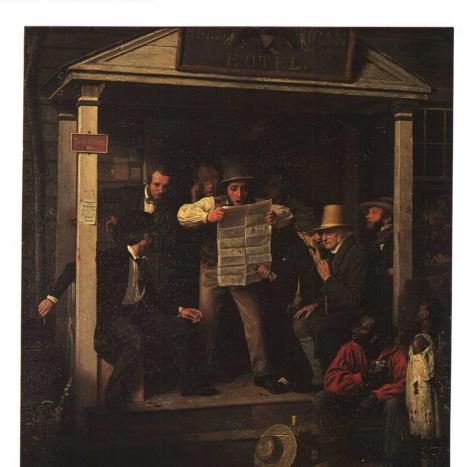
Fourth of July Celebration in Center Square, Philadelphia, 1819, by John Lewis Krimmel. Historical Society of Pennsylvania.





The Peaceable Kingdom, by Edward Hicks, ca. 1838. Worcester Art Museum.

After the struggle to form a union, Americans hoped for an end to political conflict and looked forward to living in peace and harmony with nature. This vision was captured by the Quaker artist Edward Hicks, who painted over one hundred versions of *The Peaceable Kingdom* (ca. 1838). To the left, William Penn is signing a treaty with the Indians; in the foreground wild animals come together.



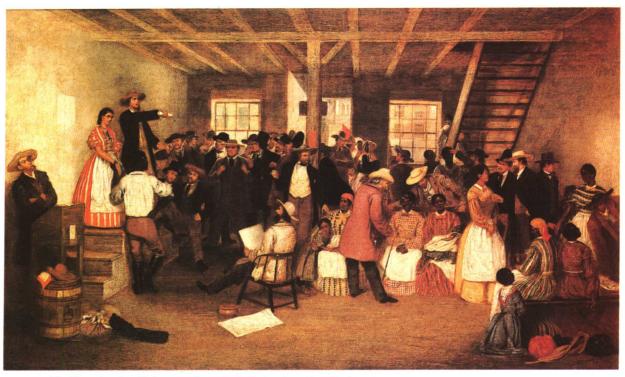
War News from Mexico, 1848, by Richard Caton Woodville. National Academy of Design, New York.



The County Election, by George Caleb Bingham, 1852. Collection of The Boatmen's National Bank of St. Louis.

But political conflict is inescapable. Andrew Jackson's presidency helped bring ordinary people into a political life that was becoming rowdy and festive, with whiskey and money flowing freely. George Caleb Bingham, a politician himself, captured this spirit in *The County*

Election (1852). The faces in this crowd, as in the group of men reading the war news from Mexico, painted by Richard Caton Woodville, are not the idealized types of the Founding; they are plain, simple, ordinary. Politics is as much entertainment as debate.



The Slave Auction, Unknown. Kennedy Galleries, Inc., New York.

The dark side of American politics did not escape American painters. This slave auction took place in Richmond, Virginia, where a prime black male field hand would bring \$1,200 and a woman, unless "fancy," sold for 25 percent less.

During the Civil War photography was in its infancy. Winslow Homer, an illustrator for *Harper's Weekly*, was sent to cover the fighting by making sketches and drawings of war scenes. *A Rainy Day in Camp* shows Union soldiers in Virginia. Homer was later to become one of America's greatest painters.

A Rainy Day in Camp, by Winslow Homer. The Metropolitan Museum of Art, Gift of Mrs. William F. Milton, 1923.





Sunset in Yosemite Valley, by Albert Bierstadt. Haggin Collection, The Haggin Museum, Stockton, California.

The unsettled American continent fascinated its people, some of whom moved West in search of new opportunities while others remained in the East and enjoyed the West vicariously by viewing the huge, magnificent paintings of such landscape artists as Albert Bierstadt. His romantic view of nature is captured in this 1868 painting, Sunset in Yosemite Valley.

The Emigration of Daniel Boone, print after a painting by George Caleb Bingham. The Missouri Historical Society.



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