SEVENTH EDITION

AMERICAN GOVERNMENT

THE ESSENTIALS

James Q. Wilson
John J. DiIulio, Jr.

American Government

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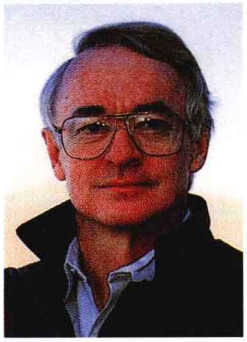
The Essentials

For Roberta, Matthew, Rebecca, Annie, and Bob.
And Winston, Clementine, and Sarah.
J.Q.W.

Dedicated to the memory of Aaron H. Crasner.
J.J.D.

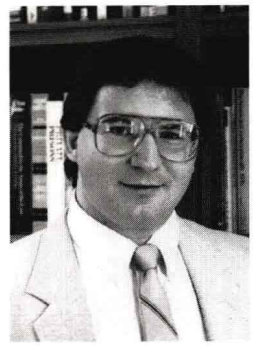


James Q. Wilson is an emeritus professor of management and public policy at the University of California, Los Angeles. From 1961 to 1987, he was a professor of government at Harvard University. Raised in California, he received a B.A. degree from the University of Redlands and a Ph.D. from the University of Chicago. Wilson is the author or coauthor of fourteen books, including *Moral Judgment* (1997), *The Moral Sense* (1993), *Bureaucracy* (1989), *Crime and Human Nature* (1985, with Richard J. Herrnstein), *Thinking about Crime* (1983), and *Political Organizations* (1974).

Wilson has served in a number of advisory posts in the federal government. He was chairman of the White House Task Force on Crime in 1967, chairman of the National Advisory Council on Drug Abuse Prevention in 1972–1973, a member of the Attorney General's Task Force on Violent Crime in 1981, and a member of the President's Foreign Intelligence Advisory Board in 1986–1990.

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 and in 1990 the James Madison Award for distinguished scholarship. In 1991–1992 he was President of the Association.

He is a Fellow of the American Academy of Arts and Sciences and a member of the American Philosophical Society. When not writing, teaching, or advising, he goes scuba diving. He says that it clears the brain.



John J. DiIulio, Jr. is a professor of politics and public affairs at Princeton University, teaching in both the Princeton Politics Department and the Woodrow Wilson School of Public and International Affairs. He is also Douglas Dillon Senior Fellow in Public Management at the Brookings Institution, and director of the Partnership for Research on Religion and At-Risk Youth. Raised in Philadelphia, he received a B.A. from the University of Pennsylvania and a Ph.D. from Harvard University. He is the author, coauthor, or editor of nine books, including *Making Health Reform Work* (with Richard P. Nathan); *Improving Government Performance* (with Donald F. Kettl and Gerald J. Garvey); *Deregulating the Public Service; Governing Prisons;* and *Courts, Corrections, and the Constitution.*

DiIulio has served on the National Commission on the State and Local Public Service and advised officials at the National Performance Review, the Office of Management and Budget, the General Accounting Office, the Office of National Drug Control Policy, the U.S. Justice Department, and other federal agencies.

In 1995 the Association of Public Policy Analysis and Management conferred on him the David N. Kershaw Award for outstanding research achievements by a scholar under age 40, and in 1987 he received the American Political Science Association's Leonard D. White Award in public administration. In 1991–1994 he chaired the latter association's standing committee on professional ethics. He spends all his free time with family and old friends from Philadelphia.

Preface

The Seventh Edition of *American Government: The Essentials* has been substantially revised to reflect major changes that have occurred in national politics. The Republicans won control of Congress in 1994 and retained it in 1996, the procedures by which the House of Representatives operates were substantially altered, an important federal program (Aid to Families with Dependent Children) was converted into a block grant to the states, and both a Democratic president and a Republican Congress agreed on a budget plan that (if their predictions turn out to be correct) will produce a balanced budget by the year 2002.

Important as these changes were, the overall tone and thrust of the book required little alteration. The essential processes of American politics remain unchanged, still governed, as always, by the Constitution, slow judicial modifications in its meaning, and popular attitudes toward politics and policies that have not altered much in several decades.

As before, we stress the history of our institutions and comparisons with other democratic nations. In some ways, the rest of the world is becoming a bit more like the United States. More nations are democratic today than ever before, and several of those that have always been that way are creating (as did Canada) new constitutions. Market economics now has a wider appeal in Europe and Latin America than once was the case. The former Soviet Union is struggling to find its democratic sea legs and something resembling an open economy. The global economy has brought every nation closer together and made a quiver in one place resonate loudly in many.

We extensively revised Chapters 11 and 16 on civil rights. In the Seventh Edition we have also added a new feature called "Who Governs? To What Ends?" that examines key legislation and asks who is responsible, focusing on the interplay of policy elites versus the influence of public opinion. The themes introduced in the Sixth Edition—more attention to critical thinking, an emphasis on the differences between direct and representative democracy, attention to crime and criminal justice, and recognition of the growing importance of immigrants—have proved valuable and are retained in the Seventh.

Many of the unique features in previous editions have been retained here, including two in particular. The boxes headed "Politically Speaking" that give the origin of certain common political terms (such as *litmus test, lame duck, logrolling, boycott,* and *muckraker*) have proved to be useful ways of making unfamiliar words accessible and interesting. Another series of boxes headed "What Would You Do?" presents to the student material very much like presidential decision memorandums (albeit ones for a variety of political actors). Should we send troops? rule a state statute unconstitutional? take money from a political action committee? These boxes can be the basis of classroom debates or term papers.

The lists of "Political Trivia" and "Laws of Politics" remain; students (like the authors of this text) seem to have an unflagging appetite for such minutiae and folk wisdom.

Finally, the Summary, Suggested Readings, and lists of Key Terms at the end of each chapter continue to serve as easy references and help students review for examinations.

Supplements

The outstanding ancillary program that has always supported *American Government* has been improved and enlarged.

For the Instructor: The **Instructor's Guide** revised by MaryAnne Borrelli of Connecticut College helps instructors using the Seventh Edition to plan their course, lectures, and discussion sections. Professor Borrelli has thoroughly integrated the *Instructor's Guide* with the textbook so that instructors will be

able to capitalize upon the richness of *American Government.* Elements new to the edition are summarized, and the resources and references sections as well as the Video and Film Guide have been completely updated.

The **Test Item File** revised by J. Edwin Benton of the University of South Florida contains over 4,000 questions. Each chapter has multiple-choice, true/false, and essay questions—averaging 180 items per chapter—designed to aid in your class testing of *American Government,* Seventh Edition. The file is available in print or in electronic form for Windows and for the Macintosh.

The **Transparency Package** contains fifty full-color transparencies from the illustration program of *American Government,* Seventh Edition.

For the Student: The **Student Handbook** has been thoroughly updated by J. Edwin Benton of the University of South Florida to help students using *American Government,* Seventh Edition, master the facts and principles introduced in the text. For each textbook chapter, the handbook includes focus points, a study outline, key terms, notes about possible misconceptions, a data check, examination practice, and special application projects, as well as answers to all chapter exercises (excluding the essay questions). It is ideal for class preparation, reviewing class reading, and especially preparing for examinations.

***New!* Guide to the Internet** with an introduction by James Q. Wilson, is a brief, useful guide to surfing and browsing the Internet. It introduces students to using the Internet for political research and lists various web sites along with addresses and descriptions of each site.

***New!* Wilson/DiIulio American Government Web Site** <http://www.hmco.com/college> will allow students and instructors access to text-specific materials. The web site includes chapter outlines and summaries, links to web sites mentioned in the text, and other additional resources.

For the Instructor and the Student: ***New!*** The **Houghton Mifflin American Government Web Site** located at <http://www.hmco.com/college> contains a complete array of resources to accompany our American government titles, including an extensive **Documents Collection** with accompanying discussion questions and web exercises, various instructor's resources, web-based research activities, an annotated collection of links to innovative and useful web sites, and a downloadable, updated version of the award-winning **Crosstabs,** a computerized software program allowing students to cross-tabulate survey data on the 1996 presidential election and the 1994–95 voting records of members of Congress in order to analyze voter attitudes and behavior.

Acknowledgments

A number of scholars reviewed the Sixth Edition and made many useful suggestions for the Seventh. They include Sam Van Leer, Jr., University of California, Berkeley; Walter A. Rosenbaum, University of Florida; Richard Himelfarb, Hofstra University; Eugene R. Goss, Long Beach City College; James Penning, Calvin College; Jack Riley, Coastal Carolina University; Nat Cipollina, City University of New York, Baruch College; and Stephen S. Smith, Winthrop University.

Other scholars read, at the authors' request, particular chapters and made useful suggestions: Aaron Friedberg of Princeton University, Don Kettl of the University of Wisconsin, Tom Mann of the Brookings Institution, and Richard Nathan of the State University of New York at Albany.

We also owe thanks to Meena Bose, Fred Dews, Carey R. Macdonald, Tara Adams Ragone, and Cynthia D. Terrels.

J.Q.W. and J.J.D.

Contents

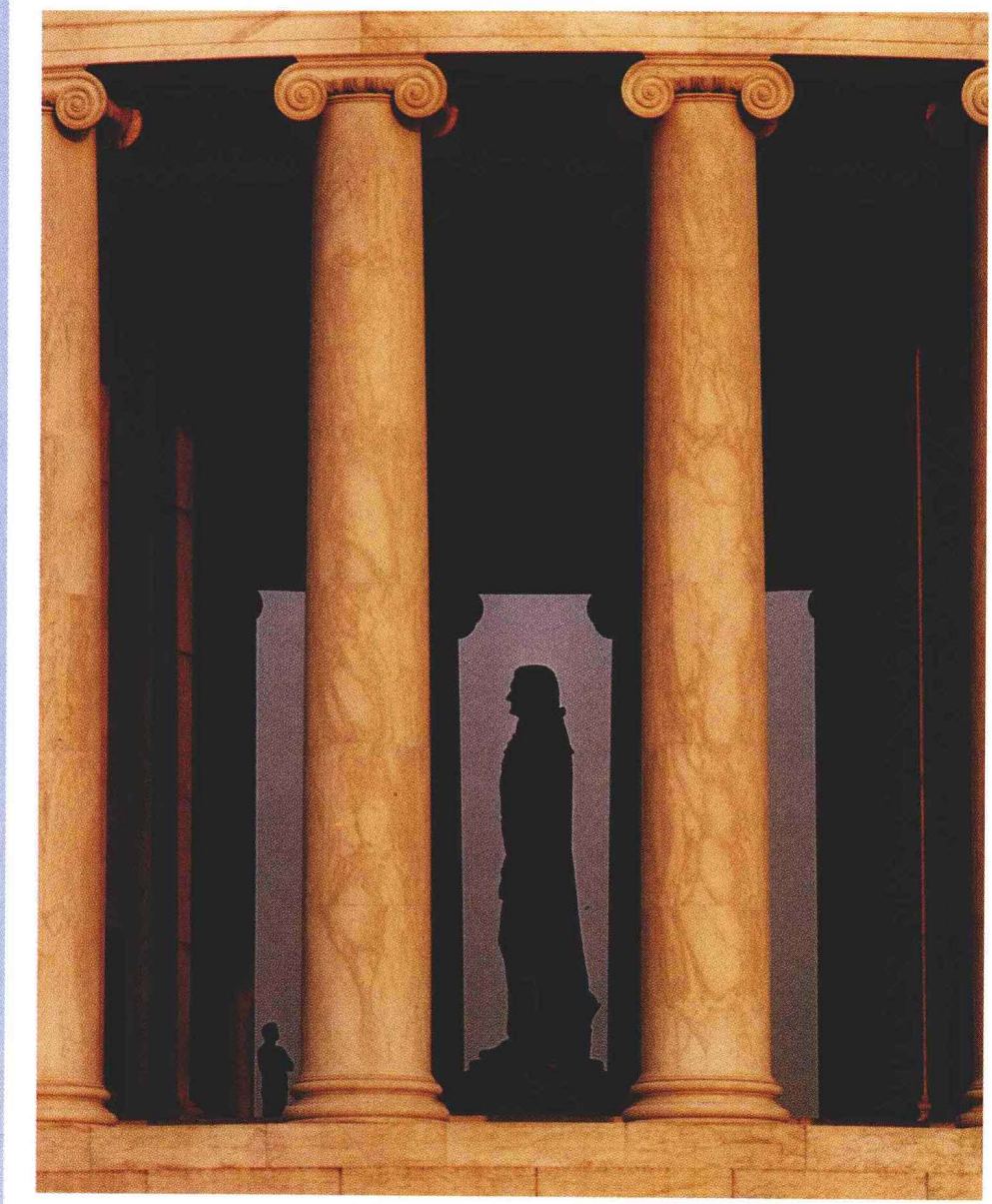
Appendix

PART ONE

The American System

"In framing a government which is to be administered by men over men, the great difficulty lies in this: You must first enable the government to control the governed; and in the next plave oblige it to control itself."

— FEDERALIST NO. 51



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The Study of American Government

- ★ Formal authority
- ★ Legitimacy of government
- ★ Forms of democracy
- ★ Democratic centralism
- ★ Participatory democracy
- ★ Representative democracy
- ★ Majoritarian politics
- ★ Theories as to who rules
- ★ Political power

There are two questions about politics: Who governs? To what ends?

We want to know the answer to the first question because we believe that those who rule—their personalities and beliefs, their virtues and vices—will affect what they do to and for us. Many people think they already know the answer to the question, and they are prepared to talk and vote on that basis. That is their right, and the opinions they express may be correct. But they may also be wrong. Indeed, many of these opinions *must* be wrong because they are in conflict. When asked, "Who governs?" some people will say "the unions" and some will say "big business"; others will say "the politicians" or "the people" or "the special interests." Still others will say "Wall Street," "the military," "crackpot liberals," "the media," "the bureaucrats," or "white males." Not all these answers can be correct—at least not all of the time.

The answer to the second question is important because it tells us how government affects our lives. We want to know not only who governs, but what difference it makes who governs. In our day-to-day lives, we may not think government makes much difference at all. In one sense that is right, because our most pressing personal concerns—work, play, love, family, health—are essentially private matters on which government touches but slightly. But in a larger and longer perspective, government makes a substantial difference. Consider: in 1935, 96 percent of all American families paid no federal income tax, and for the 4 percent or so who did pay, the average rate was only about 4 percent of their incomes. Today almost all families pay federal income taxes, and the average rate is 20 percent of their incomes. Through laws that have been enacted since the 1930s, the federal government has taken charge of an enormous amount of the nation's income, with results that are still being debated. Or consider: in 1960, in many parts of the country, blacks could ride only in the backs of buses, had to use washrooms and drinking fountains that were labeled "colored," and could not be served in most public restaurants.

Such restrictions have been almost eliminated, in large part because of decisions by the federal government.

It is important to bear in mind that we wish to answer two different questions, and not two versions of the same question. You cannot always predict what goals government will establish knowing only who governs, nor can you always tell who governs by knowing what activities government undertakes. Most people holding national political office are middle-class, middle-aged, white Protestant males, but we cannot then conclude that the government will only adopt policies that are to the narrow advantage of the middle class, or the middle-aged, or whites, or Protestants, or men. If we thought that, we would be at a loss to explain why the rich are taxed more heavily than the poor, why a War on Poverty was declared, why constitutional amendments giving rights to blacks and women passed Congress by large majorities, or why Catholics and Jews have been appointed to so many important governmental posts.

This book is chiefly devoted to answering the question, Who governs? It is written in the belief that this question cannot be answered without looking at how government makes—or fails to make—decisions about a large variety of concrete issues. Thus, in this book we shall inspect government policies to see what individuals, groups, and institutions seem to exert the greatest power in the continuous struggle to define the purposes of government. We shall see that power and purpose are inextricably intertwined.

What Is Political Power?

By **power** we mean the ability of one person to get another person to act in accordance with the first person's intentions. Sometimes an exercise of power is obvious, as when the president tells the air force that it can or cannot build the B-1 bomber. More often, power is exercised in subtle ways that may not be evident even to the participants, as when the president's economic advisers persuade him to impose or lift wage and price controls. The advisers may not think they are using power—after all, they are the president's subordinates—but if the president acts in accord with their intentions as a result of their arguments, they have used power.

Power is found in all human relationships, but we shall be concerned here only with power as it is used to affect who will hold government office and how government will behave. This fails to take into account many important things. If a corporation closes a factory in a small town where it was the major employer, it is using power in ways that affect deeply the lives of people. When a university refuses to admit a student or a medical society refuses to license a would-be physician, it is also using power. But to explain how all these things happen would be tantamount to explaining how society as a whole, and in all its particulars, operates. We limit our view here to government, and chiefly to the American federal government. However, we shall repeatedly pay special attention to how things once thought to be "private" matters become "public"—that is, how they manage to become objects of governmental action. Indeed, one of the most striking transformations of American politics has been the extent to which, in recent decades, almost every aspect of human life has found its way onto the governmental agenda. In the 1950s the federal government would have displayed no interest in a factory closing its doors, a university refusing an applicant, or a profession not accrediting a member. Now government actions can and do affect all these things.

People who exercise political power may or may not have the authority to do so. By **authority** we mean the right to use power. The exercise of rightful power—that is, of authority—is ordinarily easier than the exercise of power that is not supported by any persuasive claim of right. We accept decisions, often without question, if they are made by people who we believe have the right to make them; we may bow to naked power because we cannot resist it, but by our recalcitrance or our resentment we put the users of naked power to greater trouble than the wielders of authority. In this book, we will on occasion speak of "formal authority." By this we mean that the right to exercise power is vested in a governmental office. A president, a senator, and a federal judge have formal authority to take certain actions.

What makes power rightful varies from time to time and from country to country. In the United

Dramatic changes have occurred in what people believe it is legitimate for the government to do. We now submit to searches before boarding an aircraft, unthinkable before hijackings made such government regulations seem necessary.

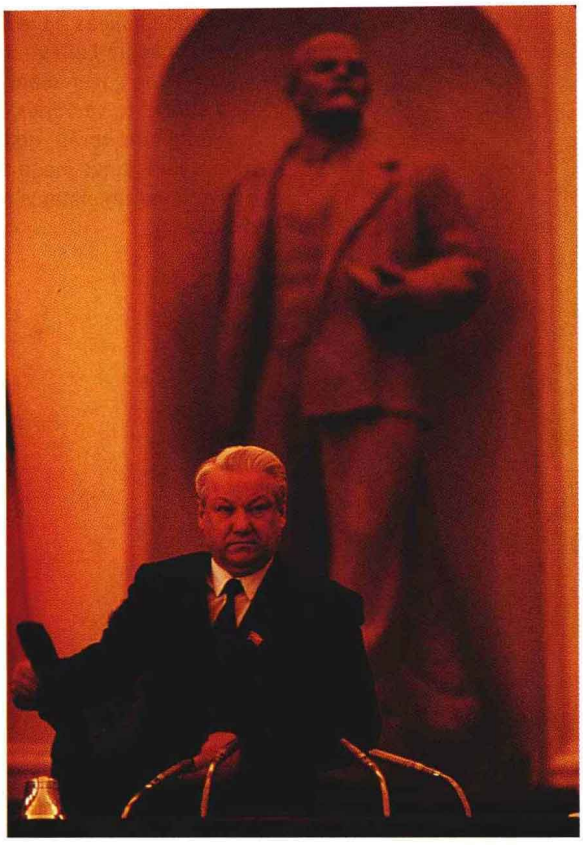
States we usually say that a person has political authority if his or her right to act in a certain way is conferred by a law or by a state or national constitution. But what makes a law or constitution a source of right? That is the question of **legitimacy**. In the United States the Constitution today is widely, if not unanimously, accepted as a source of legitimate authority, but that was not always the case.

Much of American political history has been a struggle over what constitutes legitimate authority. The Constitutional Convention in 1787 was an effort to see whether a new, more powerful federal government could be made legitimate; the succeeding administrations of George Washington, John Adams, and Thomas Jefferson were in large measure preoccupied with disputes over the kinds of decisions that were legitimate for the federal government to make. The Civil War was a bloody struggle over the legitimacy of the federal union; the New Deal of Franklin Roosevelt was hotly debated by those who disagreed over whether it was legitimate for the federal government to intervene deeply in the economy.

In the United States today no government at any level would be considered legitimate if it were not in some sense democratic. That was not always the prevailing view, however; at one time people disagreed over whether democracy itself was a good idea. In 1787 Alexander Hamilton worried that the new government he helped create might be too democratic, while George Mason, who refused to sign the Constitution, worried that it was not democratic enough. Today virtually everyone believes that "democratic government" is the only proper kind. Most people probably believe that our existing government is democratic; and a few believe that other institutions of public life—schools, universities, corporations, trade unions, churches—should be run on democratic principles if they are to be legitimate. We shall not discuss the question of whether democracy is the best way of governing all institutions. Rather we shall consider the different meanings that have been attached to the word *democratic* and which, if any, best describes the government of the United States.

What Is Democracy?

Democracy is a word used to describe at least three different political systems. In one system the government is said to be democratic if its decisions will



Before Boris Yeltsin came to power in Russia, the old Soviet Union was run on the principle of what the communists called "democratic centralism."

serve the "true interests" of the people, whether or not those people directly affect the making of those decisions. It is by using this definition of democracy that various authoritarian regimes—China, Cuba, and certain European, Asian, and Latin American dictatorships—have been able to claim that they were "democratic." Presidents of the now-defunct Soviet Union, for example, used to claim that they operated on the principle of **democratic centralism,** whereby the true interests of the masses were discovered through discussion within the Communist party and then decisions were made under central leadership to serve those interests. The collapse of the Soviet Union occurred in part because many average Russians doubted that the Communist party knew or would act in support of the people's true interests.

Second, the term *democracy* is used to describe those regimes that come as close as possible to Aristotle's definition—the "rule of the many."[1] A government is democratic if all, or most, of its citizens participate directly in either holding office or making policy. This is often called **direct** or **participatory democracy.** In Aristotle's time—Greece in the fourth century B.C.—such a government was possible. The Greek city-state, or *polis,* was quite small, and within it citizenship was extended to all free adult male property holders. (Slaves, women, minors, and those without property were excluded from participation in government.) In more recent times the New England town meeting approximates the Aristotelian ideal. In such a meeting the adult citizens of a community gather once or twice a year to vote directly on all major issues and expenditures of the town. As towns have become larger and issues more complicated, many town governments have abandoned the pure town meeting in favor of either the representative town meeting (in which a large number of elected representatives, perhaps two or three hundred, meet to vote on town affairs) or representative government (in which a small number of elected city councillors make decisions).

The third definition of democracy is the principle of governance of most nations that are called democratic. It was most concisely stated by the economist Joseph Schumpeter: "The democratic method is that institutional arrangement for arriving at political decisions in which individuals [that is, leaders] acquire the power to decide by means of a competitive struggle for the people's vote."[2] Sometimes this method is called, approvingly, **representative democracy;** at other times it is referred to, disapprovingly, as the elitist theory of democracy. It is justified by one or both of two arguments: First, it is impractical, owing to limits of time, information, energy, interest, and expertise, for the people to decide on public policy, but it is not impractical to expect them to make reasonable choices among competing leadership groups. Second, some people (including, as we shall see in the next chapter, many of the Framers of the Constitution) believe that direct democracy is likely to lead to bad decisions, because people often decide large issues on the basis of fleeting passions and in response to popular demagogues. This fear of direct democracy persists today,