

Thomas E. Patterson

We the People

A Concise Introduction to American Politics

SIXTH EDITION

Thomas E. Patterson

Bradlee Professor of Government and the Press John F. Kennedy School of Government Harvard University



Boston Burr Ridge, IL Dubuque, IA Madison, WI New York San Francisco St. Louis Bangkok Bogotá Caracas Kuala Lumpur Lisbon London Madrid Mexico City Milan Montreal New Delhi Santiago Seoul Singapore Sydney Taipei Toronto



Published by McGraw-Hill, an imprint of The McGraw-Hill Companies, Inc., 1221 Avenue of the Americas, New York, NY 10020. Copyright © 2006, 2004, 2002, 2000. All rights reserved. No part of this publication may be reproduced or distributed in any form or by any means, or stored in a database or retrieval system, without the prior written consent of The McGraw-Hill Companies, Inc., including, but not limited to, in any network or other electronic storage or transmission, or broadcast for distance learning.

This book is printed on acid-free paper.

1234567890VNH/VNH098765

ISBN 0-07-295568-6

Editor-in-Chief: Emily Barrosse

Publisher: Lyn Uhl

Senior Sponsoring Editor: Monica Eckman

Marketing Manager: Katherine Bates Developmental Editor: Angela Kao Managing Editor: Melissa Williams

Senior Project Manager: Christina Gimlin

Manuscript Editor: Mary Roybal Art Director: Jeanne Schreiber Design Manager: Preston Thomas Text Designer: Linda Robertson Cover Designer: Preston Thomas

Senior Photo Research Coordinator: Alexandra Ambrose

Photo Researcher: Connie Gardner

Senior Supplements Producer: Louis Swaim Senior Production Supervisor: Richard DeVitto

Media Project Manager: Kate Boylan,

Senior Media Technology Producer: Sean Crowley

Composition: 10.5/13 Janson Text by Genveo

Printing: 45# Pub Matte, Von Hoffman

Cover: © Benjamin Lowy/Corbis

Credits: The credits section for this book begins on page C-1 and is considered an extension of the copyright page.

Library of Congress Cataloging-in-Publication Data

Patterson, Thomas E.

The American democracy / Thomas E. Patterson.—6th ed.

p. cm.

Includes bibliographical references and index.

ISBN 0-07-295568-6 (acid-free paper)

1. United States—Politics and government—Textbooks. I. Title.

JK276.P37 2005

320.473—dc22

2004059251

The Internet addresses listed in the text were accurate at the time of publication. The inclusion of a website does not indicate an endorsement by the authors or McGraw-Hill, and McGraw-Hill does not guarantee the accuracy of the information presented at these sites.

www.mhhe.com

To My Children, Alex and Leigh

ABOUT THE AUTHOR



Thomas E. Patterson is Bradlee Professor of Government and the Press in the John F. Kennedy School of Government at Harvard University. He was previously Distinguished Professor of Political Science in the Maxwell School of Citizenship at Syracuse University. Raised in a small Minnesota town near the Iowa and South Dakota borders, he was educated at South Dakota State University and the University of Minnesota, where he received his Ph.D. in 1971.

He is the author of seven books and dozens of articles, which focus primarily on the media and elections. His most recent book, *The Vanishing Voter* (2002), describes and explains the long-term decline in Americans' electoral participation. An earlier book, *Out of Order* (1994), received national attention when President Clinton said every politician and journalist should be required to read it. In 2002, *Out of Order* received the American Political Science Association's Graber Award for the best book of the past decade in political communication. Another of Patterson's books, *The Mass Media Election* (1980), received a *Choice* award as Outstanding Academic Book, 1980–1981. Patterson's first book, *The Unseeing Eye* (1976), was selected by the American Association for Public Opinion Research as one of the fifty most influential books of the past half century in the field of public opinion.

His research has been funded by major grants from the National Science Foundation, the Markle Foundation, the Smith-Richardson Foundation, the Ford Foundation, and the Pew Charitable Trusts.

PREFACE

The past few decades have been a period of extraordinary change in America, raising new challenges to the practice of government. People in the millions from Asia and Latin America have joined the American community, bringing with them cultural traditions that have made our society richer and fuller but also more fragmented. Traditional institutions, from political parties to families, have weakened dramatically, straining the fabric of our politics but also creating the possibility of adaptive new arrangements. Minorities and women, long denied access to political and economic power, are seeking a fairer share—and sometimes getting it. America's workers and firms have built a highly productive economy but now face the risks and opportunities of the global marketplace. The cold war that dominated our attention in foreign policy for decades has been replaced by international terrorism and localized conflicts that raise troubling new issues of domestic and world insecurity.

Scholars are striving to keep pace with these developments. Never before has scholarship been so closely tied to the real world. If much of what political scientists study is arcane, we have increasingly tried to connect our work and our thinking to political realities. The result is a fuller understanding of how American government operates. I have tried in this book to convey this new understanding in an accurate and interesting way.

REACHING OUT TO THE STUDENT

Anyone who writes an introductory American government text faces the challenge of describing and explaining a vast amount of scholarship. One approach is to pile fact upon fact and list upon list. It's a common enough approach, but it turns politics into a pretty dry subject. Politics doesn't have to be dry, and it certainly doesn't have to be dull. Politics has all the elements of drama with the added feature of affecting the everyday lives of real people.

This is a narrative-based text, the opposite of a text that piles list upon list and that divides its material into discrete compartments. A narrative text provides plenty of information, but the information is always part of a larger discussion that ties the various elements together.

Research indicates that the narrative style is a superior method for teaching students a "soft" science such as political science. They learn more readily because a narrative makes the subject more readable, more accessible,

xvi Preface

and more interesting. Studies also indicate that students can read attentively for a longer period of time when a text is narrative in form.

A narrative text weaves together theory, information, and examples in order to bring out key facts and ideas. The goal is to draw the students into the subject, give them a contextual understanding of major concepts and issues, and encourage them to think about the implications. To quicken this process, I start each chapter by telling a story that addresses a basic issue. The chapter on civil liberties, for example, begins with the case of the Creighton family, whose home was raided in the middle of the night by gun-toting FBI agents who believed that the Creightons were harboring a relative suspected of bank robbery. The suspect was not found, and the Creightons, who were badly frightened by the intrusion, sued the FBI for wrongful search. Did the FBI have sufficient cause for a warrantless search, or did the FBI violate the Creightons' constitutional rights? Where should society draw the line between its public safety needs and the rights of the individual? Such questions in the context of a real-life situation immediately plunge students into the chapter's subject and into the process of thinking about its importance.

The narrative approach is part of a second pedagogical goal of this text: helping students think critically. Critical thinking is, I believe, the most important skill that a student can acquire from a social science education. Students do not learn to think critically by engaging in rote memorization. Rather, they acquire this skill by reflecting on what they read, by resolving challenges to their customary ways of thinking, and by confronting difficult issues. To this end, I have attempted to structure the discussion in ways that ask students to think more deeply and systematically about politics. In the first chapter, for example, I discuss the inexact meanings, conflicting implications, and unfulfilled promise of Americans' most cherished ideals, including liberty and equality. The discussion includes the "Chinese Exclusion," a grotesque and not well known chapter in our history that should lead students to think about what it means to be an American.

Finally, I have attempted in this book to present American government through the analytical lens of political science but in a way that captures the vivid world of real-life politics. I regularly reminded myself while writing this book that only a tiny percentage of introductory students are interested in an academic political science career. Most students take the course because it is required or because they like politics. I have sought to write a book that will kindle political interest in the first type of student and deepen the interest of the second type, while also giving students the systematic knowledge that a science of politics can provide. I had a model in mind for the kind of book that could achieve these goals: V. O. Key's

Preface xvii

absorbing *Politics, Parties, and Pressure Groups*, which I had read many years earlier as an undergraduate student. The late Professor Key was a masterful scholar who had a deep love of politics and who gently chided colleagues whose interest in political science was confined to the "science" part.

Few scholars can match Key's brilliance, but most political scientists share his fascination with politics. The result of their combined efforts is a body of knowledge about American government that is both precise and politically astute. This scholarship provides the text's unifying core. Political scientists have identified several major tendencies in the American political system that are a basis for a systematic understanding of how it operates, namely:

- Enduring ideals that are the basis of Americans' political identity and culture and that are a source of many of their beliefs, aspirations, and conflicts
- Extreme fragmentation of governing authority that is based on an elaborate system of checks and balances, which serves to protect against abuses of political power but also makes it difficult for political majorities to assert power when confronting an entrenched or intense political minority
- Many competing groups, which are a result of the nation's great size, population diversity, and economic complexity and which exercise considerable influence on public policy
- Strong emphasis on individual rights, which results in substantial benefits to the individual and places substantial restrictions on majorities
- Preference for the marketplace as a means of allocating resources, which has the effect of placing many economic issues beyond the reach of popular majorities

These tendencies are introduced in the first chapter and discussed in subsequent chapters. If students forget many of the points made in this book, they may at least take away from the course a knowledge of the deep underpinnings of the American political system.

FEATURES OF THIS EDITION

This edition maintains the previous edition's heightened emphasis on liberty, equality, and self-government as the three great principles of American democracy. The origin and nature of these ideals are discussed in the first chapter, which also points out the tension that can exist among them. Subsequent chapters have boxes titled "Liberty, Equality, and Self-Government" that ask students to grapple with issues related to these

xviii Preface

principles. These boxes help students recognize just how thoroughly these principles are embedded in American political practice and thought.

The boxes in the text are based on the same instructional philosophy that guided earlier editions. The boxes are not mere fillers or diversions. They are not meant to entertain in the way they do in some texts. Every student likes interesting or humorous anecdotes, and this text includes many such anecdotes. But what's different here is that such material is not featured. Rather, the boxes in this text are part of a broad pedagogical strategy of encouraging critical thinking and creating interest in politics. Once students' interest is aroused, they naturally want to learn more about politics and study it more enthusiastically.

In addition to the "Liberty, Equality, and Self-Government" boxes, each chapter has a "How the United States Compares" box and a "States in the Nation" box. The United States in many ways is the world's preeminent democracy, but it also has distinctive policies and practices. The American states, too, are quite different in their politics and policies, despite belonging to the same union. American students invariably gain a deeper understanding of their own communities when they recognize the ways in which their nation or state differs from others.

Encouraging students to compare states and nations is a natural way to foster critical thinking. When students discover, for example, that the United States has a higher child poverty rate than other Western democracies, they naturally ask why this is the case. Because comparative analysis stimulates critical thinking, this edition includes a large number of new cross-national tables and figures in addition to the "How the United States Compares" and the "States in the Nation" boxes. Many of these tables and figures involve comparisons of public opinion in the United States and elsewhere on major issues of our time, including immigration, church-state relations, economic globalization, and the fight against terrorism.

Critical thinking is also encouraged through "The Call of Citizenship" box that is included in each chapter. These boxes are intended to spur students to take an active part in civic life and to do it reflectively. "The Call of Citizenship" box in the final chapter, for example, asks students to consider the meaning of personal security in the context of the war on terrorism, an issue that requires thought about civil liberties as well as actions designed to thwart terrorists.

There is also much that is new in the body of the text. The chapters have been thoroughly updated to include the latest scholarship and most recent developments at home and abroad. The most substantial changes were occasioned by the 2004 presidential election and the conflict in Iraq, but many other changes are included, such as the latest Supreme Court rulings. The chapters also include Historical Background icons, which identify key

Preface xix

developments that helped shape the American political system. Knowledge of history deepens students' understanding of U.S. politics, as does a critical perspective on events that are a vividly remembered part of their lives. For many students, Vietnam is ancient history and the Clinton-Lewinsky scandal a hazy middle-school memory. Students need to know about and learn from the past, but they also learn when they are asked to think deeply about events they believe they already know thoroughly. Every student is familiar with the war on terrorism. However, many students have not thought carefully about how, for example, it could affect civil liberties or foreign relations.

A novel feature of We the People is its selected readings; each chapter is followed by a reading that develops a major point of the chapter. These readings are intended to deepen the student's understanding of American politics and to add flexibility to the instructor's use of the material. For an instructor who prefers to supplement the course text with a book of readings, this text offers both. On the other hand, the instructor who wants to limit reading assignments to the text itself can simply skip the end-of-chapter readings or recommend them as optional items for students who have the time and interest. The readings have been thoroughly updated to include coverage of the 2004 Presidential election and were chosen from newspapers around the country. Among the newspapers represented in the 17 chapters are The Detroit Free Press, The Dallas Morning News, The Washington Post, Los Angeles Times, Boston Globe, and New York Times.

YOUR SUGGESTIONS ARE INVITED

We the People has been in use in college classrooms for more than a decade. During that time, the text (including its full-length version, *The American Democracy*) has been adopted at more than eight hundred colleges and universities. I am extremely grateful to all who have used it. I am particularly indebted to the many instructors and students over the years who have sent me recommendations or corrections. You can contact me at the John F. Kennedy School, Harvard University, Cambridge, MA 02138, or by e-mail: thomas_patterson@harvard.edu.

Thomas E. Patterson

SUPPLEMENTS PACKAGE

This text is accompanied by supplementary materials. Please contact your local McGraw-Hill representative or McGraw-Hill Customer Service (800-338-3987) for details concerning policies, prices, and availability, as some restrictions may apply.

For Students and Instructors

OnLine Learning Center with PowerWeb

Visit our website at www.mhhe.com/pattersonwtp6

This website contains separate instructor and student areas. The instructor area contains the content of the Instructor's Resource CD-ROM, while the student area hosts a wealth of study materials such as additional Internet resources, concept lists, practice tests, essay questions, and thinking exercises. All chapter-by-chapter material has been updated for the new edition, and favorites such as the crossword puzzles, flashcards, video and audio indexes, and simulations have been retained.

New assets at this site also include:

- Updated participation suggestions dealing with constitutional foundations, institutions, political behavior, and policy. These suggestions were created to encourage students to become more involved in politics, to demonstrate how they can make a difference, and to give them advice on how to get started.
- Updated simulations accompanied by abstracts and learning goals.

PowerWeb for American Government

Now built into the *We the People* Online Learning Center, this product offers daily news updates, weekly course updates, interactive activities, the best articles from the popular press, quizzes, instructor's manuals, student study material, and more.

Debate! Citizenship, Debate! Voting & Elections CD-ROMS, and Debate! Presidential Election Online

McGraw-Hill's **Debate!** CD-ROMs provide instant access to some of the most important and interesting documents, images, audio recordings, and videos available on topics in political science. You can browse the collection across critical thinking questions, media types, subjects, or your own custom search criteria. Each source opens into a Source Window, packed with tools that provide rich scholarly contexts, interactive explorations, and access to a printable copy for each source.

While examining any of these sources, you can use the notebook feature to take notes, bookmark favorite sources, and save or print copies of all the sources for use outside of the archive (for example, inserting them into PowerPoint). After researching a particular theme or time period, you can use the **Debate** outlining tool to walk you through the steps of composing a debate or presentation.

Through its browsing and inspection tool, **Debate!** helps you practice the art of political debate using a rich collection of multi-media evidence.

This process of political science investigation follows three simple but engaging steps: **Ask** where you use our browsing panels to search and filter the sources, **research** where you use the Source Browser and Source Window's tools to examine the sources in detail, and **debate** where you can practice outlining arguments using selected sources from the collection.

For Instructors

Instructor's Manual/Test Bank

by Eric Miller of Blinn College

For each chapter, the instructor's manual includes the following: learning objectives, focus points and main points, thought questions related to the boxes and readings in the text, a lecture outline, alternative lecture objectives, notes to accompany the PowerPoint presentation, and class discussion topics. The test bank consists of approximately thirty to forty multiple-choice questions and five suggested essay topics per chapter.

Computerized Test Bank

This test bank in CD-ROM format draws on questions from the Instructor's Manual/Test Bank to assist professors in generating tests.

Instructor's Resource CD-ROM

Tailored to the Table of Contents and format of the seventh edition, this CD integrates instructor's resources available in the Instructor's Manual/Test Bank with multimedia components, such as PowerPoint presentation, photographs, maps, and charts.

Classroom Performance System (CPS)

CPS brings interactivity into the classroom or lecture hall. CPS is a wireless response system that gives instructors and students immediate feedback from the entire class. Each student uses a wireless response pad similar to a television remote to instantly respond to polling or quiz questions. CPS questions for each chapter of the book are available on the instructor's side of the Online Learning Center and on the Instructor's Resource CD-ROM.

Distance Learning Course

Intelecom has developed a complete one-semester course, titled *On Common Ground*, which combines videos with the material in *We the People* to provide a rich, comprehensive treatment of American Government. The distance learning material may be offered as a traditional telecourse, as a telewebcourse (telecourse enhanced with online components), or as a complete online course. The videos and textbook are supported by a closely

xxii Preface

correlated telecourse study guide, which is available from McGraw-Hill. For more information on the distance learning course, visit Intelecom at www.intelecom.org, or contact your local McGraw-Hill representative.

McGraw-Hill American Government Video Library

This new series of ten-minute video lecture-launchers was produced for McGraw-Hill by Ralph Baker and Joseph Losco of Ball State University.

Video #1: Devolution Within American Federalism: The Case of the Welfare System

0-07-303414-2

Video #2: Public Opinion and Participation: American Students Speak

0-07-229517-1

Video #3: Media and Politics in Presidential Campaigns

0-07-234442-3

Video #4: Women in Politics

0-07-242097-9

Video #5: Civil Liberties on the Internet

0-07-244205-0

Video #6: Affirmative Action and College Enrollment

0-07-244207-7

Video #7: The 2000 Campaign

0-07-250175-8

PageOut

At www.mhhe.com/pageout, instructors can create their own websites. PageOut requires no prior knowledge of HTML; simply plug the course information into a template and click on one of sixteen designs. The process leaves instructors with a professionally designed website.

PRIMIS Online

Instructors can use this textbook as a whole, or they can select specific chapters and customize this text to suit their specific classroom needs. The customized text can be created as a hardcopy or as an e-book. Also available in this format are custom chapters on "California Government" and "Texas Government."

For Students

Study Guide

by Eric Miller of Blinn College

Each chapter includes the following: learning objectives, focus and main points (to help direct students' attention to key material), chapter summary,

major concepts (listed and defined), annotated Internet resources, analytical-thinking exercises, and test review questions—approximately 10 true-false, 15 multiple-choice, and 5 essay topics. The answers are provided at the end of each chapter.

2004 Presidential Election Update

by Richard Semiatin of American University

This supplement explores the 2004 presidential election campaign. Polls indicate that Americans saw the Bush-Kerry race as one of the most important elections of their lifetimes, and they responded by voting in unusually high numbers. Richard Semiatin analyzes the ups-and-downs of the election polls, and the determined efforts of the two campaigns to control the campaign agenda. This supplement examines the impact of partisanship and of the Iraq and economic issues on the vote. Also examined are, for example, the media campaign, including some of the more controversial ads (including those of the Swift Boat Veterans for Truth); money and fundraising; the impact of the Electoral College on political strategy; and the televised presidential debates. Finally, Professor Semiatin examines the impact of the election on the direction of the nation's domestic and foreign policies.

Impeachment and Trial Supplement

by Richard Semiatin of American University

This l6-page supplement offers an overview of the impeachment and trial processes within a historical and constitutional context. It discusses the factors affecting the case of President Andrew Johnson in the 1860s and the vastly different, modern case of President Bill Clinton. This supplement also looks at alternatives to conviction and expulsion. This booklet can be shrink-wrapped with the sixth edition of *We the People*.

ACKNOWLEDGMENTS

For this new, sixth edition of *We the People*, I received an enormous amount of sound advice. Reviewers are the lifeblood of a text, and I was fortunate to have the assistance of a skilled group of scholars. I am deeply grateful to each and all of them for their help:

Cindy Cates, Towson University
Tom Dolan, Columbus State University
Daniel P. Gregory, El Camino College
John Havick, Georgia Institute of Technology
Rick Henderson, Southwest Texas State
Tom Hogen-Esch, California State University—Northbridge
Jim Holton, Warner Southern College
Susan Mezey, Loyola University College
Christopher Mobley, DePaul University
Edward Mullen, Austin Community College
David Uranga, Pasadena City College

I also want to thank those at McGraw-Hill who contributed to the sixth edition. Monica Eckman, my editor, was again at the top of her game. Few authors have likely had the benefit of the extraordinary combination of professional skill and inspired direction that Monica has provided in the writing of the past few editions of *We the People*. Angela Kao, Development Editor, and Katherine Bates, Marketing Manager, augmented Monica's contributions with critical inputs of their own for which I am deeply grateful. I also would like to thank my project manager Christina Gimlin, who brought this book to a sound conclusion. Mary Roybal, a superb copyeditor, polished my clumsy phrases and improved my word selections. Others at McGraw-Hill, though not in direct contact with me, also made important contributions: Rich DeVitto, production supervisor; Preston Thomas, designer; Alexandra Ambrose, photo research coordinator; and Kathleen Boylan, supplements producer.

At Harvard, I had the tireless, proficient, and cheerful support of my faculty assistant, Vanessa Schulz. She flawlessly updated many of the tables and figures, tracked down hard-to-find sources, copied endless draft pages, and prompted me to stay on schedule. I owe her deep thanks.

Contents

| Preface | XV |
|--|----------|
| Chapter One | |
| American Political Culture: Seeking a | |
| More Perfect Union | 1 |
| Political Culture: The Core Principles of American Government | 4 |
| America's Core Values: Liberty, Equality, and Self-Government | 7 |
| Politics: The Resolution of Conflict | 16 |
| Political Power: The Control of Policy | 25 |
| The Concept of a Political System and This Book's Organization | |
| Summary | 32 |
| Key Terms | 35 |
| Suggested Readings | 35 35 |
| List of Websites | 36 |
| Politics in Theory and Practice | 36 |
| Additional Resources | 36 |
| Arkansas Democrat-Gazette Reading 1: The Right, Duty and Privilege to Love Our Country | 30 |
| Philip Martin | R1-1 |
| Chapter Two | |
| Constitutional Democracy: Promoting | |
| Liberty and Self-Government | 37 |
| Before the Constitution: The Colonial and Revolutionary Experiences | 40 |
| Negotiating Toward a Constitution | 46 |
| - 1-5 - Land a Constitution | 40 |

| vi | Contents |
|----|----------|
| | |

| Protecting Liberty: Limited Government | 52 | |
|--|------|--|
| Providing for Self-Government | | |
| Constitutional Democracy Today | 70 | |
| Summary | 7 | |
| Key Terms | 72 | |
| Suggested Readings | 72 | |
| List of Websites | 73 | |
| Politics in Theory and Practice | 73 | |
| Additional Resources | 73 | |
| The Detroit Free Press Reading 2: Incumbents Expected to | | |
| Breeze to Re-election Ruby Bailey | R2-1 | |
| <i>y </i> | N2-1 | |
| Chapter Three | | |
| Federalism: Forging a Nation | 74 | |
| Federalism: National and State Sovereignty | 77 | |
| Federalism in Historical Perspective | 85 | |
| Federalism Today | 96 | |
| The Public's Influence: Setting the Boundaries of | 20.2 | |
| Federal-State Power | 105 | |
| Summary | 107 | |
| Key Terms | 108 | |
| Suggested Readings | 108 | |
| List of Websites | 109 | |
| Politics in Theory and Practice | 109 | |
| Additional Resources | 110 | |
| The Oregonian Reading 3: U.S. Asks High Court to Block Suicide Law | | |
| Jim Barnett | R3-1 | |
| Chapter Four | | |
| CIVIL LIBERTIES: PROTECTING INDIVIDUAL | | |
| RIGHTS | 111 | |
| | 1 | |