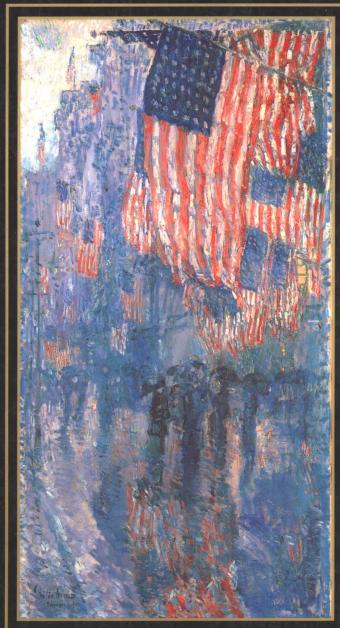
KAREN O'CONNOR \* LARRY J. SABATO



# AMERICAN GOVERNMENT

1999 EDITION

CONTINUITY AND CHANGE

## merical

## Government x

#### CONTINUITY AND CHANGE

1999 EDITION

### Karen O'Connor

Professor of Political Science

American University

### Larry J. Sabato

Robert Kent Gooch Professor of Government and Foreign Affairs

University of Virginia

Allyn and Bacon

BOSTON ■ LONDON ■ TORONTO ■ SYDNEY ■ TOKYO ■ SINGAPORE

Vice-President, Editor-in-Chief, Political Science: Paul A. Smith

Editorial Assistant: Kathy Rubino Marketing Director: Jeff Lasser

Editorial-Production Service: *Thomas E. Dorsaneo* Composition and Prepress Buyer: *Linda Cox* Manufacturing Buyer: *Megan Cochran* Cover Administrator: *Linda Knowles* Photo Researcher: *Helane M. Prottas* 



Copyright © 1999, 1997, 1995, 1993 by Allyn & Bacon A Viacom Company 160 Gould Street Needham Heights, MA 02194

Internet: www.abacon.com

All rights reserved. No part of the material protected by this copyright notice may be reproduced or utilized in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the written permission of the copyright owner.

#### Library of Congress Cataloging-in-Publication Data

O'Connor, Karen

American government: continuity and change / Karen O'Connor, Larry J. Sabato—1999 ed.

p. cm.

Includes bibliographical references and index.

ISBN 0-205-28678-X

II. Title. JK274.0255 1999

320.473-dc21

98-25279 CIP

Printed in the United States of America
10 9 8 7 6 5 4 3 2 1 VHP 01 00 99 98

#### KAREN O'CONNOR

To my Government 101 students over the years, who all know that "politics is a good thing"

LARRY SABATO



eaching introductory American government today requires special skills, sensitivity, and adaptability that many of us have only recently been forced to learn during the 1990s, as different movements and groups manifested a variety of attitudes toward their political leaders and even toward the political process itself. In 1992, we experienced the so-called "Year of the Woman" and the election of the first Democratic president in twelve years. While Bill Clinton's campaign operatives focused their message on the state of the economy, some pundits proclaimed the cardinal campaign principle of that election to be, "It's abortion, Stupid," as women voters turned out in force to cast their votes for women candidates (most of whom were Democrats) and for Clinton. Studies showed that these voters were angry about a series of House banking scandals, the all-male Senate Judiciary Committee's treatment of Anita Hill during the Clarence Thomas hearings, and the specter of a conservative Supreme Court overruling *Roe v. Wade*. The nation watched the Thomas hearings on television and couldn't believe the manner in which the elected officials were conducting themselves and the country's business.

By 1994, however, the mood of the nation appeared to undergo a sea change. Women voters, lulled into believing that the right to abortion was secure and that the women legislators they had elected would act on their behalf, stayed home from the polls in record numbers. At the same time, those whom pundits nicknamed "Angry White Males" voted—and voted overwhelmingly Republican—ushering in the first Republican Congress in over a decade. These angry voters were perceived to want less government, particularly at the national level, and Republican lawmakers in Congress tried to respond as they sought to enact the varied proposals for sweeping governmental reform contained in what they termed their "Contract with America."

This return to divided government brought with it many changes in the way the national government operates. The swearing in of the Republican Congress also appeared to trigger a change in the way politics operated in Washington, D.C. Conciliation was out; confrontation was in. The anger of many American voters was often echoed in the halls of Congress where civility was no longer was a cherished virtue. Much of this rancor was duly, even gleefully reported by the press and members of the mass media. Whether on call-in radio talk shows or from television newsdesks, the tone and subject of American political discourse changed.

This change in our political discourse—immensely intensified by a President who admitted to engaging in sexual relations with a White House intern in the Oval Office and by a Special Prosecutor's report excruciatingly describing the intimate details of

their encounters—has led many of those who were angry in 1994 to become simply disgusted by 1999.

Thus, in less than a decade, our perceptions of politics, the role of the media, and the utility of voting appear to have undergone tremendous change. Over the last three editions, this text has tried diligently to reflect those changes and to present information about politics in a manner that will actively engage students—many of whom have little interest in politics when they come into the classroom. In this edition, we try to build on a solid, tried-and-true base and at the same time to present information about how politics now seems to be changing at an ever more rapid pace. Thus, we present new information that we hope will whet students' appetites to learn more about politics while providing them with all of the information they need to make informed decisions about their government, politics, and politicians. We very much want our students to make such decisions. We very much want them to participate. Our goal with this text is to transmit just this sort of practical, useful information while creating and fostering student interest in American politics despite growing national skepticism about government and government officials at all levels. In fact, we hope that this new edition of our text will explain the national mood about politics and put it in better context for students to understand their important role in a changing America.



#### WHAT'S CHANGED?

n this 1999 edition of American Government: Continuity and Change, we have retained our basic approach to the study of politics as one of bedrock constants yet continual change. Recent changes in voter perceptions-from anger and frustration at government to alarm or apathy are chronicled throughout every chapter. Since the last edition of this text, the president admitted to sexual misconduct in the White House, the nation's fascination with the O.J. Simpson trial was replaced by nightly television programs including "White House in Crisis," and some cable networks nearly became "All Monica TV." The Monica and Bill story has not been the only change. We could have never predicted how the use of the Internet would have so quickly changed the political landscape. Reports about the "White House intern" and the Linda Tripp tapes first appeared on-line; the 400-plus page Starr Report and the White House rebuttal were instantaneously released on the Internet (ironically by a Congress otherwise devoted to keeping pornography off the Internet), candidates and political parties all have web pages and information about government and politics is now much more accessible than ever before. These changes are reflected in our updating and rewriting of several chapters including a completely reorganized chapter on Interest Group Politics.

This new edition of the book also discusses our continuing national debate about campaign finance reform, economic and politics changes in Russia and Japan, and the ramifications of welfare reform and Pakistan's nuclear testing.



#### **APPROACH**

e believe that one cannot fully understand the actions, issues, and policy decisions facing the U.S. government, its constituent states, or "the people" unless these issues are examined from the perspective of how they

PREFACE xvii

have evolved over time. Consequently, the title of this book is *American Government: Continuity and Change*. In its pages we try to examine how the United States is governed today by looking not just at present behavior but also at the Framers' intentions and how they have been implemented and adapted over the years. For example, we believe that it is critical to an understanding of the role of political parties in the United States to understand the Framers' fears of factionalism, how parties evolved, and when and why realignments in party identification occurred.

In addition to questions raised by the Framers, we explore issues that the Framers could never have envisioned, and how the basic institutions of government have changed in responding to these new demands. For instance, no one more than two centuries ago could have foreseen election campaigns in an age when nearly all American homes contain television sets, and the Internet and fax machines allow instant access to information. Moreover, increasing citizen demands and expectations have routinely forced government reforms, making an understanding of the dynamics of change essential for introductory students.

Our overriding concern is that students understand their government as it exists today, so that they may become better citizens and make better choices. In spite of current voter apathy, we believe that by providing students with information about government, explaining why it is important, and why their participation counts, students will come to see that politics can be a good thing.

To understand their government at all levels, students must understand how it was designed in the Constitution. Each chapter, therefore, approaches its topic from a combination of perspectives which we believe will facilitate this approach. In writing this book, we chose to put the institutions of government (Part Two) before political behavior (Part Three). Both sections, however, were written independently, making them easy to switch for those who prefer to teach about the actors in government and elections before discussing its institutions. To test the book, each of us has taught from it in both orders, with no pedagogical problems.



#### **FEATURES**

#### Historical Perspective

Every chapter uses history to serve three purposes: first, to show how institutions and processes have evolved to their present states; second, to provide some of the color that makes information memorable; and third, to provide students with a more thorough appreciation that government was born amid burning issues of representation and power, issues that continue to smolder today. A richer historical texture helps to explain the present.

#### Comparative Perspective

Changes in the Japanese economy, Russia, Eastern Europe, North America, and Asia all remind us of the preeminence of democracy, in theory if not always in fact. As new democratic experiments spring up around the globe, it becomes increasingly important for students to understand the rudiments of presidential versus parliamentary government, of multiparty versus two-party systems, and so on. To put American government

in perspective, we continue to draw comparisons with Great Britain. We also draw comparisons with our North American neighbors—Canada and Mexico—in "North-South" features throughout the text.

#### Enhanced Pedagogy

We have revised and enhanced many pedagogical features to help students become stronger political thinkers and to echo the book's theme of evolving change.

**Preview and Review.** To pique student interest and draw them into each chapter, we now begin each chapter with a contemporary vignette. Each vignette is followed by a bridge paragraph linking the vignette with the chapter's topics and a roadmap previewing the chapter's major headings. Chapter Summaries, too, have been more logically restructured to restate the major points made under each of these same major headings.

**Key Terms.** Glossary definitions are now included in the margins of the text for all boldfaced key terms. Key terms are listed once more at the end of each chapter, with page references for review and study.

**Special Features.** Each chapter contains several boxed features in keeping with its theme of continuity and change:

- Roots of Government boxes highlight the role that a particular institution, process, or person has played in the course of American politics as it has evolved to the present.
- North-South boxes provide comparative insights on various institutions and processes in our closest neighbors—Canada and Mexico.
- Politics Now boxes act as a counterpoint to the text's traditional focus on "roots." Based on current clippings, editorials, and moments in time, these boxes are designed to encourage students to think about current issues in the context of the continuing evolution of the American political system.
- *Highlight* boxes provide additional tidbits of information outside the stream of the text discussion.
- A section entitled *Changing* . . . concludes each chapter, tying in with the book's theme of change in America and focusing on the possibilities of governmental, institutional, and citizen reform. In considering the role of the individual citizen, we hope to encourage students to reassess their roles in the political system and to explore ways to become more informed members of the electorate.



#### THE ANCILLARY PACKAGE

he ancillary package for American Government: Continuity and Change, 1999 Edition, reflects the pedagogical goals of the text: to provide information in a useful context and with colorful examples. We have tried especially hard to provide materials that are useful for instructors and helpful to students.



#### FOR INSTRUCTORS

- *Instructor's Manual* The Instructor's Manual includes lecture ideas, discussion questions, classroom activities, and a guide to video and other resources.
- *Test Bank* Completely revised and expanded, the test bank provides more than 2,000 multiple choice, true/false and essay questions. A Computerized Test Bank in IBM (DOS or Windows) or Macintosh formats is also available.
- Transparencies A full set of over 50 color transparencies, including maps, charts, and diagrams is available for classroom use.
- Power Point Presentation (IBM) A set of over 200 power point slides provides instructors with ready made lecture outlines, visuals for use in class presentation, and a medium which they can adapt to suit their specific teaching needs.
- Interactive Edition User's Guide This user's guide accompanies the Interactive Edition of the text, available in the summer of 1999, and provides helpful hints for getting the most out of the multimedia assets—audio, video, weblinks, practice tests, and more—housed on the CD-ROM.
- Allyn and Bacon Interactive Video for American Government Organized to complement each chapter of the text, this 90-minute videotape provides over 25 important political "stories" that students will find informative and interesting. Meant to initiate useful class discussions, these video stories are followed by an expertly conceived series of questions that require students to think critically about controversial issues, weigh information carefully before taking a position, and understand why different people my hold different views on a given topic.
- Video Library Those who adopt the text can choose from a wide range of videos on every major course topic.



#### FOR THE STUDENT

- Study Guide A study guide for students is available that includes chapter synopses, outlines, key terms, and multiple choice, true/false, and matching questions with answers.
- Practice Tests Free Practice Tests are available to allow students to check their mastery of the material and to get in the habit of taking tests for this course.
- Allyn and Bacon Quick Guide to the Internet for Political Science This guide gives students handy advice on how to use the resources available on the World Wide Web to get information for tests, research papers, and other class-related projects, and it includes a wide range of URLs for sites pertaining to a broad variety of political topics.
- Ten Things That Every American Government Student Should Read A concise, free collection of readings that represent the most commonly assigned primary documents and academic writings to supplement the text.
- American Government: Readings and Cases Available at a reduced price when packaged with the text, this full-scale reader will appeal to instructors who want

to assign a broad range of materials to supplement the textbook. This collection combines classic articles and documents with some of the best current political science articles and landmark cases. Helpful pedagogy includes chapter introductions and end-of-chapter critical thinking questions.

- Interactive Study Guide The interactive study guide includes questions, key terms, various exercises and more on easy-to-use diskettes (Windows only).
- Website: "Participate," a book-related website, gives students access to a broad variety of political information and course-specific resources on line.
- Interactive Edition Coming in the summer of 1999 and available free with the book, this CD-ROM contains the entire text, enhanced with valuable multimedia assets. As students read the assigned material, they can also access contextualized links to important and relevant websites on the World Wide Web, watch lively video clips that flesh out various issues and topics, hear audio recordings of the text authors discussing particularly critical or timely issues, and check their mastery of the material by taking on-line "practice tests." This CD also includes a number of "Updates," which provide students access to coverage of late-breaking news of key stories and will allow the text to remain current after publication.



#### **ACKNOWLEDGMENTS**

aren O'Connor thanks the thousand-plus students in her American Government courses at Emory and American Universities who, over the years, have pushed her to learn more about American government and to have fun in the process. She especially thanks her American University colleagues who offered books and suggestions for this most recent revision-Gregg Ivers, Ron Shaiko, and David Lublin. Her former professor and long-time friend and co-author Nancy E. McGlen has offered support for more than two decades. Her former students, too, have contributed in various ways to this project, especially John R. Hermann, Paul Fabrizio, Bernadette Nye, Sue Davis, and Laura Van Assendelft. For this current edition, the assistance of Sarah Brewer has been invaluable. She has approached the sometimes arduous task of updating and revising with unabashed enthusiasm and provided us with a fresh look at the book. Larry Sabato would also like to acknowledge University of Virginia Government 101 Students, past and present, who without fail have offered valuable suggestions and feedback, the volunteer and professional staff of University of Virginia's Center for Governmental Studies for their technical assistance and Tracey Ernst, the wife of University of Virginia graduate student, Howard Ernst, for her patience while Howard assisted with the research and writing of Chapters 12 through 15 of this edition. And, of course, Howard Ernst for his dedication to this project. Larry Sabato wishes to thank his University of Virginia colleagues and staff, including graduate student Lawrence Schack and technical assistant Nancy Rae, both of whom were essential to the research and writing of this edition.

Particular thanks from both of us go to Steven G. Koven of the University of Louisville, who revised Chapters 17 (Social Welfare Policy), and 18 (Economic Policy); to Richard Cupitt at the Center for International Trade and Security at the University of Georgia, who coauthored Chapter 19 (Foreign and Military Policy); and to Dennis L. Dresang at the University of Wisconsin—Madison, who coauthored the new Chapter 4 (State and Local Government). We also thank Jeffrey Anderson of Brown University, who helped provide comparisons between the American and British systems of govern-

xxi

ment, and Chip Hauss of the University of Reading (UK), who prepared the North—South features.

In the now many years we have been writing and rewriting this book, we have been blessed to have been helped by many people at Macmillan and at Allyn and Bacon. Bruce Nichols signed the project and nurtured us through writing our first drafts. Now, we have been lucky to have the new insights and help of first Joe Terry and now Paul Smith at Allyn and Bacon. Many of the features new to this book are a result of the fresh insights they were able to offer as we worked to revise this edition. Tom Dorsaneo skillfully guided us through an unusually harrowing schedule; and Director of Marketing, Jeff Lasser, has promoted our book with what can only be described as messianic zeal. We would also like to thank and acknowledge our development editor, Jane Tufts, who was with us for our first three editions. Finally, we would like to acknowledge the tireless efforts of the Allyn and Bacon sales force. In the end, we hope that all of these talented people see how much their work and support have helped us to write a better book.

Finally, many of our peers reviewed various stages of the manuscript and earned our gratitude in the process:

Danny Adkison

Oklahoma State University

Ruth Bamberger Drury College

Jon Bond

Texas A&M University

Greg Caldeira

Ohio State University
David Cingranelli

SUNY, Binghamton

Cary Covington
University of Iowa

Evelyn Fink

University of Nebraska

**Doris Graber** 

University of Illinois at Chicago

Charles Hadley

University of New Orleans

Chip Hauss

George Mason University/University of Reading

Marjorie Hershey
Indiana University

Kenneth Kennedy College of San Mateo

Jonathan E. Kranz

John Jay College of Criminal Justice

Mark Landis
Hofstra University
Steve Mazurana

University of Northern Colorado

Bruce Oppenheimer Vanderbilt University

Mark Silverstein

Boston University

Shirley Anne Warshaw

Gettysburg College
Martin Wiseman

Mississippi State University

James Anderson
Texas A&M University

Judith Baer

Texas A&M University
Christine Barbour
Indiana University
Stephen A. Borrelli
University of Alabama

Ann Bowman

University of South Carolina

Steve Chan

University of Colorado Clarke E. Cochran Texas Tech University

Anne N. Costain University of Colorado

John Domino Sam Houston State University

Alan S. Engel Miami University Stacia L. Haynie

Louisiana State University

Cornell Hooton
Emory University
Dennis Judd

University of Missouri-St. Louis

Donald F. Kettl

University of Wisconsin

John Kincaid

University of North Texas

Nancy Kucinski

University of North Texas

Valerie Martinez

University of North Texas

Clifton McCleskey University of Virginia

Joseph Nogee

University of Houston

Mary Alice Nye

University of North Texas

Richard Pacelle

University of Missouri-St. Louis

Marian Lief Palley University of Delaware Leroy N. Rieselbach Indiana University David Robertson

Public Policy Research Centers, University of Missouri-St. Louis

Frank Rourke

Johns Hopkins University

Frank J. Sorauf

University of Minnesota

Weston H. Agor

University of Texas at El Paso

Gary Brown Montgomery College John Francis Burke

University of Houston-Downtown

David E. Camacho

Northern Arizona University Richard Christofferson, Sr.

University of Wisconsin-Stevens Point

Lane Crothers

Illinois State University

Abraham L. Davis Morehouse College Robert DiClerico West Virginia University

Craig F. Emmert
Texas Tech University

Frank B. Feigert

University of North Texas

Scott R. Furlong

University of Wisconsin-Green Bay

James D. Gleason Victoria College Sheldon Goldman

University of Massachusetts,

Amherst

Roger W. Green

University of North Dakota

William K. Hall Bradley University

Robert L. Hardgrave, Jr.

The University of Texas at Austin

John R. Hermann
Trinity University
Jon Hurwitz

University of Pittsburgh

Joseph Ignagni

University of Texas-Arlington

Carol J. Kamper

Rochester Community College

Sue Lee

North Lake College Brad Lockerbie University of Georgia

Larry Martinez

California State University-Long Beach

Lynn Mather Dartmouth College John O'Callaghan Suffolk University Richard M. Pious Columbia University

California State University-Fresno

Lawrence J. Redlinger

The University of Texas at Dallas

David Robinson

David H. Provost

University of Houston-Downtown

David W. Rohde

Michigan State University

Ronald Rubin

City University of New York

Borough of Manhattan Community

College

Daniel M. Shea

The University of Akron

James R. Simmons

University of Wisconsin-Oshkosh

Elliot E. Slotnick

The Ohio State University

Gerald Stanglin Cedar Valley College Richard J. Timpone SUNY-Stony Brook

#### **PREFACE**

Victor Aikhionbare
Salt Lake Community College
Robert C. Bradley
Illinois State University
David E. Dupree
Victor Valley College
Susan M. Johnson
University of Wisconsin—

Whitewater

Karen M. King
Bowling Green State University
James L. McDowell
Indiana State University
Mark C. Miller
Clark University
Andrea Simpson
University of Washington

#### We'd also like to thank our survey respondents:

Philip M. Simpson
Cameron University
Walle Engedayehu
Prairie View A&M University
Jeffrey D. Green
University of Montana
Rick Whisonant
York Technical College
C. S. Tai
University of Arkansas-Pine Bluff

Stephen C. Craig
University of Florida
Alan R. Carter
Schenectady County Community
College
Bruce L. Sanders
MacComb Community College
Keith L. Dougherty
St. Mary's College of Maryland

### **Brief Contents**

PART ONE FOUNDATIONS OF GOVERNMENT			PART FOUR PUBLIC POLICY		
1 2	The Political Landscape  The Constitution	2 40	<ul><li>17 Social Welfare Policy</li><li>18 Economic Policy</li></ul>	662 710	
3	Federalism	78	19 Foreign and Military Policy	758	
4 5 6	State and Local Government Civil Liberties Civil Rights	110 146 190	Appendices	····	
	PART TWO  NSTITUTIONS OF GOVERNM		I The Declaration of Independence II The Constitution of the United States of America	807 810	
7	Congress	232	<ul><li>III The Federalist No. 10</li><li>IV The Federalist No. 51</li></ul>	821 826	
8 9	The Presidency	290	V Presidents, Congresses, and Chief Justices: 1789–1996	829	
10	The Bureaucracy The Judiciary	336 370	Glossary	833	
	PART THREE POLITICAL BEHAVIOR		Index	841	
11	Public Opinion and Political Socialization	422			
12	Political Parties	460			
13	Voting and Elections	510			
14	The Campaign Process	556			
15	The News Media	594			
16	Interest Groups	626			

## Contents

Preface	ΧV	Individualism	
,		Equality	18
		Personal Liberty	18
		CHARACTERISTICS OF THE AMERICAN PEOPLE	19
PART ONE		Size and Population	19
FOUNDATIONS OF GOVERNM	ENT	Changing Demographics of the U.S. Population	20
		Implications of Racial, Ethnic, and Generational	
1		Change	23
CHAPTER 7		Ideology of the American Public	26
The Political Landscape	2	POLITICAL CULTURE, FRUSTRATION, AND THE DISAFFECTED PUBLIC	28
THE ROOTS OF AMERICAN GOVERNMENT: WHERE DID THE IDEAS COME FROM?	7	Why Has American Frustration with Government Turned to Apathy and Even Disgust?	29
From Aristotle to the Enlightenment	7	■ NORTH—SOUTH	31
A Growing Idea: Popular Consent	7	CHANGING AMERICA	35
■ HIGHLIGHT 1.1		SUMMARY	36
Taking Government for Granted	8	KEY TERMS	37
■ ROOTS OF GOVERNMENT		SELECTED READINGS	38
The Philosophies of Thomas Hobbes and John Locke	10	NOTES	38
Devising a National Government	11		
The Theory of Democratic Government	11	CHAPTER $2$	
■ POLITICS NOW			
The Electronic Democracy?	12	The Constitution	40
Why a Capitalist System?	14	THE ORIGINS OF A NEW NATION	43
HIGHLIGHT 1.2		Trade and Taxation	44
Other Economic Systems	15	■ ROOTS OF GOVERNMENT	7-7
CHARACTERISTICS OF AMERICAN		Samuel Adams	45
<b>DEMOCRACY</b> Popular Consent	16	First Steps Toward Independence	45
Popular Consent  Popular Sovereignty	16 16	The First Continental Congress	47
Majority Rule	16	The Second Continental Congress	47
■ HIGHLIGHT 1.3	10	THE DECLARATION OF INDEPENDENCE	48
Who Makes Decisions in America?	17	A Theoretical Basis for a New Government	<b>48</b>
	• •		40

THE FIRST ATTEMPT AT GOVERNMENT:	<b>49</b> 50	THE EVOLUTION AND DEVELOPMENT	89
THE ARTICLES OF CONFEDERATION  Problems Under the Articles of Confederation		OF FEDERALISM  Dual Federalism	
			90
THE MIRACLE AT PHILADELPHIA: WRITING A CONSTITUTION	51	■ HIGHLIGHT 3.1  Dred Scott	91
The Framers	52	The Civil War and Beyond	91
The Virginia and New Jersey Plans	52	Cooperative Federalism	91
HIGHLIGHT 2.1		Creative Federalism	95
The Motives of the Framers	53	HIGHLIGHT 3.2	7.7
The Great Compromise	53	Forcing a National Alcohol Policy	96
The Constitution and the Presidency	54	New Federalism	97
THE U.S. CONSTITUTION	55	The Republican Congress—Federalism Realigned?	98
The Basic Principles of the Constitution	56	THE CHANGING NATURE OF FEDERALISM	101
The Articles of the Constitution	59	Federalism and the Supreme Court	101
■ HIGHLIGHT 2.2		■ NORTHSOUTH	
The Constitutional Power to Coin Money	60	More Changes to Come?	102
THE DRIVE FOR RATIFICATION	62	■ HIGHLIGHT 3.3	105
Federalist Versus Anti-Federalists	63	The Intergovernmental Lobby	106
AMENDING THE CONSTITUTION	66	SUMMARY	-
The Formal Amendment Process	67	KEY TERMS	107
HIGHLIGHT 2.3	01	SELECTED READINGS	108
The Twenty-Seventh (Madison) Amendment	69	NOTES	108 109
■ POLITICS NOW Amending the Constitution THE CONSTITUTION IN A CHANGING AMERICA ■ NORTH—SOUTH	71 71 72	CHAPTER $4$ State and Local Government	110
Judicial Interpretation	73	CDACCDOCTO TOWN	
Social and Cultural Change	74	GRASSROOTS POWER AND POLITICS	113
SUMMARY	74	CONSTITUTIONS AND TREATIES	115
KEY TERMS	74 75	State Constitutions	115
SELECTED READINGS	76	■ POLITICS NOW School Choice	
NOTES	76		116
		■ ROOTS OF GOVERNMENT The Northwest Ordinance of 1787	117
CHAPTER $3$		■ HIGHLIGHT 4.1	117
Federalism		The Hawaiian Constitution—A Special Case	119
rederatism	78	Indian Treaties and Constitutions	119
THE ROOTS OF FEDERALISM	82	STATE GOVERNMENTS	121
THE POWERS OF GOVERNMENT IN THE	02	Governors	121
FEDERAL SYSTEM	84	State Legislatures	121
ROOTS OF GOVERNMENT		State Courts	126
U.S. Citizenship Rights and the Franchise	85	Elections	129
Denied Powers	86	Direct Democracy	131
Guarantees to the States	86	LOCAL GOVERNMENTS	
Relations Among the States	87	Charters	132
POLITICS NOW		Types of Local Governments	133
Gay Marriages: Does "Full Faith and Credit" Apply?	88	Executives and Legislatures	134 136
			טכו

#### CONTENTS

■ HIGHLIGHT 4.2  Pete Wilson, Mayor of San Diego	138	The Eighth Amendment and Cruel and Unusual Punishment	176
FINANCES	138	THE RIGHT TO PRIVACY	178
CHANGING STATE, TRIBAL, AND LOCAL		Birth Control	178
GOVERNMENTS	140	Abortion	179
■ NORTH-SOUTH	141	Homosexuality	181
SUMMARY	142	The Right to Die	182
KEY TERMS	144	CHANGING NOTIONS OF CIVIL LIBERTIES	184
SUGGESTED READINGS	144	The Christian Coalition and Civil Liberties	184
NOTES	144	SUMMARY	185
		KEY TERMS	187
CHAPTER 5		SUGGESTED READINGS	187
		NOTES	187
Civil Liberties	146		
THE FIRST CONSTITUTIONAL AMENDMENTS:		CHAPTER $\delta$	
THE BILL OF RIGHTS	148	Civil Rights	190
The Incorporation Doctrine: The Bill of Rights Made Applicable to the States	1.40		
Selective Incorporation and Fundamental Freedoms	149 150	SLAVERY, ABOLITION, AND WINNING THE	
FIRST AMENDMENT GUARANTEES:	150	RIGHT TO VOTE, 1800–90	193
FREEDOM OF RELIGION	152	Slavery and Congress  The Abolitionist Movement: The First Civil	193
The Establishment Clause	153	Rights Movement	194
■ HIGHLIGHT 5.1		ROOTS OF GOVERNMENT	174
Praying for Justice?	154	Frederick Douglass	195
The Free Exercise Clause	155	The Civil War and Its Aftermath: Civil Rights Laws	
■ HIGHLIGHT 5.2		and Constitutional Amendments	196
The American Civil Liberties Union: Protector of		■ POLITICS NOW	
First Amendment Rights	156	The Thirteenth Amendment Revisited	197
FIRST AMENDMENT GUARANTEES:		Civil Rights and the Supreme Court	198
FREEDOM OF SPEECH AND PRESS	158	■ HIGHLIGHT 6.1	
Attempts to Limit Speech	159	Who Was Jim Crow?	199
NORTH—SOUTH	160	THE PUSH FOR EQUALITY, 1890-1954	200
What Types of Speech Are Protected	164	The Founding of the National Association for the Advancement of Colored People	
HIGHLIGHT 5.3 The Porn Police		Key Women's Groups	201
	165	Litigating for Equality	202
POLITICS NOW		■ HIGHLIGHT 6.2	204
Motherhood, Apple Pie, and the Flag	167	Why It's Called Brown v. Board of Education of	
THE CRIMINAL HIGHEST CHARACTERS AND		Topeka, Kansas	207
THE CRIMINAL JUSTICE SYSTEM	168	THE CIVIL RIGHTS MOVEMENT	208
■ ROOTS OF GOVERNMENT The Second Amendment and the Right to Bear Arms		School Desegration After Brown	208
	169	A New Move for African-American Rights	208
The Fifth Amendment and Searches and Seizures	171	Formation of New Groups	209
The Fourth Amendment and Self-Incrimination	172	The Civil Rights Act of 1964	210
The Fourth Amendment and the Exclusionary Rule The Sixth Amendment and the Right to Counsel	173	■ HIGHLIGHT 6.3	
The Sixth Amendment and the Right to Counsel  The Sixth Amendment and Jury Trials	174	The Voting Rights Act of 1965 and Its Effect	212
The same family and same same same same same same same same	175	The Impact of the Civil Rights Act of 1964	212