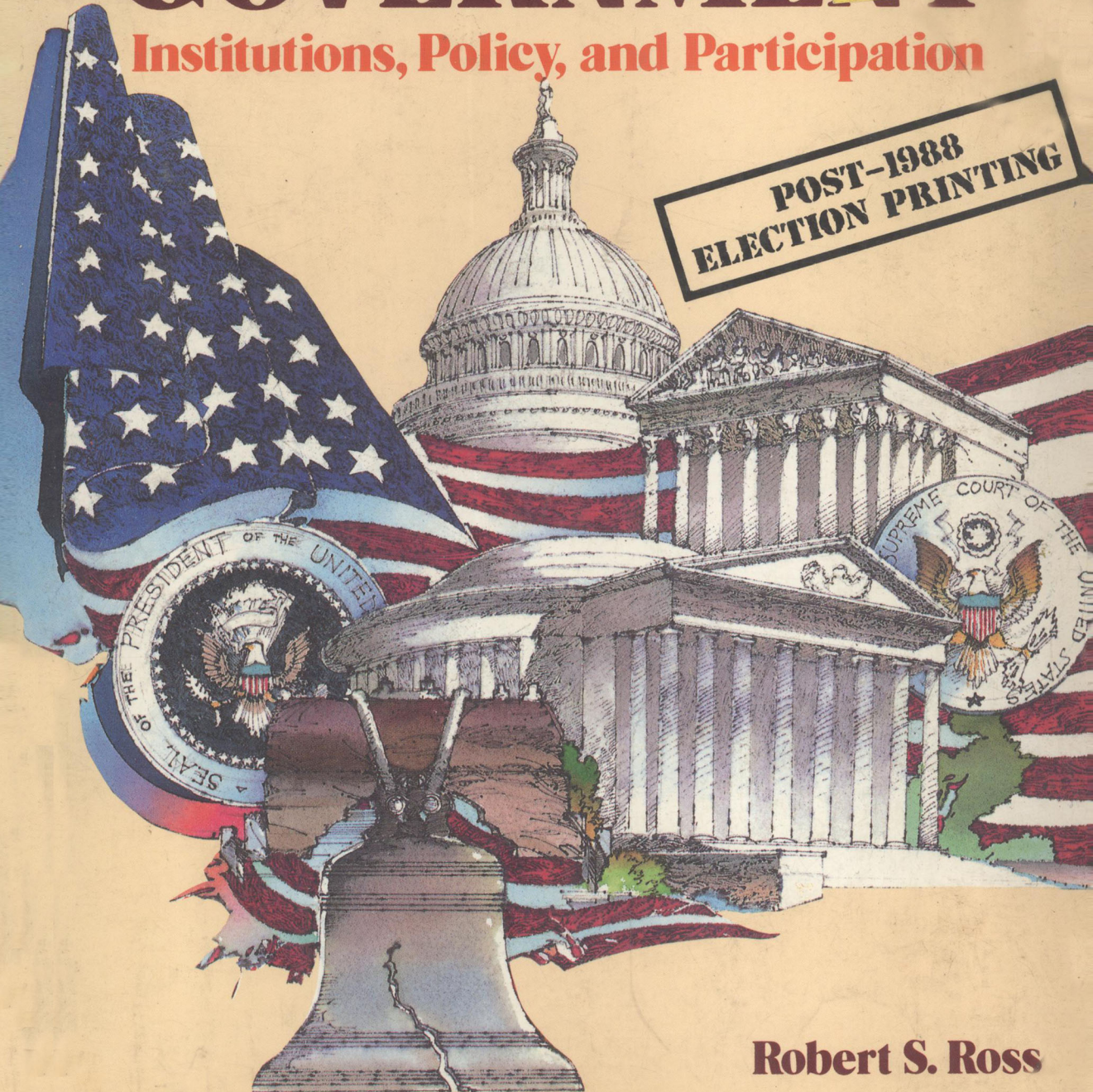


AMERICAN NATIONAL GOVERNMENT

Current
List Price ~~16.95~~
Why Pay More
Used
Price \$12.70

Institutions, Policy, and Participation

**POST-1988
ELECTION PRINTING**



Robert S. Ross

AMERICAN NATIONAL GOVERNMENT

Institutions, Policy, and Participation

Robert S. Ross
*California State University
Chico*

**POST-1988
ELECTION PRINTING**

The Dushkin Publishing Group, Inc.

American National Government: Institutions, Policy, and Participation

Copyright © 1988 by The Dushkin Publishing Group, Inc. All rights reserved. No part of this publication may be reproduced, stored, or transmitted in any form or by any means, mechanical, electronic, photocopying, recording, or otherwise, without prior written permission of the copyright holder except in the case of brief quotations embodied in critical articles and reviews.

Printed in the United States of America

Library of Congress Catalog Card Number 88-70365

International Standard Book Number (ISBN) 0-87967-750-3

Post-1988 Election Printing

The Dushkin Publishing Group, Inc., Sluice Dock, Guilford, Connecticut, 06437

**AMERICAN NATIONAL
GOVERNMENT**
Institutions, Policy, and Participation

Preface

As an undergraduate I remember coming across what seemed like one of the most ridiculous of political battles: The confrontation was between Carl Hayden, the 84-year-old Senator from Arizona, and Clarence Cannon, the 83-year-old Representative from Missouri. As Chairmen of the Appropriations Committees in their respective Houses, they refused to meet during the summer of 1962 to arrive at a compromise spending plan for our national government. Hayden would not go over to the House side of the Capitol and Cannon would not go to the Senate side. The new fiscal year had begun without an adopted budget prompting the *New York Times* to observe that the appropriations battle was really a “long run opera bouffe starring two congressional octogenarians.”

There was more to this struggle as I was to learn later. At real issue was the relative power of the House and Senate in conference committee. For almost a year the House had attacked the historical practice of the Senate to chair all conference committees and for all meetings to be held on the Senate side. The House wanted to alternate. Senator Hayden, speaking for the Senate, said they would agree to a compromise if half of the appropriations bills originated in the Senate—by custom all appropriations had arisen in the House. The House held fast, however, and eventually won.

What I learned was that one should not be surprised by such smoke screens. Rather one should stop to see what is burning. Much of what appears to be going on in government is not an accurate assessment at all because we are distracted by the dramatic over the mundane; because we don't know what to look for; and because government does not want us to see things clearly. But, fundamentally, our impressions of government are frequently inaccurate because of what we believe government *should* be doing. Consider the following paradoxes:

- The Constitution provides that Congress is to make our laws, yet most scholars would agree that our laws—most of them, anyway—are developed elsewhere.

- A representative assembly from diverse geographic areas was to filter the parochial, local interests into a national interest, yet Congress more often than not focuses on special interests to the exclusion of national concerns.
- The public was to have an opportunity to assess the competence of their elected officials regularly, to allow for the easy replacement of those not measuring up, yet most incumbents are reelected, and only a few congressional districts are actually competitive—giving the minority party a chance of winning.
- Reforms have been adopted to reduce the influence of money in elections, to increase the openness of the governmental process, yet money seems more important today than ever, and most decisions are still occlusive.
- The majority party organizes the legislature, yet aside from the votes on organization, there are few recorded votes on which all, or even a very high percentage, of the party's members stick together.

The point is that although the study of American government can be confounding and confusing it is necessary that we study it. In many cases it is easier to raise a question than to answer it; it is certainly easier to simply describe a problem than to analyze or attempt to explain it. But then, what has one accomplished? This text, an introduction to the basic components of national government, will explore possible explanations of the major questions posed. I believe that politics is concerned with making decisions that are binding on society as a whole and that individuals can and must participate in the making of these decisions. The emphasis in the text is on describing things as realistically as possible. Who gets to make what decisions and how those decisions affect other areas of decision making are discussed as an integral part of the structural components of the system. Students of American politics must understand the institutional framework within which policies are made, not only to fathom the complexities of how and why certain policies are adopted, but to find ways to alter policies with which they differ. Therefore, institutions are presented in such a way as to show their actual contemporary functioning and their involvement in the formulation of public policy.

Contents and Organization

This book is organized into four sections, each logically deriving from and building on the previous one.

Part 1: The Foundations of American Government. In chapter 1 I define politics and the role of the individual in a participatory government, a theme that I develop throughout the book. In chapter 2 I discuss the development of the Constitution

and its basic principles and in chapter 3 the role of the federal government in regional intergovernmental activity. Part 1 concludes with chapter 4 outlining our civil rights and civil liberties as defined in the Constitution.

Part 2: The Structure of American Government. In chapter 5 I discuss the power and limitations of the presidential office. Congress is discussed in both chapter 6 and 7. First its structure and legislative power are outlined and second, the individual member of Congress is considered—his or her salary, benefits, and committee selection. The power of and political restraints on the Supreme Court are discussed in chapter 8, and the organization and policies of the federal bureaucracy are discussed in chapter 9.

Part 3: The Process of American Government. Various political parties are discussed in chapter 10—how they are organized and how they select and nominate a candidate for president. In chapter 11 I detail the specific rules and regulations governing the selection of a presidential candidate. In chapters 12 and 13 I focus on external influences on government policy making. In chapter 12 I show how lobbyists and interest groups try to influence bureaucratic decisions, and in chapter 13 we discuss how the impact of the media and the public opinion poll on political socialization influences the political system.

Part 4: The Products of American Government: Domestic and Foreign Policy. In chapter 14 I present a model of policy-making focusing on agendas, processes, and conflict resolutions. Following this framework for understanding how different policies are made, in chapter 15 I discuss domestic policy. Locks and Dam 26 is used as a thematic case study, to illustrate the implementation of policies in areas such as education, loans, agriculture, and health care. Finally, in chapter 16 I deal with foreign and defense policy. The Truman Doctrine, Vietnam, and the Iran-Contra affair are discussed as some examples of foreign-policy decisions.

Features

There are several features that make this book particularly useful to the student. **Key terms** are underlined throughout and defined in the **glossary** at the end of the text. There are **analytical exercises** at the end of each chapter that call on the student to be creative and thoughtful in offering solutions to practical and philosophical problems raised by the material. I have found these exercises can be enjoyed individually, or as class discussions or projects. I have included the **Constitution** of the United States since there are numerous references to it throughout the book. I have also included **complete citations to Supreme Court cases** in a separate index at the end of the book.

A full reference to all books and periodicals cited can be found at the end of the book. In the chapters I have followed the style of the American Psychological Association and used such abbreviations as *CQ Weekly Report* for the *Congressional Quarterly Weekly Report*, *SF Examiner* for the *San Francisco Sunday Examiner and Chronicle*, and *Statistical Abstract* for the *Statistical Abstract of the United States*.

Supplements

As an aid to using this text successfully in the classroom, an **Instructor's Resource Guide** is available. This contains a variety of suggestions for classroom discussions and activities. Also included are a series of multiple choice and essay questions for each chapter. The essay questions are conceptual in nature giving students the opportunity to creatively apply their understanding of the material to their own experiences and to synthesize information that bombards them from many sources.

Final Note

I firmly believe that government is a participatory activity. I have served as an elected official for 12 years at the local level, have been a member of my party's State Central Committee for 6 years, and have been a campaign coordinator for state and national candidates. In doing these things I have become aware of government's possibilities as well as its limitations. The strength of government lies in the knowledge of its members and their ability to act on that knowledge and their own beliefs. I hope that this textbook imbues students with a respect for government and a resolve to become active participants in it.

Robert S. Ross

Acknowledgments

I have accumulated a host of intellectual debts in writing this book. Many of the ideas contained in it have been a part of my thinking for so long that I can no longer discern mine from those of others. Most of my intellectual debts should be apparent from the citations throughout the text; for those ideas not credited to anyone, their originators may take consolation—albeit without fanfare—that their ideas have been accepted by another.

My interest in and general approach to political institutions has been greatly influenced by my friend and teacher, Conrad L. McBride. William C. Mitchell's work has also had considerable influence on me. I have been fortunate in having a number of thoughtful scholars share their thinking with me: I am indebted to my colleagues Edward Bronson, Charles Price, William Stewart, and John Sanzone, whose habits of leaving their doors open have led to numerous encounters that not only clarified my thinking but at times sent me scurrying off in new and productive directions; a number of congressional staffers have willingly shared their experience and insight with me, especially John Nutter and Dwight Barnes who, regardless of how busy they were, always had time for my queries; working with the fine people at the Junior State program gave me the opportunity to be with some of our nation's future leaders as well as providing me with the opportunity to have such informed colleagues as Dave Brown and Jim Narduzzi, American University, Aaron Segal, University of Texas at El Paso, and especially Danny Adkison, Oklahoma State University, and Ted Vestal of the University of Tulsa; I also wish to thank Louis Fisher of the Congressional Research Service, whose insight into the working of American government has had a major impact on this text.

Getting from the planning stage to publication requires the considerable skill and tenacity of professionals. My typists, Julie Reise and Billie Kanter, provided their usual quality, professional assistance. This book has profited greatly from the encouragement and guidance provided by The Dushkin Publishing Group. To Rick Connelly and Joe McGee I owe a debt of gratitude for believing something worthwhile would come of this project, and to John Holland, Lisa Bonaparte, and Pam Petersen I am indebted for seeing that it did. Any errors are my responsibility.

It is difficult to do justice to the sacrifices that a family makes to accommodate an author's harried work schedule. I have been fortunate to have been surrounded by vibrant, interesting people: Sharon, whose good sense and problem-solving ability are exceeded only by her own professional accomplishments; Andrea, Brian, and Jason who have helped me make the transition from parent to good friend.

This book is dedicated to the memory of the children of Samuel Finley and Amanda Welsh:

Howard Joseph
Olive Margaret
Joyce Welsh

and to

Ruth Lucille
who continues to be an inspiration.

Foreword to the Post-1988 Election Printing

George Herbert Walker Bush was elected our 41st president on November 8, 1988. The Republican candidate overcame a variety of early obstacles to emerge the rather easy victor over the Democratic candidate, Michael S. Dukakis. The unofficial results show Bush with a popular vote victory of 54 percent to 46 percent, while winning the Electoral College overwhelmingly 426 to 112. In addition to some unique and fascinating aspects that make 1988 different from the other campaign years, there were also continuities—the continuation of trends and themes developed in the text. In this foreword, I direct readers to sections of the text where they can more fully explore the continuities. As for the idiosyncrasies of the 1988 campaign, they make for a good story—there is drama, heroic action, as well as bathos. One can gain insight into the American political system by following it.

The 1988 Presidential Election: The Race

Few recent aspirants to the presidency have had the extent of government experience possessed by George Bush. A member of the House of Representatives from Texas for two terms, he lost a race for the U.S. Senate in 1970 to Lloyd M. Bentsen, the 1988 Democratic vice-presidential candidate. But Bush had impressed Republicans: He received successive presidential appointments between 1971–76 as ambassador to the United Nations, chairman of the Republican National Committee, liaison officer to the People's Republic of China, and director of the Central Intelligence Agency. George Bush campaigned for the presidential nomination in 1980; he withdrew from the race, and Ronald Reagan named him his vice-presidential running mate. After 8 years as the vice president, Bush went for the top spot again in a crowded field when Reagan's two terms were up.

An indication of Bush's character and tenacity is provided in his autobiography, *Looking Forward*. He tells the story of graduation exercises from Phillips Academy, Andover, where he com-

pleted school in 1942. Bush had wanted to enlist in the Navy when he turned 18 years old. The graduation speaker was Secretary of War Henry L. Stimson, who encouraged the graduates to put off going into the service until they had completed their education. After the speech, Bush met with his father, Prescott Bush, Sr.:

"George," he said, "did the Secretary say anything to change your mind?"

"No, sir," I replied. "I'm going in."

Dad nodded and shook my hand. (Bush, 1987, p. 30)

Bush grew up in a family of status and wealth, yet instead of joining a Wall Street firm after graduating from Yale, Bush set out for Texas to make it on his own. "I didn't want to do anything pat or predictable" (Bush, 1987, p. 22). The family did, however, provide his financial start. He amassed a small fortune in oil and then turned to politics.

The Crowded Primary Field In 1988 Bush found himself the front-runner in the crowded primary field of fellow Republicans. The most formidable challenger to Bush was Robert Dole (R-KS), an experienced and aggressive campaigner. There were also a number of well-known candidates from the right wing of the party: Jack Kemp, a congressman from New York State, who had made a name for himself in fighting for lower government spending; and Pat Robertson, a television evangelist who hoped to claim the support of a growing and active Christian movement in politics. The full list is presented in Table F.1.

With a Republican president finishing his 8 years in office, one would expect a host of Democrats seeking to recapture the office for their party, and there were. Moreover, as candidates were beginning to seek the office, there were a number of clouds surrounding the Reagan administration. Several former high-ranking officials were on trial for ethics violations; the attorney general was the subject of investigations for impropriety; the Administration was caught in an arms-for-hostages deal with terrorists and accused of secretly circumventing legal restrictions on aid to the Contras in Nicaragua (see pp. 336–39). Opinion polls suggested that a majority of the American people did not support the president on many of his most outspoken positions, such as those on abortion and aid to the Contras. The election of 1988 represented one of those ripe opportunities for a party to regain the White House. When one of the best known and, to many, the leading contender for the office, Governor Mario Cuomo (D-NY), decided not to run, and the leading challenger from the 1984 nominating process, former senator Gary Hart (D-CO), dropped out, it left the race for the Democratic party nomination wide

Table F.1**Republican Presidential Candidates, 1988**

Name	State	Occupation	Delegates	Quit Race
George H. W. Bush	TX	Vice President	1669	
Robert J. Dole	KA	Senator	—	March 29
Pierre du Pont	DE	Former governor	—	February 18
Alexander M. Haig, Jr.	VA	Retired general	—	February 12
Jack F. Kemp	NY	Representative	—	March 10
Paul Laxalt*	NV	Senator	—	
Pat Robertson	VA	Television evangelist	47	May 11

*Dropped out before primaries.

Table F.2**Democratic Presidential Candidates, 1988**

Name	State	Occupation	Delegates	Quit Race
Bruce Babbitt	AZ	Former governor	—	February 18
Joseph Biden*	DE	Senator	—	
Michael S. Dukakis	MA	Governor	2264.2	
Richard A. Gephardt	MO	Representative	—	March 28
Albert Gore, Jr.	TN	Senator	290	April 21
Gary Hart	CO	Former senator	—	March 11
Jesse Jackson	IL	Minister	1122.6	
Patricia Schroeder*	CO	Representative	—	
Paul Simon	IL	Senator	—	April 7

*Dropped out before primaries.

open. It also meant a host of Democratic candidates who, except for the Reverend Jesse Jackson, were not well-known nationally. Political commentators of the media even derided the contenders as the seven dwarfs.

The Selection Process The campaign season begins in January of a presidential election year with a caucus in Iowa, followed by a primary in New Hampshire early in February. But modern campaigns begin long before this, a process described beginning on page 216 of the text. By the beginning of 1988 there were seven serious challengers remaining for the Democratic nomination and six for the Republican nomination. Tables F.1 and F.2 indicate

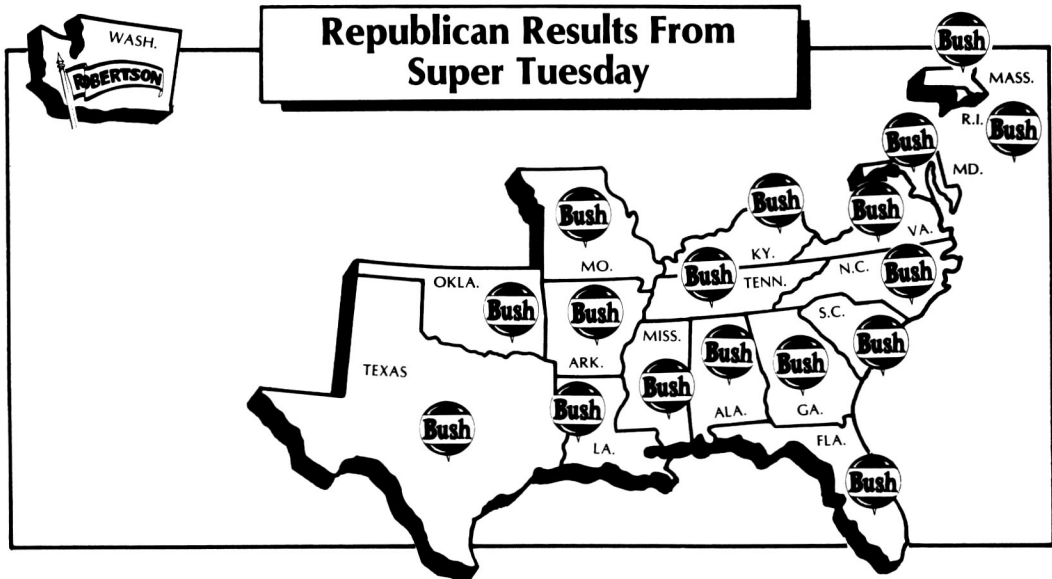
each candidate's final support from the nominating process as well as when he exited the race.

Basically, there are two current methods used to nominate a candidate: a direct state primary election and a caucus (see pp. 214–15). The nomination process begins with the Iowa caucuses and the New Hampshire primary and extends to the last primary of the election year held in mid-June in North Dakota. States attempt to increase their roles in selection by adjusting the timing and types of selection processes used. And both of these factors can make a difference. In an attempt to gain influence over the nomination, southern states adopted a strategy in 1988 of holding their selection on a common date, which became known as Super Tuesday. However, after experimenting with it, many political leaders in those states probably had second thoughts about its effect, because they saw that Texas and Florida received most of the country's attention. California, the largest state, does not hold its primary until the first week in June, by which time the nomination has usually been decided—as it has been in all but one of the last 8 presidential elections.

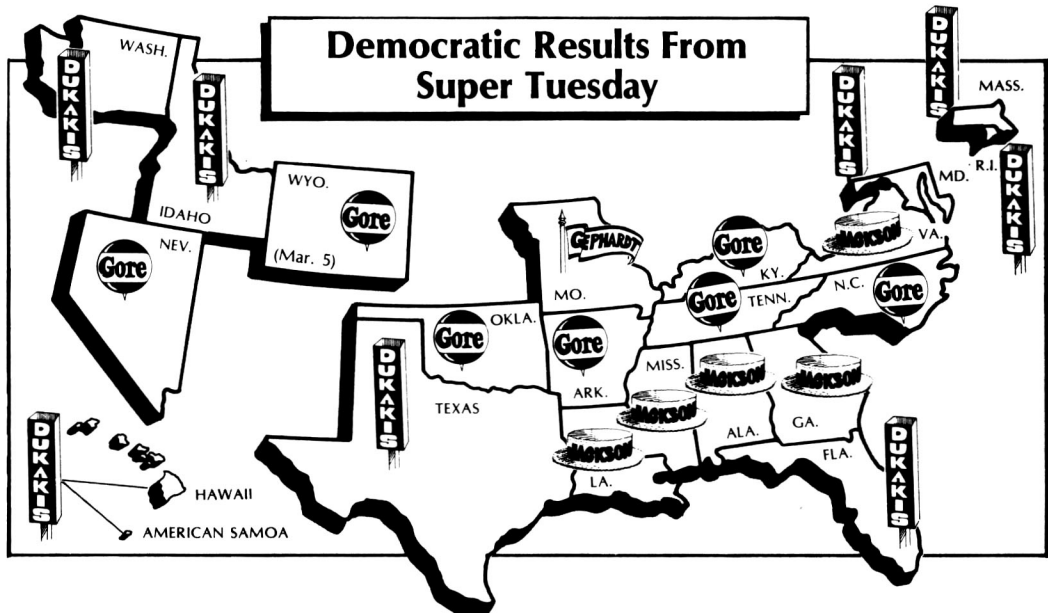
The Iowa caucuses were won by Dole for the Republicans and by Gebhardt for the Democrats. But the real issue in these early efforts is how well a candidate compares to what is expected of him or her. Here the media plays an especially important part. For example, Jesse Jackson received only 11.1 percent support in Iowa, but this was considerably more than he received in 1984; Iowa does not have a large black population, nor is it seen as a liberal state. Thus Jackson's campaign was boosted by his performance there. For the front-runners, Bush and Dukakis, who each claimed only third place, Iowa opened the door for a potentially long and hotly contested race within each party for the nomination.

This perception of how a candidate does relative to his or her expected performance is something candidates try to alter or influence. If candidates portray themselves as underdogs going in, and do well, then they can gain momentum for the next state on the primary circuit. Candidate representatives, called spin doctors, are constantly telling the media how they should be interpreting the results. The importance of the media in politics is discussed in detail beginning on page 274.

The New Hampshire primary gave Bush and Dukakis an opportunity to return to form: as expected, both won. In addition to the importance of victory, or the appearance of victory, the early primaries serve as a winnowing process. Candidates who do not do well lose not only momentum but campaign contributors and supporters. Another look at Tables F.1 and F.2 shows the early exit of candidates who could not gain sufficient support in these early contests. Since the selection process extends across the

Figure F.1

Source: From *CQ Weekly Report*, March 12, 1988. Copyright 1988 by Congressional Quarterly, Inc. Reprinted by permission.

Figure F.2

Source: From *CQ Weekly Report*, March 12, 1988. Copyright 1988 by Congressional Quarterly, Inc. Reprinted by permission.

Table F.3**States Won by 1988 Presidential Candidates**

Candidate	Republicans	
	Primaries	Caucuses
Bush	37	3*
Dole	1	3*
Robertson	—	3

Candidate	Democrats	
	Primaries	Caucuses
Dukakis	22	12
Gephardt	2	1
Gore	5	2
Jackson	7	7
Simon	1	—

*Bush and Dole also tied for first place in the Wyoming caucus.

Source: Data compiled from *Congressional Quarterly Weekly Report*, July 9, 1988.

country during a 5-month period, success in the long run depends not only on enough success in early contests to remain politically viable but on an organization that can campaign in each state. Good organization, sufficient money to maintain it, and a cadre of committed supporters is what leads to the nomination. For the Republicans, George Bush had it, Robert Dole did not. This was no more apparent than it was on Super Tuesday.

The major new feature in the 1988 selection process was Super Tuesday, March 8, a day when 20 states, including the entire South, picked convention delegates. Bush was provided in these states with all that was necessary to wrap up the nomination. Dole tried to hang on for several weeks, but the race was really over. Meanwhile, in the Democratic camp, Dukakis faced serious threats from Jackson and Gore, who each won five primaries and a caucus on Super Tuesday. Dukakis, while doggedly pursued by various opponents during the season, nevertheless emerged victorious mainly on the strength of victories in all the major states except Illinois. Again, as with Bush, much of the success was due to superior organization. As indicated in Table F.2, all of the challengers except Jackson had withdrawn from the race by early May. Most of the delegates of the withdrawn candidates were now free to go with Dukakis or Jackson.

An interesting reversal in the nominating process has occurred recently. Whereas in the early part of this century the caucus was dominated by the party organization, and challengers such

as Theodore Roosevelt in 1912 had to go to the primary as a means of beating the organization, now caucuses have become the refuge of the outsider against the party's organization. This was the case for Jackson and Robertson in 1988 (see Tab. F.3), and it was also true for Ronald Reagan and George McGovern in past elections.

Delegate Selection Rules and Winners Different selection or decision rules can produce different election results (see pp. 221–22). One illustration of this is the differences produced by primaries and caucuses. “Caucuses do tend to measure intensity of support in a way primaries do not,” said Michigan Democratic chairman Rick Wiener (*Congressional Quarterly Weekly Report*, June 4, 1988, p. 1523). The Jackson campaign was sustained mostly by committed supporters. Some indication of the impact of caucuses is given by a comparison of three states where Democratic voters had an opportunity to engage in both a caucus and a primary: Texas, Vermont, and Idaho. Dukakis won the primary in each state, but Jackson won the caucus in Texas and Vermont (*CQ Weekly Report*, June 4, 1988, p. 1527). Voter turnout can be as much as 8 times higher in a primary as compared to a caucus, since the caucuses seem to draw only the most committed of voters.

Jackson was highly critical of the delegate selection process used by his party. Part of his displeasure stemmed from the method of allocating delegates. For example, some states use a single-member-district system to award delegates, which provides another indication of the impact of rules (see pp. 205–207). In Pennsylvania, New Jersey, and Illinois, Jackson won 28 percent, 33 percent, and 31 percent of the popular vote, respectively; he received, however, only 8 percent, 8 percent, and 21 percent of the delegates in those states. Jackson was also critical of Senator Paul Simon who did not release his delegates. Had he done so in Illinois Jackson's total might have been increased by about 100 delegates. It is, nevertheless, true that Jackson came closer in 1988 to claiming delegates in proportion to his electoral support—28 percent of the vote, 26 percent of the delegates—than was true in 1984. It is also true that Dukakis won the most caucuses; even if all states used caucuses, the results would have yielded the same winner, but with considerable difference in the closeness of the contest.

Conventions With all of the mystery gone from who would be each party's nominee, the conventions became a starting point in the general election campaign. Indeed, we have not had a con-