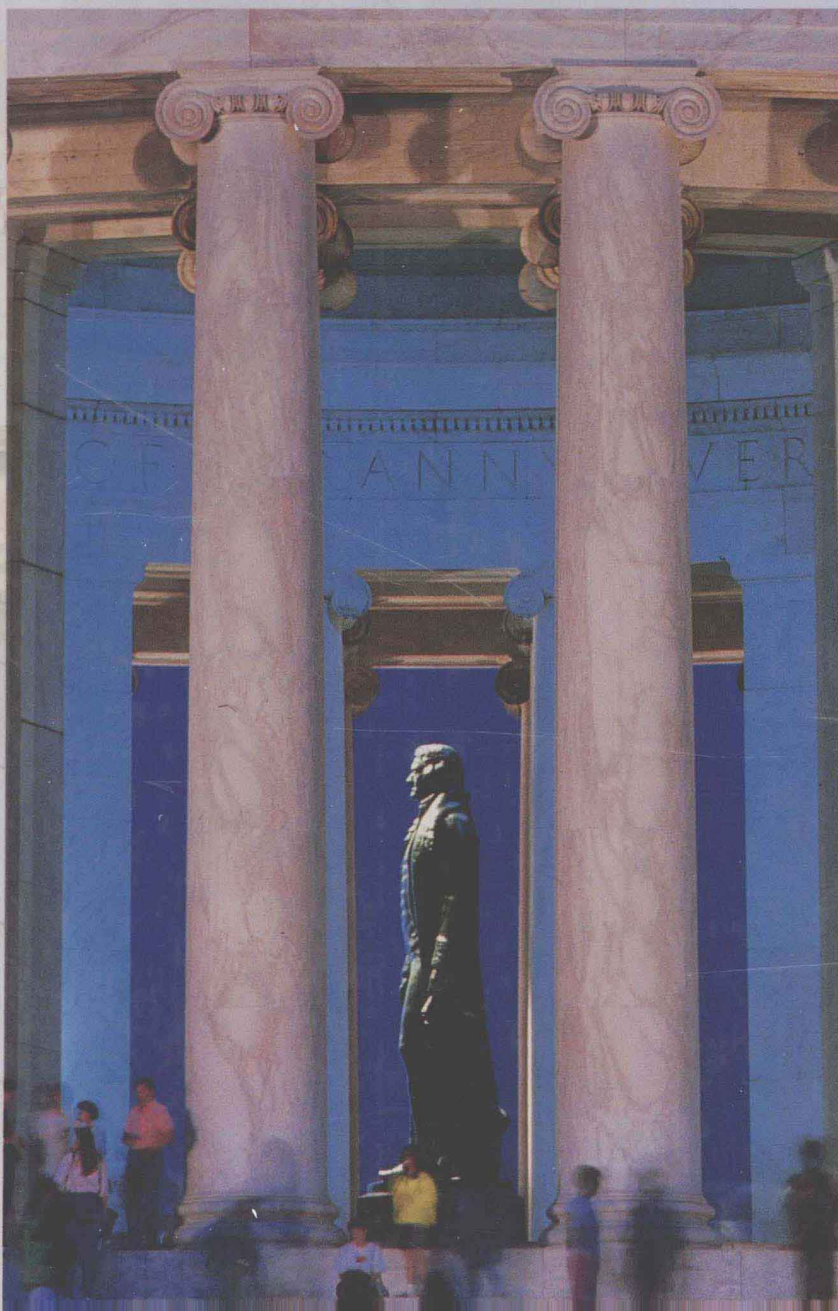


ELECTION EDITION

The American Democracy

THOMAS E. PATTERSON



THIRD EDITION

THIRD EDITION ★ ★ ★ ELECTION EDITION

THE AMERICAN DEMOCRACY

THOMAS E. PATTERSON

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John F. Kennedy School of Government
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THE AMERICAN DEMOCRACY

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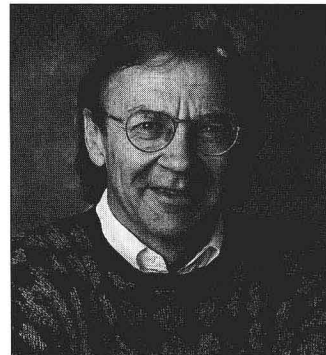
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Thomas E. Patterson is Benjamin Bradlee Professor of Government and the Press in the John F. Kennedy School of Government at Harvard University. He was previously distinguished professor of political science in the Maxwell School of Citizenship at 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 six books and dozens of articles, which focus primarily on the media and elections. His recent book, *Out of Order* (1994), received national attention when President Clinton said every politician and journalist should be required to read it. An earlier book, *The Mass Media Election* (1980), received a *Choice* award as Outstanding Academic Book, 1980–1981. Another of Patterson's books, *The Unseeing Eye* (1976), was recently 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 current research includes a five-country study of the news media's political role. His work has been funded by major grants from the National Science Foundation, the Ford Foundation, and the Markle Foundation.



TO MY CHILDREN,
ALEX
AND
LEIGH

PREFACE FOR THE INSTRUCTOR

Anyone who writes an introductory American government text faces the challenge of bringing to life a vast amount of scholarship. Political scientists have developed a deep understanding of American government, but this knowledge exists as a set of more or less unrelated observations. When information is presented in this form in a text, fact is piled upon fact and list upon list, which is almost guaranteed to make politics a dull topic.

I have relied, instead, on a narrative form of presentation. Each chapter contains plenty of facts, but they are nearly always embedded in the context of a narrative theme. Research indicates that the narrative form is a superior method for teaching students a “soft” science such as politics. A narrative tells the reader why something is important and ties it to the rest of the discussion. Not only are narrative themes more likely to stick in the reader’s mind than disconnected ideas, but they also combat the mental fatigue that invariably accompanies the reading of a lengthy textbook. When a text’s material is compartmentalized, rather than integrated through narrative themes, the reader’s experience is not unlike that of pouring through a recipe book. Lists of ingredients are less appetizing than food itself and a whole lot harder to ingest.

I have also written a tightly constructed book. My experience with teaching the introductory course suggests that many students find it difficult to grasp the essence of a chapter’s argument if they read it a section at a time. Most chapters of this text can be read in an hour or less, and thus each reading assignment can reasonably consist of a full chapter.

A Broad Perspective

In writing this book, I rejected the impulse to impose a rigid framework on the analysis. The U.S. political system and scholarship on it are both remarkably pluralistic, and any attempt at orthodoxy distorts this reality. Accordingly, this text relies upon the several forms of analysis that have informed the work of political scientists, including the philosophical, historical, behavioral, legal, policy-analytic, and institutional. Each perspective has its strengths and its place in an explanation of American government.

Nevertheless, the book has a unifying core. The American political system is characterized by a few major tendencies, which are the key to understanding how the system operates. These tendencies include the following:

- An enduring set of political ideals that are the American people's common bond and a source of their political action.
- An extreme fragmentation of governing authority that is based on an elaborate system of checks and balances and that has far-reaching implications for the exercise of power and the making of public policy.
- A great many competing interests that are a result of the nation's great size, population diversity, and economic complexity.
- A strong emphasis on individual rights and judicial action that is a consequence of the nation's political traditions and social-economic experiences.
- A sharp separation of the political and economic spheres that has the effect of placing many economic issues outside the reach of political majorities.

These tendencies are introduced in the first chapter and are woven into subsequent chapters at various points. If students soon forget much of the information contained in this book, as they invariably will, they may at least retain an awareness of the deep underpinnings of the American political system.

INNOVATIONS IN THE THIRD EDITION

The response to the first two editions of this book was very positive. The text has been adopted for use at more than 400 American colleges and universities. Moreover, a sample survey conducted by the publisher indicates that the great majority of instructors who utilize the text one year also adopt it the next.

Although the first two editions were favorably received, I have chosen to revise the book substantially for this new edition. Students today are no less interested in politics than in previous years, but many of them are less accustomed to reading. Several instructors who use this text regularly suggested a reduction in the book's length. Accordingly, I set a goal of a 20 percent reduction in the text's length from the second edition, a reduction achieved without a loss of substantive content through a combination of editing and consolidation of several chapters.

The order in which subjects are discussed has not significantly changed from the second edition, but this new edition contains twenty-one chapters as compared with the twenty-seven chapters included in the last edition. Specifically, the separate chapters on limited and representative government in the

second edition have been combined in this edition into a single chapter entitled “Constitutional Democracy.” The second-edition chapter on economic rights has been eliminated and the information it contained has been integrated into this edition’s chapters on equal rights and social welfare policy. The material from the second edition on vote choice has been distributed among the third-edition chapters on political participation and elections. Finally, the two chapters each on interest groups, the bureaucracy, and the judiciary in the second edition have been consolidated into a single chapter on each of these topics. The net result is that the third edition is closer in length to 600 pages than to the more than 750 pages of the second edition.

There is much that is new in the body of the text. The text has been thoroughly updated to include the latest scholarship and most recent political developments at home and abroad. The most substantial changes were occasioned by the Republican sweep of the 1994 midterm elections and the subsequent changes in Congress and national policy, but there are many other changes as well, including those relating to international trade and conflict.

The third edition also includes additional tables and figures. These have increased by nearly 50 percent, and emphasize the everyday realities of American life (for example, crime rates, trends in real wages, education spending and enrollments, women’s status in the workplace, racial bias in the justice system, community activism, negativity in the news, and transfer payments to American families).

Finally, all chapters include two new boxes, one entitled *Your Turn* and the second entitled *States in the Nation*. These boxes are based on the same pedagogical philosophy that guided earlier editions. The boxed inserts in this text have the purpose of encouraging students to think more deeply and carefully about what they have read in the body of the text. The boxes are not mere fillers or diversions: they are part of a carefully considered instructional strategy. The text now presents five kinds of boxed inserts:

- *How the United States Compares*. Each chapter has a box that compares the United States with other countries on some aspect of politics emphasized in the chapter. American students invariably gain a clearer perspective and a deeper understanding of their own country’s politics when they recognize how it resembles or differs from politics elsewhere.
- *States in the Nation*. The United States is one nation, but also consists of fifty states, which are alike in many ways but differ in important respects. These boxes compare the states along relevant dimensions, such as education spending, poverty levels, foreign trade (exports as a percentage of each state’s economy), and party control of state government.
- *The Media and the People*. The world of everyday politics is largely beyond our direct observation. We depend on the media to inform us about this world, and these boxes—one in each chapter—are intended to give students a better understanding of the limits of this media-created reality.
- *Your Turn*. These boxes are intended to enable students to better understand both their own political views and those of other Americans. Each box asks for the reader’s opinion on a political issue and then relates that response to the opinions of the American people as a whole. Included, for example, are questions on entitlement spending, UN peacekeeping operations, sexual harassment, term limits, and federal-state relations.

- *Critical Thinking.* Each chapter contains two boxes that ask students to analyze and integrate material presented in the chapter. The purpose is to encourage students to think critically and to make connections between concepts, research findings, and current issues of American politics.

As a final note, the third edition retains all previous appendixes, including a chapter-length discussion of state and local politics that is provided for the convenience of those instructors who include such a section in their national government course.

ANCILLARY PACKAGE

This text is accompanied by standard ancillary materials—an instructor's manual, a study guide, and a text bank. The test bank is available in printed form or on computer disk: IBM (5.25- and 3.5-inch disks) and Macintosh.

There are also special ancillaries (for example, videos) that are updated periodically; instructors can obtain information on these supplementary materials from their local McGraw-Hill sales representative or by calling Customer Service at 800-338-3987.

Students who use this text can also obtain a special subscription price on *The Washington Post National Weekly Edition*. Like many other instructors, I sometimes assign a source of information about current events as required or recommended reading in my undergraduate courses. The weekly edition of the *Post* is an effective option because it is devoted almost exclusively to politics and includes commentary and analysis by some of the country's best journalists, including David Broder, E. J. Dionne, Jr., George Will, and Meg Greenfield.

Your Suggestions Are Invited

Looking ahead, I invite from instructors and students any comments and criticisms that might inform future editions of the text. The strengths and weaknesses of a text are best discovered in its use, and I hope readers will share their experience with me. Professor Jerrold Schneider of the University of Delaware was kind enough to do so, and his suggestions are reflected in revisions I made on the role of parties in the congressional policymaking chapter. Professor Steve Mazurana of the University of Northern Colorado sent me his students' evaluations of *The American Democracy*. Their recommendations helped to improve several chapters of this new edition. If you have suggestions, please send them to me at the John F. Kennedy School of Government, Harvard University, Cambridge, MA 02138 (or contact me by E-mail: thomas_patterson@harvard.edu).

Thomas E. Patterson

PREFACE FOR THE STUDENT: A GUIDED TOUR OF THE AMERICAN DEMOCRACY

This book describes the American political system, which is one of the most interesting and most intricate in the world. The discussion is comprehensive; a lot of information is packed into each chapter. No student could possibly remember every tiny fact or observation that each chapter contains, but I believe that the main points of discussion are within your grasp if you are willing to reach for them. And once you have acquired these major points, then the smaller points will also be more readily understood.

The text has several features that will help you to understand the major points of discussion. Each chapter has, for example, an opening story that illustrates a central theme of the chapter. This story is followed immediately by a brief summary of the chapter's main ideas.

The "guided tour" below describes further how the organization and the special features of the book can help you in your effort to develop a basic understanding of the American political system.

Thomas E. Patterson

CHAPTER 11

THE NEWS MEDIA: COMMUNICATING POLITICAL IMAGES

The press in America . . . determines what people will think and talk about—an authority that in other nations is reserved for tyrants, priests, parties and mandarins.

—Theodore H. White¹

OPENING ILLUSTRATION

An illuminating narration of a compelling event introduces the chapter's main ideas.

On the night of June 12, 1994, Nicole Brown Simpson and a friend, Ronald Goldman, were brutally murdered outside her home in the fashionable Brentwood area of Los Angeles. When her ex-husband, the former football star O. J. Simpson, was accused of the murders, every newspaper and television news program in the country gave the story prominent and repeated play. When replays of 911 calls revealed that O. J. Simpson had physically abused and intimidated his former wife after their 1992 divorce, a brief debate about the ravages of domestic violence ensued. The real issue of the Simpson news coverage, however, was the question of his guilt or innocence. Underlying the mountain of news coverage was the dramatic question: Could O. J. Simpson's good-guy public image have masked a more violent personality, one capable of murder?

Not all developments receive such intensive news coverage. Between 1983 and 1993, the birthrate among unwed women rose by more than 70 percent. According to U.S. Census Bureau statistics, 6.3 million children (27 percent of all children under the age of 18) lived in 1993 with a single parent who had never married, an increase from 3.7 million in 1983. Most of these families are mired in poverty (the average income is less than \$10,000), and in many cases the children received no health care and have very little encouragement to perform well in school or stay out of trouble. The implications for society and public policy are enormous, yet this demographic trend is seldom mentioned in the news, let alone emblazoned in the headlines.

Although the news has been compared to a mirror held up to society, it is actually a highly selective portrayal of reality. The news is mainly an account of overt, obtruding events, particularly those which are *timely* (new or unfold

news The news media's version of reality, usually with an emphasis on timely, dramatic, and compelling events and developments.

"HOW THE UNITED STATES COMPARES" BOXES

Each chapter has a box that compares the United States with other countries in regard to a major political feature.

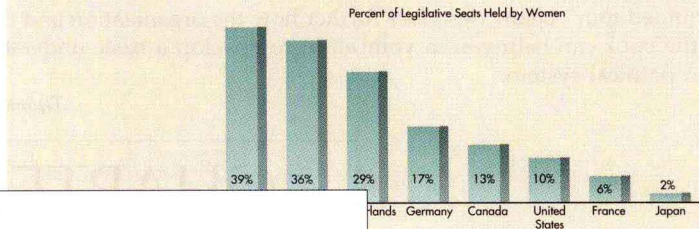
HOW THE UNITED STATES COMPARES

WOMEN'S EQUALITY

Although conflict between groups is universal, the nature of the conflict is often particularized. Racial conflict in the United States cannot readily be compared with, say, religious conflict in Northern Ireland. The one form of inequality common to all nations is that of gender: nowhere are women equal to men in law or in fact. But there are large differences between countries. A study by the Population Crisis Committee ranked the United States third overall in women's equality, behind only Sweden and Finland. The rankings were based on five areas—jobs, education, social relations, marriage and family, and health—where U.S. women had an 82.5 percent rating compared with men.

The inequality of women is also underlined by their

lack of representation in public office. There is no country in which women comprise as many as half the members of the national legislature. The Scandinavian countries rank highest in terms of the percentage of female lawmakers. Other northern European countries have lower levels, but the levels are higher than that of the United States. Until the 1992 election, only 6 percent of U.S. House members were women. In 1992, as a consequence of reapportionment and the retirement of an unusually large number of incumbents, the number of women in the House nearly doubled. The following figures, estimated from several sources, indicate the approximate percentage of seats held by women in the largest chamber of each country's national legislature:



U.S. senators would be appointed by the legislatures of the states they represented. Because state legislators were popularly elected, the people would be choosing their senators indirectly. Every two years, a third of the senators would be appointed to six-year terms. The Senate was expected to check and balance the House, which, by virtue of the more frequent and direct election of its members, would presumably be more responsive to popular opinion.

Presidential selection was an issue of considerable debate at the Philadelphia convention. Direct election of the president was twice proposed and twice rejected because it linked executive power directly to popular majorities. The Framers finally chose to have the president selected by the votes of electors (the so-called Electoral College). Each state would have as many electors as it had members in Congress and could select them by any method it chose. The president would serve four years and be eligible for reelection.

The Framers decided that federal judges and justices would be appointed rather than elected. They would be nominated by the president and confirmed through approval by the Senate. Once confirmed, they would "hold their offices during good behavior." In effect, they would be allowed to hold office for life unless they committed a crime. The judiciary would be more of a "guardian" institution than a "representative" one.²⁰

These differing methods of selecting national officeholders would not prevent a determined majority from achieving unbridled power, but control could not be attained easily or quickly. Unlike the House of Representatives, institutions such as the Senate, presidency, and judiciary would not yield to an impassioned majority in a single election. The delay would reduce the probability that government would degenerate into mob rule driven by momentary whims. The Framers believed that majority tyranny would be impulsive. Given time, the people would presumably come to their senses.

Modifying the Framers' Work: Toward a More Democratic Society

The Framers' conception of self-government was at odds with the one held by many Americans in 1787. The promise of self-government was one of the reasons that ordinary people had made great sacrifices during the American Revolution. This democratic spirit was reflected in the state constitutions. Every state but South Carolina held annual legislative elections, and several states also chose their governors through annual election by the people.²¹

In this context, the Constitution's provisions for popular rule were rather thin. Richard Henry Lee of Virginia criticized even the House of Representatives, which he said had "very little democracy in it" because each of its members would represent a large population and area.²² Madison had claimed that this arrangement was necessary because otherwise representatives would be "unduly attached" to local interests and "too little fit to comprehend and pursue great and national objects." To Lee and others, such arguments were a mask for *elitism*—rule by a few who claimed to know the people's interests better than the people knew it themselves.²³ And it was not long after ratification of the Constitution that Americans sought a stronger voice in their own governing. The search has continued throughout the country's history: in no

★ CRITICAL THINKING

"Strong Democracy"?

The possibilities for popular participation in government have always been more limited in national politics than local politics. Even at the time of the writing of the Constitution, the United States was too large to be governed except through representative institutions.

Proponents of popular rule have looked toward local communities as a place where people can participate more directly in government. In his book *Strong Democracy* (1984), Benjamin Barber argues that the Constitution's pessimistic view of human nature contributes to "thin" democracy in America. Barber says that voting is an important act but an inherently confining one. He prefers a "strong democracy" in which citizens are provided widespread opportunities for participation, including a greater say in policies that govern the workplace.

Where do you stand on the issue of popular control? What policy decisions, if any, would you shift from the national level to the local level, or from the private sector to the public sector, in order to increase the public's control over the policies that govern it?

om political equality with men.²⁷ Women occupy ation's gubernatorial and congressional offices, and public offices are more likely than their male counterparts to be significant obstacles to political advancement.²⁸ vote is becoming increasingly potent. A few decades no difference in the partisan voting of men and pronounced "gender gap." It reached a record high elections when women voted nearly 10 percent more he gender gap is particularly pronounced when a e Democratic ticket. When Senators Feinstein and 92, each scored 14 percentage points higher among

"CRITICAL THINKING" BOXES

Boxes in the margins ask you to critically analyze and integrate material presented in the chapter.

MAIN POINTS

The chapter's three or four main ideas are summarized in the opening pages.

Throughout their history Americans have embraced the same principles that were there at the nation's beginning, when they were put into words in the Declaration of Independence and the Constitution. Americans have quarreled over other matters, and over the practice of these principles, but they seem never to have questioned the principles themselves. As Clinton Rossiter concluded, "There has been in a doctrinal sense, only one America."⁵

This is a book about contemporary American politics, not U.S. history or culture. Yet American politics today cannot be understood apart from the nation's heritage. Government does not begin anew with each generation; it builds on the past. In the case of the United States, the most significant link between past and present lies in the nation's founding ideals. This chapter briefly examines the principles that have helped shape American politics since the country's earliest years.

The chapter also explains basic concepts, such as power and pluralism, that are important in the study of government and politics, and describes the underlying rules of the American governing system, such as constitutionalism and capitalism. The main points made in this chapter are the following:

- ★ *The American political culture centers on a set of core ideals—liberty, equality, self-government, individualism, diversity, and unity—that serve as the people's common bond. These mythic principles have a substantial influence on what Americans will regard as reasonable and acceptable and on what they will try to achieve.*
- ★ *Politics is the process that determines how a society will be governed. The play of politics in the United States takes place in the context of democratic procedures, constitutionalism, and capitalism, and involves elements of majority, pluralist, and elite rule.*
- ★ *Politics in the United States is characterized by a number of major patterns, including a highly fragmented governing system, a high degree of pluralism, an extraordinary emphasis on individual rights, and a pronounced separation of the spheres.*

CHAPTER 5 • EQUAL RIGHTS: STRUGGLING TOWARD FAIRNESS

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try's individualistic culture and is a major reason for the lack of any large-scale government effort to reduce the economic and social gaps between Americans of varying racial and ethnic backgrounds. Nevertheless, a few policies—notably affirmative action and busing—have been implemented to achieve equality of result.

AFFIRMATIVE ACTION: WORKPLACE INTEGRATION

The difficulty of converting newly acquired legal rights into everyday realities is evident in the fact that, with passage of the 1964 Civil Rights Act, which prohibited discrimination in employment, it did not suddenly become easier for women and minorities to obtain jobs for which they were qualified. Many employers maintained a deliberate though unwritten preference for white male employees, while other employers adhered to established employment procedures that continued to keep women and minorities at a disadvantage; membership in many union locals, for example, was handed down from father to son. Moreover, the Civil Rights Act did not compel employers to show that their hiring practices were not discriminatory. Instead, the burden of proof was on the woman or minority group member who had been denied a particular job. It was costly and often difficult to prove in court that one's sex or race was the reason that one had not been hired. In addition, a victory in court affected only the individual in question; such case-by-case settlements were no remedy for a situation in which established hiring practices kept millions of women and minorities from competing equally for job opportunities.

A broader remedy was obviously required, and the result was the emergence during the late 1960s of affirmative action programs. **Affirmative action** is a deliberate effort to provide full and equal opportunities in employment, education, and other areas for women, minorities, and individuals belonging to other traditionally disadvantaged groups. Affirmative action requires corporations, universities, and other organizations to establish programs designed to ensure that all applicants are treated fairly. Affirmative action also places the burden of proof on the providers of opportunities; to some extent, they must be able to demonstrate that any disproportionate granting of opportunities to white males is not the result of discriminatory practices.

The Supreme Court's Position on Affirmative Action

Most issues that pit individuals against each other in a struggle over society's benefits eventually end up in the courts, and affirmative action is no exception. The policy was first tested before the Supreme Court in *University of California Regents v. Bakke* (1978). Alan Bakke, a white man, had twice been denied admission to a University of California medical school, even though his admission test scores were higher than several minority group students who had been accepted. Bakke sued, claiming the school had a "quota" system for minorities that discriminated against white males. The Court ruled in Bakke's favor but did not invalidate affirmative action per se. The Court said only that rigid racial quotas were an impermissible form of affirmative action in determining medical school admissions.³⁰

★ STATES IN THE NATION

Annual Income Per Capita, by Race (in dollars): In all states, income levels of minorities are below that of whites.

| STATE | WHITES | BLACKS | HISPANICS |
|------------------|--------|--------|-----------|
| Ala. | 13,235 | 6,473 | 9,663 |
| Alaska | 19,903 | 12,816 | 11,885 |
| Ariz. | 14,964 | 9,688 | 7,374 |
| Ark. | 11,472 | 5,729 | 7,074 |
| Calif. | 19,028 | 11,578 | 8,504 |
| Colo. | 15,544 | 10,704 | 8,233 |
| Conn. | 21,466 | 13,695 | 9,786 |
| Del. | 17,263 | 9,683 | 10,066 |
| D.C. | 34,563 | 12,226 | 12,525 |
| Fla. | 16,052 | 7,350 | 10,862 |
| Ga. | 15,832 | 7,997 | 11,123 |
| Hawaii | 18,598 | 10,607 | 9,950 |
| Idaho | 11,723 | 8,785 | 6,303 |
| Ill. | 16,817 | 9,922 | 8,318 |
| Ind. | 13,553 | 8,739 | 9,221 |
| Iowa | 12,573 | 7,844 | 8,025 |
| Kan. | 13,817 | 6,445 | 8,007 |
| Ky. | 11,439 | 7,460 | 9,058 |
| La. | 12,956 | 5,687 | 10,188 |
| Maine | 13,019 | 10,089 | 9,946 |
| Md. | 19,768 | 12,343 | 13,198 |
| Mass. | 18,003 | 10,867 | 7,833 |
| Mich. | 15,071 | 9,195 | 9,298 |
| Minn. | 14,765 | 8,714 | 8,003 |
| Miss. | 12,183 | 5,194 | 8,621 |
| Mo. | 13,563 | 8,576 | 10,191 |
| Mont. | 11,634 | 7,657 | 6,021 |
| Neb. | 12,773 | 7,857 | 7,280 |
| Nev. | 16,241 | 9,366 | 9,348 |
| N.H. | 16,028 | 12,577 | 11,634 |
| N.J. | 20,406 | 11,542 | 10,761 |
| N.Mex. | 12,678 | 8,579 | 7,542 |
| N.Y. | 18,584 | 10,566 | 8,915 |
| N.C. | 14,450 | 7,926 | 9,544 |
| N.Dak. | 11,359 | 7,675 | 5,811 |
| Ohio | 14,049 | 8,702 | 9,248 |
| Okl. | 12,859 | 7,356 | 7,145 |
| Oreg. | 13,778 | 8,240 | 6,996 |
| Pa. | 14,686 | 9,140 | 7,489 |
| R.I. | 15,573 | 9,031 | 7,620 |
| S.C. | 14,115 | 6,800 | 10,723 |
| S.Dak. | 11,230 | 8,124 | 6,908 |
| Tenn. | 13,201 | 7,414 | 10,246 |
| Texas | 14,629 | 8,102 | 6,633 |
| Utah | 11,274 | 8,385 | 7,398 |
| Vt. | 13,597 | 8,991 | 11,501 |
| Va. | 17,261 | 9,439 | 12,220 |
| Wash. | 15,564 | 10,440 | 8,149 |
| W.Va. | 10,574 | 7,416 | 9,805 |
| Wis. | 13,793 | 7,021 | 7,050 |
| Wyo. | 12,629 | 7,490 | 7,967 |
| National average | 15,687 | 8,859 | 8,400 |

SOURCE: U.S. Bureau of Census, 1990 Census of Population and Housing

: The Core Principles of

on have a few great ideals that characterize their political culture. Bryce observed, Americans are a special case.⁶ Their unique national identity. Other people take their identity from the past. In the case of the United States, the most significant link between past and present lies in the nation's founding ideals. This chapter briefly examines the principles that have helped shape American politics since the country's earliest years.

STATES IN THE NATION BOXES

Each chapter has a box that compares the fifty states on an aspect on politics.

MAJOR CONCEPTS

The introduction of a major concept is signaled by **bold type** and accompanied by a concise definition. These concepts are also listed at the end of the chapter and in bold type in the subject index.

THE MEDIA AND THE PEOPLE

BALANCING THE RIGHTS OF THE PRESS AND THE ACCUSED

No right is absolute. All rights are balanced against other rights and the collective interests of society, which include an interest in protecting individual rights.

A classic example of rights in conflict occurs when the news media's interest in reporting a crime clashes with the rights of the accused. Lurid crimes are a staple of the news business. Few things seem to sell more newspapers or attract more news viewers than grisly stories of murder and mayhem. It is perhaps no surprise that America's first full-time reporter was hired to cover the crime beat. He was employed by the publisher Benjamin Day, who in the 1830s established the country's first mass-market newspaper, the *New York Sun*.

However, intense coverage of a crime can jeopardize the right of the accused to a fair trial. The gory details of a violent crime can inflame public opinion and make it difficult to empanel a jury of people who have not already prejudged the guilt of the accused. This problem received extraordinary attention in the celebrated trial of O.J. Simpson, who was accused of murdering his ex-wife Nicole Brown Simpson and her friend Ronald Goldman. The pretrial publicity was the most intense in the nation's history, and few people were without an opinion about O.J. Simpson's guilt or innocence. The presiding judge, Lance Ito, refused the media's de-

mands for photographs and videotape of the slain bodies on the grounds that this material was so graphic (Nicole Brown Simpson was nearly decapitated in the knife attack) that it would prejudice public opinion. Jurors were sequestered and prohibited from reading, viewing, or listening to news coverage of the crime or trial. Yet Judge Ito permitted the trial to be televised.

In balancing the rights of the press and the accused, the courts have responded to the interests of both. On occasion, the Supreme Court has reversed convictions on grounds that intense or inflammatory news coverage had made a fair trial impossible. And courts at all levels have recommended that the press exercise self-discipline in the reporting of material that might bias a potential jury. Less often, judges have issued "gag orders" that forbid the press from reporting certain aspects of a crime. In *Nebraska Press Association v. Stuart* (1976), the Supreme Court overruled a Nebraska judge who had placed a sweeping gag order on the press. The Supreme Court acknowledged the power of the judiciary to restrain the press but concluded that any application of the power must be fully justified. The Supreme Court has also said that officials must also consider other options, such as moving the trial to another location, in any decision to restrict press coverage.

The unacceptability of **prior restraint**—government or publication before the fact—is basic to the current sion. The Supreme Court has said that any attempt by expression carries "a heavy presumption" against News organizations and individuals are legally responsible for what they report or say (for example, they can be sued if reputation is wrongly damaged by their words), but cannot stop them in advance from expressing their views (some instances are news coverage of criminal proceedings and *The People*). Another exception is the reporting During the Persian Gulf war, U.S. journalists on station to work within limits placed on them by military authority to the doctrine of prior restraint, the courts have authority to ban uncensored publications by certain government employees, such as CIA agents, who have national security activities.

KEY TERMS

A list of the chapter's major concepts facilitates review.

SUGGESTED READINGS

Annotated references encourage further pursuit of some of the best works of political science, both classic studies and recent research.

"THE MEDIA AND THE PEOPLE" BOXES

Each chapter has a box that informs you about a major topic pertaining to the media.

SUMMARY

A short discussion, organized around the chapter's main points; summarizes each chapter's content.

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PART TWO • MASS POLITICS

Summary

America's political parties are relatively weak organizations. They lack control over nominations, elections, and platforms. Candidates can bypass the party organization and win nomination through primary elections. Individual candidates also control most of the organization and money necessary to win elections and run largely on personal platforms.

Primary elections are the major reason for the organizational weakness of America's parties. Once the parties lost their hold on the nominating process, they became subordinate to candidates. More generally, the political parties have been undermined by election reforms, some of which were intended to weaken the party and others of which have unintentionally done so. Recently the state and national party organizations have expanded their capacity to provide candidates with modern campaign services and are again playing a prominent role in election campaigns. Nevertheless, party organizations at all levels have few ways of controlling the candidates who run under their banners. They assist candidates with campaign technology, workers, and funds but cannot compel candidates' loyalty to organizational goals.

America's parties are decentralized, fragmented orga-

nizations. The relationship among local, state, and national party organizations is marked by paths of common interest rather than lines of authority. The national party organization does not control the policies and activities of the state organizations, and they in turn do not control the local organizations. The fragmentation of parties prevents them from acting as cohesive national organizations. Traditionally the local organizations have controlled most of the party's work force because most elections are contested at the local level. Local parties, however, vary markedly in their vitality.

America's party organizations are flexible enough to allow diverse interests to coexist within them; they can also accommodate new ideas and leadership, since they are neither rigid nor closed. However, because America's parties cannot control their candidates or coordinate their policies at all levels, they are unable to present the voters with a coherent, detailed platform for governing. The national electorate as a whole is thus denied a clear choice among policy alternatives and has difficulty influencing national policy in a predictable and enduring way through elections.

Major Concepts

candidate-centered politics
nomination
party-centered politics

party organizations
primary election (direct primary)
service relationship

Suggested Readings

Allswang, John. *Bosses, Machines, and Urban Voters*. Baltimore: Johns Hopkins University Press, 1986. A penetrating study of the party machines that once flourished in America's cities.

Bennett, W. Lance. *The Governing Crisis: Media, Money, and Marketing in American Elections*. New York: St. Martin's Press, 1992. An assessment of the impact of candidate-centered campaigns on the governing process.

Ehrenhalt, Alan. *The United States of Ambition*. New York: Times Books, 1991. A provocative book that claims that self-starting politicians are the reason the U.S. government has a scarcity of sound leadership.

Hernson, Paul S. *Party Campaigning in the 80's*. Cambridge, Mass.: Harvard University Press, 1988. An analysis that indicates political parties continue to have an important organizational role in the United States.

Kayden, Xander, and Eddie Mahe, Jr. *The Party Goes On*. New York: Basic Books, 1985. An assessment of how the two major parties have adapted to the political changes of recent decades.

Magleby, David B., and Candice J. Nelson. *The Money Chase: Congressional Campaign Finance Reform*. Washington, D.C.: The Brookings Institution, 1990. A careful study of the flow of money in federal elections.

Milkus, Sidney. *The President and the Parties: The Transformation of the American Party System since the New Deal*. New York: Oxford University Press, 1993. An assessment of the president's role in party conflict.

Schlesinger, Joseph. *Political Parties and the Winning of Office*. Ann Arbor: University of Michigan Press, 1991. An evaluation of the parties' role in elections.



FIGURE 2-4
Changes in the Public's Confidence in the Federal, State, and Local Governments
The public's trust in government, particularly at the national level, has declined in recent decades.
Source: *Surveys for the U.S. Advisory Commission on Intergovernmental Relations (ACIR) by the Opinion Research Corporation (1972) and the Gallup Organization (1992).*

through specific public welfare programs funded with federal tax dollars.⁴¹

The second great wave of federal social programs—President Lyndon Johnson's Great Society—was also driven by public demands. Income and education levels had risen dramatically after the Second World War, and Americans wanted more and better services from government. When the states were slow to respond, Americans pressured federal officials to act.⁴² The Great Society programs included federal initiatives in health care, education, public housing, nutrition, and other areas reserved previously to states and localities.

Public opinion is also behind the current rollback in federal authority. The Republican victory in 1994 was in large part a result of Americans' increased dissatisfaction with the federal government. Two decades ago, three-fourths of Americans expressed confidence in Washington's ability to govern effectively; today, less than half of the public holds this view (see Figure 2-4). Con-

FIGURES AND TABLES

Each chapter has figures and tables that relate to points made in the discussion.

YOUR TURN

SIZE OF GOVERNMENT

The Questions:

1. Would you say you favor smaller government with fewer services, or larger government with many services?

Smaller government,
fewer services

Larger government,
many services

2. Do you think that, in general, the federal government creates more problems than it solves, or do you think it solves more problems than it creates?

Creates more problems
than it solves

Solves more problems
than it creates

What Others Think: The first question appeared in a 1993 ABC News/Washington Post survey: 67 percent of

the respondents said they favored a smaller government with fewer services while 30 percent expressed the opposite preference. The second question is from a 1993 CBS News/New York Times survey: 69 percent said they believe the federal government creates more problems than it solves while 22 percent concluded otherwise.

Comment: These questions address an issue that has persisted throughout the nation's history—what the size of government should be generally and the size of the federal government in particular. If you favor a smaller government and have a low level of trust in the federal government, you probably agree with current attempts to downsize Washington and shift policy responsibilities to the states.

YOUR TURN BOXES

Each chapter has a box that asks your opinion on a major political issue and then relates that opinion to the views of the American people as a whole.

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