

BASIC VERSION

GOVERNMENT BY THE PEOPLE

BURNS • PELTASON • CRONIN • MAGLEBY

GOVERNMENT BY THE PEOPLE

BASIC VERSION

Sixteenth Edition

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A MESSAGE FROM THE AUTHORS

With the 1992 and 1994 elections, the agenda of American politics shifted to domestic affairs, especially the economy and social policy. Across a range of issues—health care, crime control, welfare, education—Congress and the president focused on “reinventing government.” The debate on the future direction of social policy and the role of government became a media event, as television, radio, and print advertisements promoted the point of view of various interest groups, who urged people to write or phone their elected officials and express their opinions. The mid-’90s also became a time of reassessment of the role of the United States in international affairs, a role that has changed with the collapse of the Soviet Union. This text is geared to analyzing these changes in terms of how the institutions and processes of American government deal with such far-reaching and contentious issues.

Even in the twentieth century, constitutional democracy has been the exception rather than the rule. In the past, most people lived under autocratic or tyrannical regimes in which a small group imposed their will on everyone else. And today, less than one-third of the nation-states around the globe exist as viable, healthy democracies. This is a testing

time for new democracies as well as old ones. Contempt for government and politics is being expressed here in the United States and abroad. Yet politics and partisan competition are the lifeblood by which free people can achieve the ideals of a government by and for the people.

Constitutional democracy—the kind we have in the United States—is exceedingly hard to win, equally hard to sustain, and often hard to understand without rigorous study. The form of constitutional democracy that has emerged in the United States requires continual participation by caring, tolerant, and informed citizens. The framers of our Constitution warned that we must be vigilant in safeguarding our rights, liberties, and political institutions. But to do this, we first have to understand these institutions and the forces that have shaped the United States’ political and constitutional systems.

We hope you will come away from reading this book with a richer understanding of American politics and government, and we hope that in the years to come, many of you will participate actively in making our constitutional democracy more vital and responsive to the urgent problems of the twenty-first century.

REVIEWERS

The writing of this book has profited from the informed professional, and often sharp, critical suggestions of our colleagues around the country. This and previous editions

have been considerably improved as a result of reviews by the following individuals, for which we thank them all:

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rewriting of this book. We also thank our Prentice Hall friends Ed Stanford, Will Ethridge, Charlyce Jones Owen, Nancy Roberts, Mike Bickerstaff, and Kris Kleinsmith. We must also thank the many other skilled professionals at Prentice Hall who assisted in the publication of this edition: Ann Grogg, for meticulous copy editing; Jerry Votta, Anne Bonanno Nieglos, and Joh Lisa for their superb design and layouts; Lorinda Morris-Nantz and Joelle Burrows for photo research; Gary Moore for our edifying new illustrations; and Nicole Signoretti, editorial assistant, for keeping track of things.

Finally, we thank the dozens of students and professors who have sent us letters with suggestions for improving *Government By The People*. We welcome your notes or calls concerning any errors or ways we can further improve the book. Please write us care of the Political Science Editor at Prentice Hall, Englewood Cliffs, New Jersey 07632, or to us directly.

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A MESSAGE FROM THE PUBLISHER

The gratifying success *Government By The People* has enjoyed over the years results from a distinguished authorship team who always write a superb book with a distinctive combination of features. Treating each new edition as a fresh challenge—and, in many ways, a virtually new book—the authors capture American government and politics as the dynamic ventures they are.

Comprehensive and Balanced Presentation

Known for its balanced coverage of constitutional principles, political processes, and central political institutions, this latest edition offers the best of previous editions *and* exciting changes in content that include:

- A thematic examination of constitutional democracy—its ideals, its conditions, and the American struggle to realize its possibilities and potential. The American political experiment is frequently assessed in a comparative light.
- A new chapter in the *National, State, and Local Version* covers current policy priorities in health care, welfare, crime, and education. Past policy initiatives, such as the New Deal and the Great Society, as well as current debates on health and welfare reform, crime control, and education policies, are examined and compared.
- A unique chapter, “The American Political Landscape,” examines social and economic diversity in American society and some of the political consequences of living in an increasingly multicultural nation. This chapter provides the framework of the social fabric of our nation, which needs to be put in context before students can fully appreciate the role that public opinion, interest group politics, and voting behavior play in America.
- In-depth analysis of the successes and failures of the Clinton presidency and the expanded role Hillary Clinton has undertaken as First Lady. Former Chapter 16, “Congress and the President,” has been integrated into the discussions on Congress (Chapter 14) and the Presidency (Chapter 15).
- Full integration of the results of the 1994 elections, with analysis of party control of the House and Senate and how the 1994 elections will affect the 1996 presidential election.
- Discussion of the “new” Supreme Court, including the nominations of Justices Ginsburg and Breyer and the politics of their selection and confirmation, with

full updates and integrated analysis of recent 1994 Supreme Court cases.

- The *National, State, and Local Version* discusses the changing character of United States foreign and defense politics, including our greater involvement in the United Nations and other multinational peacekeeping organizations. Chapter 21 combines two chapters in the previous edition, reflecting the changing focus of our government in the post-cold war era and the increasing interdependence of foreign and defense policies.
- Complete incorporation of 1990 census data. Once a decade we get a thorough examination of the American polity, and these data are integrated where appropriate throughout the book.
- Innovative treatment of political ideology and culture, political participation and voting turnout, voting behavior, and campaign financing.
- Expanded coverage of state and local politics in the *National, State, and Local Version*, and a new *Texas Version*, including full updates on 1994 election results and, in the Texas version, seven chapters devoted to government and politics of the state of Texas.
- The examples in *Government By The People* are drawn from a wide range of current and historical sources. While fully reflecting recent political events, examples are also included from earlier eras to provide the important historical context within which current events can be better understood. Complete lists of suggested readings at the end of each chapter and detailed footnotes at the back of the book highlight sources of lasting and recent importance.

New Illustration Program

In addition to the features described above, this new edition of *Government By The People* includes a completely redesigned art program that is sure to increase student interest. The charts, graphs, figures, and graphics have all been reworked—many in a three-dimensional format—to enhance their content and clarity, as well as the visual appeal of the text.

Accessible and Engaging Features for the Student

Written with the student in mind by experienced scholars and teachers, *Government By The People* has always been admired for its elegant, yet engaging narrative style. To assist

accessibility, key terms appear on first use in the text in bold-faced type, followed by a precise definition. These terms are also listed in the full Glossary at the end of the book.

Of particular appeal to students will be the wealth of boxed features offered in the sixteenth edition. Boxes in the margins provide amusing anecdotes and historical, biographical, and additional facts of interest about American politics that will enhance student learning. Several special features reinforce this goal as well:

You Decide! This participatory question-and-answer feature is designed to strengthen students' critical thinking skills as well as introduce interesting and challenging issues and ideas about American politics for students to ponder. A question is presented on the left page, and on the facing page a Thinking It Through discussion examines possible answers (although, as in real life, not all questions have definitive answers). This unique feature has been a long-standing favorite among the many students who have used them.

A Closer Look These journalistic-style boxes combine text, tables, photographs, and art on relevant issues of high student appeal. Like a good lecture, they provide a pause in the narrative where appropriate, to allow the pursuit of a particular topic beyond the scope of the material at hand. Some of the topics include: "Rap Lyrics and Free Speech," "Juries on Trial," "Minor Parties in American Politics," "Health Care in Advanced Industrial Democracies," "The Effect of the Deficit on Savings," "Race as an Issue in Local Elections," and "Victim's Rights."

We the People These unique boxes are designed to reflect the concerns and experiences of ethnic and minority groups in American politics. Some of the topics include: "Where We Learn the American Political Culture," "Distribution of Education in the United States," "Problems Faced by Women Bureaucrats," "Equal Justice," and "Minority Judges." The *We the People* feature, plus Chapter 8 on "The American Political Landscape" and the many instances in the text where ethnic and minority concerns, histories, and stories are told have made *Government By The People* the strongest and most complete text available that integrates *all* Americans into the story of American politics.

From Coast to Coast This new collection of four-color maps provides visual state-by-state comparisons on a broad range of topics, such as "The Uninsured," "Party Control of State Legislatures," "Fiscal Capacity to Raise Revenue Through Taxes," and "Unequal Welfare Benefits in the States." The comparisons give students the opportunity to understand how states are affected differently by many factors.

Supplements for the Instructor

Government By The People is the core of a complete learning package that includes a wide range of proven, as well as new, instructional aids. The supplements have been completely revised, not only to incorporate material new to the sixteenth edition, but also to ensure the highest quality and accuracy possible.

Instructor's Resource Manual Provides the following resources for each chapter of the text: summary, review of major concepts, lecture suggestions and topic outlines, suggestions for classroom discussions, additional resource materials, and a detailed content outline for lecture planning. New to this edition is a guide to media resources section in each chapter that identifies specific transparencies, video clips, laserdisk segments, and/or simulations available with the text that are appropriate for the content of that chapter. The Instructor's Resource Manual was prepared by Michael F. Digby and Larry Elowitz, both of Georgia College.

Electronic Instructor's Resource Manual An ASCII file version of the printed manual allows coordination of chapter resources on computer. Available for IBM PCs and Macintosh.

Strategies for Teaching American Government: A Guide for the New Instructor This unique guide offers a wealth of practical advice and information to help new instructors face the challenges of teaching courses in American Government. From setting course goals, conducting the class, constructing and evaluating tests or written assignments, to advising students, many of the issues and questions related to teaching are covered. The guide was written by Fred Whitford, Montana State University.

Test Item File The sixteenth edition test item file has been thoroughly reviewed and revised to ensure the highest level of quality and accuracy. Over 3,000 questions in multiple choice, true/false, and essay format are provided, covering factual, conceptual, and applied material from the text.

Prentice Hall Test Manager A computerized version of the test item file, this program allows full editing of questions and the addition of instructor-generated items. Other special features include random generation, scrambling question order, and test preview before printing. Available for IBM and Macintosh computers.

Telephone Test Preparation Service Prentice Hall will provide tests (with questions from our test item file) on bond paper or ditto master. We will send the exam, an alternate version if requested, and an answer key within 48 hours of a request. Complete information about this service and the toll free number are included in the printed test item file, or ask your local representative for more details.

Grade Manager The Prentice Hall gradebook/class file program allows for an unlimited number of students and classes and includes complete student information: calculating grades, displaying and printing grade-point averages as either letters or numbers, curving test grades, displaying performance graphs for each student and/or test, and printing test grades or final grades for posting. Available for IBM PCs.

American Government Transparencies, Series II and Series III These sets of 75 to 100 four-color transparency acetates reproduce illustrations, charts, and maps from the text as well as from additional sources.

Instructor's Guide to American Government Transparencies, Series II and Series III This brief guide provides descriptions, teaching suggestions, and discussion questions for each transparency. There is a separate guide for each set of transparencies.



ABC News/Prentice Hall Video Libraries Prentice Hall and ABC News bring an innovative video collection to the classroom through this series of video libraries on the newsworthy topics and pressing issues that relate to concepts covered in American Government courses. The libraries consist of feature segments from such award-winning programs as *Nightline*, *20/20*, *World News Tonight/The American Agenda*, *Primetime Live*, and *This Week with David Brinkley*.

- **1992 Primaries** covers the initial campaign and primaries of the 1992 presidential election.
- **1992 Elections** covers the Democratic and Republican conventions and the November election.
- **Images in American Government** shows the conflicts of past presidential campaigns and elections plus segments on current issues.
- **Issues in American Government** provides multiple segments on issues such as health care and welfare reform, environment, crime and violence, foreign policy, the federal budget, and government waste.

Instructor's Guide to ABC News/Prentice Hall Video Libraries Provides a brief synopsis and discussion questions for each segment in the video libraries.



Prentice Hall Laserdisks The story of American Government is vividly illustrated through this exciting technology. Each laserdisk comes with a guide for using the material in the classroom.

- **1992 Primaries and Elections** includes the segments from the ABC/News video library.
- **Images in American Government** includes approximately 500 still images and segments from ABC News.
- **Issues in American Government** is a laserdisk version of the ABC News video library.

Annenberg Audiocassette Series Twelve half-hour audio programs feature distinguished guests who are actively engaged in national political life.

Supplements for the Student

Study Guide Each chapter includes outlines, study notes, a glossary, practice tests, Political Science Today study assignments, and data analysis worksheets that reinforce student learning. The guide was prepared by Dorothy Palmer of Indiana University of Pennsylvania and Larry Elowitz of Georgia College.

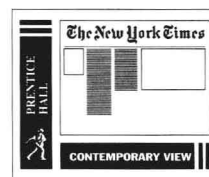
Study Manager A computerized study guide that generates random quizzes, provides text page references for review, and prints the corrected quiz for further study and/or submission to the instructor. All objective questions correspond to material found in the study guide. Available for IBM PCs.

Multimedia Study Guide Students can now take advantage of the exciting world of technology to study American Government with this new supplement from Prentice Hall. This unique student resource provides text, video, simulations, quizzes, timelines, and study guide tools in a CD-ROM format to engage students in the study of government and politics. Available at a reasonable price, this study resource can be used not only to reinforce comprehension of text content, but also to expand student knowledge of issues of American Government. Available for IBM PCs and Macintosh. Prepared by G. David Garson, North Carolina State University.

American Government Simulation Games, Series II Seven unique simulations engage students in various role-playing situations: Bill of Rights, House of Representatives, Presidential Budget, Secretary of State, Supreme Court, Washington Ethics, and Crime and Social Policy. Available for DOS, Windows, and Macintosh platforms and in CD-ROM format. The simulations were created by G. David Garson, North Carolina State University, and programmed by Electronic Courseware Systems, Inc., Champaign, Illinois.

A Guide to Civic Literacy This brief booklet provides suggestions for getting students involved in politics. It includes nine political activities for individuals or groups on agenda building, coalition building, registering and mobilizing voters, education, and increasing accountability. The guide was written by James Chesney and Otto Feinstein, both of Wayne State University.

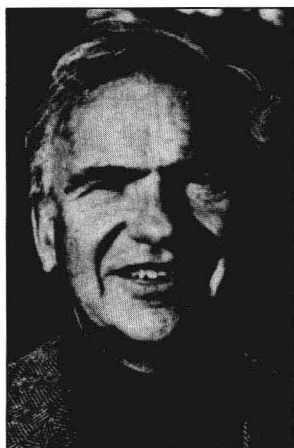
The Write Stuff: Writing as a Performing and Political Art, Second Edition This brief booklet, written by Thomas E. Cronin, provides ideas and suggestions on writing style and methods in Political Science.



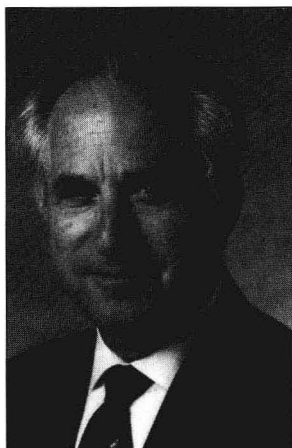
Themes of the Times Supplement Prentice Hall and *The New York Times* expand students' knowledge beyond the classroom and into the world we live in. Users of *Government By The People* can receive a complimentary newspaper supplement containing recent articles pertinent to American Government. These articles, featuring the best in reporting and journalistic integrity associated with *The New York Times*, update the text material and contribute real-world applications to the topics covered in the course.

Prentice Hall Critical Thinking Audiocassette This 60-minute cassette teaches students how to develop their critical thinking and study skills. The first 50 minutes concentrate on critical thinking skills, specifically on how to ask the right questions. The final 10 minutes offer helpful tips on how to study, take notes, and be a more active, effective learner.

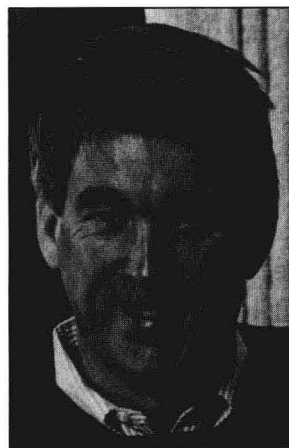
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David B. Magleby is nationally recognized for his expertise on direct democracy, voting behavior, and campaign finance. He is Professor of Political Science and department chair at Brigham Young University. He has taught at the University of California, Santa Cruz, and the University of Virginia. His writings include *Direct Legislation* (1984), *The Money Chase: Congressional Campaign Finance Reform* (1990), and *The Myth of the Independent Voter* (1992). He is currently president of Pi Sigma Alpha, the national political science honor society, and was commended by the Carnegie Endowment for the Advancement and Support of Education.

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It is the week before an American election, the culmination of an intense, year-long campaign. During this last week, television and the newspapers are full of political ads: "A vote for Gabriellino is a vote for the people!" one says under a picture of Frank Gabriellino, the Democratic candidate for governor. He is shown with Mrs. Gabriellino, a successful real-estate broker. There are pictures of the Gabriellinos' three children. Gabriellino's campaign themes have stressed that he is not a politician, just a man of the people. He accuses his opponent, Sarah Wong, who has been in office for two terms, of being soft on criminals and blames her for the state's economic downturn. Gabriellino insists that if Wong is reelected, the state is doomed. Wong—behind in the polls, although recently catching up—emphasizes her experience, her concern for all the people, and her willingness to defy the special interests. She is a Republican, but she plays down her party affiliation since in this state a majority of the voters have been Democrats in the past.

The two candidates have accused each other of all kinds of misdeeds. As the campaign progresses, their ads become more negative, more focused on personality than on political issues and positions. Gabriellino makes much of the fact that 20 years ago Wong indicated she had doubts about the morality and efficacy of the death penalty, even though as governor she has not commuted any death sentences and has allowed two people to be executed. Wong's supporters charge that Gabriellino is fuzzy-hearted, soft-headed, and a tool of left-wing professors. There are endorsements in the newspapers: Professors for Wong, Teachers for Gabriellino, Students for Wong, Chicanos for Gabriellino, Asians for Gabriellino. Each candidate carefully plants letters to the editor in all the newspapers. Local radio and television talk shows feature the candidates, and the candidates' organizations supply callers to attack their opponents.

Election day: Only half the eligible voters bother to vote, and exit interviews indicate that the race is too close to call. That night, projections based on 5 percent of the vote make it clear that Gabriellino will get 48 percent of the vote, Wong 46 percent, and minor parties the rest. At 11:00 P.M., Wong calls Gabriellino, congratulates him on his victory, makes a concession speech before her disappointed workers, and thanks them for their support. Gabriellino speaks to his cheering supporters at another hotel ballroom, stating that his election was a great victory for the people.

Elections are a familiar process that Americans take for granted. Many people look upon elections with disdain, saying, "It's all politics." But in fact, American elections are remarkable. They conclude with what in the course of human history is a rare event: the peaceful transfer of political power. What is unusual is what is *not* happening. Even though the day before the election Wong and her followers were insisting that if Gabriellino became governor there would be chaos and corruption, once the vote was counted there was no thought by anybody in any political party that Gabriellino should not become governor. When her term was up, Wong did not resist turning power over to the man she had called corrupt. It never crossed her mind to try to stay in office by calling on the state police to keep Gabriellino from taking power. None of Wong's supporters considered taking up arms or going underground or leaving the country. (Actually, they concentrated on how they could win the next election.) Nor did Gabriellino or his followers ever give any thought to punishing Sarah Wong and her supporters once they gained power. The Democrats wanted to throw the Republicans out of office, not in jail.

It was just a routine election—democracy at work. Most of the time in most nations, those in power got there either because they were born to the right family

CHAPTER OUTLINE

Defining Democracy

- *Democracy as a System of Interacting Values*
- *Democracy as a System of Interrelated Political Processes*
- *Democracy as a System of Interdependent Political Structures*

Making Democratic Principles a Reality

- *Conditions Conducive to Constitutional Democracy*
- *The American Example*

Our Constitutional Roots

- *The Rise of Revolutionary Fervor*
- *Toward Unity and Order*

The Constitutional Convention, 1787

- *The Delegates*
- *Consensus*
- *Conflict and Compromise*

To Adopt or Not to Adopt?

- *Federalists versus Antifederalists*
- *The Politics of Ratification*

Into the Twenty-first Century

or because they killed or jailed their opponents. During most of human history, no one, and most especially not an opposition political party, could openly criticize their government. During most of human history, a political opponent was an enemy.

In this chapter, we begin our exploration of this unique American experiment by taking a closer look at the meaning of democracy and the historical events that created the constitutional democracy of the United States. **Constitutional democracy** as used here refers to a government that regularly enforces recognized limits on those who govern and allows the voice of the people to be regularly heard through free and fair elections. **Constitutionalism** refers to how power is granted, dispersed, and limited.

DEFINING DEMOCRACY

The word “democracy” is nowhere to be found in the Declaration of Independence or in the U.S. Constitution, nor was it a term used by the founders of the Republic. Democracy is hard to define. It is both a very old term and a new one. It was used in a loose sense to refer to various undesirable things: “the masses,” mobs, lack of standards, and a system that encourages **demagogues** (leaders who gain power by appealing to the emotions and prejudices of the rabble).

Because we are using the term *democracy* in its political sense, we will be more precise. The distinguishing feature of democracy is that government derives its authority from its citizens. In fact, the word comes from two Greek words: *demos* (the people) and *kratos* (authority or power). Thus **democracy** means government by the people, not government by one person (the monarch, the dictator, the priest) or government by the few (an oligarchy or aristocracy).

Ancient Athens and a few other Greek cities had a **direct democracy**, in which citizens came together to discuss and pass the laws and select the rulers by lot. These Greek city-states did not last, and most turned to mob rule and then resorted to dictators. When the word “democracy” came into English usage in the seventeenth century, it denoted this kind of direct democracy and was a term of derision, a negative word, usually used to refer to mob rule.

James Madison, writing in *The Federalist*, No. 10, reflected the view of many of the framers of the U.S. Constitution when he wrote “such democracies [as the Greek and Roman] . . . have ever been found incompatible with personal security, or the rights of property; and have in general been as short in their lives, as they have been violent in their deaths” (*The Federalist*, No. 10 appears in the Appendix). Democracy has taken on a positive meaning only in the last one hundred years.

These days it is no longer possible, even if desirable, to assemble the citizens of any but the smallest towns to make their laws or to select their officials directly from among the citizenry. Rather, we have invented a *system of representation*. Democracy today means **representative democracy** or, in Plato’s term, a **republic** in which those who have governmental authority *get and retain* authority directly or indirectly as the result of winning free elections in which all adult citizens are allowed to participate.

The framers preferred to use the term “republic” to avoid any confusion between direct democracy, which they disliked, and representative democracy, which they liked and thought secured all the advantages of a direct democracy while curing its weaknesses. Today, and in this book, *democracy* and *republic* are often used interchangeably.

*Words that appear in boldfaced type throughout the text are defined in the Glossary at the end of the book.



“The Athenians are here, Sire, with an offer to back us with ships, money, arms, and men—and, of course, their usual lectures about democracy.”

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