

*New Edition with '92 Election Analysis*

# THE DEMOCRATIC FACADE

*Daniel Hellinger  
& Dennis R. Judd*

*Second Edition*



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SECOND EDITION

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# The Democratic Facade

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## PREFACE

The literature on American politics is passing through a distinct revisionist phase, reflecting an atmosphere of doubt and skepticism that has developed in the world beyond academe. This book is itself a product of that atmosphere. Political scientists, like citizens generally, are asking penetrating questions about the health of American democracy. Rising levels of distrust about American political institutions have been provoked by the failure of elites to address public discontent about the role of money and media in campaigns and the reappearance of political corruption, as revealed in the Iran-Contra affair, Iraqgate, and the savings and loan debacle. It often seems that Washington is unable to implement any policy at all that is not dictated by powerful interests.

We think it is important for people to understand that the present situation is not an aberration. Rather, it has deep historical roots. Political elites in the United States have always evinced an ambivalence about democratic processes. A tension between demands for a more democratic system and control by elites is endemic to American politics. When elites attempt to bypass or undermine democratic processes too much and too openly, as they did in the 1980s, a crisis of legitimacy occurs. The nation is currently in the midst of such a crisis.

The American political system has survived for more than two hundred years primarily because it has been extraordinarily successful in accomplishing two objectives. First, it has facilitated forms of participation that have been essential in nurturing a sense that the government legitimately rules on

behalf of the people. Second, it has provided a means by which elites may reconcile their differences short of bloodshed and coups d'état. It has often been difficult for elites to accomplish legitimation and reconciliation simultaneously, which makes the longevity of America's democracy even more remarkable: Even though elites have found it necessary to allow or encourage some forms of participation to legitimate their rule, at the same time they have maintained control over the political institutions that arbitrate their differences. The tension between the politics of legitimation and elite reconciliation is extremely difficult to manage. The constant attempts to strike a balance drive American politics. Thus, for instance, we may ask this question: Are elections a form of democratic control—or are they a means by which elites compete with one another? Is the U.S. Congress a body that represents the electorate, or does it represent powerful interests far removed from democratic politics? Similar questions could be asked about every form of participation and every political institution making up the fabric of America's democratic system.

Political scientists have long argued the virtues of the pluralist versus the elitist approach. Elitist theory fails to take into account adequately the role of competing elite interests in explaining politics in the United States. Pluralists tend to overemphasize elite conflict and fail to see that elites carefully circumscribe competition and ignore majority preferences. Rather than reject or accept either theory entirely, we have drawn on both traditions to form a synthesis. We assert in this second edition that the U.S. political system is designed to maintain and legitimate the power and privileges of elites but also to resolve elite conflict. Unlike pluralists, we do not regard this as democracy. We call this a *populist system of elite reconciliation*.

As we show in the three chapters of Part I, elites have gone to great lengths to legitimate their power through formal institutions that control political information and impart political values. For elites, it is essential to control schooling, the institutions of the mass media, and the procedures of the electoral system. In somewhat of a grand irony, the message that elites stress in these arenas of legitimation is that democracy is not run by elites, but by “all the people.”

Elites endlessly tinker with the processes of democracy to produce outcomes they find acceptable. The founders artfully combined symbols of democratic participation and a variety of mechanisms that were expressly antidemocratic, and elites have fine-tuned this system ever since. In Part II we show how the electoral system has been rigged to protect elites. Throughout our national history, elites have manipulated the size and composition of the electorate and structured electoral processes so as to limit voters' choices and to control political debate and political choice. In this century—and particularly in the age of electronic media—elections have been manipulated through an elaborate campaign finance industry that has eclipsed the political parties.

When elites have found it difficult to manipulate the political system sufficiently so that they can assert autonomous control over governmental institutions, they have often moved policy making behind closed doors. Elites in all political systems seek some room to maneuver in working out policies that reflect their differences and compromises. As we show in Part III, a substantial portion of domestic policy and virtually the whole of foreign policy are now hammered out beyond the public's view. As this method of managing democracy has progressed, elites have increasingly treated the democratic "problem"—their need for legitimacy—as something that can be attained through sophisticated exercises in propaganda. Such methods raise a fundamental question about how much tolerance elites have for democracy when democratic processes seem to endanger their political control.

It may seem that the 1992 presidential election posed that question. As we point out in our concluding chapter, the candidacies of H. Ross Perot and Bill Clinton seemed expressly molded by a populist revolt. We argue that Clinton's victory did not constitute a displacement of elites by populist majorities. It was, rather, a displacement of one constellation of governing elites by a competing group. Clinton's main challenge is to strike a new balance between the need to restore legitimacy and the need to respond to the policy demands of the elites that have helped put him into office. As has always been the case in American democracy, walking that tightrope will be a demanding task.

Like so many other books that deal with American politics, our first edition was overtaken by events. Chief among these were the end of the Cold War, the Gulf War, and the election of only the fourth Democratic president since World War II. We have incorporated these events and other developments in this revision. Among other major revisions in the book are:

- A discussion of the "culture wars" and the effects of inequality in the schools
- An analysis of media coverage of the Gulf War
- A full account of the 1992 election campaign
- An examination of the motor voter bill and its relationship to electoral participation
- A revised discussion of the relationship among political discourse, voter choice, and the two-party system
- Updated data on the campaign finance system and recent scandals
- Updated and expanded coverage of policy subgovernments that make policy behind closed doors
- A comprehensive post-Cold War revision of the foreign policy material
- A new concluding chapter, with an account of the first months of the Clinton presidency

This book is accessible to students in beginning courses and to interested citizens who have no formal background in political science. It may be used as a supplement to a standard textbook in introductory American politics courses, and with appropriate supplements that cover the Constitution and governmental institutions, it may even be used as a basic text. Our thesis is at odds with the conventional interpretations of American politics advanced in most of the political science literature, and therefore we have gone to considerable lengths to ground the book firmly in the literature of the field.

This book is bound to provoke discussion and disagreement—and most instructors will find it a plus in both introductory and more advanced courses where the instructor wants to engage students in animated discussion and debate. In that spirit, we suggest that this book could be used as an antidote to Thomas Dye and L. Harmon Zeigler, *The Irony of Democracy* (also published by Wadsworth). Whereas they have asserted that elites preserve democracy (a theme that is softened a bit in their recent “elite bashing” 9th edition), we maintain that elites have always manipulated and often subverted democratic processes. We propose in this edition that elites’ acceptance of formal democracy can be explained by the utility of the system as a means of reconciling the conflicts among themselves. The success of the American system in facilitating elite reconciliation is a major accomplishment, but it does not make American politics democratic. Indeed, as we show throughout this book, the democratic ideal has been much used and abused by elites for their own purposes, *as a populist system for elite reconciliation*. As such, it is a democratic facade.

It is a pleasure to acknowledge the contributions of the many people who gave their time and energy to various facets of this project. We want to thank Art Sandler of Webster University for allowing us to use some of his research for Chapter 11. We are grateful to Roland Klose, who coauthored Chapter 3 of the first edition, for allowing us to draw on his excellent research on the media for this edition. We also want to thank Lynne Silverman, who coauthored Chapter 11 of the first edition, for allowing us to use her research on U.S. policy in Latin America for this edition as well. While we have necessarily revised these chapters to reflect recent developments, these chapters still reflect their important contributions and original scholarship. We take full responsibility for any errors of interpretation or fact that may have been introduced in this second edition.

At the University of Missouri–St. Louis, Janet Frantzen went even beyond her usual secretarial and management skills by taking the various chapters of this book in hand and making sure the authors did not mess things up further with their endless meddling. Lana Vierdag also assisted at various stages, as did three work-studies students, Christina Merritt, Angela Laster, and Tanya Cvijanovic.

A few months before the manuscript for this edition was due, Wadsworth

Publishing Company acquired this book from its sister publisher, Brooks/Cole. Although we continue to remember Cindy Stormer, our former editor, fondly, we are happy to say that our new home has been extremely congenial. Kris Clerkin gave us important and reliable direction and advice, and Diane Honigberg was absolutely wonderful in guiding us to production. George and Wendy Calmenson were friendly, cooperative, and effective in making this book look good.

We want to thank the professional referees whose reviews were helpful in developing this second edition. They were: Stephen Boyan, University of Maryland, Baltimore; Russell Fryer, Western Connecticut State University; James Klonoski, University of Oregon; Patrick J. McGeever, Indiana University, Indianapolis; Peter Remender, University of Wisconsin, Oshkosh; Robert Toburen, Louisiana Tech; and Thomas J. Williams, University of Alabama, Huntsville.

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# **The Democratic Facade**

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## CHAPTER 1

# American Democracy as a Legitimizing Device

### The Oldest Democracy

Thomas Jefferson was serving as ambassador to France for the new nation when he heard about Shays' Rebellion. In the fall of 1786 Daniel Shays, a former fighter in the Revolution, led a rag-tag army of several hundred farmers and debtors into Springfield, Massachusetts, to stop foreclosure and debt trials presided over by the Supreme Judicial Court of Massachusetts. Confrontations between the rebellious farmers and state authorities dragged on for several weeks, provoking anxiety among rich merchants and landowners.<sup>1</sup> From his distant perspective as the ambassador to France, Jefferson wrote from Versailles that

a little rebellion now and then is a good thing. . . . It is a medicine necessary for the sound health of government. . . . God forbid that we should ever be twenty years without such a rebellion. . . . The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure.<sup>2</sup>

Jefferson's aristocratic contemporaries who were closer to the action reacted with considerably less equanimity. Alarmed at the prospect of "mob rule" as well as by the bickering among the states over trade, taxes and other matters, the Continental Congress called for a convention to meet in Philadelphia in May 1787, "for the sole and express purpose of revising the Articles of

Confederation.” The convention went far beyond its mandate, producing a national constitution that has been called the “miracle at Philadelphia.”<sup>3</sup>

The Constitution has endured for more than two hundred years. The histories of most nations suggest that this sort of longevity is extraordinarily rare. Except for Switzerland, America has the oldest continuous democratic government in the world. There have been no coups d'état, and since the Civil War there have been no general rebellions. How has such remarkable continuity been achieved?

Generations of Americans have read a standard answer to this question in civics and history textbooks, the essence of which goes as follows: the “Founding Fathers” created democratic institutions that faithfully represent “We, the people.” A passage from a high school government text published in 1982 should seem familiar to most Americans:

In its immense capacity to accommodate change, the American political system may be one of the wonders of the modern world.<sup>4</sup>

Alternatively, from a government textbook published in 1987:

In our nation, political power reflects the will of all the people, not the will of a few at the top.<sup>5</sup>

From the early 19th century to the present, school textbooks have been used as catechisms to teach a civic religion whose central article of faith is that America's government is the most perfect democracy on earth.

College students quickly discover that their formal civics education is far from over. Most colleges and universities require a course in American government and, in Texas and several other states, in state government. Students in a few of these courses may be confronted with a shocking about-face that contradicts their previous 12 years of patriotic instruction: perhaps they will be assigned one of a handful of “radical” textbooks, like Michael Parenti's *Democracy for the Few*<sup>6</sup> or Edward Greenberg's *The American Political System: A Radical Approach* (now out of print).<sup>7</sup> But for students in most courses, no startling surprises are in store; the textbook will be mainly descriptive; the students' old assumptions may require, at best, some slight modification. If, for instance, they are assigned the college text *Toward a More Perfect Union*, the book and its title will feel familiar and comfortable, like old clothes, as will these passages about the “living Constitution”:

Adoption of the Constitution . . . pointed up American belief in reform, American acceptance of political change as an effective course.<sup>8</sup>

The Constitution is a remarkable expression of the American political tradition. Its flexibility made it a workable constitution as the United States

underwent the extraordinary transformation from a small, largely rural national community to a huge urban industrial society.<sup>9</sup>

The advocates of the “flexible Constitution” idea often freely admit that the original document was not particularly democratic. Even when admitting that the founders were an aristocratic group looking out for their own interests, however, most textbook writers praise the ingeniousness of the founders in devising a constitution that has allowed democracy to gradually evolve in step with, for example, the expansion of the electorate during the Jacksonian period and electoral reforms in the 20th century, such as women’s suffrage and voting rights for blacks. The college textbook view of American government tends to hold that a document appropriate for an age when aristocratic rule was the norm became the instrument that facilitated the gradual evolution to a full-fledged democratic republic.

There are significant problems with the textbook explanation of America’s political longevity. It is, to begin with, founded on myth and fable about the origins of the Constitution and the intentions of its writers. An eminent sociologist often quoted in the textbooks, Seymour Martin Lipset, asserted, for example, that in the constitutional period “American social structure did not possess those great ‘gaps’ which . . . ‘conspire to separate the ordinary people from their government.’ ”<sup>10</sup> This claim is absurd. In colonial America the top 20 percent of wealth-holders owned 68 percent of total assets, and inequality in wealth distribution was about the same in New England as in the slave-holding South.<sup>11</sup> In 1771, the top 10 percent of Boston’s population held 63 percent of the wealth—and the lowest three-tenths held less than one-tenth of 1 percent of taxable assets.<sup>12</sup> On the frontier, in contrast to the cities, a considerable equality prevailed, but this is because there were almost no wealthy people living there.<sup>13</sup>

The founders were an aristocratic group; several of them were the richest individuals in all the colonies. The merchant and land-owning elites gathered in Philadelphia were keenly aware of the threats that faced them. Many white Americans had been brought, often forcibly, to the British colonies as indentured servants (three out of four persons in Pennsylvania, Maryland, and Virginia at the time of the Revolution).<sup>14</sup> They had filled the ranks of the revolutionary armies, risked their lives, and were armed. For elites, it was urgent that a new government be founded that would elicit a widespread sense of legitimacy. Democratic symbols were crucial for accomplishing this purpose. But it was equally important to the founders that their own wealth and political power be preserved. This is not to say that most of the founders were antidemocratic per se, or that they were cynical about the limited democracy they were creating. It is simply to say, as the historian Charles Beard observed, “The overwhelming majority . . . were to a greater or less extent economic beneficiaries from the adoption of the Constitution.”<sup>15</sup>



Most of the founders believed the new nation to be a historic experiment in self-governance. They also, however, found it impossible to conceive that republican government could survive unless men like themselves ran it. As a consequence, at the same time that they established a republic founded on democratic principles, they took steps to ensure that men of wealth and privilege would continue to rule.

Elites in every society attempt to preserve their economic privilege and political power, and often enough they engage in conspiracies for this purpose. A conspiracy can be defined as a secret combination of a few politicians who act in order to influence political outcomes either through illegal means or means that, were they to become public, would meet with wide-scale public reproach. By this definition, the actions of the founders in Philadelphia—undertaken in secret and extending far beyond their legal mandate—can be considered a conspiracy. It was the first of many. Corporations constantly have engaged in conspiracies, beginning with the land grabs by robber barons, continuing with the evasions of antitrust laws and bribery of officials in the Harding administration (1920–1924) such as the Teapot Dome scandal, and the common practice of evading occupational health and safety regulations, consumer protection laws, and environmental laws. Virtually all strategic plans and advertising campaigns have a conspiratorial element. On the political side, all modern political campaigns are conducted like wars, with teams of legal advisers, fundraisers, and accountants assembled to evade the spirit, if not the letter, of election laws. The most sensational such case since World War II to come to light was Watergate.

One searches the literature of political science in vain for a theoretical treatment of the importance of conspiracies in politics. More often, the term *conspiracy theory* is used as a term of approbation against works that stress the degree of control and manipulation that elites exercise in the political process.

The 1991 release of Oliver Stone's film *JFK* rekindled the theory that a conspiracy among right-wing Cuban exiles, the Central Intelligence Agency (CIA), and the military lay behind the assassination of President John F. Kennedy in 1963. Stone was criticized for taking broad artistic license, and his particular version of the conspiracy could be persuasively impugned by his critics, but he successfully reminded the public that within the framework of U.S. government are intelligence and military organizations whose very purpose is conspiratorial, with a history of covert operations and assassinations aimed at legitimate governments overseas.<sup>16</sup>

Ironically, although we share Stone's suspicion that the national security apparatus was linked to the assassination in some way, it is his contention that this conspiracy prevented Kennedy from resolving racial strife and ending the Cold War between the Soviet Union and the United States that strikes us as naive. It requires one to believe that one president (for instance, Kennedy)