

STUDY GUIDE

**THE CHALLENGE OF
DEMOCRACY**

NINTH EDITION

Kenneth Janda / Jeffrey M. Berry / Jerry Goldman

updated by

Kevin T. Davis

North Central Texas College

Publisher: Suzanne Jeans
Senior Sponsoring Editor: Traci Mueller
Development Editor: Lisa Kalner Williams
Editorial Assistant: Tiffany Hill
Executive Marketing Manager: Nicola Poser
Marketing Associate: Karen Mulvey

Copyright © 2008 by Houghton Mifflin Company. All rights reserved.

No part of this work may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying and recording, or by any information storage or retrieval system without the prior written permission of Houghton Mifflin Company unless such copying is expressly permitted by federal copyright law. Address inquiries to College Permissions, Houghton Mifflin Company, 222 Berkeley Street, Boston, MA 02116-3764.

Printed in the U.S.A.

ISBN 10: 0-618-87449-6

ISBN 13: 978-0-618-87449-1

123456789-XX-10 09 08 07 06

Contents

PREFACE.....	v
CHAPTER 1 – FREEDOM, ORDER, OR EQUALITY?.....	1
CHAPTER 2 – MAJORITARIAN OR PLURALIST DEMOCRACY?.....	13
CHAPTER 3 – THE CONSTITUTION	22
CHAPTER 4 – FEDERALISM	33
CHAPTER 5 – PUBLIC OPINION AND POLITICAL SOCIALIZATION	43
CHAPTER 6 – THE MASS MEDIA	52
CHAPTER 7 – PARTICIPATION AND VOTING	64
CHAPTER 8 – POLITICAL PARTIES	74
CHAPTER 9 – NOMINATIONS, CAMPAIGNS, AND ELECTIONS.....	83
CHAPTER 10 – INTEREST GROUPS	92
CHAPTER 11 – CONGRESS.....	102
CHAPTER 12 – THE PRESIDENCY	113
CHAPTER 13 – THE BUREAUCRACY	122
CHAPTER 14 – THE COURTS	132
CHAPTER 15 – ORDER AND CIVIL LIBERTIES	143
CHAPTER 16 – EQUALITY AND CIVIL RIGHTS	154
CHAPTER 17 – POLICYMAKING.....	165
CHAPTER 18 – ECONOMIC POLICY	174
CHAPTER 19 – DOMESTIC POLICY.....	184
CHAPTER 20 – GLOBAL POLICY	194

Preface

Designed to accompany the ninth edition of *The Challenge of Democracy*, this study guide will help you succeed in your American Government course whether you are taking it to plan a political career, fulfill a requirement, or become a more politically active citizen.

The study guide is designed to help you succeed by encouraging you to:

1. Synthesize the main points in each chapter in the book.
2. Examine current issues relating to each chapter by focusing on useful textbook pedagogy.
3. Identify the learning objectives in each chapter.
4. Define the key terms used in the book.
5. Test yourself with sample questions to prepare for exams.
6. Research interesting political topics on the web on your own.

SYNTHESIZING THE MAIN POINTS

One of the main purposes of the study guide is to summarize the main points of each chapter. Its purpose is not to replace the textbook but to supplement it. To get the best results, you need to read the textbook and then read the study guide to grasp the key points of each chapter. Pay special attention to the titles and subtitles used in the study guide to identify and understand important key concepts.

OPENING VIGNETTES, POLITICS IN A CHANGING AMERICA, AND COMPARED WITH WHAT

In the textbook, pay attention to each chapter's opening vignette to understand important events in national politics and then try to relate it to the chapter's core material. Pay special attention to the *Politics in a Changing America* and *Compared with What* boxes in the textbook. The *Politics in a Changing America* cover important new issues faced by American government, while the *Compared with What* boxes contrast the United States and other industrialized countries of the world. The study guide will help you synthesize important issues by summarizing material covered in these textbook boxes.

LEARNING OBJECTIVES

Each chapter begins with a list of learning objectives to help you understand the rationale and the goal of each chapter so that you may evaluate for yourself whether you know the material well.

KEY TERMS

At the end of each chapter in the textbook, there are key terms that you should learn. The study guide defines the terms in an easy-to-understand and abbreviated format so that you can easily comprehend and retain them. The key terms are selected on the basis of their importance to the chapter. If you have a grasp of the terms, you will retain the chapter concepts for a longer time.

SAMPLE QUESTIONS

The study guide includes both multiple-choice and essay sample exam questions. Using the sample questions, you can test yourself to see if you are familiar with some of the important issues in the chapter. Of course, the sample questions do not include all the possible questions in a chapter, but they do focus on many of the key issues in the chapter. The essay questions are designed to promote your critical thinking skills and to prepare you for thoughtful participation in classroom discussions. It is important for you to try to participate actively in class discussions. Instructors often assign points for participation in class.

A GUIDE FOR FURTHER RESEARCH AND INFORMATION

The study guide also serves as a source for further research and information if you are interested in researching a particular topic relating to American government. Many instructors will require you to write a short research paper. The study guide will direct you toward important sources for beginning your research. The study guide provides a list of useful websites for each chapter.

BEYOND THE TEXTBOOK

Also important to your success in the American Government course is keeping abreast of the major events in American and world politics. One way to keep up with such events is to read newspapers on a regular basis. You might try the *New York Times*, the *Washington Post*, or any other major newspaper. In addition, you should try to develop a daily habit of watching the national news on television. You can relate the political issues discussed in the media to the concepts covered in the textbook and thereby construct an informed and intelligent opinion on current political issues.

CHAPTER 1

Freedom, Order, or Equality?

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Describe the ways that globalization has affected government in the United States.
- Give practical examples of ways in which the values of freedom, order, and equality may conflict.
- Provide a conceptual framework for analyzing government.
- Discuss the three major purposes of government.
- Explain the two dilemmas of government.
- Sketch a continuum of ideological stances on the scope of government, ranging from totalitarianism to anarchism.
- Construct a two-dimensional, fourfold classification of American political ideologies, using the values of freedom, order, and equality.
- Distinguish between liberals and conservatives with regard to their attitudes about the scope and purpose of government.

FREEDOM, ORDER, AND EQUALITY, OR THE CHALLENGE OF DEMOCRACY

Chapter 1 explores the meaning of three of the text's five major themes: freedom, order, and equality. These values are important ones in the American political system. They often come into conflict with one another, however, thus posing a dilemma for people who are forced to choose between competing values. The chapter's opening vignette, describing the U.S. effort to introduce democracy in Iraq, reveals the costs and challenges associated with promoting freedom, order, and equality. The chapters ahead will focus on the setting, structure, and institutions of American government and the policymaking process; as we proceed, we will see many examples of these conflicting values.

CHAPTER OVERVIEW

The Globalization of American Government

While nations used to be understood as independent political actors, global economic interdependence and the growing importance of international organizations challenge this independence. Nations are compelled to reconcile national political values with international values that may represent a different balance between freedom, order, and equality. The use of the death penalty in the United States, for instance, has been condemned by the International Commission of Justice.

The Purposes of Government

Government is the legitimate use of force to control human behavior. Throughout history, government has served three major purposes: (1) maintaining order, including preserving life and protecting property, (2) providing public goods, and (3) promoting equality. Maintaining order, the first purpose, is the oldest and least-contended purpose of government. Most would agree with Thomas Hobbes that the security of civil society is preferable to life in a warlike state of nature. But the question of whether or not maintaining order requires the government to infringe upon an individual's personal freedom is a tough one to answer. The second purpose—providing public goods—leads to questions of just what goods the government ought to provide. Over the years, the scope of American government has expanded considerably, as the government has assumed greater responsibility for providing an array of social benefits. The third purpose of government—promoting equality—is the newest and probably most controversial purpose of government today. It raises issues about the extent of the government's role in redistributing wealth, regulating social behavior, and providing opportunities.

A Conceptual Framework for Analyzing Government

People often have difficulty understanding American government because they lack a framework to help them organize the facts of politics. The framework supplied in this text distinguishes between the values citizens pursue through government and the *institutional models* that guide them in their efforts to govern themselves democratically. The framework presented here uses five major concepts. The three presented in this chapter—freedom, order, and equality—represent *what* democratic governments try to do. The two remaining concepts concern *how* democratic governments do what they do; governments may behave according to pluralistic or majoritarian models. These models are explained more fully in the next chapter.

The Concepts of Freedom, Order, and Equality

Freedom, as used in this text, is synonymous with *liberty*—that is, the freedom to speak, worship, and so forth. In a narrow sense, *order* consists of preserving life and protecting property, but it may also refer to social order, which prescribes the accepted way of doing things. *Equality* is used to mean several different things: *political equality*, or equality of influence in the political process; *social equality*, or equality in wealth, education, and social status; *equality of opportunity*, or equality in chances for success; and *equality of outcome*, or equality for people in the end. The last concept is connected with the idea of entitlements and requires much more government intervention to sustain than either political equality or equality of opportunity.

Two Dilemmas of Government

Two major dilemmas confront the government today. The first one, the original dilemma, involves tradeoffs between freedom and order. How much freedom are people willing to give up to achieve complete safety? How much insecurity are we willing to tolerate to preserve our personal freedom? The second one, the modern dilemma, deals with the balance between freedom and equality. Should government act to promote equal access by women and African Americans to high-paying jobs, even though this restricts the freedom of their employers?

Ideology and the Scope of Government

Political ideologies provide their adherents with consistent, organized beliefs about government. Each ideology provides a different answer to questions about the scope of government, that is, how far government should go in maintaining order, providing public goods, and promoting equality.

Totalitarianism believes in total control by the government including business, labor, education, religion, sports, and the arts. *Socialists* would control basic industries but might leave room for some

private ownership of productive capacities and for the practice of civil liberties. Some socialists practice democratic socialism, which guarantees civil liberties, free elections, and competitive political parties. *Capitalists* favor private ownership of the means of production and no government interference with business. *Libertarians* oppose government action except where absolutely necessary to protect life and property. *Anarchists* oppose all government.

Practical politics in the United States tend to be fought out in the middle ground of this continuum—a place inhabited by conservatives and liberals, who differ on both the scope and the purpose of government action. Liberals favor generous government support for education, wildlife protection, public transportation, and a whole range of social programs. Conservatives believe in smaller government and fewer social programs. In the past, liberals and conservatives have been distinguished by their attitudes toward the scope of government. Today this approach is not quite adequate; ideological divisions among Americans involve not only disagreements over the scope of government but also disagreements about the purposes of government, that is, the degree to which the government should promote freedom, order, and equality.

American Political Ideologies and the Purpose of Government

Liberals and conservatives differ on both of the major value conflicts described in this chapter. By using a two-dimensional classification system that depicts freedom and order on one axis and freedom and equality on the other, it is possible to obtain a more accurate picture of the differences between liberals and conservatives. This scheme yields a fourfold classification of American political ideologies. Under it, those who prefer order to freedom and freedom to equality are *conservatives*. Those who prefer equality to freedom and freedom to order are *liberals*. Those who prefer freedom above the other values are *libertarians*. Those who would give up freedom for either equality or order are called *communitarians*.

KEY TERMS

globalization

government

national sovereignty

order

liberalism

communism

public goods

freedom of

freedom from

police power

political equality

social equality

equality of opportunity

equality of outcome

rights

political ideology

totalitarianism

socialism

democratic socialism

capitalism

libertarianism

libertarians

laissez faire

liberals

anarchism

conservatives

communitarians

OUTLINING THE TEXT CHAPTERS

One good way to learn the material in your text is to outline each chapter after you have read it. This will help you understand how a chapter is organized and how its main points fit together. The act of writing out the outline focuses your attention on the material and also reinforces what you have read.

Outlining styles tend to be idiosyncratic: one person might prepare an outline that uses full sentences or long phrases to help recall the substance of sections of the text; another might prefer to rely on brief phrases or key words. For starters though, you will probably want to use the chapter's main headings and subheadings as the skeleton for your outline. Then flesh these out by noting the main points within each subheading, and where you think it is useful, add some notes to indicate just how each point is connected to the main heading.

Here is a sample outline of Chapter 1.

CHAPTER ONE—OUTLINE

- I. The Globalization of American Government
 - A. Principle of national sovereignty—each national government has the right to govern its people as it wishes, without interference from other nations.
 - B. Increasing globalization has eroded national sovereignty
 1. United Nation Commission on Human Rights
 2. Japanese government fined for WWII human rights abuses
 - C. U.S. foreign and domestic policies have faced international scrutiny
 1. United States refused to participate in International Criminal
 2. United States' use of the death penalty condemned
- II. The purposes of government
 - A. Definition of government: the legitimate use of force within territorial boundaries to control human behavior
 - B. Maintain order
 1. Survival
 2. Protecting private property
 - C. Provide public goods
 1. Public goods—benefits available to all citizens that are not likely to be produced voluntarily by individuals
 2. Tension between government vs. private business

- D. Promote equality
 - 1. Economic: redistribute wealth
 - 2. Social: regulate social behavior
 - 3. Tension between equality and freedom
- III. A conceptual framework for analyzing government
 - A. Definition of concept: a generalized idea grouping events, objects, qualities under a common classification or label
 - B. Five concepts used in this text
 - 1. What government tries to do (values)
 - a) freedom
 - b) order
 - c) equality
 - 2. How governments do it (models)
 - a) pluralist
 - b) majoritarian
- IV. The concepts of freedom, order, and equality
 - A. Freedom
 - 1. Freedom of: liberty
 - 2. Freedom from: immunity, or, as used in this text, equality
 - B. Order
 - 1. Preserving life
 - 2. Protecting property
 - 3. Maintaining social order—use of police power
 - C. Equality
 - 1. Political equality
 - a) one person, one vote
 - b) ability to influence political decisions through wealth or status
 - 2. Social equality
 - a) equality of opportunity: each person has the same chance to succeed in life
 - b) equality of outcome
 - (1) government redistributes wealth to ensure that economic equality and social equality are achieved
 - (2) governmental rights as entitlements
- V. Two dilemmas of government
 - A. The original dilemma: freedom vs. order
 - B. The modern dilemma: freedom vs. equality
- VI. Ideology and the scope of government
 - A. Definition of ideology: a consistent set of values and beliefs about the proper purpose and scope of government
 - B. Continuum of ideologies based on beliefs about governmental scope
 - 1. Totalitarianism: controls all aspects of behavior in all sectors of society
 - 2. Socialism
 - a) state has broad scope of authority in the economic life of the nation
 - b) communism versus democratic socialism
 - 3. Capitalism
 - a) private business operating without government regulations
 - b) American capitalism: some regulation of business and direction of overall economy
 - 4. Libertarianism
 - a) opposed to all government action except what is necessary to protect life and property

- b) liberal vs. libertarian
 - 5. Anarchism
 - a) opposed to all government
 - b) value freedom
 - C. Liberals and conservatives
 - 1. Liberals
 - a) favor broad scope of government in providing public goods
 - b) yet reject censorship, regulation of abortion
 - 2. Conservatives
 - a) oppose government role as activist in economy
 - b) favor small government
 - c) yet favor government regulation of social behavior
 - 3. Need to look at both scope and purpose of government action
- VII. American political ideologies and the purpose of government
- A. Liberals vs. conservatives: the new differences
 - 1. Conservatives
 - a) scope of government: narrow
 - b) purpose of government: maintain social order
 - (1) coercive power of state may be used to force citizens to be orderly
 - (2) preserve traditional patterns of social relations
 - 2. Liberals
 - a) scope of government: broad
 - b) purpose of government: promote equality (coercive power of state may be used)
 - B. Two-dimensional classification of ideologies
 - 1. Dimensions
 - a) freedom—order
 - b) freedom—equality
 - 2. Four ideological types
 - a) libertarians
 - (1) value freedom more than order
 - (2) value freedom more than equality
 - b) liberals
 - (1) value freedom more than order
 - (2) value equality more than freedom
 - c) conservatives
 - (1) value freedom more than equality
 - (2) value order more than freedom
 - d) communitarians
 - (1) value equality more than freedom
 - (2) value order more than freedom

RESEARCH AND RESOURCES

This chapter introduces three of the key concepts used to build the analytical framework of the text. Freedom, order, and equality are such important concepts and are so critical to the approach of *The Challenge of Democracy* that you might wish to learn more about these ideas. One way to go about it is to consult an encyclopedia or dictionary, such as *Encyclopedia Britannica* or *Webster's New World Dictionary*. (Access to *Britannica* is available online as a paid service. For a free trial, go to <http://www.eb.com/>.) In these works, you will find a general treatment of the terms. A general encyclopedic discussion may include some material of interest to social scientists, but it may also include material more interesting to people in other fields (for example, philosophers might be more

interested in the question of free will versus determinism, a question often included in general discussions of freedom). However, these general reference works, while useful, may not provide quite the depth you want. You may find it helpful to turn to a more specialized work tailored to providing information about subjects as they apply to social or political science.

The following are some useful specialized dictionaries and encyclopedias:

Gould, Julius, and William Kolb, eds. *A Dictionary of the Social Sciences*. Glencoe, IL: Free Press, 1964.

Greenberg, Milton, and Jack C. Plano, eds. *The American Political Dictionary*. 10th ed. New York: Harcourt Brace, 1996.

Kuper, Adam, and Jessica Kuper, eds. *The Social Science Encyclopedia*. 2nd ed. New York: Routledge, 1996.

Shafritz, Jay M. *The HarperCollins Dictionary of American Government and Politics*. New York: Harper Collins, 1992.

Stills, David L., ed. *International Encyclopedia of the Social Sciences*. 17 vols. New York: Macmillan, 1968.

USING YOUR KNOWLEDGE

1. Become familiar with specialized encyclopedias and dictionaries. Look up the terms *equality*, *freedom*, *democracy*, *ideology*, and *pluralism* in some of the works cited above. Compare the material covered in the different sources. Are all these terms included in every work?
2. Visit the websites of groups that represent each of the four ideological types discussed in the chapter. At each site, see if you can find statements that illustrate the group's viewpoint on freedom, order, and equality, the key values discussed in this chapter. How well does each group fit into the typology? You may try the websites listed here, or at the end of the textbook chapter, or you may try to make your own list of ideologically oriented groups. For libertarians, try <<http://www.libertarian.org/>>. For communitarians, try <<http://www.gwu.edu/~ccps/>>.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

(Answers to multiple-choice questions are at the end of the chapter.)

1. President Bush stated that we live in an era of “globalization.” What does that mean?
 - a. We must abide by the International Criminal Court.
 - b. There is an increasing interdependence of citizens and nations across the world.
 - c. The United States MUST be the new policemen for the world.
 - d. We need to encourage more foreign companies to move to the United States.
 - e. Terrorism is a threat to the “global community” and needs to be addressed by all nations.
2. “The legitimate use of force to control human behavior within specified geographic boundaries” is a definition of
 - a. politics.
 - b. government.
 - c. democracy.
 - d. totalitarianism.
 - e. anarchism.

8 Chapter 1: Freedom, Order, or Equality?

3. A principle that states that each citizen has one and only one vote is a principle of
 - a. social equality.
 - b. representative equality.
 - c. equality of opportunity.
 - d. equality of outcome.
 - e. political equality.
4. According to Thomas Hobbes, author of *Leviathan*, the main purpose of government is
 - a. to protect the physical security of citizens.
 - b. to protect private property.
 - c. to promote equality of opportunity.
 - d. to promote a state of nature.
 - e. to distribute ownership of property in an equitable manner.
5. Which political philosopher first defined the doctrine of liberalism, which linked the defense of property rights to the safeguards of individual liberties?
 - a. Thomas Hobbes
 - b. Thomas Jefferson
 - c. John Locke
 - d. Karl Marx
 - e. James Monroe
6. The modern dilemma of government can be seen in
 - a. Oregon's approach to assisted suicide.
 - b. Michigan's approach to assisted suicide.
 - c. employment provisions of the 1990 Americans with Disabilities Act.
 - d. decisions leading up to the war in Iraq.
 - e. decisions to ban smoking in public building.
7. According to "the Globalization of Nations" Chart, what is the United States' major advantage when competing with other nations?
 - a. political engagement
 - b. technology
 - c. personal contacts
 - d. Economic Integration
 - e. All of the Above
8. What term do we use to describe the benefits and services available to all, such as education, sanitation, roads, bridges, etc.?
 - a. global equity
 - b. community services
 - c. liberal ideals
 - d. public goods
 - e. national equity
9. Who was the first woman to receive the honor of lying in state in the U.S. Capitol rotunda?
 - a. Rosa Parks
 - b. Barbara Jordan
 - c. Dolly Madison
 - d. Eleanor Roosevelt
 - e. Susan B. Anthony

10. Which of the following is not one of the four freedoms Franklin Roosevelt described and fought for during his term in office?
 - a. freedom from want
 - b. freedom from fear
 - c. freedom of religion
 - d. freedom of speech
 - e. freedom of equality
11. Which of the following exemplifies the effort to create gender equity in college athletic programs?
 - a. the modern dilemma of government
 - b. libertarian ideology
 - c. the clash between equality and order
 - d. the conflict between order and freedom
 - e. conservative ideology
12. What is the political ideology that rejects all government action except that which is necessary to protect life and property?
 - a. liberalism
 - b. libertarianism
 - c. capitalism
 - d. anarchism
 - e. socialism
13. During the 1960s, the Congress passed legislation that requires men and women to be paid the same wage if they perform the same work. What is this an example of?
 - a. government promoting order at the expense of freedom
 - b. government promoting equality at the expense of order
 - c. government promoting freedom at the expense of equality
 - d. government promoting equality at the expense of freedom
 - e. socialism
14. The modern dilemma of government involves the clash between
 - a. equality of opportunity and equality of result.
 - b. freedom and order.
 - c. majoritarian and pluralist democracy.
 - d. equality and order.
 - e. equality and freedom.
15. In American politics, the fight for the middle ground of government action takes place between
 - a. conservatives and liberals.
 - b. conservatives and libertarians.
 - c. communists and liberals.
 - d. socialists and liberals.
 - e. socialists and conservatives.
16. The term *freedom*, as used in the text, is synonymous with
 - a. equality.
 - b. only equality of opportunity.
 - c. only equality of outcome.
 - d. liberty.
 - e. order.

10 Chapter 1: Freedom, Order, or Equality?

17. What term would we use to describe a person who values order and equality more than freedom?
 - a. an anarchist
 - b. a libertarian
 - c. a communitarian
 - d. a conservative
 - e. a liberal
18. Which of the following is not true?
 - a. Libertarians value freedom above equality.
 - b. Liberals value equality more than order.
 - c. Conservatives value freedom more than equality.
 - d. Communitarians value freedom more than order.
 - e. Libertarians value freedom over order.
19. Established patterns of authority and traditional modes of behavior represent
 - a. totalitarianism.
 - b. police power.
 - c. public goods.
 - d. equality of opportunity.
 - e. social order.
20. Opponents of same-sex marriages see these unions as a challenge to
 - a. economic equality.
 - b. liberty.
 - c. social order.
 - d. capitalism.
 - e. majoritarian democracy.
21. What do we call a consistent set of values and beliefs about the proper purpose and scope of government?
 - a. political ideology
 - b. political equality
 - c. liberalism
 - d. anarchism
 - e. equality of opportunity
22. Which of the following would be an accurate description of today's liberals?
 - a. They oppose government in all its forms.
 - b. They are strong adherents of government who believe governments power should unlimited.
 - c. They believe in free enterprise without governmental interference.
 - d. They promote equality of outcome while preserving order.
 - e. They see a positive role for government in helping the disadvantaged.
23. Among the major purposes of government, the newest to be added to the list is
 - a. promoting equality.
 - b. maintaining order.
 - c. restricting equality.
 - d. providing public goods.
 - e. protecting private property.

24. Which of the following is a case of government regulation of social behavior to enforce equality?
 - a. a state law prohibiting assisted suicide
 - b. a state law permitting assisted suicide
 - c. a federal law outlawing pornographic material on the Internet
 - d. a court decision permitting homosexuals to serve on a local police force
 - e. a court decision forbidding homosexuals to serve on a local police force
25. Libertarians would be most likely to support which of the following?
 - a. a government-sponsored program to combat drug use
 - b. a Mothers Against Drunk Driving campaign to raise the drinking age
 - c. deregulation of the airlines
 - d. a constitutional amendment to prohibit flag burning
 - e. affirmative action

Essay Questions

1. On a number of college campuses, fraternities and sororities are not permitted to serve alcohol at parties they host. Which of the values discussed in the chapter (freedom, order, or equality) would you say are involved in these conflicts? How are they involved? How do the values you have mentioned come into conflict with each other?
2. What are the two major senses of defining freedom? What are the four freedoms? Try to explain each one of them using examples and placing them in context.
3. Explain the key differences between liberals and conservatives in modern American politics.
4. According to the text, the newest major purpose of government is to promote equality. Explain the various meanings of the term *equality*. What aspects of this new purpose of government are controversial in America? Why?
5. How has globalization affected domestic political choices in the United States? Are international organization and conventions eroding US national sovereignty?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. b
2. b
3. e
4. a
5. c
6. c
7. b
8. d
9. a
10. e
11. a
12. b
13. d
14. e
15. a
16. d
17. c
18. d
19. e
20. c
21. a
22. e
23. a
24. d
25. c

CHAPTER 2

Majoritarian or Pluralist Democracy?

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Arrange types of governments on a continuum based on the number of rulers they contain.
- Indicate how the symbolic value of democracy has changed over the years.
- List the four principles of procedural democracy.
- Outline the central principles of the substantive view of democracy.
- Point out the differences between the procedural and substantive views of democracy and indicate the key problems with each.
- Explain why representative democracy has replaced participatory democracy in the modern world.
- Compare and contrast the assumptions and mechanisms of the majoritarian, pluralist, and elite models.
- Discuss the pressures faced by newly democratizing states.
- Make a preliminary attempt to identify the strengths and weaknesses of the majoritarian, pluralist, and elite models as they apply to the American system.

MAJORITARIANISM, PLURALISM, AND THE CHALLENGE OF DEMOCRACY

Both President Bush and President Wilson have said that America is fighting for democracy. Both assume that democracy is the ultimate form of government that everyone wants. Yet we will find that there are various forms of democracy in the world. Pakistan is a democracy that has been rated as “Not Free” by Freedom House and its current president, Pervez Musharraf, says that he is moving forward with his short-term form of democracy to ensure a long-term form of democracy. So exactly what is democracy? There are two basic forms of Democracy—majoritarian and pluralist—and President Musharraf is using a corrupt form of pluralist democracy to run Pakistan.

CHAPTER OVERVIEW

The Theory of Democratic Government

Forms of government can be arranged on a continuum according to how many people hold power in them—that is, according to whether a government is based on rule by one (an autocracy), by few (an oligarchy), or by many (a democracy).

Historically, rule by the people—democracy—was greeted with scorn; in the modern world, however, most governments try to style themselves as democratic. This chapter provides methods for deciding on the validity of their claims. It defines democracy and tries to show what kind of a democracy America is.

The authors present two different theories of democracy. The first is a procedural theory, and emphasizes how decisions are made. It relies on four main principles: universal participation, political equality, majority rule, and responsiveness of representatives to the electorate. Under the requirements of the procedural theory, there need be no protections for minorities. The second theory is a substantive one, and pays more attention to the content of what government does. Substantive theorists generally expect the government to protect the basic civil rights and liberties of all, including minorities; some substantive theorists go further and expect the government to ensure various social and economic rights. The difficulty with substantive theory is that it is hard to reach agreement on the scope of government action to bring about social and economic equality.

Institutional Models of Democracy

Democracies of today are representative democracies rather than participatory democracies. They require institutional mechanisms to translate public opinion into government policies. These institutional mechanisms might be designed to tie governmental policies closely to the will of the *majority*, or they may be structured to allow *groups* of citizens to defend their interests before government.

The classic model of democracy is the *majoritarian model*. It assumes a population of knowledgeable voters who willingly go to the polls to vote on issues and to select candidates who they believe will best represent them. The main tools of majoritarian democracy are elections, referenda, and initiatives. (Although public opinion in America supports national referenda, referenda and initiatives are available only at the state and local level.) While proponents of majoritarian democracy point to the stability of public opinion and to the desire of many Americans to become more involved in politics, critics argue that majoritarian assumptions do not correspond very well to American political reality. For example, in the United States, citizens are not well informed, and voter turnout is low. A recent exercise in majoritarian democracy, the recall of California Governor Gray Davis and the election of actor Arnold Schwarzenegger, illustrated the potential and pitfalls of institutions of majoritarian democracy.

A second model, the *pluralist model*, better reflects the limited knowledge and participation of the real electorate. It envisions democratic politics taking place within an arena of interest groups. This model relies on open access that allows individuals to organize into groups to press their claims on multiple centers of governmental power (Congress, state legislatures, bureaucratic agencies, and so on).

A third model, *elite theory*, which is also discussed in this chapter, is more of an antidemocratic theory. Elite theory maintains that democracy is a sham, since power is really in the hands of a small number of individuals who control all governmental decisions and manipulate the political agenda. However, in American politics a small group of people can have a big impact, but different groups affect different issues. This observation tends to undermine elite theory.

Democracy and Globalization

No government actually lives up fully to the standards of either the pluralist or the majoritarian model, but some nations come close enough to be called democracies.

Democracies have been rare throughout history. The fall of communism and American efforts to introduce democracy in Afghanistan and Iraq have focused attention on the problems related to building

new democracies. Struggles in these countries show that the transition to democracy is not easy and may be complicated by economic difficulties and ethnic tensions.

Does the United States qualify as a democracy? The authors contend that it does, and in this chapter and throughout the text they explore which model best describes American democracy. They argue that the pluralist model more closely conforms to the American system than either the elitist or the majoritarian model.

KEY TERMS

autocracy

oligarchy

democracy

procedural democratic theory

universal participation

political equality

majority rule

participatory democracy

representative democracy

responsiveness

substantive democratic theory

minority rights

majoritarian model of democracy

interest group

pluralist model of democracy

elite theory

democratization

RESEARCH AND RESOURCES

The first chapter of this guide introduced you to specialized encyclopedias and dictionaries. Those fairly massive works are not updated very frequently, and they are geared to provide an introduction to, or an overview of, a subject. If you need in-depth information, you will probably want to start by looking for books on your subject. For that, begin with the Internet gateway that lets you search for books in your library. The emerging electronic “information superhighway” now makes it possible for many students to look beyond the confines of their own campus and visit the catalogs of many of the finest libraries in the world, using the Internet. When you discover books on your topic that are not in your library, check with your librarian to see if you can arrange for an interlibrary loan.

Since the process of writing, editing, and publishing books takes months, you will not usually find the most up-to-date information in books. So, you will want to supplement your search of your library’s catalog with a visit to the area of the library where periodical indexes are kept. If you learned how to write term papers in high school, you may be familiar with the *Readers’ Guide to Periodical Literature*. It helps you locate articles in magazines of general popular interest. The subjects it includes range from

“abalone” to “zoom lenses.” Since the *Readers’ Guide* provides general coverage of so many areas, it is not the best source for specialized works in a particular field. For help in locating specialized periodical literature in political science, try the three excellent indexes listed here. These indexes have long been available in paper form, and many college and university libraries now have them available in convenient CD-ROM form as well. Check with your librarian.

1. *ABC POL SCI*. Santa Barbara, CA: ABC-Clio. This index specializes in publications on political science and government. It includes foreign and non-English-language materials and is a little harder to use than either of the next two. The subject index in the back of this work gives you reference numbers for articles. The articles are listed by reference number in the front of the volume.
2. *Public Affairs Information Service (PAIS)*. New York: Public Affairs Information Service. This index includes books, government publications, and reports of public and private agencies, in addition to periodical articles on government, economic and social conditions, and business and international relations. Articles are indexed by subject.
3. *Social Sciences Index (SSI)*. New York: H. W. Wilson Co. This index covers English-language periodicals in the social sciences, including anthropology, economics, environmental sciences, geography, law criminology, planning, public administration, psychology, social aspects of medicine, and sociology, as well as political science. Articles are indexed by subject and by author.
4. *LexisNexis*, a division of Reed Elsevier, provides on-line access to a wide variety of news articles about government, politics, business, and law. Many colleges have either the full version available or its somewhat scaled-down sibling, *Academic Universe*.

USING YOUR KNOWLEDGE

1. Check with your college library to see which paper and on-line indexes mentioned above are available for your use. Select at least two of the following—*SSI*, *ABC POL SCI*, *PAIS*, or *LexisNexis*—and look for works on democracy published in the last year. After you have located “democracy” in the indexes, browse through the list of titles, narrow your focus, and prepare a short bibliography on some aspect of democracy. (Examples might include “Democracy in the Third World,” “Democracy in Eastern Europe,” “Pluralist Democracy,” “Democracy in America,” and “Measuring Democracy throughout the World.”)
2. A number of web sites devoted to democracy are indexed in the Google Directory: <http://directory.google.com/Top/Society/Politics/Democracy>. Visit some of these websites and describe the form of democracy advocated there. In particular, note whether each site supports a form of democracy that is more pluralist or majoritarian.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. The public meetings and universal participation found in Dansbury, New Hampshire, is a good example of which form of government?
 - a. majoritarian democracy
 - b. pluralist democracy
 - c. elitism
 - d. communism
 - e. substantive democracy

2. What term do we use to describe governmental power in the hands of a few powerful elite?
 - a. autocracy
 - b. democracy
 - c. dictatorship
 - d. monarchy
 - e. oligarchy
3. Athens, the classic Greek city-state, is best described by which of the following terms?
 - a. representative democracy
 - b. elitism
 - c. participatory democracy
 - d. populism
 - e. totalitarianism
4. Which of the following is not one of the four principles of procedural theory of democracy?
 - a. political equality
 - b. responsiveness
 - c. protection of minorities
 - d. universal participation
 - e. majority rule
5. What term is best used to describe the concept of one vote per person?
 - a. universal equality
 - b. universal egalitarianism
 - c. unicameral legislation
 - d. political equality
 - e. political leveling
6. What do we call the idea that certain principles must be incorporated into the policies of government?
 - a. substantive theory of democracy
 - b. procedural theory of democracy
 - c. elite theory of democracy
 - d. initiative and referenda
 - e. None of the above
7. How do Americans differ from the citizens of most other western democracies in their view of the government's main responsibility?
 - a. Americans feel strongly that their government must provide social services.
 - b. Americans feel strongly that their government must ensure order.
 - c. Americans feel strongly that their government must maintain law.
 - d. Americans feel strongly that their government must reduce crime.
 - e. Americans feel strongly that their government must combat terrorism.
8. The majoritarian model of democratic government
 - a. offers protection for minority rights.
 - b. relies on a relatively passive citizenry.
 - c. is organized around the activities of groups.
 - d. expects citizens to have a high degree of knowledge.
 - e. fits well with the behavior of voters in America.

9. What form of democracy selects individuals to govern on the behalf of others called?
 - a. minority rule
 - b. indirect democracy
 - c. participatory democracy
 - d. procedural democracy
 - e. representative democracy
10. A society that is ruled by one person is called a(n)
 - a. autocracy.
 - b. minopoly.
 - c. oligarchy.
 - d. democracy.
 - e. patriarchy.
11. What is the primary mechanism for democratic government in the majoritarian model?
 - a. universal participation
 - b. popular election
 - c. aristocracy
 - d. elitism
 - e. policy
12. Which of the following is not among the watchwords associated with pluralist democracy?
 - a. one person, one vote
 - b. divided authority
 - c. decentralization
 - d. open access
 - e. government by groups
13. What do we call a special election to unseat an elected official?
 - a. referendum
 - b. recall
 - c. procedural election
 - d. initiative
 - e. eniversal election
14. How do most Americans feel about creating an electronic democracy?
 - a. Almost all Americans support the idea.
 - b. Almost two-thirds of all Americans support the idea.
 - c. A small majority supports the idea.
 - d. A small majority opposes the idea.
 - e. Almost two-thirds of all Americans oppose the idea..
15. Elite theory appeals to people who believe
 - a. the public should be actively engaged in politics.
 - b. direct democracy is the only true democracy.
 - c. in the principle of responsiveness.
 - d. government should respond to the demands of many groups.
 - e. wealth dominates politics.
16. A model of government that places a high value on participation by people organized in groups is
 - a. elitism.
 - b. substantive democracy.
 - c. pluralism.
 - d. socialism.
 - e. majoritarianism.

17. What is the key to the success of a majoritarian democracy?
 - a. popular participation.
 - b. the presence of many organized groups.
 - c. decentralized government.
 - d. economic equality.
 - e. low citizen involvement in civic affairs.
18. According to the text, American democracy can *best* described as which of the following?
 - a. elitist
 - b. pluralist
 - c. not yet a true democracy
 - d. majoritarian
 - e. substantive
19. What do we call the fundamental idea that government responsiveness comes through mass political participation?
 - a. substantive democracy
 - b. majoritarian democracy
 - c. minority rights
 - d. pluralist democracy
 - e. elitist theory
20. The observed relationship between democracy and economic performance suggests that democratic nations are _____
 - a. no more or less prosperous than non-democratic nations.
 - b. less prosperous than non-democratic nations.
 - c. less likely to support free markets.
 - d. more prosperous than non-democratic nations.
 - e. retarding global economic growth.
21. Roughly what percent of the American population “follows what’s going on” in government “most of the time”?
 - a. 12%
 - b. 18%
 - c. 26%
 - d. 39%
 - e. 43%
22. The United Nations has tracked the number of democracies around the world and noticed an increase from 1990 to 2003. What percent of increase did the world see in democracies between 1990 and 2003?
 - a. 3% increase
 - b. 7% increase
 - c. 10% increase
 - d. 13% increase
 - e. 16% increase
23. Democratic governments and processes
 - a. guarantee correct decisions.
 - b. are observed in nearly all contemporary nations.
 - c. always protect minority rights.
 - d. reject unlimited majority rule.
 - e. may not necessarily result in desirable policies.

24. The principle of majority rule conflicts most directly with which of the following?
 - a. popular sovereignty
 - b. minority rights
 - c. universal participation
 - d. a sense of community identity
 - e. governmental responsiveness
25. According to the text, if governments were arrayed on a continuum, what type of government would one find at the opposite end from autocracy?
 - a. oligarchy
 - b. monarchy
 - c. aristocracy
 - d. democracy
 - e. patriarchy

Essay Questions

1. What are the principal assumptions of each of the models of democracy? Are assumptions of either model more likely to be satisfied in practice?
2. Explain how the principles of procedural democracy may threaten liberty.
3. Advocates of participatory democracy maintain that all citizens must engage the business of government and that government institutions should encourage this type of universal participation. What are the merits and disadvantages of this type of democratic governance? How have social changes undermined efforts to expand this type of participation in governance?
4. What are the problems faced by the new democracies of the world? What role should the United States play in helping the newly democratic countries?
5. If democratic government is so much better than autocratic government, how would you explain the election of Hamas, a terrorist organization, as the new rulers of Palestine?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. a
2. e
3. c
4. c
5. d
6. a
7. a
8. d
9. e
10. a
11. b
12. a
13. b
14. e
15. e
16. c
17. a
18. b
19. b
20. d
21. c
22. e
23. e
24. b
25. d

CHAPTER 3

The Constitution

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Analyze the conflict between Britain and the colonies.
- Explain how the colonial and revolutionary experiences shaped America's first attempt at self-government under the Articles of Confederation.
- Account for the failure of the Articles of Confederation.
- Outline the main features of the Virginia and New Jersey plans and describe the major compromises made by the delegates to the Constitutional Convention.
- Explain the four basic principles underlying the Constitution and show how they reflected the Americans' revolutionary values.
- Discuss the way the issue of slavery arose at the Constitutional Convention.
- Summarize the provisions of each article of the Constitution.
- Describe the formal and informal processes of constitutional change.
- Explain how the promise of a bill of rights was used to ensure ratification of the Constitution.

THE CONSTITUTION AND THE CHALLENGE OF DEMOCRACY

Contemporary efforts to craft a constitution for the European Union raise the types of questions and challenges that Americans had to confront in the 1780s. The U. S. Constitution was designed to reconcile order with freedom, a problem this text calls the “original dilemma.” The founders recognized the need for government to protect life, liberty, and property, but they had just won their freedom from Britain, and they feared that a new, remote national government might threaten the very freedoms it was established to protect. In their first attempt to create a government under the Articles of Confederation, they gave too little power to the national government. As a result, that government was unable to maintain order in the society or economy. In drawing up the Constitution, the founders looked for ways to maintain order through the national government while still safeguarding freedom. To achieve this end, they designed four principal tools: the separation of powers, checks and balances, republicanism, and federalism.

Although the founders paid a great deal of attention to the conflict between order and freedom, they were not particularly concerned with the tension between freedom and equality—after all, as the authors of the text point out, that is a modern dilemma. The eighteenth-century document accepted slavery and left the qualifications for voting up to the states. As a result, African Americans, women, and poor people were all excluded from the political process. Only later did these matters of social and political equality become issues.

With respect to the text's second theme—the conflict between pluralist and majoritarian models—this chapter points out that the constitutional order was designed to be pluralist. The founders were afraid of majority rule and relied on factions counteracting one another—a mechanism characteristic of pluralism.

CHAPTER OVERVIEW

Creating a government and establishing the rule of law has challenged numerous philosophers and politicians. Securing liberty, establishing order and creating equality all need to be balanced, and then one has to anticipate future change and create a mechanism to deal with that. Although our American Constitution is very brief, very old, and very durable, it has provided a remarkably stable political framework. Our Constitution has survived numerous challenges to its authority, including a Civil War, but it also accommodated America's growth and development from a collection of eighteenth-century agrarian states to a twentieth-century superpower. The document's own historical roots grew out of three experiences: colonialism, revolution, and the failure of the Articles of Confederation.

The Revolutionary Roots of the Constitution

The colonists in America expected to enjoy the rights of Englishmen and the freedoms of being in America. These rights included not being taxed without being represented in the government. The colonists had their own colonial legislature, which legislated for them on domestic matters, but Britain controlled overseas trade and foreign affairs. When Britain decided to tax the colonists to pay administrative (including defense) costs, the colonists viewed it as a violation of their right not to be taxed without having representation. The colonies began to unite in their opposition to British policies, and in 1776, colonial delegates to the Second Continental Congress declared America's independence from Britain. The Declaration of Independence set out the philosophical justification for the break. Following arguments developed by English philosopher John Locke nearly a century earlier, Thomas Jefferson asserted that the colonists had inalienable rights to life, liberty, and the pursuit of happiness; that people created governments to protect those rights; and that when a government threatened those rights, the people had the right to alter or abolish it. The declaration then listed a long series of charges against the king to show how he had violated the colonists' rights, thus justifying their revolution.

From Revolution to Confederation

The Declaration of Independence and the Revolutionary War established that the American colonies would not be governed by England, but they did not determine how the new nation would be governed. In their first effort to structure a system of government, the newly independent Americans established a republic under the Articles of Confederation. This system created a loose confederation that protected the sovereignty of the individual states. The Articles had several major failings: the central government had no power to tax or to regulate interstate or foreign commerce; there was no real executive to direct the government; and any new laws or amendment to the Articles required unanimous consent of the state legislatures. These flaws crippled America's new government, society, and economic prosperity. Events such as Shays's Rebellion soon underscored the need for a new form of government better equipped to maintain order. Delegates met in Annapolis, Maryland in 1786 to discuss revising the Articles of Confederation. From the meeting in Annapolis, delegates formally arranged for a Constitutional Convention in Philadelphia the next year to propose changes.

From Confederation to Constitution

The delegates who met in Philadelphia quickly agreed that more than minor changes were required. They debated James Madison's Virginia Plan, which included among its provisions a strong central government with three branches (legislative, executive, judicial); a two-chamber legislature, which could negate state laws (with representation in proportion to taxes paid or in proportion to the free population); and an executive selected by the legislature and limited to one term. Much of the Virginia Plan was adopted, but only after challenges and amendments. In particular, small states believed that the Virginia Plan did not represent their interests. One small-state challenge came in the form of the New Jersey Plan, which gave less power to the central government and proposed a one-chamber legislature in which states would have equal representation.

To solve the conflict between the big and small states over representation, the delegates fashioned the Great (or "Connecticut") Compromise. Under this arrangement, each state would have equal representation in the Senate and representation according to its population in the House of Representatives. Revenue bills would have to originate in the House.

Additional compromises resulted in a one-person executive who would serve a four-year term and be eligible for reelection. This executive (the president) would be selected by an electoral college, in which states would have the same number of votes as they have in the two chambers of Congress combined.

The Final Product

The Constitution begins with a preamble that creates a people, explains the reasons for the Constitution, articulates the goals of the government, and fashions that government. The Constitution is based on four major principles: republicanism, in which power resides in the people and is exercised by their representatives; federalism, which divides power between the national and state governments; separation of powers, which is the assignment of the law-making, law-enforcing, and law-interpreting functions of government to independent legislative, executive, and judicial branches in order to prevent the monopoly of power by one branch; and checks and balances, which give each branch some power to limit the actions of the other branches. The first of the seven articles of the Constitution establishes a bicameral (two-chambered) legislature endowed with eighteen enumerated powers, including the powers to tax and spend and to regulate interstate commerce. The "elastic clause" (Article I, Section 8) gives Congress the powers necessary to effect its enumerated powers.

The office of the executive is created in Article II, which describes the qualifications required for the presidency and specifies the process for selecting the president by the Electoral College. Article II also lists procedures for removing the president by impeachment and describes the powers of the presidency.

Article III establishes a Supreme Court and specifies the method of appointing and removing judges. Most of the details regarding the judiciary were left up to Congress.

The remaining articles provide that each state must give full faith and credit to the actions of the other states. They also outline the procedure for admitting new states, establish the procedure for amending the Constitution, and specify that the Constitution is the supreme law of the land.

Some authors argue that the framers of the Constitution may have been motivated in part by economic issues, but their most important source of motivation was the inability of the national and state governments under the Articles of Confederation to maintain order. Their desire to create a system that would maintain order was so strong that the framers readily compromised to allow the institution of slavery to continue.

Selling the Constitution

The Constitution had to be approved by nine states before it could take effect. The campaigns for and against ratification were intense, and the votes taken in several states were quite close. For people to accept the Constitution, its supporters had to allay fears of governmental threats to freedom. The *Federalist* papers explained and defended the principles of the Constitution. Their authors argued that factions (pluralism), the mechanism of representation, and the application of checks and balances could be used to prevent tyranny. Finally, the promise to add a bill of rights placing certain fundamental rights beyond the bounds of government interference helped win support.

Constitutional Change

The Constitution provides a mechanism for amending it, including two means of proposing amendments (by a convention or by a two-thirds vote in each house of Congress) and two means of ratifying proposed amendments (by three-fourths of the states, either through their legislatures or through state conventions). The amendment process requires extraordinary majorities and makes formal constitutional change fairly difficult.

The Constitution changes in other ways, however. Through judicial interpretation, the courts often give new meaning to constitutional provisions and thus make the Constitution adaptable to a changing world. Changing political practice has also altered the way the Constitution is applied.

An Evaluation of the Constitution

The Constitution was successfully designed to provide the order lacking under the Articles of Confederation while at the same time protecting the freedom of individuals. Although our Constitution is one of the oldest and shortest constitutions in the world, it is considered one of the most successful. When first created, our Constitution was not concerned with social and political inequality—the issues that give rise to what is referred to in chapter 1 as the modern dilemma. These issues would be addressed only after the Civil War, when amendments were added that dealt with the issue of inequality.

The Constitution established a republican structure of government, in which the government rests on the consent of the governed. It was not the intent of the framers to create a democracy that rested on majority rule, however. Thus, from the outset, the Constitution was more pluralist than majoritarian.

KEY TERMS

Declaration of Independence

social contract theory

republic

confederation

Articles of Confederation

Virginia Plan

legislative branch

executive branch

judicial branch

New Jersey Plan

Great Compromise

electoral college

extraordinary majority

republicanism

federalism

separation of powers

checks and balances

enumerated powers

necessary and proper clause

implied powers

judicial review

supremacy clause

Bill of Rights

RESEARCH AND RESOURCES

The framers of the Constitution produced a remarkably durable government framework. The system they designed combined strength and flexibility. Over the years, it has evolved and been adapted to fit the needs of the times. As circumstances change, decision makers fashion responses to new situations. The Constitution itself may be silent on a particular matter at issue. Yet, often policymakers will look to the founders for guidance. What exactly did they have in mind when they established a certain constitutional provision? Can a new course of action be justified by showing that it accords with the spirit of the Constitution?

What sources help reveal the intentions of the framers? Generally, good researchers try to rely on primary material—that is, on firsthand accounts, written by the participants themselves, or on official records of the debates—rather than on secondary material such as interpretations offered by analysts not party to the Constitutional Convention. You have already encountered one important primary source of information about the intentions of the founders. The *Federalist* papers, written by “Publius,” were in fact co-authored by James Madison, the “father of the Constitution.” (They are available on-line at <http://www.law.ou.edu/hist/federalist>; a searchable version may be found at <http://www.yale.edu/lawweb/avalon/federal/fed.htm>.) The work was written for a polemical purpose—namely, to put the best face possible on the Constitution in order to sell it to New Yorkers. Still, it has proved a valuable guide to understanding how Madison, at least, expected the Constitution to operate.

Another important primary source information on the Constitution and the framers’ ideas about it is Max Farrand, ed., *The Records of the Federal Convention of 1787* (New Haven, CT: Yale University Press, 1937). In this work, Farrand has compiled the *Journal* (essentially the minutes of the meetings) as well as the notes made by many of the participants, including James Madison, Alexander Hamilton, Rufus King, James McHenry, George Mason, and others. There is an extensive index at the end of the fourth volume. Online, see the website of the Constitution Society at <http://www.constitution.org/>, which carries an extensive collection of documents about the founding, including James Madison’s Notes on the Debates of the Federal Convention. (See http://www.constitution.org/cs_found.htm.) This site also contains a selection of constitutions from around the world. Information about the lives of the framers may be found on the website of the National Archives and Records Administration at

<http://www.archives.gov/national_archives_experience/charters/constitution_founding_fathers.html>.

For an in-depth modern source on the Constitution and its development, you may wish to consult Leonard W. Levy, *Encyclopedia of the American Constitution with Supplement* (New York: Macmillan, 1997).

USING YOUR KNOWLEDGE

- Using *The Records of the Federal Convention of 1787* or the National Archives and Records Administration Web site mentioned above, select a delegate to the Convention and imagine yourself in his position. What are his main concerns? What interests does he seem to represent? Why? What role does he play in the Convention? What do you know about his subsequent career?
- Chapter 3 emphasizes the ways in which the original dilemma of freedom versus order influenced the design of the Constitution. What if a constitutional convention were called today, and—like the one in 1787—simply decided to start anew? Speculate on what such a meeting might produce by outlining your own version of a modern constitution tailored for the United States today. Explain how your constitution would deal with both the original dilemma of freedom versus order and the modern dilemma of freedom versus equality.
- America's two most important political documents, the Constitution and the Declaration of Independence, both deal with the dilemma of freedom versus order. Read both documents and compare and contrast the ways they address that issue.
- Obtain a copy of the constitution of a foreign nation and a copy of the constitution of one of the states of the United States (try <<http://www.constitution.org/cons/natlcons.htm>>). Compare these to the U.S. Constitution. What similarities and/or differences do you find?

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

- Why is the Watergate affair often cited as an example of the strength of our Constitution?
 - The President was able to control inquiries into the Watergate break-in.
 - An irregular transfer of power was accomplished without violence or disorder.
 - Congress deferred to the power of the White House.
 - The presidential election of 1972 went forward as designated by law.
 - President Nixon failed to win re-election to a second term.
- The First Continental Congress was convened because of the conflict between the
 - American desire for liberty and the British desire for order.
 - British desire for liberty and the American desire for liberty from taxation.
 - American desire for equality and the British desire for superiority.
 - British desire for equality and American desire for order.
 - American desire for equality and the British desire for freedom.
- The Declaration of Independence was based on the social contract theory, which stated that
 - a government had the right to determine its own levels of freedom for its societies.
 - taxation was a natural consequence of government.
 - government creates order, and it is up to society to preserve its own liberty.
 - political authority preserves natural rights and is based on the consent of those governed.
 - equality was more important than liberty, even at the expense of order.

4. Under the Articles of Confederation most of its power resided
 - a. in the hands of the new federal government.
 - b. with the Continental Congress.
 - c. with the state governments.
 - d. in the hands of the poor masses.
 - e. with the wealthy of the new nation—bankers, merchants, attorneys, etc....
5. John Adams's diplomatic efforts led to
 - a. a delay in American pursuit of independence.
 - b. a peaceful separation of the colonies from Britain.
 - c. an alliance between the American states and the British crown.
 - d. American isolation from other the European continent.
 - e. support from the French and the Dutch for the revolutionary war.
6. A government in which power is exercised by representatives who are responsible to the governed is called a
 - a. republic.
 - b. autocracy.
 - c. democracy.
 - d. federation.
 - e. plutocracy.
7. Federalism describes
 - a. the division of power between national and state governments.
 - b. the separation of power across the branches of the federal government.
 - c. government by elected representatives.
 - d. mechanisms by which one branch of government may restrict another.
 - e. a strong central government at the expense of state or local governments.
8. Which of the following is not a reason that the U.S. Constitution replaced the Articles of Confederation?
 - a. Articles could not be amended without unanimous agreement.
 - b. There was no independent leadership position.
 - c. The national government did not have the power to tax.
 - d. The national government could not regulate interstate and foreign commerce.
 - e. The national government could not handle its diplomatic responsibilities.
9. Shays's Rebellion indicated the urgent need for
 - a. stronger judiciary to ensure equality.
 - b. stronger national government to preserve order and protect property.
 - c. weaker national government to preserve liberty.
 - d. weaker executive to enhance application of order.
 - e. stronger state governments to preserve liberty and autonomy.
10. The fact that Congress has two chambers, one in which states have equal representation and one in which state representation is based on population, is a result of
 - a. the Virginia Plan.
 - b. British influence over the Federal Convention.
 - c. the New Jersey Plan.
 - d. the Connecticut Compromise.
 - e. the Federalist Plan.

11. The New Jersey Plan would have
 - a. apportioned representation according to taxes paid.
 - b. accentuated the inequalities among states.
 - c. amended rather than replaced the government under the Articles.
 - d. vested enormous power in the executive.
 - e. established a national court system.
12. The Virginia Plan
 - a. allowed the national legislature to nullify state laws.
 - b. provided for the president to be chosen by an electoral college.
 - c. was supported by small states.
 - d. severely limited the scope of national government.
 - e. promoted political equality by giving the poor access to political power.
13. The three-fifths clause concerns
 - a. individuals taxes based on three-fifths of their property value.
 - b. additional representation to states by counting three-fifths of all slaves.
 - c. the Electoral College, which must elect a President with a three-fifths majority.
 - d. an override of the Presidential veto, which must have three-fifths of the votes in Congress.
 - e. the definition of 'Majority Rule' as a three-fifths vote.
14. The principle that assigns law making, law enforcing, and law interpreting to different branches of government is
 - a. republicanism.
 - b. federalism.
 - c. confederation.
 - d. checks and balances.
 - e. separation of powers.
15. Enumerated powers are
 - a. powers assigned to Congress through the Constitution.
 - b. the numerical listing of powers from most important to least important.
 - c. powers that Congress creates for itself in order to function properly.
 - d. the most important powers of Congress listed under the superiority clause.
 - e. powers assigned to the executive branch by congressional laws.
16. The principle that gives each branch of government some scrutiny and control over the other branches is
 - a. republicanism.
 - b. federalism.
 - c. separation of powers.
 - d. implied powers.
 - e. checks and balances.
17. The *Federalist* papers did all of the following *except*
 - a. provide a rationale for pluralism.
 - b. outlined the benefits of a large republic.
 - c. argue for the necessity of a bill of rights.
 - d. support a strong central government.
 - e. point out how checks and balances would limit tyranny.

18. Madison believed that we would prevent a “tyranny of the majority” (mob rule) through the use of
 - a. congressional override
 - b. presidential veto
 - c. judicial review
 - d. supremacy clause
 - e. representation
19. Amendments to U.S. Constitution require
 - a. simple majorities.
 - b. extraordinary majorities.
 - c. approval only by the branches of the federal government.
 - d. approval by the major political parties.
 - e. unanimous approval by the states.
20. The ninth state to ratify the Constitution in 1788, which officially empowered the new government, was
 - a. Vermont.
 - b. Delaware.
 - c. New York.
 - d. Virginia.
 - e. New Hampshire.
21. The major premise of the Declaration of Independence was that
 - a. a government’s responsibility is to preserve order.
 - b. Great Britain never had a legitimate claim over the people in the colonies.
 - c. people have a right to revolt when they determine that the government is destructive to their rights.
 - d. only direct democracy is consistent with government for the American colonies.
 - e. a strong central government must organize the various colonies.
22. The Constitution was designed primarily to
 - a. advance economic equality.
 - b. strike a balance between freedom and order.
 - c. create a democracy based on majority rule.
 - d. advance social equality.
 - e. establish formal cooperative ties with the British government.
23. In 1992, a long-forgotten amendment originally submitted to the states in 1789 was ratified. That amendment, the twenty-seventh,
 - a. prohibits flag burning.
 - b. establishes equal rights for women.
 - c. guarantees the right to privacy.
 - d. prohibits legislators from voting themselves immediate pay raises.
 - e. requires the government to balance the budget.
24. The only Constitutional Amendment to be repealed was the 18th Amendment, which dealt with
 - a. abortion and birth control
 - b. the death penalty
 - c. alcoholic beverages
 - d. due process
 - e. the electoral college

25. The power of judicial review permits
- elected representatives to revise decisions made by judges.
 - voters to overturn decisions made by judges.
 - the President to freely select members of the Supreme Court.
 - courts to nullify acts of government that conflict with the Constitution.
 - courts to formally amend the Constitution.

Essay Questions

- The Declaration of Independence was used to sever our relationship with British. What were the justifications used in the document and why are parts of it still relevant today?
- Does the design of the Constitution promote majoritarian or pluralist politics? Explain your answer.
- Describe the campaign to have the Constitution ratified. How did the Bill of Rights fit into that campaign?
- The U.S. Constitution is one of the shortest constitutions in the world, and it is also one of the oldest. What characteristics of the U.S. Constitution have allowed it to last so long and work so well? Justify your answer.
- How did the delegates to the Constitutional Convention balance the interests of large states and small states? Are these solutions or compromises practical in the contemporary United States? Do small states possess disproportionate influence over legislation or election outcomes?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. b
2. a
3. d
4. c
5. e
6. a
7. a
8. e
9. b
10. d
11. c
12. a
13. b
14. e
15. a
16. e
17. c
18. e
19. b
20. e
21. c
22. b
23. d
24. c
25. d

CHAPTER 4

Federalism

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Explain why the founders adopted a federal system.
- Contrast the two competing views of federalism.
- Explain the significance of the “elastic clause” and the “commerce clause” as they pertain to federalism.
- Describe the tools used by the national government to extend its power over the states.
- Distinguish between categorical grants and block grants.
- Trace the shifting balance of power between national and state governments in the nineteenth and twentieth centuries.
- Discuss the difficulties associated with reshaping the federal system.
- Contrast the approaches taken by Presidents Nixon through Bush in their efforts to reshape federalism.
- List the main types of local government units.
- Outline the advantages and disadvantages of the federal system.

FEDERALISM AND THE CHALLENGE OF DEMOCRACY

Chapter 3 explained that the founders relied on a number of devices to protect freedom while providing order. One of these devices was federalism, a system that divided power between the national and state governments. Although the Constitution does specify the powers that belong to each level of government, the national government has used the elastic clause and historical circumstances to increase its power considerably. The election of 2000 illustrates the two elements of the working of federalism: the respective sovereignty of national and state governments and the power of the Supreme Court to overturn the decision of the state court.

CHAPTER OVERVIEW

Theories of Federalism

The federal form of government was the founders’ solution to the problem of making one nation out of thirteen independent states. Federalism is a form of political organization in which two or more governments exercise power and authority over the same people and territory. Federalism helped solve the problem of how to cope with diversity.

Representations of American Federalism

The founding of the United States gave rise to competing approaches to federalism. The first, dual federalism, emphasizes the following four points: (1) the national government may rule only by using powers specifically listed in the Constitution; (2) the national government has only limited purposes, (3) national and state governments are sovereign in their own spheres; and (4) the relationships between the state and national governments are marked by tension. This view places importance on states' rights—the state and national governments are as distinct and separate as the layers of a cake.

The second approach, cooperative federalism, highlights the following three elements: (1) national and state agencies perform joint functions, not just separate ones; (2) they routinely share power; and (3) power in government is fragmented rather than concentrated at one level. The functions of the state and national governments are intermixed, like the different flavors in a marble cake. Cooperative federalists stress the Constitution's elastic clause, which has allowed the national government to stretch its powers.

Cooperative federalism has been associated with liberalism and the tendency to centralize power in the national government. Conservatives have tended to favor returning power to the states.

The Dynamics of Federalism

Although the Constitution defines the powers of the national and state governments, the actual balance of power between them has often been a matter of historical circumstances. Constitutional amendments have led to some change in the balance, but so have legislation and judicial interpretation.

Through legislation, the national government forbade various practices used by the states to disenfranchise African Americans. Through judicial interpretation, the Supreme Court forced state and local governments to meet demands they were otherwise unwilling or unable to meet. The Court extended the Bill of Rights to the states, outlawing segregated schools, providing minimum standards of due process, and forcing the reapportionment of legislative districts according to the “one person, one vote” principle. Recently, the Court has shifted the balance back to the states with the exception of the decision involving the 2000 presidential election.

The national government also uses financial incentives to extend its power over the states. Grants give the national government substantial power to induce states to comply with national standards. Categorical grants, targeted for special purposes, leave recipients with relatively little choice about how to spend the money; block grants, awarded for more general purposes, allow the recipient more discretion.

The Developing Concept of Federalism

Successive generations have changed the balance of power between the national and state governments. In the early nineteenth century, in *McCulloch v. Maryland*, the Supreme Court backed an interpretation of federalism that favored a strong national government. The states' rights issue later stood at the heart of the dispute between the North and South that led to the Civil War. In the 1930s, the power of the national government expanded enormously as President Franklin Roosevelt tried to cope with the emergency created by the Great Depression. The Supreme Court still held fast to a dual-federalist approach, however, and struck down many New Deal programs. By the late 1930s, the Court had altered its views about the balance of power between the national and state governments and sustained acts that expanded the power of the national government. The general welfare became an accepted concern of the national government, and thus our government started practicing cooperative federalism in all branches.

In the 1950s and 1960s, the national government assumed a new role in promoting social equality by combating racism and poverty. As a result, the national government expanded its power, and the states' freedom of action decreased. The Supreme Court outlawed racially segregated schools, and Congress

passed the Civil Rights Acts of 1964, prohibiting racial discrimination in areas regulated by the states. During the War on Poverty of the 1960s, the government became involved in a huge number and variety of programs. The clear boundaries that dual federalists sought between the national and state governments were nowhere to be found.

From New Federalism to New-Age Federalism

Calls to reform the complicated system began with Nixon's New Federalism, which relied primarily on block grants to shift the balance of power between the nation and the states. President Carter, too, campaigned on a promise to reduce the size and cost of the national government, as did his immediate successors, Presidents Reagan and Bush. Their efforts to reshape the federal system relied on program consolidation, budget cuts, and freedom for state officials in administering programs.

Although the national government now provides states with a smaller fraction of the funds they need, it still tries to tell state and local governments what to do. Since the mid-1960s, Congress has used pre-emption to take over functions that were previously left to the states. Pre-emption works through mandates (which force states to undertake activities) and restraints (which forbid states to exercise certain powers). It results in shifting costs to states for nationally imposed policies. The Republican-led 104th Congress passed legislation to limit the national government's ability to pass unfunded mandates on to the states.

Other Governments in the Federal System

The American system includes more than the one national and fifty state governments. Some eighty-seven thousand other governments also exercise power and authority over people living within the boundaries of the United States. Among them are municipal governments, county governments, school districts, and special districts.

Theoretically, one advantage of having so many governments is that they allow citizens the opportunity to decide their own fate in their local community, which they know intimately. However, people are less likely to participate in local elections than in national votes. A decentralized federal system gives more points of access to groups representing special interests. The multiplicity of governments also permits experimentation with new ideas and flexibility in responding to the diversity of conditions that exist around the country. But some argue that the profusion of governments makes government less comprehensible to the ordinary citizen.

Contemporary Federalism and the Dilemmas of Democracy

In reality, the expectations of neither the liberals nor the conservatives have been fully met as federalism has evolved over the last decade. Greater professionalization in the state governments has made them more like "big governments," ready to take an active role in solving problems. Sometimes this has meant that states have been willing to set higher standards than the national government for welfare, product safety and the like.

Most conservatives would like to return power to the states and reduce the role of the national government. But as the national government worked to reduce its size and trim the tax burden it imposes on citizens, state governments grew and raised their taxes. Both liberals and conservatives now sound the theme of smaller, more efficient government.

Federalism and Globalization

Some scholars suggest that the world is moving towards diminished state sovereignty and increased interstate linkages. The balance between regional autonomy and central government power, the central problem that federalism addresses, is confronted in contemporary efforts to create a European Union

and in the creation of a new government in Iraq. The creation of the new Iraqi state will test the claim that the forces of federalism can overcome long-held religious, ethnic, linguistic, and cultural divisions.

KEY TERMS

sovereignty

federalism

dual federalism

states' rights

implied powers

cooperative federalism

elastic clause

commerce clause

grant-in-aid

categorical grant

formula grant

project grant

block grant

policy entrepreneur

pre-emption

mandate

restraint

municipal government

county government

school district

special district

home rule

RESEARCH AND RESOURCES

You will find considerable information about American states in one of the most commonly available reference works, *The World Almanac and Book of Facts*. Online, the *Information Please Almanac* at <<http://www.infoplease.com/states.html>> offers profiles of each state but is less helpful as a source of comparative data. Links to the Web sites of individual states may be found at <http://dir.yahoo.com/Government/U_S_Government/State_Government/>. *Project Vote Smart* <<http://www.vote-smart.org/>> also provides information about state government—both current elected official and current candidates for The National Council of State Legislatures, which exists to serve state legislators by providing information, research on critical state issues, publications, meetings and seminars, a legislative information database, a voice in Washington, D.C., and staff to assist legislators and their staff in solving problems. The NSCL's online presence can serve you in your quest for information about state governments. See <<http://www.ncsl.org/>>.

USING YOUR KNOWLEDGE

1. Pick up the current volume of *The World Almanac and Book of Facts*, and look up the word “states” to get a sense of the kind of comparative data available on a state-by-state basis. Next, select four states in different parts of the country, and profile each of them using a common set of characteristics you suspect might have political importance. (For example, you might look at net migration, ethnicity of population, indicators that show the importance of industry or agriculture, or military contracts.)
2. Tour websites of several state governments. Compare and contrast the types of information they make available.
3. Compare congressional election results for two states in 2000 and 2002. How many seats did each state have in the House of Representatives in 2000 and in 2002? How many votes did each major party receive statewide in 2000 and 2002? How many seats did each major party win in each state? Did one of the major parties benefit from redistricting?

GETTING INVOLVED

One of the great advantages of pluralist democracy is that it provides lots of opportunities for you to get involved. If you would like to learn more about the inner workings of government, you need not go to Washington, D.C. With over eighty-thousand governments in our system, there are bound to be possibilities for internships right in your own backyard, in state and local government. It is not possible to provide detailed information for all fifty states, but here are a few examples of what is out there.

The Citizens’ Forum on Self-Government offers an eight-week program for interns to work on matters concerned with the structure and function of state and local governments. There is a small stipend. The application deadline is in mid-April. For further information, contact the Intern Coordinator, Citizens’ Forum/National Municipal League, 55 West 44th Street, New York, NY 10036; or call (212) 730-7930.

Like their Washington counterpart, several state legislatures have internships available. In Indiana, for example, the Democratic and Republican caucuses in each house of the state legislature offer paid internships to students who help during the legislative session. In addition, the caucuses sometimes help place internship candidates in positions with interest groups or think tanks in the area. Some other states offering internships include Florida, Illinois, Michigan, Minnesota, Montana, New York, and Rhode Island.

Finally, many cities (including Oakland, California; Phoenix, Arizona; New York City; Detroit; and Los Angeles) offer internship possibilities. Try calling the local government personnel office in your own area to find out what is available near you.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. What is the best definition of federalism?
 - a. A happy combination of mixed government.
 - b. The quality of federal supremacy in government.
 - c. Federal authority exercised over state governments.
 - d. Two governments exercising power over the same people and the same area.
 - e. Powers conferred to the federal overnment by the Constitution.

2. What do we call the view that the Constitution is a compact among sovereign states, so that the powers of the national government and the states are clearly differentiated?
 - a. Federalism
 - b. Marble cake federalism
 - c. Confederacy
 - d. Cooperative federalism
 - e. Dual federalism
3. Many of the problems associated with the aftermath of Hurricane Katrina dealt with sovereignty problems. Which of the following best describes sovereignty?
 - a. Narrowly defined power and role of our government.
 - b. Power to exercise direct authority over all governmental matters.
 - c. Rules defining the primary jurisdiction of law enforcement.
 - d. Rules allowing Congress to enact and enforce their own legislation.
 - e. Rules governing the power and authority of the National Guard in emergency situations.
4. Which of the following is not one of the principles of Dual federalism?
 - a. The claim that the national government rules by enumerated powers only.
 - b. Recognition of the dynamic purposes of the national government.
 - c. Separate spheres of sovereignty for national and state governments.
 - d. A relationship between national and state governments characterized by tension.
 - e. The national government has only limited purposes.
5. What does the Tenth Amendment of the U.S. Constitution concern?
 - a. States' rights
 - b. Due process
 - c. Right to bear arms
 - d. Right to reasonable bail
 - e. Exclusionary clause
6. Which of the following is most closely associated with "marble cake" federalism?
 - a. Cooperative federalism
 - b. Dual federalism
 - c. New Age federalism
 - d. Stratified federalism
 - e. Territorial federalism
7. The balance of power between the national and state governments has been affected by
 - a. constitutional amendments.
 - b. judicial interpretation.
 - c. national crises and demands.
 - d. federal grant money.
 - e. all of the above
8. Compared to categorical grants, block grants can do which of the following?
 - a. Require state or local governments to match funds.
 - b. Leave little discretion to recipient governments.
 - c. Leave substantial discretion to state or local governments.
 - d. Rely exclusively on strict formulas to allocate aid.
 - e. Expand federal control over states.

9. What element of the U.S. Constitution allows Congress to power to supersede state voting qualifications and pass the Voting Rights Act of 1965?
 - a. The First Amendment
 - b. The Tenth Amendment
 - c. The Fourteenth Amendment
 - d. The Fifteenth Amendment
 - e. The Nineteenth Amendment
10. Which Supreme Court case that upheld the doctrines of national supremacy and implied powers?
 - a. *Marbury v. Madison*.
 - b. *South Carolina v. Katzenbach*.
 - c. *McCulloch v. Maryland*.
 - d. *United States v. Butler*.
 - e. *Hammer v. Dagenhart*.
11. Which of the following events is most responsible for the end of dual federalism and the beginning of cooperative federalism and more reliance upon the Federal government?
 - a. American Civil War
 - b. Spanish American War
 - c. World War I
 - d. Great Depression
 - e. American War in Vietnam
12. How did the Supreme Court's decision in *Brown v. Board of Education* affect the country?
 - a. Increased the freedom of the states to regulate school attendance.
 - b. Radically limited the scope and power of the federal government.
 - c. Promoted equality by outlawing segregation in public schools.
 - d. Upheld the role of the states in maintaining the traditional social order.
 - e. Promoted majoritarian democracy by protecting voting rights.
13. Which Supreme Court case concluded that Congress could not require local officials to implement a regulatory scheme imposed by the national government?
 - a. *Prinz v. United States*
 - b. *United States v. Lopez*
 - c. *Gibbons v. Ogden*
 - d. *Bush v. Gore*
 - e. *Atkins v. Virginia*
14. The 1988 Family Support Act required states to extend Medicaid coverage to families who left welfare for jobs. What is this an example of?
 - a. expanding state power
 - b. an unfunded mandate
 - c. judicial review
 - d. professionalization of the state legislature
 - e. dual federalism
15. Which of the following is not generally advanced as an argument in favor of federalism?
 - a. States, acting as laboratories of democracy, may experiment with new policies.
 - b. People are free to "vote with their feet" by choosing the state whose laws suit them best.
 - c. Federalism acts to promote racial equality.
 - d. Federalism promotes access for a variety of groups and interests.
 - e. Federalism recognizes the diversity of conditions in different states.

16. What kinds of governmental grants are awarded through a competitive application process?
 - a. block grants
 - b. categorical grants
 - c. formula grants
 - d. neighborhood grants
 - e. project grants
17. Pre-emption has involved the use of which of the following?
 - a. mandates
 - b. restraints
 - c. increased federal power over the states
 - d. cost shifting to states
 - e. All of the above
18. The hunt for the Washington D.C.-area sniper in 2002 was an example of
 - a. an unfunded mandate.
 - b. cooperative federalism.
 - c. states' rights.
 - d. national supremacy.
 - e. None of the above
19. When Republicans took control of Congress in 1993, they took action to restrict the use of
 - a. the legislative veto.
 - b. judicial review.
 - c. nullification.
 - d. unfunded mandates.
 - e. separation of powers.
20. Based on a review of White House positions on cases before the Supreme Court, which of the following is most true?
 - a. President Reagan was more likely to support states' rights than President Clinton.
 - b. Clinton was more likely to support states' rights than Reagan.
 - c. The White House always supports the expansion of federal power.
 - d. The White House always supports states' rights.
 - e. The White House never stakes out a position on states' rights.
21. Water is becoming a major problem in the American west. Why?
 - a. Aging infrastructure
 - b. Over allocation and over use
 - c. Continuous land development
 - d. Higher than expected population growth
 - e. All of the above
22. A number of state legislatures now have large staffs, full-time members, and reliable sources of revenue to fund programs. These are indicators of
 - a. home rule.
 - b. professionalization of state government.
 - c. pre-emption.
 - d. sovereignty
 - e. explosion of state populations

23. Which of the following would conservatives in Washington be more likely to favor?
 - a. Expanding the use of categorical grants.
 - b. Concentrating power in Washington.
 - c. Returning power to the states.
 - d. Expanding the use of unfunded mandates.
 - e. Reducing the authority of state government relative to Washington.
24. Congressional district boundaries are typically drawn by which of the following?
 - a. The Supreme Court.
 - b. The U. S. Senate.
 - c. The House of Representatives.
 - d. The state legislatures.
 - e. The attorney general of the United States.
25. The Supreme Court's decision in *United States v. Lopez* suggests a more narrow construction of which source of national governmental power?
 - a. Commerce clause
 - b. Unfunded mandates
 - c. Revenue sharing
 - d. The "full faith and credit" clause
 - e. home rule

Essay Questions

1. Compare and contrast the different aspects of the two competing views of federalism discussed in this chapter. Justify your position with examples.
2. Discuss the factors and events that have led to the growth of the national government's power.
3. The Supreme Court spoke clearly in 1987: direct congressional control of the drinking age would be unconstitutional. Explain how, despite this decision, there came to be a single drinking age nationwide. What key points about federalism are exemplified by the drinking age issue?
4. Use the case of state-building in Iraq to discuss the benefits and disadvantages of locating the principal powers of government at the regional level or in a central government. What types of trade-offs and challenges does the state-building effort in Iraq represent?
5. How have the various federal grant programs helped, or hindered, governmental power at the federal level?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. d
2. e
3. b
4. b
5. a
6. a
7. e
8. c
9. d
10. c
11. d
12. c
13. a
14. b
15. c
16. e
17. e
18. b
19. d
20. b
21. e
22. b
23. c
24. d
25. a

CHAPTER 5

Public Opinion and Political Socialization

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of chapter.
- Contrast the majoritarian and pluralist models of democracy with respect to their assumptions about public opinion.
- Explain what is meant by the shape and stability of the distribution of public opinion.
- List the agents of early political socialization, and describe their impact.
- List the major sources of continuing political socialization among adults.
- Show how social or demographic characteristics (such as education, income, ethnicity, region, or religion) are linked to political values.
- Analyze how the two-dimensional typology of political ideology presented in Chapter 1 applies to the actual distribution of political opinions among Americans.

PUBLIC OPINION, POLITICAL SOCIALIZATION, AND THE CHALLENGE OF DEMOCRACY

This chapter's opening vignette contrasts public attitudes toward the death penalty from two different perspectives: the conservative perspective and the liberal perspective. Since a majority of Americans favor capital punishment, Governor Schwarzenegger of California has had to appease his conservative base, his party, and future voters by supporting it. Even as public support for capital punishment remains high in the US, exoneration of death row inmates (with the aid of DNA testing) has led to concern about the possible execution of innocent persons and the suspension of the death penalty in Illinois. Yet American attitudes themselves do change over time. Specifically, Americans are more likely to favor capital punishment during periods when the social order is threatened (for instance, by war, foreign subversion, or crime).

An examination of people's opinions on the clashes between freedom and order and freedom and equality shows that the public really does divide itself into the four ideological categories suggested in Chapter 1. Furthermore, the four groups differ in terms of their socioeconomic and demographic characteristics.

The nature of public opinion is particularly important to the distinction between the pluralist and majoritarian models of democracy. These models differ in their assumptions about the role of public opinion. Majoritarians depend on an informed public with stable opinions acting to clearly guide public policy. They believe government should do what the public wants. Pluralists, on the other hand, do not expect the general public to demonstrate much knowledge or display stable or consistent opinions. Consequently, pluralists doubt that majority opinion can provide a good guide for public policy. Instead, they depend on interested and knowledgeable subgroups to compete in an open process to achieve public policy goals.

Opinion research certainly shows that the majoritarian assumptions about knowledge do not describe the public as a whole. Yet, lack of knowledge itself does not prevent people from expressing an opinion on an issue. However, when both knowledge and interest concerning an issue are low, public opinion is likely to be changing and unstable. Groups that are highly interested in an issue do have more opportunity to make an impact, yet such groups are often directly opposed by other groups. Politically powerful groups divide on what they want government to do. As a result, politicians have a great deal of leeway in deciding what policies to pursue. And as the opening vignette points out, although the government tends to react to public opinion, it does not always do what the people want.

CHAPTER OVERVIEW

Public Opinion and Models of Democracy

Public opinion is defined as the collective attitude of the citizenry on a given issue. Pluralists and majoritarians differ on the role of public opinion in a democracy. Majoritarians believe that government should do what the majority of the public wants. Pluralists think the opinion of the general public is not very clear or settled but that subgroups may have very well-developed opinions that must be allowed to be openly asserted if democracy is to function.

Modern polling techniques developed over the last fifty years now make it possible to find out what the people's attitudes are—and to predict presidential elections. One of the oldest polls in the nation is the Gallup Poll.

The Distribution of Public Opinion

In analyzing public opinion, researchers rely on sampling to predict what the larger group believes. The sampling needs to be accurate, so particular attention is paid to how the sample is selected, the size of the sample, and the amount of variation in the population. Researchers pay attention to the distribution of the sample, including both the shape (normal, skewed, bimodal) and stability of the distribution over time.

Political Socialization

Public opinion is rooted in political values, which are in turn produced through a process of political socialization. Early political socialization comes from one's family and school, as well as peer and community groups. Among adults, peer groups and media play a particularly influential role in the ongoing process of socialization. World events, like September 11 and Hurricane Katrina, can also have a significant affect on a person's political values. Older Americans tend to rely more on newspapers and TV news, while younger Americans rely on the radio and the Internet for news.

Social Groups and Political Values

People with similar backgrounds often share various learning experiences, and they tend to develop similar political opinions. Background factors generally believed to affect political opinions include education, income, region, ethnicity, religion, and gender. The role of ethnicity has changed over time. At the turn of the century, for example, there were major differences between the newer immigrants from Ireland, Italy, and Eastern Europe and the predominantly Protestant early settlers of America. Today, we observe differences in opinions and attitudes across racial minorities: African Americans, Hispanics, Asian Americans, and Native Americans. The political impact of these groups is greatest in cities and regions where they are concentrated and large in number.

From Values to Ideology

Surveys show relatively little use of ideological labels by voters when they discuss politics; but most voters are willing to place themselves on a liberal-to-conservative continuum. Nonetheless, they often lack the consistent values and beliefs about the scope and purpose of government that characterize truly ideological thinking.

When people are asked to describe liberals and conservatives, they employ two different themes: first, they associate liberals with change and conservatives with preservation of traditional values (freedom versus order); second, they link liberals with more interventionist government (freedom versus equality). When people are asked about their own attitudes on these issues, they separate into four groups, not two. This suggests that the liberal-conservative ideological framework oversimplifies matters, that ideology is not one-dimensional. By examining where they stand on two areas of conflict—freedom versus order and freedom versus equality—Americans may be divided into four ideological types: liberals, conservatives, communitarians, and libertarians. (This is the same typology that was introduced in Chapter 1.) People with similar socioeconomic and demographic characteristics also often share the same ideological outlook. Minorities and people with less education and low incomes are often communitarians. Libertarians tend to have more education and higher incomes. Conservatives are more common in the Midwest, and liberals are more common in the Northeast.

The Process of Forming Political Opinions

A minority of citizens form their political opinions around ideology; most citizens rely on other factors. This chapter considers three strategies for forming opinions: considering self-interest, processing information, or relying on cues from political leaders.

Although self-interest is often the dominant influence on opinions about economic matters and matters of social equality, there are many issues for which personal benefit is not a factor. Citizens often have difficulty forming opinions in these areas, and they may change opinions easily.

Citizens rely on opinion schemas—networks of organized knowledge and beliefs that guide the processing of political information on a particular subject. Personal opinion schemes often parallel individuals' ideological and partisan orientation. Americans have many sources of political information, yet their political knowledge and level of political sophistication tend to be low. On the other hand, recent research indicates that the basic institutions of American government and the positions of the two major political parties on prominent issues are known to at least half the people. And, while individual opinions based on low information may change often, collective opinion is much more stable.

Finally, political leaders also influence the formation of public opinion. Favorable or unfavorable evaluations of a politician may shape public opinion concerning the politician's proposals. Politicians are adept at framing policy choices they advocate in order to receive support from the public.

KEY TERMS

public opinion

skewed distribution

bimodal distribution

normal distribution

stable distribution

political socialization

socioeconomic status

self-interest principle**framing****RESEARCH AND RESOURCES**

No doubt you are already familiar with a number of public opinion polls. Newspapers, magazines, and television news broadcasts often present information gathered through public opinion polling. Well-known polls include those done by Harris and Roper organizations, ABC News/New York Times polls, CBS News/Washington Post polls, and, of course, the Gallup Poll. Data from these polls are often publicly available. The Gallup Organization puts out a monthly publication giving the results of its surveys. Periodically, these surveys are indexed and bound in permanent volumes, which can be found in the reference sections of most college libraries. Gallup also maintains a website at <http://www.gallup.com/> where you will be able to find current poll data, information on trends in presidential popularity, and poll results dating back to 1996. Another useful comprehensive inventory of current poll data is available at <http://pollingreport.com/>.

Another excellent source of data on public opinion are the National Election Studies, which may be found online at <http://www.umich.edu/~nes/>. The mission of the National Election Studies (NES) is to “produce high quality data on voting, public opinion, and political participation that serve the research needs of social scientists, teachers, students, and policy makers concerned with understanding the theoretical and empirical foundations of mass politics in a democratic society.” The NES Guide to Public Opinion and Electoral Behavior describes much of the survey data at <http://www.umich.edu/~nes/nesguide/nesguide.htm>.

USING YOUR KNOWLEDGE

1. Locate the Gallup Poll volumes in the reference section of your library. Find the polls taken on the issue of abortion in 1969, 1972, 1974, 1981, 1983, 1992, and 1996. Make a graph showing the opinion distribution of the sample as a whole for each poll you find. Are the opinion distributions you find skewed, normal, or bimodal? Next, make a line graph showing the percent selecting “favor” in each of these polls. Is the opinion distribution stable or unstable over time?
2. Using the data you gathered in Exercise 1, look at the opinions of the subgroups identified (religion, age, region, or whatever), and compare these opinions to the average opinion for the sample as a whole. Is opinion in any of the subgroups particularly skewed? Does opinion in any of the subgroups shift over time?
3. Review the Presidential approval ratings for George Bush reported on [pollingreport.com](http://pollingreport.com/BushJob.htm) <http://pollingreport.com/BushJob.htm>. Describe public assessment of the performance of President Bush at key points in his term. Are data from different polling sources consistent?
4. Visit the NES Guide to Public Opinion and Electoral Behavior referenced above. Locate data on the ideology of the American electorate. How has the ideology of the electorate, as reported by respondents to the survey, changed over time?

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. Although American attitudes toward capital punishment remain high, the governor of what state instituted a moratorium on the death penalty in 2000, fearing that some innocent people could be put to death?
 - a. Texas
 - b. Oklahoma
 - c. Montana
 - d. Illinois
 - e. Arkansas
2. Which of the following is not a characteristic of public opinion?
 - a. Citizens are willing to register opinions on matters outside their expertise.
 - b. Those who engage in public opinion surveys are more likely to vote.
 - c. Public opinion places boundaries on allowable types of public policy.
 - d. The public's attitudes toward a given government policy can vary over time.
 - e. Governments tend to respond to public opinion.
3. Which type of democracy would be most consistent with the use of public opinion polls to inform public policy choices?
 - a. pluralist
 - b. substantive
 - c. autocracy
 - d. majoritarian
 - e. elite
4. Which of the following is absolutely necessary in order to create a reliable poll of valid inferences?
 - a. Sample must create a normal distribution.
 - b. Sample must be drawn from likely voters.
 - c. Sample must be truly random, so that everyone has an equal chance of selection.
 - d. Sample must exhibit stability, so that it is reliable through time.
 - e. Sample must have a margin of error above 5%.
5. Most people link their earliest recollections of politics with _____
 - a. their family.
 - b. their school experience.
 - c. youth groups.
 - d. television.
 - e. their community.
6. What term do we use to describe the collective attitude of the citizens on a given issue or question?
 - a. political socialization
 - b. political knowledge
 - c. opinion schema
 - d. public ideology
 - e. public opinion

7. Which of the following terms describes the shape of the distribution of public opinion?
 - a. skewed
 - b. normal
 - c. bimodal
 - d. All of the above
 - e. None of the above
8. Numerous polls have been conducted on the question, “Would you say most people can be trusted?” What do the current trends mean, if they continue along their current path?
 - a. America will become a very trusting society by the middle of this century.
 - b. America will stay about the same with most people trusting others by the middle of the century.
 - c. Americans will have no one to trust by the middle of the century.
 - d. Americans will have full faith in their government by the middle of the century.
 - e. Americans will trust relatives, close friends, authority figures, and movie stars by the middle of the century.
9. Which of the following tend to favor government action in limiting abortions?
 - a. People who believe the Bible is the actual word of God.
 - b. People who believe the Bible was inspired by God and should not be taken literally.
 - c. People who believe the Bible is an ancient tome of history, legends, and fables.
 - d. People who do not believe in God.
 - e. People with a higher degree of education.
10. What general term do we use to describe voters who view the scope and purpose of government in terms of a consistent set of values and beliefs?
 - a. ideologue
 - b. liberal
 - c. conservative
 - d. policy entrepreneur
 - e. capitalist
11. Which of the following groups tend to value freedom over all else?
 - a. those with low education and low income
 - b. those with high education and low income
 - c. those with low education and high income
 - d. those with high education and high income
 - e. None of these
12. Which of the following is suggested by the analysis of ideological tendencies in the 2004 National Election Study?
 - a. Most Americans are libertarians.
 - b. Most Americans have conservative ideologies.
 - c. Liberals vastly outnumber conservatives.
 - d. Conservatives are most common, but the four types are relatively equal.
 - e. Libertarians are most common, but the four types are nearly equal.
13. When are individuals most likely to rely on considerations of self-interest to form opinions?
 - a. When political leaders provide cues or information about the effects of the policy
 - b. When they think about choices ideologically
 - c. When they have little information about the policy
 - d. When the political parties stake out a clear position
 - e. When they have information about the costs and benefits of the policy

14. Recent Supreme Court decisions about school prayer indicate
 - a. the government always follows public opinion.
 - b. the public is unwilling to register opinions about prayer in school.
 - c. the government does not always follow public opinion.
 - d. a majority of Americans form opinions based on ideology.
 - e. political leaders do not know the opinion of the public on most issues.
15. What do we call the method politicians use to define the way that issues are presented?
 - a. ideologies
 - b. opinion schemes
 - c. framing
 - d. opinion distributions
 - e. opinion shapes
16. Which of the following tend to have the most knowledge about politics?
 - a. women
 - b. minorities
 - c. the poor
 - d. the young
 - e. men
17. The size of the population sampled has what effect on the accuracy of a random sample?
 - a. Increases the accuracy of the sample
 - b. Decreases the accuracy of the sample
 - c. Has only small effects on the accuracy of the sample
 - d. Random samples cannot be obtained from large populations.
 - e. Random samples cannot be obtained from small populations.
18. In their recent study of political knowledge, what did Delli Carpini and Keeter find to be the strongest single predictor of political knowledge?
 - a. education
 - b. ideology
 - c. income
 - d. region
 - e. religion
19. Which group is most willing to sacrifice freedom and equality in order to preserve order?
 - a. libertarians
 - b. liberals
 - c. communitarians
 - d. conservatives
 - e. None of the above
20. According to the Gallup Poll, support for Gay Marriage is strongly linked to which of the following?
 - a. age
 - b. income
 - c. education
 - d. knowledge
 - e. region

21. When different questions on the same issue produce similar distributions of opinion, what term can we use to describe this effect?
 - a. skewed
 - b. bimodal
 - c. stable
 - d. unreliable
 - e. normal
22. Individuals in a homogenous community are highly likely to form opinions by what mechanism?
 - a. socialization
 - b. self-interest
 - c. ideology
 - d. issue frames
 - e. Rejection of cues from a peer group
23. Only one other country in the world, besides the United States, believes the world is a safer place with Saddam Hussein out of power. What is that other country?
 - a. Austria
 - b. India
 - c. Israel
 - d. Russia
 - e. United Kingdom
24. On which of the following types of issues is a “gender gap” likely to be found?
 - a. Decisions to send the nation to war
 - b. Decisions to promote equality
 - c. Decisions to apply the death penalty
 - d. Support for a political party in a Presidential election
 - e. All of the above
25. A Gallup Poll taken 2004–2005 revealed that 33 percent of the American public could not identify which of the following individuals?
 - a. House of Representatives’ Speaker, Dennis Hastert
 - b. Vice President Al Gore
 - c. President Clinton
 - d. Tonight Show host Jay Leno
 - e. All of the above

Essay Questions

1. What characteristics of American public opinion are revealed by examining public opinion on capital punishment?
2. Does the American public possess the necessary information to make judgments about public policy? Why or why not?
3. How does public opinion change as the characteristics of the sample change? For example, how do the opinions of men and women differ? Old and young? Rich and poor? Educated and uneducated?
4. Identify and discuss the three key agents of early political socialization. Describe other ways in which a person’s political beliefs can change over time.
5. Discuss the limitations of the one-dimensional, liberal–conservative typology of political ideology. How does the liberal–conservative typology compare to the fourfold classification developed in Chapters 1 and 5?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. d
2. b
3. d
4. c
5. a
6. e
7. d
8. c
9. a
10. a
11. d
12. d
13. e
14. c
15. c
16. e
17. c
18. e
19. d
20. a
21. c
22. a
23. b
24. e
25. a

CHAPTER 6

The Mass Media

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Outline the technological changes and events that have influenced the development of the mass media in America.
- Explain who owns the media in America and how they are regulated by the government.
- Discuss the consequences of private ownership of the media.
- Assess the validity of charges of media bias.
- Explain how people acquire news through the media.
- Describe how the mass media contribute to political socialization.
- Indicate the ways in which the mass media influence political behavior.
- Evaluate the contribution the media make to democratic government.

THE MASS MEDIA AND THE CHALLENGE OF DEMOCRACY

The mass media link the people and the government by making possible a two-way flow of information. The media report government actions to the people, and they also poll the public to assess public opinion on specific issues.

The text's opening vignette illustrates the ways that presentation of news by broadcast media can influence opinions and attitudes. Responding to perceptions of liberal bias in the broadcast news media, FOX claimed to offer "fair and balanced" coverage of news. The popularity of FOX and the more general shift in coverage by the cable networks suggest the importance of access to the airwaves by multiple and competing news organizations. Although the basic functions of broadcast media are critically important to the majoritarian model of democracy, pluralist democracy also relies on open access to channels of communication for organized interests. The growth and proliferation of new information technology, notably the Internet, has facilitated this type of communication.

The relationship between government and media highlights the tensions between freedom, order, and equality. Although the government originally regulated the airwaves simply to provide order, later government limitations on the freedom of broadcasters have helped provide greater equality of access to the airwaves. The Telecommunications Act of 1996 relaxed many restrictions on media ownership, thus allowing for greater concentration of the media in a limited number of hands. In 1999, the FCC voted to allow a single company to own two television stations in the same major market. This promotes freedom, but it limits equality. On the other hand, in terms of coverage of events over the years, the media have tended to promote social equality. This may be seen in coverage of the civil rights and women's movements.

The freedom issue of greatest interest to the media, not surprisingly, has been the question of freedom of expression. Yet, as this chapter indicates, media coverage of events can contribute to disorder. To accept any one interpretation of an event as absolute means paying a high price, because freedom of the press is about questioning and the ability to criticize.

CHAPTER OVERVIEW

People, Government, and Communications

The media include the technical devices and processes used in mass communication, which allow individuals or groups to transmit information to large, heterogeneous, widely dispersed audiences. In democratic governments, the mass media promote a two-way flow of communication between citizens and the government. Today, media used in political communication include print media, such as newspapers and magazines; broadcast media, such as television and radio; and the Internet.

Development of Mass Media in the United States

This chapter focuses on the political uses of mass media in the news industry (that is, print and broadcast journalism).

American newspapers offer broad, general coverage of contemporary topics. In the United States, newspapers generally began as party organs, sponsored by political parties to advocate their views. Large-circulation, independently owned daily newspapers grew up as new technologies made nationwide newsgathering possible. The competition between newspapers that was characteristic of the nineteenth and early twentieth centuries had died out by the 1950s. By 2001, only thirty-two cities had more than one daily paper under separate ownership.

Magazines offer more specialized coverage of topics and often serve as forums for opinions rather than objective news reports. Even a magazine with a limited readership can exert influence by reaching attentive policy elites who in turn influence mass opinion.

Radio developed in the twenties and thirties and eventually became a truly national medium, linking stations across the country into a limited number of national networks. News personalities became nationally known.

Television technology spread after World War II, and today it reaches nearly every home in the nation. Stations are linked via several major networks. As television has evolved, the importance of newscasters has grown, as has the emphasis on exploiting the visual impact of news events.

The last quarter-century witnessed the introduction of new technologies that have been used for political communication and interaction. The Internet, for instance, makes information readily available and even helps to break news. It also allows users to share their opinions. The Internet and related technology have been adopted by citizen organizations, government organizations, and election campaigns.

Private Ownership of the Media

In America, both the print and electronic media are privately owned. While this gives the news industry great political freedom, it also means that news is selected for its mass audience appeal, as judged by its impact on readers or listeners, sensationalism, treatment of familiar people or life situations, close-to-home character, or timeliness. The mass media are part of the entertainment industry, and news, too, is part of the entertainment package. The new and controversial trend toward “infotainment,” a mixture of journalism and theater, has further blurred the distinction between news and entertainment.

Ownership of the media in America has become more and more concentrated as the same corporations control many newspapers and radio and television stations.

Government Regulation of the Media

The broadcast media operate under the regulations of an independent regulatory commission, the Federal Communications Commission (FCC). The FCC licenses broadcasters using the airwaves. In 1996, in a bipartisan effort, Congress undertook a major overhaul of the framework created under the 1934 law that established the FCC. Limits on media ownership were relaxed, and rate regulations were lifted. One immediate effect of this new system was increased concentration of the media. The long-term effects of this complicated law—part of which was declared unconstitutional in 1998—are uncertain.

The First Amendment guarantee of freedom of the press has been taken to cover all the media and has helped make the U.S. news media among the freest in the world. Historically, the broadcast media, which use the public airwaves, have been subject to some government regulation such as the equal opportunities and reasonable access rules.

Reporting and Following the News

The news media serve five specific functions for the political system: (1) reporting the news, (2) interpreting the news, (3) influencing citizens' opinions, (4) setting the agenda for government action, and (5) socializing citizens about politics. They attempt to provide firsthand coverage of national news events. Their reporters may rely on news releases, news briefings, press conferences, leaks, and cultivation of background sources for their material. The tendency for news reporters to rely on the same sources of information has given rise to a style of reporting sometimes referred to as pack journalism.

Americans are more interested in domestic news than national or international news, and their primary concern is being informed about their local community. In an effort to make news understandable and interesting to viewers, television typically concentrates its attention on individuals rather than on political institutions, and on political horse races rather than on campaign issues.

Since the 1960s, people have reported that they get more of their news from television than from any other source. However, studies have suggested that people's reliance on television for their news and their trust in the medium might be overstated. Furthermore, research also indicates that "the television hypothesis"—that TV is to blame for Americans' low level of political knowledge—oversimplifies the reality. They note that what people learn from different media is related to their cognitive skills. In addition, attentiveness to news tends to be related to people's level of education, age, and gender.

Political Effects of the Media

The mass media influence public opinion, the political agenda, and political socialization. People believe that the media influence public opinion. A number of studies, described in the text, have shown systematic and dramatic opinion changes linked to television news coverage.

Nevertheless, most scholars believe that the real power of the media consists of its ability to set the national agenda. Through the kind of stories they cover, the media help define the issues that get government attention.

The media also act as agents of political socialization. In this regard, their role is often contradictory. On the one hand, they contribute to American self-confidence by supporting public celebrations as great media events; on the other hand, they give airtime to events and activities that reduce the sense of national well-being. The entertainment divisions may promote the values of law-abiding citizens, or they may do the reverse. Some scholars maintain that the most important effect of the media is to

further the dominance of the existing order, yet protests, strikes, and violence all receive extensive coverage.

Evaluating the Media in Government

Media executives function as gatekeepers, deciding which stories to report and how to handle them. Any selection process reflects something about the values of the selector, and in the case of the media, the process often leads to charges of media bias. News reporters have been criticized for liberal bias, while media owners are often charged with having a conservative bias. A study based on newspaper stories during the last weeks of the 2000 presidential election campaign showed that both major party candidates received negative coverage.

In general, the media improves the quality of information citizens receive about the government. They also report on public opinion. Both of these functions help make responsible government participation possible.

The media have mobilized government action to advance racial and sexual equality. They also uphold the value of freedom, when the freedom in question is freedom of the press. Nevertheless, press freedom may conflict with order and thus, like all democratic values, it is not without its costs to society.

KEY TERMS

mass media

attentive policy elites

two-step flow of communication

newsworthiness

market-driven journalism

infotainment

Federal Communications Commission (FCC)

gatekeepers

horse race journalism

media event

television hypothesis

political agenda

RESEARCH AND RESOURCES

Are you ready to become part of the attentive public? Why not get to know the public affairs magazines that help shape American opinion? The *Readers' Guide to Periodical Literature* and some of the other indexes briefly mentioned in Chapter 2 of this study guide will point you to articles in these publications. Many of them have set up websites where you can sample what they have to offer.

When you use publications for information, you should be aware that magazines often have an explicit or implicit ideological orientation. Certain publications present views from the American left; others give the opinions of those on the right. If you are trying to examine an issue thoroughly, you will probably want to weigh arguments from each side so it is important to make sure that not all of your background material comes from right-wing or left-wing publications.

Some important journals of opinion include the following.

- On the right:

National Review. William F. Buckley’s magazine, a long-time standard-bearer of conservative ideas. <<http://www.nationalreview.com>>.

The American Spectator. Often has a highly polemical tone. <<http://www.spectator.org>>.

The Weekly Standard. A conservative publication that debuted in 1995.

- Somewhere in the center, generally striving for editorial balance:

The Atlantic Monthly. A monthly publication that includes several lengthy articles each month on aspects of American foreign or domestic policy. <<http://www.theatlantic.com>>.

Daedalus. An academic quarterly; each volume focuses on a single topic and offers a variety of viewpoints.

Harper’s. Similar to *Atlantic*, it now includes readings excerpted from other works and a wonderful index of offbeat facts in the front of each issue. The index is among the features included in the online site. <<http://www.harpers.org>>.

- On the left:

The New Republic. A leading liberal periodical that has moved more to the right in recent years; highly opinionated and often acerbic. <<http://www.thenewrepublic.com>>.

The Nation. The oldest continuously published journal of opinion in the country; it covers wide-ranging political topics. <<http://www.thenation.com>>.

The Progressive. Another venerable and respected journal of liberal thought. <<http://www.progressive.org>>.

- And finally, some on-line addresses for “alternative” publications mentioned in the text:

Mother Jones. <<http://www.mojones.com/>>.

The Utne Reader. <<http://www.utne.com/>>.

- If you are unsure about a particular magazine’s ideological leanings, here is one source you might consult:

Katz, William A., and Linda Steinberg Katz. *Magazines for Libraries*, 9th ed. New York: Bowker, 1997.

USING YOUR KNOWLEDGE

1. Select one of the following controversial subjects:

- welfare reform
- affirmative action
- abortion
- reforming the income tax

Using the *Readers’ Guide to Periodical Literature*, the Internet search engine <<http://www.google.com>>, or the Internet resources listed above, locate three or four articles on your topic in various magazines that have different ideological slants. Skim the articles. Do the

opinions expressed in the articles seem to be consistent with the ideological orientations of the publications as described in the list above?

2. If it is possible in your television viewing area, watch two or three different evening network newscasts. Compare the stories covered in each. Make a log listing the stories in order, and record the length of each story. Compare the way each network treats each story. Do they use film footage? Is it relevant? Do they use graphics? Is the presentation strictly factual, or does a commentator give more of an editorial perspective?
3. Watch a televised news broadcast, and select the major political story covered. Compare the television coverage of that event or issue with newspaper accounts of the same story. What are the differences and similarities in the two accounts?
4. Many television news services have established online links which may be found at the end of the chapter in your textbook. Watch the television news program, and then check out the online service. For example, try the all-news station MSNBC and then visit their Web site at <<http://www.msnbc.com>>. How does using the website affect your political knowledge?
5. What is the difference between “hard news” and “soft news”? Compare the treatment of a major political news story on *A Current Affair*, *Hard Copy*, or *Larry King Live* with coverage of the same issue on the *PBS NewsHour with Jim Lehrer* or the Sunday morning news programs such as *Meet the Press*, *This Week*, or *Face the Nation*.

GETTING INVOLVED

Students who want to learn more about the media from the inside may be interested in applying for internships with broadcasters, newspapers, magazines, or other media-related organizations. Here are a few of the opportunities available. Some may require previous experience in journalism, such as work on your college newspaper.

C-SPAN has internships for students interested in communications and politics. Students must meet three basic criteria: they must be college juniors or seniors, they must be interning for college credit, and they must be able to work a minimum of sixteen hours per week. Address: C-SPAN, Internship Program, 400 N. Capitol Street, NW, Suite 650, Washington, DC 20001. Telephone: 202-737-3220.

The Center for Investigative Reporting, a nonprofit, independent organization committed to investigative reporting, offers six-month paid internships to students who want to pair off with senior reporters and learn the techniques of investigative journalism. For winter internships, the deadline is December 1; for summer, it is May 1. Address: The Center for Investigative Reporting, c/o Communications Director, 500 Howard Street, Suite 206, San Francisco, CA 94105. E-mail: CIR@igc.apc.org.

The *Los Angeles Times* hires interns for its California offices as well as one intern for its Washington bureau. Summer internships are eleven weeks long, with a December 1 application deadline; part-time internships lasting seventeen weeks are available in the fall and spring, with June 1 and October 1 deadlines, respectively. Address: The *Los Angeles Times*, Editorial Internships, Times Mirror Square, Los Angeles, CA 90053. Find them online at <<http://www.latimes.com>>.

The *Philadelphia Inquirer* offers paid summer internships in reporting. Internships run from Memorial Day to late August. Applications are due in mid-January. For further information, contact: Internship Coordinator, 400 North Broad Street, P.O. Box 8263, Philadelphia, PA 19101. Find them online at <<http://www.philly.com/mld/inquirer>>.

The *Boston Globe* offers full-time paid work for summer interns from June 1 to Labor Day. The program also includes seminars on legal issues, constitutional issues, and other issues related to journalism. An application form must be obtained from the *Globe* and returned by the application

deadline of November 15. For further information, contact: The *Boston Globe*, P.O. Box 2378, Boston MA 02107-2378. Telephone: 617-929-2000. Find them online at <<http://www.boston.com>>.

The *Washington Post* offers summer internships to current college juniors and seniors interested in journalism. For further information, contact: News Personnel, 5th Floor, The *Washington Post*, 1150 15th Street, NW, Washington, DC 20071. Telephone: 202-334-6000. Visit their website at <<http://www.washingtonpost.com/>>.

The *NewsHour with Jim Lehrer* provides unpaid internships running twelve to sixteen weeks in New York, Washington, and Denver. For summer internships, apply by March 31; for fall, apply by July 31; and for spring, apply by October 31. For more information, write to PBS *NewsHour*, Internship Coordinator, 356 West Street, New York, NY 10019. Find them online at <<http://www1.pbs.org/newshour/home.html>>.

The *New Republic* offers paid internships to prospective journalists who wish to read unsolicited manuscripts, check facts, and write short articles, reviews, and editorials. The deadline for summer is February 1; for the academic year, May 1. Telephone: 202-331-7494.

The *Atlantic Monthly* offers students an opportunity to work at an award-winning national magazine. Learn more online at <<http://www.theatlantic.com/a/intern.mhtml#web>>.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. When is a democracy best served by the media?
 - a. When it allows for a two-way flow of information.
 - b. When it allows for a one-way flow of information.
 - c. When it emphasizes the entertainment value of news.
 - d. When it does not publicize citizen grievances.
 - e. When it does not attempt to reflect popular views.
2. Which of the following is true about the first American newspapers?
 - a. They mainly featured comics, sensational journalism, photographs, and sports sections.
 - b. They were primarily intended to advertise products.
 - c. They featured nationwide news services.
 - d. They were mainly political organs.
 - e. They had very large circulations.
3. Which of the following groups is politically influenced by the content of the magazines they read?
 - a. Europeans
 - b. advocates for the poor
 - c. attentive policy elites
 - d. continental communicators
 - e. congressional special interests
4. What is the primary criterion of a story's newsworthiness?
 - a. timeliness
 - b. degree of sensationalism
 - c. close-to-home character
 - d. treatment of familiar people or events
 - e. audience appeal

5. What term do we use to describe the mixing of news and theater to re-create or simulate an event?
 - a. pack journalism
 - b. infotainment
 - c. horse race journalism
 - d. the two-step flow of communication
 - e. yellow journalism
6. Broadcast media first came under regulation as a response to which of the following?
 - a. To ensure political candidates equal treatment under the fairness doctrine.
 - b. As part of Franklin D. Roosevelt's attempt to impose socialism.
 - c. As a response to broadcasters' need for order on the airwaves.
 - d. As an attempt to limit media concentration.
 - e. During the Vietnam War.
7. Which of the following is not a consequence of private ownership of the broadcast media?
 - a. Media dependence on advertising.
 - b. Increasing amounts of airtime devoted to news on the major networks.
 - c. Media attention to ratings.
 - d. Media selection of stories based primarily on political significance.
 - e. Media emphasis on entertainment value in the presentation of news.
8. Most Americans rely on which of the following as their *chief* news source?
 - a. television
 - b. newspapers
 - c. magazines
 - d. radio
 - e. the Internet
9. Americans are *most* concerned about what is happening
 - a. in the world.
 - b. in their own community.
 - c. in their state.
 - d. to the president.
 - e. in Congress.
10. When a person gives information that reporters may not quote or use, the informant is said to be
 - a. speaking "for the record."
 - b. "floating a trial balloon."
 - c. speaking "off the record."
 - d. speaking "on background."
 - e. interpreting new news.
11. Which of the following FCC regulation has been imposed on the print media?
 - a. equal opportunities rule
 - b. reasonable access rule
 - c. fairness doctrine
 - d. legibility criteria
 - e. none of the above
12. As our population has increased, ABC, CBS, and NBC have experienced which of the following?
 - a. An almost 50% increase in their viewing audience.
 - b. An almost 50% decrease in their viewing audience.
 - c. Almost no change in numbers in their viewing audience.
 - d. An almost 25% increase in their viewing audience.
 - e. An almost 25% decrease in their viewing audience.

13. Which independent regulatory agency of our government set the social, economic and technical goals for the communication industry up through 1996?
 - a. United States Postal Service
 - b. Federal Aviation Commission
 - c. Federal Telecommunications Panel
 - d. United States Communications Agency
 - e. Federal Communication Commission
14. What term do we use to describe the people who decide which events to report and how to report them?
 - a. horse race journalists
 - b. fairness doctrinaires
 - c. policy specialists
 - d. gatekeepers
 - e. top dogs
15. What term do we use to describe news stories which focus on who's ahead in the polls and not on the candidate's position on the issues?
 - a. gatekeeping
 - b. placement doctrine
 - c. horse race journalism
 - d. wolf pack journalism
 - e. competition journalism
16. Which of the following best describes those people who rely on the television as their major source of political news and information?
 - a. More informed about politics than everyone else.
 - b. No more and no less informed than anyone else.
 - c. Less informed about politics than everyone else.
 - d. More independent voters who rely on facts to make decisions.
 - e. A new breed of young, informed Americans.
17. The mass media's coverage of the civil rights movement tended to advance which of the following?
 - a. equality
 - b. order
 - c. majoritarian democracy
 - d. freedom
 - e. pluralism
18. Which of the following can the media have the greatest influence with?
 - a. setting the political agenda
 - b. influencing the outcome of elections
 - c. keeping an accurate historical record
 - d. blending of news and information
 - e. creating and maintaining TV personalities
19. Which value is *most* likely to be held as absolute by the media?
 - a. liberalism
 - b. equality of access
 - c. social order
 - d. freedom of expression
 - e. political equality

20. What term do we use to describe the tendency of many journalists to view their job as a search for inaccuracies in fact and weakness of arguments from politicians?
 - a. focused journalism
 - b. watchdog journalism
 - c. sentinels
 - d. gatekeeper journalism
 - e. guardhouse journalism
21. What term do we use to describe the use of sophisticated data collection and analysis techniques to report the news?
 - a. gatekeeper journalism
 - b. analytical journalism
 - c. focused journalism
 - d. statistical journalism
 - e. precision journalism
22. Most people do not realize how quickly most news stories are shown. How long does an average televised news story last?
 - a. thirty seconds
 - b. about one minute
 - c. about two minutes
 - d. about three minutes
 - e. less than thirty seconds
23. What does the television hypothesis postulate?
 - a. Those who watch more television are more informed and involved than everyone else.
 - b. Those who watch more television are more liberal than those who do not.
 - c. Those who watch more television are more conservative than those who do not.
 - d. Those who watch more television are less informed and involved than everyone else.
 - e. None of these
24. The two-step flow of communication relies on what actors to influence public attitudes and opinions?
 - a. reporters
 - b. editors
 - c. attentive elites
 - d. the political parties
 - e. interest groups
25. Market-driven journalism describes
 - a. the pressures that lead to concentrated ownership of media.
 - b. favorable coverage of capitalism by the broadcast media.
 - c. the fact that reporters must pay for their stories.
 - d. the effects of production costs on news quality.
 - e. the way that news and commercials are targeted to specific demographic groups.

Essay Questions

1. Has the availability of Internet news sources improved the type and quality of information available for citizens? What are the advantages and drawbacks of relying on the Internet for information about politics?
2. Explain how media executives, news editors, and reporters function as gatekeepers in directing news flow. What types of news are likely to get through the gate?

3. Are the national news media biased? Answer this question by discussing research outlined in the chapter.
4. What are the consequences of private ownership of the media? Explain how concentration of media ownership might undermine democratic government.
5. Where does the public get its news? How does the source of a person's news affect the bias of their news?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. a
2. d
3. c
4. e
5. b
6. c
7. e
8. a
9. b
10. c
11. e
12. b
13. e
14. d
15. c
16. c
17. a
18. a
19. d
20. b
21. e
22. b
23. d
24. c
25. e

CHAPTER 7

Participation and Voting

LEARNING OBJECTIVES

After reading this chapter you should be able to:

- Define the key terms at the end of the chapter.
- Distinguish between conventional and unconventional participation.
- Explain the difference between particularized participation and activities that are geared to influence broad policy.
- Compare American political participation with participation in other democracies.
- Discuss the extension of suffrage to African Americans, women, and eighteen-year-olds.
- Explain the nature of initiatives, referendums, and recalls.
- Account for the low voter turnout in the United States.
- Evaluate the extent to which various forms of political participation enhance freedom, order, or equality.
- Assess the extent to which the various forms of participation fit the pluralist or majoritarian models of democracy.

PARTICIPATION, VOTING, AND THE CHALLENGE OF DEMOCRACY

Terrorism, “premeditated, politically motivated violence,” is a form, albeit a perverse form, of political participation. While terrorism is not a commonplace political activity, violence can be the result if more conventional avenues of democratic participation are unavailable. How much and what types of political participation are necessary for democratic government?

The majoritarian model assumes that government responds to popular wishes articulated through conventional channels, primarily voting in elections. The majoritarians count each vote equally and hence are biased toward the value of equality in participation. Yet there is a strong bias in our voting system, since more of the higher income and better educated vote. This translates into a government catering to the needs of its wealthy and better-educated voters.

The pluralist model emphasizes freedom. Citizens are free to use all their resources to influence government at any of the many access points available to them. Pluralism may seem to favor those with resources, but in contrast to majoritarianism, it allows plenty of room for unconventional political participation. However, when people are forced to rely on unconventional participation to be heard, it is hard to call the system democratic.

CHAPTER OVERVIEW

Democracy and Political Participation

Voting is central to democracy, but when voting is the only form of participation available, there is no real democracy. In addition to casting votes, citizens must also be able to discuss politics, form interest groups, contact public officials, campaign for competing parties, run for office, or protest government decisions.

Political participation—the actions of private citizens that are intended to influence or support government or politics—may be either conventional or unconventional.

Unconventional Participation

Unconventional participation is relatively uncommon behavior that challenges the government and is personally stressful to participants and their opponents. Unconventional acts might include participation in protests and demonstrations, boycotts, sit-ins and/or other mass political activities.

Support for Unconventional Participation

Despite a tradition dating back to the Boston Tea Party, unconventional participation is frowned on by most Americans, especially when it disrupts their daily lives. Yet, Americans are more likely to engage in unconventional political participation than are citizens of other democratic states. Researchers find unconventional participation hard to study but suggest that groups resort to unconventional participation precisely because they are powerless and have been denied access to conventional channels of participation. Despite the public's belief that unconventional participation is generally ineffective, direct political action sometimes works. Unconventional actions such as protests and marches tend to appeal to those who distrust the political system, have a strong sense of political efficacy, and manage to develop a sense of group consciousness.

Conventional Participation

The comparatively high rate of unconventional political participation presents a dilemma for American democracy, since the whole point of democratic politics is to make political participation conventional. Conventional political behavior includes (1) actions that show support for government, such as participation in patriotic celebrations and (2) actions that try to change or influence government policies, either to secure personal benefits or to achieve broad policy objectives.

Attempts to achieve broad policy objectives include activities that require little initiative (voting) and those that require high initiative (attending meetings, persuading others to vote in a certain way, attending congressional hearings, running for office). People also participate by using the court system (for example, by joining in class-action suits). Americans are less likely to vote than citizens in other democracies, but they are more likely to participate in other conventional ways.

Participation through Voting

In America, the right to vote was gradually extended to various disenfranchised groups (African Americans, women, eighteen-year-olds). For much of America's history, the nation departed considerably from the democratic ideal; yet in comparison with other countries, the United States has a good record of providing equal rights in voting.

In addition to selecting candidates for office, citizens of some states can vote on issues by means of referenda and initiatives, two devices not available on the national level. In 2002, voters in forty states approved 202 initiatives or referenda. The use of these alternatives more closely resembles direct democracy than our representative democracy, and they are not without drawbacks. For one thing,

referendums and initiative elections are quite expensive and often increase, rather than decrease, the impact of special-interest groups. Some twenty states also provide for recalls, or special elections to remove an officeholder. The Internet has created new opportunities for citizens to interact, mobilize, and participate in these activities.

Voting for candidates is the most visible form of political participation. It serves democratic government by allowing citizens to choose the candidates they think would make the best public officials and then to hold officials accountable for their actions in government, either by re-electing or removing them. This assumes citizens are knowledgeable about what officials do and participate actively by going to the polls.

America holds more elections and has more offices subject to election than do other countries. However, American participation in elections is very low compared with that of other democracies.

Explaining Political Participation

Not only is voter turnout in the United States comparatively low, it has also declined over time. However, other forms of participation are high and are on the increase.

Conventional participation is often related to socioeconomic status. The higher a person's education, income, or occupational status, the more likely he or she is to vote or use other conventional means to influence government. On the other hand, unconventional participation is less clearly related to socioeconomic status. Over the years, race, sex, and marital status have been related to conventional participation in the United States. But the single most influential factor affecting conventional participation is education.

Arguments currently advanced to explain the decline in voter turnout point to the influx of new, young voters enfranchised under the Twenty-Sixth Amendment. Young voters are less likely to vote. Other reasons offered include the growing belief that the government is unresponsive to citizens and the decline in people's identification with a political party. In addition, American political parties are not as closely linked to specific groups, as are parties in other democracies; such links between parties and groups often help to mobilize voters.

Another possible explanation for the low U.S. turnout is that it is more difficult to vote here than in other countries. In the United States, citizens are required to register in advance, which leaves the initiative up to the individual citizen. Registration requirements work to reduce the number of people actually eligible to vote on election day. The "motor voter" law makes it easier to register and is expected to increase participation. A final explanation for low turnout is that although the act of voting is relatively simple, learning about candidates takes a great deal of initiative, and many eligible voters may feel inadequate to the task.

Participation and Freedom, Equality, and Order

Whereas the relationships between participation and freedom and between participation and equality are clear, the relationship between participation and order is more complicated. Groups that resort to unconventional participation may threaten the social order and even the government itself. The passage of the Twenty-Sixth Amendment, which lowered the voting age to eighteen, is an example of a government effort to try to channel unconventional participation (strikes and protests) into conventional participation (voting) and thereby maintain order.

Participation and Models of Democracy

In addition to their role in selecting officeholders, elections also serve to (1) socialize political activity, (2) institutionalize access to political power, and (3) bolster the state's power and authority. Majoritarian participation focuses on elections and emphasizes equality and order. The decentralized

American system of government allows for many forms of participation in addition to voting in elections, and this type of pluralism emphasizes freedom of individuals and groups.

KEY TERMS

terrorism

political participation

conventional participation

unconventional participation

direct action

supportive behavior

influencing behavior

class-action suit

voting turnout

suffrage

franchise

progressivism

recall

direct primary

referendum

initiative

standard socioeconomic model

RESEARCH AND RESOURCES

For people interested in political parties and elections, *Congressional Quarterly's Guide to U.S. Elections*, 4th ed. (Washington, D.C.: Congressional Quarterly Press 2001) offers a gold mine of information. Among other things, the volume includes popular vote tallies for the following:

- the U.S. House of Representatives from 1824–2000
- the U.S. Senate from 1913–2000 (remember, senators were elected by state legislatures before 1913)
- governorships from 1789–2000
- presidential primaries from 1912–2000
- southern primaries (a special focus since in the “solid South” the real political battle has occurred in the primary, not the general election).

Another good source of voting data is the *America Votes* series edited by Richard Scammon and Alice McGillivray (also published by Congressional Quarterly Press). This handbook provides county-by-county election returns for general elections for presidents, senators, representatives, and governors. It also gives election totals of primary contests for these offices.

Both of these works are great for providing actual election results. However, they do not help you much if you want to investigate some of the issues raised about how people evaluate candidates and how they

participate in politics outside the voting booth. To find out more about these issues, you might turn to the bibliographies given at the end of chapters 5, 7, or 9, but even if you read every book listed, you might not find the specific answer to the exact question that interests you. You might, for example, want to know if high-school-educated African Americans are as likely as high-school-educated whites to participate in political activities other than voting. You might want to know if women differ from men in their ideological self-placement. Answers to your questions might not be readily available in books, but that does not mean it is impossible to discover the answers. The National Election Study (NES) reports a variety of survey responses on their website <<http://www.umich.edu/~nes/nesguide/nesguide.htm>>, or you may want to find out if computerized survey data are available on your campus.

Your government or political science department may have acquired election surveys provided by the American Political Science Association as part of its SETUPS series. Each SETUPS comes with a student guide that shows how to manipulate data.

USING YOUR KNOWLEDGE

1. Using the *Guide to U.S. Elections*, find the election returns for your county for the last three presidential election years. Compare the returns in the presidential races with those in the contests for the House of Representatives. What differences do you notice? Next, compare the House votes in presidential years with those in the intervening, off years. How do the turnout totals compare?
2. Interview a person who has engaged in unconventional participation. Find out what form this unconventional participation took, what the participant's motivation was, and whether he or she felt the activity was successful. What led your interviewee to choose unconventional participation rather than conventional participation?

GETTING INVOLVED

Voting

The most basic way to participate in American politics is to vote, but as the chapter points out, in order to vote, you must first be registered. "Motor voter" legislation made the task easier by allowing people to register by simply mailing in a card; in addition, there are some Internet sites available that will help you obtain and fill out the forms needed for registration and also apply for an absentee ballot. Try Rock the Vote at <<http://www.rockthevote.org>>. Rock the Vote also offers opportunities for volunteers.

Students who study abroad can still vote. The Federal Voting Assistance Program, located within the Office of the Secretary of Defense, administers the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) which requires that the states and territories allow U.S. citizens to register and vote absentee in elections for federal office. The FVAP also provides non-partisan voter information. Find them on the Web at <<http://www.fvap.gov>>.

Internships

Project Vote Smart, a nonprofit, nonpartisan, grassroots effort, offers internships during the summer and throughout the school year. Interns cover every member of Congress, governors, and the president; they put out national surveys, compile performance evaluations and campaign finance information, work with journalists, and operate a database that supplies voter information. Contact the National Internship Coordinator, PVS National Internship Program, 129 NW 4th Street, Suite 204, Corvallis, OR 97330. Telephone: 541-754-2746 or 541-737-3760. Extensive information on these internships is available online at <<http://www.vote-smart.org>>.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

- Which of the following is the best definition of “political participation?”
 - Activities necessary to ensure the survival of our form of government.
 - Actions to protect and defend our way of life.
 - People who do their civic duty and vote in every election.
 - Activities of people to influence the structure, selection or policies of our government.
 - Actions of governmental officials to compel the electoral activities of its citizens.
- Which of the following would *least* likely be considered conventional political participation in the United States?
 - persuading people to sign a petition
 - writing a letter to a public official
 - attending a meeting
 - casting a ballot
 - training with a militia group
- Which of the following best describes the effectiveness of unconventional participation?
 - Unconventional participation is never effective.
 - Unconventional participation is sometimes effective, but only if it is peaceful.
 - Both violent and nonviolent unconventional participation are sometimes effective.
 - Unconventional participation is never effective for the poor or disadvantaged.
 - Unconventional participation is the most effective means available to upper-level socioeconomic groups.
- What name was given to March 7, 1965, when 600 marchers were beaten and tear-gassed by Alabama State Troopers as they marched from Selma to Montgomery?
 - Trooper Tuesday
 - Bloody Sunday
 - Wicked Wednesday
 - Freedom Friday
 - Seditious Saturday
- Which of the following appeals *most* to those who prefer direct political action?
 - They distrust the political system.
 - They have a sense of political efficacy.
 - They have access to a network of organized groups.
 - They identify strongly with members of a group.
 - All of the above
- Which of the following was one of the earliest instances of unconventional participation in America?
 - Boston Tea Party
 - American Revolution
 - Civil War
 - Civil Rights Movement
 - Election of 1788

7. Which of the following best describes American political participation in comparison with activities of citizens in other democracies?
 - a. Americans are more likely to vote and participate in lower-initiative activities.
 - b. Americans are more likely to participate in higher-initiative activities.
 - c. Americans are less likely to participate in higher-initiative activities.
 - d. Americans are less likely to engage in all forms of political activity.
 - e. Americans are less likely to participate in unconventional activities.
8. Which Amendment to the U.S. Constitution enfranchised African American males?
 - a. Fourteenth Amendment
 - b. Fifteenth Amendment
 - c. Sixteenth Amendment
 - d. Eighteenth Amendment
 - e. Twenty-Sixth Amendment
9. Which of the following groups did the Nineteenth Amendment enfranchise?
 - a. minority males
 - b. immigrant males
 - c. eighteen-year-olds
 - d. citizens who did not own property
 - e. None of the above
10. What power were California voters exercising when they ousted Governor Gray Davis?
 - a. unconventional participation
 - b. an initiative
 - c. a recall
 - d. a referendum
 - e. a direct primary
11. What term do we use to describe an attempt to modify or reverse government policy to serve a political interest?
 - a. coercive behavior
 - b. initiative
 - c. supporting behavior
 - d. influencing behavior
 - e. All of the above
12. What term do we use to describe the percentage of eligible voters who actually voted in a given election?
 - a. direct primary
 - b. voter turnout
 - c. class action numbers
 - d. supportive behavior
 - e. franchise percentage
13. Which of the following is most important in predicting conventional political participation in American politics?
 - a. education
 - b. race
 - c. sex
 - d. gender
 - e. region

14. If voters are to hold public officials accountable through the electoral process, then which of the following assumptions must hold true?
 - a. Officeholders must be motivated to respond to public opinion by the threat of defeat.
 - b. Citizens must know the candidates for office.
 - c. Citizens must know the record of the person holding office.
 - d. Citizens must participate in the electoral process.
 - e. All of the above
15. Over the past fifty years, Americans have engaged less frequently in what types of political activity?
 - a. trying to persuade others about a vote
 - b. voting in presidential elections
 - c. attending party meetings
 - d. working in campaigns
 - e. All of the above
16. Which of the following would be described as “supportive” political behavior?
 - a. casting a vote
 - b. flying the flag
 - c. participating in a demonstration
 - d. collecting signatures on a petition
 - e. working for a candidate
17. Majoritarian democracy encourages what type of participation by citizens?
 - a. conventional
 - b. unconventional
 - c. direct action
 - d. violent action
 - e. Boycotts
18. Which of the following would the standard socioeconomic model predict?
 - a. People with low incomes are most likely to vote.
 - b. White-collar professionals are most likely to participate in politics.
 - c. Women are most likely to resort to unconventional participation.
 - d. People with high levels of education are least likely to vote.
 - e. Older people are more likely to vote.
19. What term do we use to describe the political philosophy of reform that trusts the goodness and wisdom of individuals and distrusts political institutions and special interests?
 - a. referendum
 - b. direct primary
 - c. initiative
 - d. progressivism
 - e. None of these
20. What did the passage of the Voting Rights Act of 1965 accomplish?
 - a. It gave women the right to vote.
 - b. It gave eighteen-year-olds the right to vote.
 - c. It put states under federal supervision to protect African American voting rights.
 - d. It led to a decline in voter turnout in the South.
 - e. It led to the Selma march.

21. Which of the following democratic values can be enhanced by increasing opportunities for participation?
 - a. freedom
 - b. order
 - c. equality
 - d. None of the above
 - e. All of the above
22. Which of the following was not a reform of the Progressive Movement?
 - a. universal suffrage
 - b. recall elections
 - c. direct primaries
 - d. referendums
 - e. initiatives
23. Direct primaries were intended to shift political power to which of the following?
 - a. ordinary citizens
 - b. political parties
 - c. broadcast media
 - d. organized interests
 - e. business and corporate interests
24. Which of the following was a key strategy Martin Luther King, Jr., used in the civil rights movement?
 - a. organizing mass letter-writing campaigns to legislators
 - b. direct action to challenge specific cases of discrimination
 - c. holding legislators accountable at the ballot box
 - d. lobbying southern legislators
 - e. campaigning for elected office
25. Which non-profit organization was created in 1990 in response to attacks on freedom of speech and artistic expression?
 - a. Speak Up America
 - b. AmeriCorps
 - c. SADD
 - d. Model United Nations
 - e. Rock the Vote

Essay Questions

1. What are the primary forms of political participation encouraged by the majoritarian model and the pluralist model of democracy? Does the observed behavior of citizens in the United States suggest that either model accurately describes American politics? Why or why not?
2. Discuss the legacy of the Progressives with respect to political participation. What mechanisms did they promote to increase political participation? Have these measures produced better government? Why or why not?
3. Explain why people resort to unconventional political participation. Is it ever effective? Give examples to illustrate your answer.
4. Are Americans politically apathetic? In your answer, compare American political participation with the participation of citizens in other democracies.
5. How does the United States compare to other countries in terms of its voting equality?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. d
2. e
3. c
4. b
5. e
6. a
7. b
8. b
9. e
10. c
11. d
12. b
13. a
14. e
15. b
16. b
17. a
18. b
19. d
20. c
21. e
22. a
23. a
24. b
25. e

CHAPTER 8

Political Parties

LEARNING OBJECTIVES

After reading this chapter you should be to:

- Define the key terms at the end of the chapter.
- Describe the four most important functions of political parties.
- Trace the history of the major political parties in America.
- List the functions performed by minor parties.
- Account for the emergence of a two-party system in the United States.
- Assess the extent of party identification in the United States and its influence on voters' choices.
- Summarize the ideological and organizational differences between Republicans and Democrats.
- Decide whether the American system is more pluralist or majoritarian in its operation.

POLITICAL PARTIES AND THE CHALLENGE OF DEMOCRACY

On the surface, the American two-party system seems tailor-made for majoritarian democracy. Every election has two broad categories for voters to choose from, so that opportunities for narrowly-focused small groups to gain control of the government apparatus are reduced. At the same time, the party system reduces the amount of information voters need to make rational choices. However, even this seemingly majoritarian device does not fully realize its majoritarian potential.

Majority parties are not always able to implement the policies they favor, due mainly to their lack of effective party discipline. That deficiency, in turn, is related to the decentralized structure of American parties. In a sense, America has, not two, but one hundred and two parties—two national organizations and two major parties in each of the fifty states.

On the whole, Democrats and Republicans do differ with respect to their political ideologies. The Democrats are more liberal and tend to place a high value on political and social equality. They are willing to use the government to achieve a more egalitarian economy and society, but they do not wish to use the government to restrict individual freedom (in matters related to lifestyles, reproductive choices, or freedom of expression, for example) to protect the social order. Republicans, on the other hand, are more likely to prefer order and freedom to equality; they prefer limited government when issues of equality are at stake, but they are often willing to use government power to support a particular vision of social order, even at the cost of individual freedom.

However, these general statements of ideological differences *between* the parties tend to obscure the fact that there are ideological differences *within* the parties as well. Nonetheless, the difficulties American parties have in maintaining discipline and coordinating the actions of government officials make it hard for them to fulfill the ideals of the majoritarian model. Even though American politics is dominated by two parties, third party candidates are always striving to advance their agenda, even if it ruins a victory for one of the two major parties.

CHAPTER OVERVIEW

Political Parties and Their Functions

A political party is an organization that sponsors candidates for office under the organization's name. The link between political parties and democracy is so close that many democratic theorists believe democracy would be impossible in modern nation-states without parties. Parties perform several important functions in a political system, including the following:

- *Nominating candidates for election to public office.* This provides a form of quality control through peer review by party insiders who know candidates well and judge their acceptability. Parties may also take an active role in recruiting talented candidates for office.
- *Structuring voting choices.* Parties reduce the number of candidates on a ballot to those that have a realistic chance of winning. This reduces the amount of information voters must acquire to make rational decisions.
- *Proposing alternative government programs.* Parties specify policies their candidates will pursue if elected. These proposed policies usually differ between the parties.
- *Coordinating the actions of government officials.* Parties help bridge the separation of powers, to produce coordinated policies that are effective in governing the country.

A History of U.S. Party Politics

Today, political parties are institutionalized parts of the American political process, but they were not even mentioned in the Constitution. Although there were opposing factions from the beginning, the first party system developed during Washington's administration. It was not until the election of 1800 that the parties began nominating their own candidates. In these early elections between the Federalists and the Democratic Republicans, the candidates receiving the most votes would be elected as president and vice president regardless of their party affiliation. Because the president and vice president could be of two different parties, they could possess opposing positions and ideologies. The Twelfth Amendment modified the electoral system so that the president and vice president were elected from the same party. And yet by 1820, the Democratic Republicans dominated the political system so that the Federalists did not even field a candidate. Soon the Democratic Republican Party began to fracture from within, and new parties began to emerge.

The first system developed during a period with limited suffrage and little popular participation in the electoral process. As states began allowing popular selection of presidential electors and relaxing the voting requirements, the first popular national political parties began to emerge in Andrew Jackson's Democrats and John Quincy Adams's Whigs. These new parties began to hold national conventions and draft party platforms. Slavery and sectionalism eventually destroyed the Whigs and led to the formation of a new party in 1855 opposed to the spread of slavery, the Republican Party.

Thus, the election of 1856 marked the first contest between Democrats and Republicans, the parties constituting our present-day party system. Since then, there have been three critical elections signaling new, enduring electoral realignments in which one of the two parties became dominant. In the period from 1860 to 1894, the electorate supported both sides equally. From the critical election of 1896 until 1930, Republicans dominated much of our government. The critical election of 1932 produced a Democratic majority. That majority retained control until 1994, when the Republicans gained control of both houses of Congress. We could be in a period of electoral dealignment, and, if so, party loyalties will become less important to voters.

The American Two-Party System

The history of American party politics has been dominated by successive two-party systems, but minor parties—including bolter parties, farm-labor parties, ideological protest parties, and single-issue parties—have not fared well as vote-getters. The main functions of third parties are to allow voters to express their discontent with the choices offered by the two primary parties, serve as policy advocates, and act as safety valves for the system.

American election rules have supported the two-party system. Although candidates campaign for a popular vote in each state, the winner is decided in the electoral college. This federal structure contributes to the persistent power of the Democrats and Republicans. Even when one party wins a landslide presidential election, the loser can retain significant strength in other branches of the government and in many of the fifty state governments. This makes it possible for the minority party to rebuild, and eventually retake, the presidency.

The longevity of the present two-party system is also a result of the tendency for citizens to be socialized from childhood to think of themselves as Democrats or Republicans. They identify with one party or the other, and this identification predisposes them to vote for candidates of that party. Whereas a citizen's actual voting behavior may change from election to election or from candidate to candidate, party identification usually changes more slowly over time. As citizens begin voting against their party, only then do they consider reassessing their party identification.

Party Ideology and Organization

The Democratic and Republican parties differ substantially on ideology. More Republicans than Democrats consider themselves as conservative. The 2000 platform of the Republicans called for tax cuts, more military spending, and smaller government. On the other hand, the Democratic platform advocated active but smaller government, fiscal discipline, free trade, and tough crime policies.

The federal structure is apparent in the organization of the country's political parties. Each party has separate state and national organizations. At the national level, each party has a national convention, national committee, congressional party conference, and congressional campaign committee. Historically, the role of the national organizations was fairly limited, but in the 1970s, Democratic procedural reforms and Republican organizational reforms increased the activity of the national organizations. The national organizations have increased in strength and financial resources, yet state party organizations are relatively independent in organizing their state activities, and so the system remains decentralized.

The Model of Responsible Party Government

Responsible parties are a key feature of majoritarian theory. For a party system to work, the following four things are necessary: (1) the parties must present clear, coherent programs, (2) the voters must choose candidates on the basis of these programs, (3) the winning party must carry out its program, and (4) the voters must hold the incumbents responsible for their program at the next election. This chapter argues that the first and third criteria are met in American democracy. The next chapter looks more closely at the remaining features.

KEY TERMS

political party

nomination

political system

electoral college

caucus
national convention
party platform
critical election
electoral realignment
two-party system
electoral dealignment
majority representation
proportional representation
party identification
national committee
party conference
congressional campaign committee
party machine
responsible party government

RESEARCH AND RESOURCES

This chapter indicates that the American system is built on a loose confederation of independent, state party organizations rather than a rigidly hierarchical structure with a national party at its apex. Indeed, until very recently, the national party all but went out of existence in non-presidential election years. Thus, the two most conspicuous products of national party organizations have been the presidential nominating conventions and the party platforms.

If you are interested in doing research on party conventions or platforms, consult:

National Party Conventions, 1831–2000 (Washington, D.C.: Congressional Quarterly Press 2000). This publication includes excerpts of party platforms, as well as chronologies of nominating conventions and state-by-state votes of delegates on issues placed before the conventions. In addition to this work, the Congressional Quarterly's *Guide to U.S. Elections*, mentioned in the last chapter, also provides a wealth of information on these topics.

The platforms of the major parties are available online at the American Presidency Project: <<http://www.presidency.ucsb.edu/platforms.php>>.

Your text contains URLs for the websites of major and minor American political parties. For information on contacting parties, try <<http://www.politicalindex.com/sect8.htm>>.

USING YOUR KNOWLEDGE

1. Visit the Democratic and Republican websites at <<http://www.dnc.org/>> and <<http://www.rnc.org/>>, respectively. What similarities and differences do you notice in the information and services available at each site?
2. Find and read the Democratic and Republican party platforms for an election held within the last twenty years. Note the areas of similarity and difference between the two. In the election year you chose to examine, would you say that observers who might have claimed, “there’s not a dime’s

worth of difference between the two parties” would have been correct? Give evidence to support your answer.

- Using the Gallup Poll, National Election Studies, or other available survey data (see Chapter 5 of this guide), research changes in party identification over the last twenty years.

GETTING INVOLVED

If you are interested in working for a political party, you may want to begin by contacting the local party organization in your county or joining the Young Democrats or Young Republicans on your campus. The congressional campaign websites for the two parties provide some help for those who want to volunteer: Republicans can be found at <<http://nrcc.org/>> and <<http://www.nrsc.org/>>, Democrats at <<http://www.democraticaction.org/>> and <<http://www.dscc.org/>>. There are some internships available for students who would like to become involved with the parties on the national level.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

- What is the third largest political party in the United States?
 - Reform Party
 - Green Party
 - Constitutional Party
 - Libertarian Party
 - Socialist Party
- How do political parties differ from interest groups?
 - Only political parties contribute funds to candidates.
 - Only political parties provide information to voters about candidates
 - Only political parties represent identifiable interests.
 - Only political parties mobilize get-out-the-vote campaigns.
 - Only political parties sponsor candidates for office as their avowed representative.
- Which of the following is not among the four most important functions of a political party?
 - Nominating candidates for office
 - Proposing alternative government policies
 - Raising money for candidates
 - Structuring the voting choice
 - Coordinate actions of government officials
- Which of the following best describes a “critical election?”
 - An incumbent president is defeated.
 - An electoral realignment occurs.
 - Divided government is produced.
 - Divided government is ended.
 - An incumbent president is re-elected.
- The development of the first party system uncovered problems in the method of electing the president and vice president. How did the Twelfth Amendment solve these problems?
 - It created the electoral college.
 - It dissolved the electoral college.
 - It required separate votes for president and vice president.
 - It required presidential candidates to be financially sound..
 - It required a popular vote for the President.

6. Instead of allowing the popular vote to elect the president, what institution, created by the U.S. Constitution, serves that function?
 - a. political parties
 - b. Congress
 - c. the Supreme Court
 - d. interest groups
 - e. the electoral college
7. Why did the Whig Party ultimately fail?
 - a. Slavery and sectionalism.
 - b. Rum, Romanism, and rebellion
 - c. The electoral dominance of the Democratic Party
 - d. The personal magnetism of Abraham Lincoln
 - e. Emergence of the Federalist Party
8. Which of the following is not considered to have been a critical election?
 - a. 1860
 - b. 1896
 - c. 1920
 - d. 1932
 - e. All of the above were critical elections
9. What do we call the statement of policies adopted by each party at their national convention?
 - a. caucus
 - b. party platform
 - c. party policies
 - d. conference confirmation
 - e. party coalition
10. What is the Prohibition Party an example of?
 - a. a bolter party.
 - b. a party of ideological protest.
 - c. a farmer-labor party.
 - d. a single-issue party.
 - e. a realignment party.
11. What term do we use to describe a change in voting patterns after a critical election?
 - a. congressional conjunction
 - b. political party purge
 - c. electoral realignment
 - d. electoral caucus
 - e. electoral dealignment
12. Which of the following does responsible party government most closely resemble?
 - a. The majoritarian model of democracy
 - b. The pluralist model of democracy
 - c. anarchism
 - d. socialism
 - e. federalism
13. Which of the following contributes to the persistence of the two-party system?
 - a. constitutional recognition of two parties
 - b. proportional representation
 - c. political socialization
 - d. centralized national party organization
 - e. All of the above

14. Which of the following did the Democratic Party Platform of 2000 concentrate on?
 - a. Tax Cuts
 - b. More Military Spending
 - c. Equality
 - d. Restricting Abortion
 - e. Abolishing the Department of Education
15. Which of the following characterizes the American party system today?
 - a. There are far fewer Independents than Democrats and Republicans combined.
 - b. There are more Republicans than Democrats.
 - c. The Democrats are increasing in comparison to Republicans and Independents.
 - d. All of the above
 - e. None of the above
16. What term do we use to describe the system by which one office, contested by two or more candidates, is won by the candidate who collects the most votes?
 - a. Reapportionment
 - b. Representative Democracy
 - c. Majority Representation
 - d. Electoral Realignment
 - e. Proportional Representation
17. Which of the following characterizes the platforms of the Democrats and Republicans?
 - a. Both are essentially capitalist parties.
 - b. The Republicans are capitalist, but the Democrats are not.
 - c. The Republicans pledge themselves to equality, whereas the Democrats support freedom.
 - d. The Republicans pledge themselves to limit all spheres of government activity, whereas the Democrats pledge themselves to increase all spheres of government activity.
 - e. Neither party supports capitalism.
18. Imagine an election in which ten legislative seats are at stake. Party A receives 60 percent of the votes cast. Party B gets 30 percent of the votes. Party C tallies 10 percent of the votes. As a result, Party A is awarded six seats; Party B, three seats; and Party C, one seat. What is this an example of?
 - a. A Proportional Representation System.
 - b. A Majority Representation System.
 - c. Electoral Dealignment.
 - d. Reapportionment.
 - e. Realignment.
19. What is the most distinguishing feature of the American political parties?
 - a. tight party discipline.
 - b. clear ideological definition.
 - c. hierarchical organization.
 - d. absence of centralized power.
 - e. relatively young age.
20. What type of party typically acts as a safety valve, channeling discontent into conventional participation?
 - a. minor parties
 - b. major parties
 - c. majority parties
 - d. party machines
 - e. party conferences

21. In 1972, the Democratic National Committee initiated procedural reforms in the presidential nominating process that
 - a. weakened local control over delegate selection.
 - b. ensure representation of women and minorities at the party convention.
 - c. denied seats to state delegations that failed to adhere to national rules.
 - d. broaden participation in the nomination process.
 - e. All of the above
22. As far as political parties are concerned, the Constitution
 - a. limits the number of major parties to two but allows an unlimited number of minor parties.
 - b. limits the number of major parties to two and allows no more than ten minor parties.
 - c. mandates that ballots provide both candidate names and party affiliation.
 - d. provides that they be organized on the state level.
 - e. says nothing.
23. Which of the following is true about Third Parties in the United States?
 - a. They tend to be more successful at the state and local level.
 - b. They tend to be more successful at the national level.
 - c. They rarely have any impact on elections.
 - d. They have an advantage due to proportional representation.
 - e. They have an advantage due to the Electoral College.
24. Which of these is not a characteristic of the responsible party model of government?
 - a. Parties present clear programs to voters.
 - b. Each party attempts to minimize its differences with other parties.
 - c. Voters choose candidates on the basis of party.
 - d. When in office, the winning party tries to carry out its program.
 - e. Voters hold the governing party responsible for executive its program.
25. When people are asked about their political ideology, most Americans will identify their party as which of the following?
 - a. Republican
 - b. Democrat
 - c. Independent
 - d. Libertarian
 - e. Preferred not to answer

Essay Questions

1. What kinds of roles do third-party candidates play during elections? Discuss their positive and negative aspects
2. What is a “critical election”? Trace the history of the two-party system since 1860 by focusing on the three critical elections in our nation’s history.
3. Is there “a dime’s worth of difference” between Democrats and Republicans? Support your answer with concrete illustrations focusing on party ideologies and organization.
4. Discuss the different aspects of the National Convention every four years. What are its goals, who participates, what kinds of power do they have, and what kinds of power do they not have?
5. Explain the flaw ratified in the original Constitution’s system to elect a President. How was it fixed and is it still working today? What are your thoughts on how we could make it better?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. d
2. e
3. c
4. b
5. c
6. b
7. a
8. c
9. b
10. d
11. d
12. a
13. c
14. c
15. a
16. c
17. a
18. a
19. d
20. a
21. e
22. e
23. a
24. b
25. b

CHAPTER 9

Nominations, Campaigns, and Elections

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Trace the evolution of political campaigning from party-centered campaigns to candidate-centered campaigns.
- Give a thumbnail sketch of the nominating process for Congress, state offices, and the presidency.
- Outline the changes in the presidential nominating process since 1968.
- Explain how presidential campaigns are currently financed.
- List the three basic strategies used by political campaigns.
- Discuss the role of polling, news coverage, and political advertising in campaigns.
- Analyze the impact of split-ticket voting on American politics.
- Describe the operation of long- and short-term forces on voting choice.
- Assess whether present voting patterns are more likely to lead to pluralist or majoritarian democracy.

NOMINATIONS, CAMPAIGNS, AND ELECTIONS AND THE CHALLENGE OF DEMOCRACY

Our complex electoral system has features that are consistent with the pluralist model of democracy, features that are consistent with the majoritarian model of democracy, and features that may make it look rather undemocratic. Campaigns give organized groups the opportunity to influence the choice of candidates and the policies of government, which are consistent with the pluralist model. The nominating process and the electoral system are consistent with the types of popular control of government that the majoritarian model prescribes. When the outcome may not reflect the popular vote and the election costs require extensive fund raising, you have to wonder if the elections are truly democratic at all.

CHAPTER OVERVIEW

The opening case illustrates the complexity of the 2000 U.S. presidential election, during which it took thirty-six days to count the votes. It took the same amount of time, thirty-six days, for Canada to call a federal election, conduct the campaign, and decide the outcome. This chapter focuses on the various ways that states count ballots, parties nominate candidates, and candidates campaign. Unlike Canadian voters, American voters have to endure long, intensive campaigns and a mind-boggling number of candidates, issues, and constitutional amendments during their elections. And on top of all that, their presidential choice could win the popular vote, but lose the electoral election for the White House!

Evolution of Campaigning

Election campaigns, or organized efforts to persuade voters to choose one candidate over the others, have changed considerably over the years. In general, political parties play a much smaller role than they once did. The parties supply a label, as well as services and some funds. Candidates must campaign for their party's nomination as well as for election. Instead of relying on party organizations, however, those seeking office use the services of pollsters, political consultants, the mass media, and, more recently, the Internet. In this new age of electronic media, campaigns have become more candidate-centered than party-centered.

Nominations

Unlike most other countries in the world, Americans nominate their candidates through an election by party voters. For most state and local offices, candidates are chosen through primary elections of various types—*open*, *modified open*, *modified closed* and *closed*. Although national party conventions choose their presidential candidates, the convention delegates typically vote to reflect the outcome of the party primaries or caucuses before the convention is held. As a result, the outcome of the nominating conventions is known long beforehand. The Iowa caucus and the New Hampshire primary have become early tests of potential candidates' appeal to party regulars and to ordinary voters. One of the characteristics of recent presidential election is the increased "front-loading" in the delegate selection process.

Elections

Although most people do not know it, our electoral college indirectly elects our presidents. Each state's number of electoral votes is equal to the size of its congressional delegation (senators plus representatives). The District of Columbia also has three votes. In most states, electoral votes are awarded on a "winner-take-all" basis, which allows a candidate to win the electoral vote and the presidency while losing the popular vote. In recent years, ticket-splitting has been on the increase, and voters have tended to elect presidents from one party and members of Congress from the other party. Candidates for Congress are elected in a "first-past-the-post" system, which tends to magnify the victory margins of the winning party.

Campaigns

Candidates must pay attention to the political context of each election. Incumbent candidates will have an extreme advantage over a challenger, because of the incumbent's name recognition. The size of the district, its voting population, and its socioeconomic makeup are also important.

Although good candidates and a strong organization are valuable resources in modern political campaigning, money is the "life blood" of any campaign. Without money, a campaign will die. In recent years, Congress has moved to set strict reporting requirements for campaign contributions and created the Federal Election Commission to monitor campaign finances. Presidential nominees are eligible for public funds to support their campaigns if they agree to spend only those funds. Private individuals, political action committees, and national party committees, however, could spend unlimited amounts to promote candidates. Exploiting a loophole in the law, parties raise "soft money" to support party mailings, voter registration, and get-out-the-vote campaigns, which benefit the whole ticket and are free of the limitations on candidates. The Bipartisan Campaign Finance Reform Act represents one attempt to restrict soft money spending, banning all soft money expenditures by the national party, but permitting soft money expenditures by state party organizations and tax-exempt issue advocacy groups, called 527's. The new rules applied to the 2004 election cycle, but the effects of the new law remain uncertain.

Campaign strategies can be party-centered, issue-oriented, or image-oriented. Candidates use a mix of polls and focus groups to design their strategies. Most campaigns emphasize using the media in two ways: through news coverage and political advertising. Each of these approaches to the media seeks the same primary goal: candidate name recognition. News coverage is often limited to brief sound bites, so candidates rely heavily on advertising to develop their name recognition. Ads often contain a good deal of information, although the policy content may be deceptive or misleading. The Internet has created new opportunities for candidates to reach voters. The Internet allows candidates to communicate with activists on substantive issues, to arrange meetings and speeches, and, more importantly, to increase the number of volunteers and campaign donations. The presidential candidacy of Vermont Governor Howard Dean illustrated both the potential and the limits of the Internet as a campaign medium.

Explaining Voting Choice

Voting decisions are related to both long- and short-term factors. Among long-term factors, party identification is still the most important. Candidate attributes and policy positions are both important short-term factors. Although issues still do not play the most important role in voting choices, research suggests that there is now closer alignment between voters' issue positions and their party identification. Given the importance of long-term factors in shaping voting choice, the influence of campaigns may be limited. American elections have become so professionalized that many aspects of our campaign styles are showing up in foreign countries.

Campaigns, Elections, and Parties

As candidates rely more on the media, American election campaigns have become highly personalized, swing states have received more attention, and party organizations have waned in importance. Surprisingly, most voters are not voting for party platforms, but more for their party as a whole. This kind of voting behavior is more in keeping with the pluralist model of democracy. In other words, the two major parties are more concerned with winning than they are in resolving issues or problems.

KEY TERMS

election campaign

primary election

closed primary

open primary

modified closed primary

modified open primary

presidential primary

caucus/convention

front-loading

general election

straight ticket

split ticket

first-past-the-post election

open election

Federal Election Commission (FEC)

hard money

soft money

Bipartisan Campaign Finance Reform Act

527 committees

RESEARCH AND RESOURCES

Since money is so important to political campaigning, you might want to know just where candidates get their money. One good resource is Joshua F. Goldstein's *Open Secrets: The Encyclopedia of Congressional Money and Politics* (Washington, D.C.: Congressional Quarterly Press 1996). This work profiles members of Congress and reveals how much each received from PACs. PAC contributors are listed individually and are grouped in categories so you can find out instantly how much money a senator or representative received from business PACs, defense PACs, PACs concerned with abortion, PACs supporting Israel, and so on. The book also gives information on each Congress member's committee assignments and voting record. A website of the same name operated by the Center for Responsive Politics provides online access to details about sources of campaign funds <<http://www.opensecrets.org>>.

For up-to-date information delivered electronically, visit the Federal Election Commission's sites at <<http://www.FEC.gov/>> and <<http://www.tray.com/fecinfo>>. These sites provide financial information about candidates, parties, and PACs.

USING YOUR KNOWLEDGE

1. Use online sources or *Open Secrets* to find out where your senators' or representatives' campaign funds came from. What proportion came from PACs? What kind of PACs provided the largest share of funds? How much money did the defeated candidate receive from PACs in the last election?
2. Visit the overview of PAC funding in the 2004 election cycle published by the FEC <<http://www.fec.gov/press/press2005/20050412pac/PACFinal2004.html>>. Who raised more money—Democrats? Republicans? Incumbents? Challengers? How do the fundraising levels of the groups reported in the release change over time?

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. Although 122.3 million people went to the polls in the 2004 election, how many votes were cast for the various offices of president, congress, state executive, judges, etc.?
 - a. about 122 million
 - b. about 360 million
 - c. about 580 million
 - d. about 780 million
 - e. over 1 billion
2. What is the focus of contemporary American political campaigns?
 - a. Parties play the central role.
 - b. Parties play a larger role than they did in the 1950s.
 - c. Parties provide candidates with most of their information about public opinion.
 - d. Candidates, rather than parties, have assumed center stage.
 - e. Neither candidates nor parties are very important actors.

3. What do we call the preliminary election conducted within the party to select its candidates?
 - a. general election
 - b. straight party ticket election
 - c. election campaign
 - d. primary election
 - e. conventional election
4. What term do we use to describe an election in which all those not already registered with a party could choose any party ballot and vote with party registrants?
 - a. general primary
 - b. open primary
 - c. modified open primary
 - d. modified closed primary
 - e. closed primary
5. Which of the following holds a proportional primary?
 - a. Democrats
 - b. Republicans
 - c. Green Party
 - d. Reform Party
 - e. Constitutional Party
6. Which comment is true about the rules for selecting delegates for national party conventions?
 - a. They are uniform throughout the nation.
 - b. They vary from state to state but not from party to party.
 - c. They vary from party to party but not from state to state.
 - d. They vary both from state to state and from party to party.
 - e. They are rarely changed or amended.
7. Which of the following would not be used to describe a contemporary campaign for the White House?
 - a. long
 - b. expensive
 - c. party dominated
 - d. covered intensely by the media
 - e. Candidate determined before the convention
8. What type of funding did the Bipartisan Campaign Finance Reform Act attempt to reduce?
 - a. hard money
 - b. public financing
 - c. spending by the candidates
 - d. individual contributions
 - e. soft money
9. Statistically, which state primary has the greatest direct effect on who will win the presidential nomination?
 - a. New York
 - b. New Hampshire
 - c. Maine
 - d. Iowa
 - e. South Carolina

10. Which of the following is true when there is no incumbent seeking re-election to the White House?
 - a. The nomination process becomes contested in both parties.
 - b. Candidates usually have heavy national party support when they win.
 - c. The primary election goes smoothly.
 - d. It takes very little money to run for president.
 - e. Both sides are at a disadvantage.
11. What term do we use to describe the elections in between presidential election years?
 - a. off-Site elections
 - b. senatorial elections
 - c. midterm elections
 - d. examination elections
 - e. Justification Elections
12. How many votes are included in the electoral college?
 - a. 50
 - b. 212
 - c. 384
 - d. 538
 - e. 676
13. Every state will have a minimum of how many electoral votes?
 - a. 1
 - b. 2
 - c. 3
 - d. 4
 - e. 5
14. In total, approximately how much was spent on the 2004 Presidential Election?
 - a. \$300 million
 - b. \$600 million
 - c. \$900 million
 - d. \$1.2 billion
 - e. \$1.5 billion
15. Which bill banned soft money party contributions in 2002?
 - a. McCain-Feingold bill.
 - b. Thompson-McCain bill.
 - c. Gore-Gingrich bill.
 - d. Gramm-Rudman bill.
 - e. Kemp-Roth bill.
16. Candidates for each party's nomination for president can qualify for federal funding by raising at least what amount of money in each of twenty states?
 - a. \$1,000
 - b. \$2,500
 - c. \$5,000
 - d. \$50,000
 - e. \$100,000

17. What would you call an electoral strategy that stressed the candidate's experience and leadership ability?
 - a. party-centered.
 - b. issue-oriented.
 - c. image-oriented.
 - d. negative campaigning.
 - e. first-past-the-post campaigning.
18. What does negative political advertising tend to do?
 - a. It works better for challengers.
 - b. It works better for incumbents.
 - c. It has about the same effects for challengers and incumbents.
 - d. It contains useful political information.
 - e. It is rare in American politics.
19. Television news coverage is least useful in helping candidates do what?
 - a. Obtain name recognition.
 - b. Obtain publicity while conserving campaign funds.
 - c. Publicize their current standing in the polls.
 - d. Present a detailed summary of their issue positions.
 - e. Condense messages into sound bites.
20. What can tax-exempt issue advocacy groups (527's) do under the new campaign finance laws?
 - a. Raise and spend unlimited amounts of soft money.
 - b. Specifically advocate the defeat or election of a candidate for office.
 - c. Spend no money on television or other advertising.
 - d. Contribute a maximum of \$2,000 to any candidate for office.
 - e. Contribute a maximum of \$100,000 to the national committees of the major parties.
21. How do we describe a voter selecting candidates from different parties for different offices?
 - a. a split ticket
 - b. a nonpartisan ticket
 - c. a party-oriented ticket
 - d. an open ticket
 - e. a spoiled ballot
22. Which of the following best describes "first-past-the-post" elections?
 - a. The candidate with a majority of electoral votes wins the White House.
 - b. A candidate that wins the popular vote, but loses the presidency.
 - c. Victory goes to the candidate with the most votes in a single district.
 - d. A Primary victory is assured for those who win the first two state primaries.
 - e. A method of proportional voting, which allows everyone to benefit.
23. What did the 1974 Federal Election Campaign Act focus on?
 - a. regulating hard money.
 - b. regulating soft money.
 - c. reducing spending by wealthy candidates.
 - d. reducing public financing of elections.
 - e. on presidential elections, but left congressional elections unregulated.

24. What is the most important long-term force affecting U.S. elections?
 - a. party identification.
 - b. candidate attributes.
 - c. candidate issue positions.
 - d. media coverage.
 - e. political advertising.
25. Which of the following was not considered one of the “battleground” states in the 2004 Presidential election?
 - a. Arkansas
 - b. Michigan
 - c. Missouri
 - d. New Jersey
 - e. Pennsylvania

Essay Questions

1. Compare and contrast election systems in presidential and parliamentary form of governments. What are the advantages and disadvantages of each system?
2. How does the effort to regulate campaign finances raise the tension between freedom and equality?
3. Considering the 2000 presidential election, should the Electoral College be abolished? Present the main arguments on each side of the issue.
4. Should the nominating process for members of Congress or presidential nominees be closed to members of the candidate’s political parties? Why or why not? What effect would a closed process have on the types of candidates nominated?
5. What does it mean to say that campaigns are now “candidate-centered” rather than “party-centered”? Do you agree or disagree with this statement: “Presidential elections are no longer contests between candidates; they are battles among media teams”? Explain the reasons for your position.

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. e
2. d
3. d
4. c
5. a
6. d
7. c
8. e
9. b
10. a
11. c
12. d
13. c
14. d
15. a
16. c
17. c
18. a
19. d
20. a
21. a
22. c
23. a
24. a
25. d

CHAPTER 10

Interest Groups

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Outline the positive and negative roles played by interest groups in American politics.
- Explain how interest groups form.
- Create a profile of the kind of person most likely to be represented by an interest group.
- Describe the major resources that interest groups use to influence policy.
- List the tactics used by interest groups to win the support of policymakers.
- Account for the recent increase in the number of interest groups.
- Discuss the impact of high-tech lobbying by interest groups.

INTEREST GROUPS AND THE CHALLENGE OF DEMOCRACY

Publicity about the illegal lobbying efforts by Jack Abramoff has tarnished the role of interest groups in U.S. politics. Although lobbying efforts will come under more intense scrutiny for the short run, once the scandal calms down, it will be back to “business as usual.”

The founders anticipated that factions or interest groups would play an important part in politics. James Madison’s writings show that they believed factions would thrive in an atmosphere of freedom: “Liberty is to faction what air is to fire.” The only way to eliminate factions or interest-group politics was to curtail freedom. The founders were certainly not prepared to abandon the very value for which they had fought the Revolutionary War. So they proposed using factions to combat factions, with the government serving as the mediator.

More recently, pluralist political scientists have resurrected these Madisonian hopes. They have made it clear that American politics is not majoritarian but has interest groups at its center. They also expect interests to counterbalance one another and for the system to provide open access. However, as this chapter indicates, some interests, notably those of business, are much better represented than others. Opportunities for access may often depend on money. The fact that there are no “poor PACs” and no “food stamp PACs” suggests that the interests of the poor may not be adequately represented. Insofar as political equality means “one person, one vote,” Americans are pretty much equal, but if political equality means more than that, then it follows that where contemporary interest group politics are concerned, social inequality leads to political inequality.

So why not limit the activities of interest groups to promote open access and make pluralism function as Madison expected it would? The answer is that limiting interest groups also means limiting the right of the people to petition their government—a fundamental freedom guaranteed under the Constitution.

CHAPTER OVERVIEW

Interest Groups and the American Political Tradition

Interest groups, or lobbies—organized bodies of individuals who share some political goals and try to influence policy decisions—have always been a part of American politics. The Constitution itself was designed to preserve freedom by relying on what we now call pluralist politics, or, in Madisonian terms, the use of factions to counteract other factions. But giving people freedom to organize does not necessarily promote political equality. Thus, the value people place on equality may determine whether they believe that interest groups are bad or good.

Interest groups perform a variety of important functions in the American system: they represent their members to the government; they provide channels for citizen participation; they educate their members, government officials, and the public at large; they build the public agenda by putting issues before the government; and they monitor programs important to their members.

How Interest Groups Form

Modern pluralists believe that interest groups further democracy. They believe interest groups form naturally by a process similar to the “invisible hand” in economics. When unorganized people are adversely affected by change, they organize themselves into groups to protect their interests. Yet empirical evidence suggests that this doesn’t always happen—more than a simple disturbance is required. Strong leadership—provided by interest-group entrepreneurs—may be critically important; in addition, social class is also a factor in interest-group formation. Although the poor and less educated do form groups to advance their interests, middle- and upper-class individuals are much more likely to see the value of interest groups and to organize.

Interest Group Resources

An interest group’s strength and effectiveness usually depends on its resources. These resources include members, lobbyists, and money. Interest groups work hard to build their memberships and to combat the “free rider” problem. They also keep their members well informed of group activities. Lobbyists, preferably Washington insiders with previous government experience, present the group’s views to legislators and officials of the executive branch. Currently, an important resource used by interest groups is the political action committee (PAC). This type of organization enables a group to more easily make political campaign contributions in the hope of obtaining better access to officials. PACs may make influence a function of money (thereby reducing political equality), but limiting PACs would amount to a restriction on freedom of expression. Furthermore, PACs also allow small givers to pool their resources to obtain more clout.

Lobbying Tactics

Interest groups may seek help from the legislature, the courts, or the administration. Lobbyists carry out their task in several ways. They may use direct lobbying aimed at policymakers themselves—through legal advocacy, personal presentations, or committee testimony. Alternatively, they may rely on grassroots lobbying by enlisting group members to pressure elected officials through letters or political protests. Lobbyists may also use information campaigns, bringing their views to the attention of the general public through public relations methods. These campaigns may involve publicizing the voting records of legislators or sponsoring research. Lobbyists may exploit a variety of technical innovations, especially the Internet, to organize and communicate with potential supporters. Finally, lobbyists may lobby for each other through coalition building.

Is the System Biased?

Are the decisions made in a pluralist system fair? Perhaps, if all significant interests are represented by lobbying groups and the government listens to the views of all major interests as it makes policy. Yet research shows that interest groups have a membership bias. Some parts of society are better organized than others—namely, the well-educated, the wealthy, and professionals.

In addition to groups motivated by the self-interest of their members, there are also citizen groups or public interest groups motivated for reasons other than economic self-interest; these groups seek to achieve a common good that benefits all citizens. Although only a few of these liberal self-interest groups formed during the early twentieth century, more recently we have seen a distinct rise in their numbers. Organizations pursuing environmental protection, consumer protection, good government, family values, and equality for various groups are all increasing in number and they receive significant coverage in the national press on their issues. Nevertheless, business groups enjoy a substantial advantage in Washington, D.C., especially on broad issues that unite a number of different industries.

Although the First Amendment guarantees the right to organize, interest groups may confer unacceptable advantages on some segments of the community. Thus, some efforts have been made to limit their impact, through federal regulation of lobbying, disclosure laws, gift bans, and public financing of presidential campaigns.

KEY TERMS

interest group

lobby

lobbyist

agenda building

program monitoring

interest group entrepreneur

free rider problem

trade associations

political action committee (PAC)

direct lobbying

grassroots lobbying

information campaign

coalition building

membership bias

citizen groups

RESEARCH AND RESOURCES

One of the most significant recent developments in American politics has been the proliferation of PACs. There are several sources of data on PAC activity, including:

- Political Money Line's Federal Lobby Directory
<http://www.politicalmoneyline.com/cgi-win/lb_directory.exe?DoFn=>.
- Zuckerman, Ed, ed. *The Almanac of Federal PACs: 2004–2005* (Washington, D.C.: Amward 2004). Provides up-to-date descriptions of the interests and orientations of individual PACs, along with a record of their recent giving activities.

Check Yahoo for an extensive index of lobbying groups and PACs:

<http://dir.yahoo.com/Business_and_Economy/Business_to_Business/Government/Lobbying/>
<http://dir.yahoo.com/Government/U_S_Government/Politics/Interest_Groups/Political_Action_Committees_PACs/> Here are websites for a few well known interest groups: the American Medical Association at <<http://www.ama-assn.org/>>, the National Organization for Women at <<http://www.now.org/>>, the National Rifle Association at <<http://www.nra.org/>>, the Children's Defense Fund at <<http://www.childrensdefense.org/>> and the Christian Coalition at <<http://www.cc.org/>>.

USING YOUR KNOWLEDGE

1. Visit the websites of two or three interest groups. What types of information do they offer? What online strategies do they use to mobilize members?
2. Visit the sites of some of the lobbying firms listed on Yahoo. What types of services do they offer to their clients?

GETTING INVOLVED

There are plenty of opportunities to learn more about the Washington community and the think tanks and lobbyists that play such an important role in policymaking. The list provided here will give you some idea of the range of possibilities available.

Internships at Think Tanks

The American Enterprise Institute (AEI) assigns interns to work for resident scholars specializing in economic policy, foreign and defense policy, or social and political policy. Internships are available in the fall, spring, or summer, and run twelve weeks. They are unpaid. Deadlines are September 1 for fall, December 1 for spring, and April 1 for summer. For further information, contact the American Enterprise Institute, Intern Coordinator, 1150 Seventeenth St., NW, Washington, D.C. 20036. Telephone: 202-862-5800.

The Brookings Institution assigns its unpaid interns to work on research involving political institutions, processes, and policies. Internships run twelve weeks and are available in the fall, spring, and summer. Deadlines are August 1 for fall, December 1 for spring, and April 1 for summer. Write to the Brookings Institution, Internship Coordinator, 1775 Massachusetts Ave., NW, Washington, D.C. 20036. Find Brookings online at <<http://www.brook.edu/>>.

Common Cause uses interns to work for grassroots lobbying efforts in the states as well as to monitor congressional meetings and do other research. Write to the Common Cause, Volunteer Office, 2030 M Street, NW, Washington, D.C. 20036. Telephone: 202-833-1200. You can even apply online at <http://www.commoncause.org/about/intern_intro.htm>.

Internships with Interest Groups

The Feminist Majority Foundation offers women and men the chance to lobby for women's issues, including reproductive rights, sexual harassment, and women's rights. Student interns may work in the Washington, D.C. or Los Angeles offices. For details, contact the Fund for Feminist Majority, 8105 West Third St., Suite 1, Los Angeles, CA 90048 or 1600 Wilson Boulevard, Suite 801, Arlington, VA 22209, intern@feminist.org. Telephone: 703-522-2214.

Americans for Democratic Action, long the nation's best-known liberal organization, offers full- and part-time internships during the school year; there is no pay, but hours are flexible, and arrangements may be made with home institutions for coordinating course credit. Contact Americans for Democratic Action, 1625 K Street, Suite 210, Washington, D.C. 20005. Telephone: 202-785-5980. The ADA Web site is <<http://www.adaction.org/>>.

The Union of Concerned Scientists involves students in research and lobbying on issues related to arms control and the impact of technology. The internships are paid, and thirty to forty hours of work per week is the normal expectation. For further information, contact the Union of Concerned Scientists, 1616 P Street, NW, Suite 310, Washington, D.C. 20036. Telephone: 202-332-0900. See their website at <<http://www.ucsusa.org/ucs/about/page.cfm?pageID=1027>>

The National Taxpayers Union works for lower taxes and reduced government spending. It offers paid internships to students interested in working on researching taxpayer issues, preparing a congressional spending analysis, and lobbying at the grassroots, national, and state levels. Students should apply six weeks ahead of the desired starting date and by April 1 for summer internships. For further information, contact the Internship Program, National Taxpayers Union, 325 Pennsylvania Avenue, SE, Washington, D.C. 20002. Telephone: 703-683-5700. Find out more online at <<http://www.ntu.org/>>.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

- What did Madison see as the fundamental cause of factions?
 - undemocratic tendencies
 - barriers to economic success
 - America's strong democratic culture
 - capitalism and the Democratic nature of America
 - only natural because the basis for factions was "sown into the nature of man"
- What is the general paradox of how we think about Interest Groups and lobbyists?
 - We love them, but we don't donate money to them.
 - We hate them, except the ones that speak on our behalf.
 - We love what they do, but we don't like their methods.
 - We think Congress is honest, but the Interest Groups lie.
 - We think Congress lies, but the Interest Groups are honest.
- Which of the following is not one of the roles of interest groups?
 - education
 - representation
 - agenda building
 - program monitoring
 - nominate candidates

4. Which of the following best describes David Truman's theory of interest groups?
 - a. the economic theory of interest group formation
 - b. the group leader theory of interest group formation
 - c. the flocking theory of interest group formation
 - d. the disturbance theory of interest group formation
 - e. that pluralism explains everything about our democracy
5. Which of the following is an example of a public interest group?
 - a. the Business Roundtable
 - b. the National Rifle Association
 - c. the AFL-CIO
 - d. the Children's Defense Fund
 - e. the American Association of Retired Persons
6. What does the failure of residents of the West End neighborhood of Boston to organize suggest?
 - a. Pluralism may fail to insure representation.
 - b. Leadership is crucial to group organization.
 - c. Individuals may fail to organize, even in the presence of major disruption.
 - d. Individuals without resources may be difficult to organize.
 - e. All of the above
7. What is the development of the United Farm Workers Union a good example of?
 - a. the invisible-hand theory of interest-group formation
 - b. the importance of interest-group leadership
 - c. the free rider problem
 - d. the influence of PACs
 - e. the failure of pluralism
8. Where do most PAC contributions come from?
 - a. business groups and trade associations
 - b. citizens' groups
 - c. women's groups
 - d. unions
 - e. individuals
9. What is the most commonly used Grassroots lobbying tactic?
 - a. The personal presentation of a group's position.
 - b. Legal advocacy.
 - c. Testifying at committee hearings.
 - d. The letter-writing campaign.
 - e. Protests and demonstrations.
10. Which of the following can be a problem for interest groups?
 - a. free rider problem
 - b. maintaining membership
 - c. attracting new members
 - d. funding
 - e. All of these
11. Who would be likely to belong to a group working to advance their interests?
 - a. people receiving veterans' benefits
 - b. TANF recipients
 - c. food stamp recipients
 - d. people receiving Medicaid
 - e. All of the above

12. What can we say about coalitions of groups formed for lobbying purposes?
 - a. They tend to be informal, ad hoc arrangements.
 - b. They usually waste resources.
 - c. They are prohibited under federal law.
 - d. They generally are organized around broad issues and objectives.
 - e. They are exclusively formed with groups that have similar constituencies and outlooks.
13. Which of the following is a major difference between public interest groups and other lobbies?
 - a. Public interest groups do not generally pursue the economic self-interests of their members.
 - b. Public interest groups's are always poorly funded.
 - c. Public interest groups's do not support conservative causes.
 - d. Public interest groups's still rely primarily on grassroots tactics.
 - e. Public interest groups's rely exclusively on legal advocacy.
14. The Internet has created what principal effect on interest group organizations?
 - a. increased the costs for groups to organize
 - b. decreased the costs for groups to organize
 - c. increased regulation of group activities
 - d. decreased in the number of organized interests
 - e. increased the influence of groups over visible policy outcomes
15. Which of the following does not contribute to the increase of business lobbies in Washington?
 - a. the expanded scope of federal government activity
 - b. the competitive nature of business lobbying
 - c. the success of interest groups on the religious right
 - d. the success of liberal public interest groups
 - e. an increase in the total number of lobbying organizations
16. Which of the following would not be included in program monitoring by interest groups?
 - a. filing lawsuits to stop agency actions
 - b. publicizing agency failures
 - c. pressuring administrators to change programs
 - d. publicizing the costs of agency activity
 - e. gaining access to administrators with PAC contributions
17. The proliferation of PACs, and the increasing pressure for the regulation of PACs, brings into conflict which two political values?
 - a. order and freedom
 - b. capitalism and socialism
 - c. freedom and equality
 - d. equality and order
 - e. federalism and equality
18. Approximately what percent of PAC contributions come from business, professional, or corporate interests?
 - a. 15%
 - b. 40%
 - c. 50%
 - d. 60%
 - e. 85%

19. 527's possess one major difference from all other PAC's. What is it?
 - a. They can accept donations of an unlimited amount.
 - b. They are nonprofit.
 - c. They take a stand on the issues.
 - d. They can endorse a candidate directly.
 - e. All of these
20. Which of the following is not a tactic used in direct lobbying?
 - a. testifying at a committee hearing
 - b. organizing a demonstration
 - c. legal advocacy
 - d. personal contact
 - e. None of the above
21. Among western democracies, the United States _____
 - a. is one of the most pluralist governments.
 - b. is one of the most majoritarian governments.
 - c. is neither more nor less pluralist than other governments.
 - d. has many groups that do not operate independent of government.
 - e. is the only nation that has organized groups active in politics.
22. Why do citizens' groups have good credibility?
 - a. They are well-organized.
 - b. They are not motivated by financial gain.
 - c. They are large organizations.
 - d. They are well-financed.
 - e. They are unlikely to rely on PACs.
23. What term do we use to describe several organizations banding together for the purpose of lobbying?
 - a. information campaign
 - b. agenda building
 - c. coalition building
 - d. trade association
 - e. None of these
24. Which of the following variables is frequently used to explain the likelihood of interest group formation?
 - a. change in the environment
 - b. leadership
 - c. socioeconomic status of potential members
 - d. activities of interest group entrepreneurs
 - e. All of the above
25. What is the most heavily unionized (organized) sector of the U.S. economy today?
 - a. government sector
 - b. service sector
 - c. computer industry
 - d. industrial sector
 - e. retail sector

Essay Questions

1. The Abramoff scandal will force Congress to place limits on lobbying by interest groups. Explain why you might agree or disagree with this statement.
2. What benefits do interest groups provide to the American political system?
3. Describe the various methods of lobbying and why they are so successful.
4. How has the growth of interest group activity in Washington affected the tension between pluralism and majoritarianism?
5. Have recent changes in campaign finance law restricted or expanded the activities of PACs? Should the United States engage in an effort to reform the way that PACs are organized and the way they operate?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. e
2. b
3. e
4. d
5. d
6. e
7. b
8. a
9. d
10. e
11. a
12. a
13. a
14. b
15. c
16. e
17. c
18. d
19. a
20. c
21. a
22. b
23. c
24. e
25. a

CHAPTER 11

Congress

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Outline the constitutional duties of the House and Senate.
- Account for factors that influence the outcomes of congressional elections.
- Describe the characteristics of a typical member of Congress.
- Sketch the processes by which a bill becomes a law and an issue is placed on the congressional agenda.
- Explain the importance of the committee system in the legislative process.
- Distinguish between congressional rules of procedure and norms of behavior.
- List several important sources of legislative voting cues.
- Explain the dilemma that representatives face in choosing between trustee and delegate roles.
- Evaluate the extent to which the structure of Congress promotes pluralist or majoritarian politics.

CONGRESS AND THE CHALLENGE OF DEMOCRACY

The structure of Congress, both as it was designed by the founders and as it has evolved over the past two centuries, heightens the tension between pluralism and majoritarianism in American politics. Under the Constitution, the system of checks and balances divides complete lawmaking power between Congress and the president. In addition, members of Congress are elected from particular states or congressional districts and ultimately depend upon their constituents to re-elect them. Two facts suggest majoritarian influence on Congress. First, to become law, legislation must be passed by a majority vote in each house. Second, in recent years at least, the party system, which may act as a majoritarian influence on politics, has had a greater impact on the way members actually vote. Considering the thin Republican majority in the House and the evenly split Senate resulting from the election of 2000, Congress will likely be more pluralistic in order to pass legislation on key issues faced by the nation.

Much about the structure of Congress reinforces pluralism. The committee structure encourages members of Congress to gain expertise in narrow policy areas. The experience members gain in these areas often leads them to look after particular constituencies or special interests. Furthermore, since the outcome of the legislative process is usually the result of vote trading, logrolling, bargaining, and coalition building, any final product is likely to represent all sorts of concessions to various interests.

CHAPTER OVERVIEW

The Origin and Powers of Congress

The U.S. Congress is a bicameral (two-house) legislature. Its basic structure grew out of the Great Compromise at the Constitutional Convention. As a result of that compromise, each state is represented in the upper house (or Senate) by two senators, who serve staggered six-year terms; in the lower house (the House of Representatives), states are represented according to their population. Members of the lower house serve two-year terms. In 1929, the total number of representatives was fixed at 435. Whenever the population shifts (as demonstrated by a decennial census), the country's 435 single-member legislative districts must be reapportioned to reflect the changes and provide equal representation.

Duties of the House and Senate

The Constitution gives the House and Senate shared powers, including the power to declare war, raise an army and navy, borrow and coin money, regulate interstate commerce, create federal courts, establish rules for the naturalization of immigrants, and “make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers.”

However, there are some differences between the House and Senate in their constitutional responsibilities. All revenue bills must originate in the House. The House has the power of impeachment and the power to formally charge the president, vice president, and other “civil officers” of the national government with serious crimes. The Senate is empowered to act as a court to try impeachment, with the chief justice of the Supreme Court presiding. The Constitution gives the Senate some additional powers, such as approving presidential nominations including all federal judges, ambassadors, and cabinet members. The Constitution gives the president the power to negotiate treaties with foreign countries, but the Senate must approve any treaty with a two-thirds majority.

Electing the Congress

Although elections offer voters the opportunity to express their approval or disapproval of congressional performance, voters rarely reject House incumbents. Although polls show that the public lacks confidence in Congress as a whole and supports term limits, most people are satisfied with their own particular legislator. Incumbents have enormous advantages that help them keep their seats. For example, incumbents are generally much more attractive to PACs and find it easier to obtain funds for re-election campaigns. Incumbents usually have greater name recognition; they acquire this name recognition by using their franking privileges and building a reputation for handling casework. Gerrymandering during redistricting may also work to the benefit of an incumbent. Senate races tend to be more competitive than House races; incumbency is less of an advantage in the Senate, partly because of the greater visibility of challengers in Senate races. When challengers do defeat incumbents, it is often the case that the previous election was close or the ideology and party identification of the state's voters favor the challenger.

Members of Congress tend to be white, male professionals with college or graduate degrees. There are relatively few women and minority-group members in Congress. To remedy this situation, some people favor descriptive representation; others argue that devices such as racial gerrymandering discriminate unjustly against white candidates. Recent court decisions have dealt setbacks to racial gerrymandering.

How Issues Get on the Congressional Agenda

Although many issues on the congressional agenda seem to be perennial, new issues do emerge. Sometimes a crisis or visible event prompts Congress to act; at other times, congressional champions of particular proposals are able to win powerful supporters for their ideas. Congressional leaders and committee chairpersons also have the power to place items on the congressional agenda, and they often do so in response to interest groups.

The Dance of Legislation

Bills become laws by a process that is simple in its outline. A bill may be introduced in either house. It is then assigned to a specialized committee, which may refer it to a subcommittee for closer study and modification. When the subcommittee has completed its work, it may send the proposal back to the full committee, which may then approve it and report it out to the chamber for debate, amendment, or a vote on passage. Actual floor procedures in the two houses differ substantially. In the House, the Rules Committee specifies the form of debate. In contrast, the Senate works within a tradition of unlimited debate and unanimous consent petitions. If a bill passes the two houses in different versions, the differences must be reconciled in a conference committee, and the bill must then be passed in its new form by each house. Once the bill has passed Congress, it is sent to the president for his signature, veto, or pocket veto. The pocket veto can be used only when Congress adjourns. Congress approved a line-item veto that allowed the president to invalidate particular sections of bills, but the Supreme Court declared it unconstitutional.

Committees: The Workhorses of Congress

The real work of lawmaking happens in the legislative committees. One of the reasons for the committee system is division of labor. The American system of specialized standing committees allows members of Congress to build up expertise in issue areas as they build up seniority in Congress. Standing committees are broken down into subcommittees that allow members to acquire even more specialized expertise. Subcommittee members are often the dominant forces shaping legislation. In addition to their work on standing committees, members of Congress serve on joint committees made up of legislators from both houses; select committees established to deal with special issues; and conference committees, which work out differences between versions of legislation passed by the two houses. Leadership on committees is linked to seniority (although members have the option of secret ballot).

Committee hearings represent an important stage in drafting legislation and are often used by legislators as ways of gaining publicity on an issue. Committees themselves differ in terms of style. Some work by consensus; others are more conflictive.

Oversight: Following Through on Legislation

In addition to its responsibility for passing new laws, Congress must also keep watch over the administration of existing laws. Through this oversight function, Congress is able to monitor existing policies and programs to see if agencies are carrying them out as Congress intended. Oversight occurs in a variety of ways, including hearings, formal reports, and informal contacts between congressional and agency personnel. Since the 1970s, Congress has increased its oversight over the executive branch. Generally, it has done so in an effort to find ways to make programs run better; sometimes it tends to become involved in petty details, making itself vulnerable to the charge of micromanagement.

Reliance on a committee system decentralizes power and makes American democracy more pluralistic, yet there is a majoritarian aspect as well, since most committees approximate the general profile of the

parties' congressional membership, and legislation must still receive a majority vote in each house before becoming law.

Leaders and Followers in Congress

Each house has leaders who work to maximize their party's influence and keep their chamber functioning smoothly and efficiently. Party leadership in the House is exercised by the Speaker of the House and the minority leader. In the Senate, power is vested in the majority and minority leaders. These four leaders are selected by vote of their own party members in the chamber. Much of their work consists of persuasion and coalition building.

Rules and Norms of Behavior

An important difference between the two chambers is in the House's use of its Rules Committee, which serves as the "traffic cop" governing the floor debate. Lacking a similar committee, the Senate relies on unanimous consent agreement to govern the rules of debate. Moreover, unlike the House, the Senate has the power to call for a filibuster to prolong the debate on an issue.

Each house has its own formal rules of procedure specifying how debates are conducted in that chamber. In addition, each house also has unwritten, informal norms of behavior that help reduce conflict among people who often hold strongly opposing points of view but who must work together. Some norms, such as the apprenticeship norm, have been weakened; but, over time, successful members of Congress still learn to compromise to build support for measures that interest them.

The Legislative Environment

Legislators look to four sources for their cues on how to vote on issues. First, rank-and-file party members usually try to support their party when they can, and partisanship has increased in recent years as each of the major parties has become more homogeneous. Second, the president is often actively engaged in trying to persuade legislators to vote his way. The views of the constituents back home are a third factor in how legislators vote. Finally, interest groups provide legislators with information on issues and their impact on the home district. These four influences push Congress in both the majoritarian and the pluralist direction.

The Dilemma of Representation

Every member of Congress lives in two worlds: the world of presidents and the world of personalized shopping bags. Each member of Congress has to deal with the demands of Washington politics and the politics of his/her home district or state. A central question for representative government is whether representatives should act as trustees who vote according to their consciences or as delegates who vote as their constituents wish them to vote. In the U.S. Congress, members feel a responsibility to both roles. A need to consider the larger national interest pushes them to act as trustees, while the need to face their constituents at the next election leads them to act more like delegates. By and large, members of Congress do not consistently adopt one role or the other.

Pluralism, Majoritarianism, and Democracy

The American Congress contrasts sharply with the legislatures in parliamentary democracies. Strong party systems and a lack of checks and balances to block government action make parliamentary democracies more majoritarian. Congress's decentralization and the lack of a strong party system make Congress an institution better suited to pluralist democracy. Moreover, the population of the United States, with an increasing diversity of economic, social, religious, and racial groups, will influence Congress to be more pluralistic.

KEY TERMS

reapportionment

impeachment

incumbents

gerrymandering

casework

descriptive representation

racial gerrymandering

veto

pocket veto

standing committee

joint committee

select committee

conference committee

seniority

oversight

Speaker of the House

majority leader

filibuster

cloture

constituents

trustee

delegate

parliamentary system

earmarks

RESEARCH AND RESOURCES

For research on Congress, a useful starting point is *Congressional Quarterly's Guide to Congress*, 5th ed. (Washington, D.C.: Congressional Quarterly Press 1999). This work includes information on the origins and development of Congress, its powers and procedures, and the qualifications and conduct of its members. In addition, there are sections on Congress, the electorate, and on pressures on Congress within our system. Finally, the volume contains a biographical index of every member of Congress from 1789 to the present day.

Two other *Congressional Quarterly* publications, *Congress and the Nation* (mentioned in the Preface) and *Politics in America*, are also helpful to those studying Congress. Editions of the latter work are published biennially and provide state-by-state summaries of current political issues as well as biographies of all current members of Congress, their interest group ratings, PAC support, committee memberships, and votes on key issues. The interest group ratings of members of Congress may also be

found online using “Voter Information Services” at <<http://www.vis.org/>>. A site sponsored by *Rollcall*, the newspaper of Capitol Hill, bills itself as “the premiere website for news and information about Congress.” You will find it at <<http://www.rollcall.com/>>. Biographical information about members of Congress (past and present) can be searched at <<http://bioguide.congress.gov/>>. As mentioned in the text, the House and the Senate have extensive websites, <www.senate.gov> and <www.house.gov>.

What if these sources do not provide enough information for your purposes? Suppose you need to find the actual text of a Senate floor debate or a House committee hearing? You’ll want to turn to government documents. Floor debates are covered in the *Congressional Record*, published daily while Congress is in session and available on-line. To access it, try “Thomas,” the congressional website maintained by the Library of Congress at <<http://thomas.loc.gov/>>.

Another important resource for research on Congress is the *Congressional Quarterly Almanac*.

USING YOUR KNOWLEDGE

1. Using *Congressional Quarterly’s Weekly Reports* or the Internet resources suggested above, trace the legislation history of a bill passed by Congress in the last two years. When was the bill introduced? What were its major provisions? What committees examined it? Were there any major changes made by committees? What were they? Were there major amendments voted on during the floor debate?
2. Now, for a more extensive version of the above project, look up the House and Senate committee hearings on the bill. Who testified on behalf of the legislation? Who opposed it? What were the major arguments advanced by proponents and their opposition? Next, find the floor debates on the bill in the *Congressional Record*. Who supported the bill? Who opposed it? Why?
3. How does your representative fare in the ratings by Americans for Democratic Action? The Christian Coalition? The American Conservative Union? The AFL-CIO? Use the websites suggested above to find the answers to these questions.
4. Watch a House debate and a Senate debate on C-SPAN. What differences do you notice between the two? Next, watch a committee hearing. Describe the differences between committee hearings and floor debates.

GETTING INVOLVED

If you would like to have a chance to learn more about the life of a representative or senator, you might begin by contacting your own congressional representatives. They may welcome part-time volunteer help in their offices in the home district, or they may have internships available in their Washington offices. The Internet puts tremendous resources for finding congressional internships at your fingertips; just visit <<http://www.senate.gov>> and find review the Senate Employment Bulletin located in the Visitors page.

Roll Call, the weekly “local” newspaper covering Congress that circulates on Capitol Hill, offers internships. These internships are unpaid and last at least three months. For further information, contact *Roll Call*, 201 Massachusetts Ave., NE, Washington, D.C. 20002. Find them online at <<http://www.rollcall.com/>>.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

- The Great Compromise concerned which of the following issues?
 - slavery
 - division of voting rights
 - dispute of trading rules and regulations
 - representation between the states
 - powers of the presidency
- Which of the following is not an advantage for an incumbent?
 - greater name recognition
 - White House support
 - greater attractiveness to campaign contributors
 - a staff doing casework for constituents
 - extensive coverage in the local press
- Which of the following groups are most elected officials drawn from?
 - the clergy
 - professional women
 - Hispanics
 - blue-collar white males
 - college-educated white males
- Which of the following can occur after the president vetoes a bill?
 - It cannot be reconsidered in that session of Congress.
 - It becomes law if it can be re-passed by at least three-fourths of the membership of each house.
 - It becomes law if it can be re-passed by at least two-thirds of those voting in each house.
 - It becomes law if it can be re-passed by a simple majority in each house.
 - It becomes law if it receives unanimous support from each house.
- Traditionally, the Senate allows unlimited debate on measures before it votes, but there is a procedure for ending debate. What is this procedure called?
 - cloture vote
 - germaneness rule
 - unanimous consent agreement
 - filibuster
 - pocket veto
- Which of the following shapes the legislative agenda?
 - the president
 - party leaders and committee chairs
 - interest groups activity
 - new issues and events
 - All of the above
- Every ten years we conduct a census which tracks our population shifts. What do we call the procedure in the House of Representatives to mirror these population shifts?
 - reduction
 - didaction
 - reducement
 - reapplication
 - reapportionment

8. Which of the following is not a power shared by the House and the Senate?
 - a. declare war
 - b. raise an army
 - c. ratify treaties
 - d. regulate interstate commerce
 - e. overturn presidential vetoes
9. Which of the following would be described by a Congressperson as “all profit?”
 - a. franking privilege
 - b. casework
 - c. committee assignments
 - d. earmarks
 - e. oversight
10. In the House of Representatives, who appoints the chair of a committee?
 - a. the majority leader
 - b. the other members on the committee
 - c. no appointment; it is the most senior member of the committee
 - d. the Speaker of the House
 - e. the chairperson selected by committee members of the majority party
11. What is the function of the Rules Committee in the House?
 - a. It determines only which members are eligible to vote on a bill.
 - b. It determine only the length of debate on a bill.
 - c. It determines only whether a bill while under consideration on the floor.
 - d. It determines both the length of the debate and whether or not there are amendments.
 - e. It determines which members may vote and the length of debate on a bill.
12. What is the most visible way that Congress performs its oversight function?
 - a. hearings
 - b. reports
 - c. informal contacts with agencies
 - d. legislation
 - e. discrediting and dismantling programs
13. What do we call the temporary committee of Congress created to work out differences between the House and Senate versions of a specific piece of legislation?
 - a. joint committee
 - b. ad hoc committee
 - c. select committee
 - d. standard committee
 - e. conference committee
14. To convict a president of impeachment, what portion of the Senate’s vote is necessary?
 - a. a simple minority
 - b. a simple majority
 - c. a two-thirds majority
 - d. a three-fourths majority
 - e. a unanimous vote
15. Why do Senate challengers have a higher success rate than House challengers?
 - a. They are higher quality candidates.
 - b. They are often governors or members of the House.
 - c. They can attract significant campaign funds.
 - d. They are supported by the party’s national committee.
 - e. They have high name recognition.

16. What term do we use to describe the redrawing of boundaries in an electoral district in order to favor a particular party or candidate?
 - a. logrolling
 - b. gerrymandering
 - c. pairing
 - d. filibustering
 - e. cloture
17. When a member of Congress decides to follow his conscience and votes for legislation limiting the availability of abortion under Medicaid, his actions are consistent with
 - a. the majoritarian model of democracy.
 - b. the idea of descriptive representation.
 - c. the view of representatives as delegates.
 - d. the view of representatives as trustees.
 - e. the pluralist model of democracy.
18. Approximately what percent of bills pass through Conference Committee?
 - a. 5%
 - b. 20%
 - c. 50%
 - d. 80%
 - e. 95%
19. What do we call the process of reviewing agency operations to determine whether an agency is carrying out policies as Congress intended?
 - a. Oversight
 - b. Legislative Review
 - c. Judicial Review
 - d. Germaneness
 - e. Veto Power
20. Which of the following is common under a parliamentary system of government?
 - a. Divided government is common.
 - b. The chief executive is directly elected by the people.
 - c. The leader of the majority party usually heads the government.
 - d. Legislators are chosen through proportional representation.
 - e. There are extensive checks and balances between the executive and the legislature.
21. How many seats are currently approved for occupation in the House of Representatives?
 - a. 350
 - b. 435
 - c. 475
 - d. 515
 - e. 535
22. Which of the following does not influence legislators on how they vote?
 - a. foreign diplomats
 - b. the president
 - c. interest groups
 - d. political parties
 - e. constituents

23. Which of the following is the result of racial gerrymandering?
 - a. There are more safe seats for the Democrats.
 - b. There are more safe seats for the Republicans.
 - c. There are more safe seats for both major parties.
 - d. There are few minorities in the Congress.
 - e. There are no changes in the number of safe seats for either party.
24. The growth of partisanship in Congress indicates what kind of trend towards the future?
 - a. growth in pluralism
 - b. growth in majoritarianism
 - c. growth in proportionality
 - d. growth in agenda building
 - e. growth in representation
25. Which of these leaders is able to break a tie in the Senate?
 - a. the president
 - b. the president pro tempore
 - c. the vice president
 - d. the majority leader
 - e. the Speaker of the House

Essay Questions

1. What advantages does incumbency give a member of Congress? Is incumbency as great an advantage to senators as well as representatives? Why or why not?
2. What is a filibuster and why can it only be held in the Senate?
3. Does the congressional system, as it now operates, better fit the pluralist or majoritarian model of democracy? Please use examples for your justification.
4. To what factors do members of Congress rely on when deciding how to vote on legislation?
5. Distinguish between the trustee and delegate roles of representatives. Which role, if either, tends to be more characteristic of American legislators?
6. What are the principal roles of committees in the Congress? How do committees help Congress work more effectively? What are the drawbacks of committees?
7. What is pork-barrel spending/earmarks? How are earmarks distinguished from other types of spending? Should reforms be considered to reduce earmarks?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. d
2. b
3. e
4. c
5. a
6. e
7. e
8. c
9. b
10. d
11. d
12. a
13. e
14. c
15. d
16. b
17. d
18. b
19. a
20. c
21. e
22. a
23. c
24. b
25. c

CHAPTER 12

The Presidency

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- List the powers and duties of the president, as set forth in the Constitution.
- Describe other sources that presidents have used to expand the authority of the office.
- Explain why presidential popularity usually declines while a president is in office.
- Outline the process by which presidents are elected.
- Explain why modern presidents are more likely to rely on the White House staff than on the cabinet for advice on policymaking.
- Explain what is meant by referring to the president as “chief lobbyist.”
- Point out the assets and liabilities a president brings with him as he tries to translate his political vision into public policy.
- Describe the special skills presidents need for crisis management.
- Discuss the role of presidential character in evaluating presidential candidates.

THE PRESIDENCY AND THE CHALLENGE OF DEMOCRACY

The opening case illustrates the difficulty that presidents face in maintaining support for their initiatives. Presidents are expected to take on a number of different roles, yet they face limits to their formal powers and experience dramatic fluctuations in support from the public.

The president and vice president are the only nationally elected political officials in the United States. As a result, there is strong moral pressure on the president to be “the president of all the people.” The president is potentially the focal point of majoritarian politics in the American system. He is in a unique position to see that the national interest is not always the sum of all our single or special interests. Following opinion polls may make him aware of the need to appeal to the majority. Yet, the realities of American presidential politics are more pluralistic than majoritarian. Although classical majoritarian theory might put a premium on being responsible to “the people,” the reality of presidential politics is that people to whom presidents respond are organized in groups.

CHAPTER OVERVIEW

The task of designing the office of chief executive presented the founders with a dilemma. They had just rebelled against a king and were reluctant to concentrate too much power in the hands of one individual. However, their experience under the Articles of Confederation convinced them that they needed strong national leadership, so they established the office of president. The new president would be chosen independently of Congress by an election of the electoral college. To limit presidential

power, they relied on two things: the mechanism of checks and balances and their expectation that their first president, George Washington, would set good precedents.

The Constitutional Basis of Presidential Power

According to the Constitution, the president is the administrative head of the nation and the commander-in-chief of the armed forces. He has the power to convene Congress and to veto their legislation. In addition, he may grant pardons, appoint ambassadors, judges, cabinet members, and other key officials, and make treaties.

The Expansion of Presidential Power

The list of the president's constitutional powers does not tell the whole story, however. Presidential power has increased tremendously since the Constitution was adopted. Presidential power increased aggressively through the use of the formal powers and broad claims that the president has certain inherent powers implied by the Constitution. Executive orders are the embodiment of the president's inherent powers. In addition, Congress has also delegated power to the executive branch, allowing the president more freedom to implement policies.

The Executive Branch Establishment

The executive branch establishment gives a president substantial resources to translate an electoral mandate into public policy. He may call on the executive office of the president, the cabinet, the vice president, or he may rely on his own staff, including his national security adviser, the Council of Economic Advisers, and the Office of Management and Budget. The methods presidents use to organize their staffs differ from administration to administration and generally reflect the individual chief executive's own working style. Modern presidents usually rely much more heavily on the White House staff than on the cabinet (the heads of the executive departments and other officials) to make policy. President Carter and later Presidents Clinton and Bush are unusual in that each involved their respective vice president in substantive policy matters; in general, presidents have rarely looked to their vice presidents for assistance on such matters. In theory, the cabinet also acts as a presidential advisory group, but the importance of the cabinet has declined with the increase in the importance of the White House staff.

Presidential Leadership

In recent years, journalists have paid increasing attention to aspects of the "character issue." Scholars, too, have suggested that the electorate ought to pay more attention to a candidate's formative experiences and basic psychological makeup.

The president's ability to persuade is one of the most important factors determining how much power he has. His persuasiveness is often related to his personality but may also result from his reputation and prestige. These attributes, in turn, spring from such things as past successes (at the polls or with Congress) and presidential popularity. Presidential popularity may be affected by many factors, including economic conditions, wars, and unanticipated events. Presidents usually are at the peak of their popularity during the "honeymoon period" of their first year in office, and they monitor their popularity closely as a kind of "report card." Good communication can serve to rally the public to the president's side, but the ability to form congressional and interest group coalitions should not be overlooked either.

One reason why presidents have trouble sustaining popularity is found in the difference between what it takes to win the presidency and what it takes to do the president's job. Winning the election involves assembling a winning coalition of voters in enough states to provide a majority vote in the electoral college. Candidates are often tempted to be vague on issues, to avoid alienating voters on either side.

But a candidate who is too vague may appear wishy-washy. Once in office, a winning candidate may try to claim a mandate for his policies—claiming majoritarian backing from the voters. Divided government, with the presidency and Congress controlled by different parties, has made it more difficult in recent years for presidents to translate perceived mandates into policy, though polls suggest that the public prefers to have control of government divided between Democrats and Republicans, and scholars are divided in their assessment of the productivity of divided government.

The President as National Leader

Presidents have differed considerably in their views of what government should do. Some, like Lyndon Johnson, emphasized the value of equality, while others, including Ronald Reagan, stressed freedom. The agendas they set grow out of their general political ideologies, tempered by the realities of political life in Washington. Those who enter office after serious upheavals or political crises may have great opportunities to reshape the political agenda. In the modern era, presidents have assumed significant leadership in the legislative process. Departments and agencies clear their budgets and proposed legislation through the president. Presidents also act as “chief lobbyists,” trying to win support in Congress for their proposals. In this role, presidents may rely on their own personal contact with legislators, on contacts by their legislative liaison staffs, or on the aid of interest groups. Presidents may also use the threat of a veto as leverage to prevent Congress from passing measures of which they disapprove.

The President as World Leader

Presidents are concerned with four basic foreign policy objectives: national security, international stability and peace, protection of U.S. economic interests, and the promotion of democracy and freedom. The collapse of the Soviet Union has forced recent presidents to redefine foreign policy goals. One persistent question has been the extent to which we act in concert with international allies or “go it alone” to pursue our foreign policy objectives.

KEY TERMS

veto

inherent powers

executive orders

delegation of powers

executive office of the president

cabinet

divided government

gridlock

mandate

legislative liaison staff

RESEARCH AND RESOURCES

For up-to-date printed information on the president’s policies and actions, the best official source is the *Weekly Compilation of Presidential Documents* (Washington, D.C.: U.S. Government Printing Office), which is published every Monday by the Office of the Federal Register. For documents dating from 1993 on, you may wish to check online at <<http://www.gpoaccess.gov/wcomp/index.html>>.

In addition to this resource, the Federal Register also issues an annual bound volume entitled *Public Papers of the Presidents of the United States* (Washington, D.C.: U.S. Government Printing Office). These volumes are useful for researching the presidency from Truman's administration to the present.

If you wish to study earlier occupants of the White House, you should turn to *A Compilation of the Messages and Papers of the Presidents, 1789–1927* (New York: Bureau of National Literature 1928). This is a twenty-volume set containing official utterances of presidents from Washington to Coolidge. These volumes include presidential proclamations, addresses, annual messages, veto messages, and other communications to Congress, as well as articles about the issues that faced each president.

For the interim period not covered by either of the two works above, you will find the following two privately published works useful:

- Hoover, Herbert C. *The State Papers and Other Public Writings of Herbert Hoover*. Garden City, NY: Doubleday, Doran & Co., 1934.
- Roosevelt, Franklin. *The Public Papers and Addresses of Franklin D. Roosevelt*. New York: Random House, 1938–1950.

For researching topics related to the presidency, another valuable resource is a four-volume work edited by Leonard Levy and Louis Fisher, *Encyclopedia of the American Presidency* (New York: Simon & Schuster 1994).

For current information on-line, the White House maintains a Web site at <<http://www.whitehouse.gov>>. There you can read about the president and vice president, search presidential documents, check out current press releases, listen to speeches, and even tour the White House from your desktop. If you are interested in historical information on individual presidents, including sound and video clips, check out Grolier Online's "The American Presidency" at <<http://ap.grolier.com>>; also, see the Internet Public Library site at <<http://www.ipl.org/ref/POTUS>>.

USING YOUR KNOWLEDGE

1. Using the resources suggested above, try to learn the president's position on the bill you researched in chapter 10. Are there speeches or press conferences where he indicates his views on the bill? Is there a public ceremony where he delivered remarks as he signed the bill into law? Was there a veto message?
2. Use the Gallup Poll or other survey data to construct a graph showing the percent of respondents who approve of the way President Clinton handled his job from 1993 to the end of his term. Do you observe any trends in your graph? How do the trends in your graph compare with the usual trend in presidential popularity sketched out in the text? Try the same exercise for Presidents Reagan and Bush.
3. Have you ever wanted to tell the president what you think? Pick up your phone and dial 1-202-456-1414, the White House telephone number. The electronic superhighway also runs through the White House. To send electronic mail to the president, use the following email address: president@whitehouse.gov. Of course, you are extremely unlikely to find the occupant of the Oval Office answering his own phone or responding to his own e-mail, but you can register your opinion on issues that are of significance to you. The White House does use this as one method of keeping track of public opinion.

GETTING INVOLVED

Ironically, perhaps, one accomplishment of the Clinton administration was the addition of the now-famous White House internship program. The program gives some 600 interns a year the opportunity to work in one of twenty-two White House offices, handling a range of chores from advance planning to

staffing the visitors' office. Internships are available for twelve-week sessions in spring or fall or for six-week summer sessions. For further information, see the White House website, <<http://www.whitehouse.gov/government/wh-intern.html>>.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. Which of the following is one of the president's checks on Congress?
 - a. commander-in-chief power
 - b. appointment power
 - c. ability to grant pardons
 - d. administrative head of the nation
 - e. veto power
2. Which of the following presidential powers would need approval by two-thirds of the Senate?
 - a. commander-in-chief power
 - b. appointment power
 - c. ability to grant pardons
 - d. administrative head of the nation
 - e. veto power
3. What term do we use to describe presidential directives that create or modify laws and public policies without the direct approval of Congress?
 - a. executive orders
 - b. executive mandates
 - c. delegation of powers
 - d. inherent powers
 - e. veto powers
4. The Constitution empowers the president in all of the following ways *except*
 - a. to act as administrative head of the nation.
 - b. to act as chief of his political party.
 - c. to act as commander-in-chief of the military.
 - d. to make treaties.
 - e. to appoint federal officers.
5. When President Lincoln blockaded Southern ports, what authority allowed him to do so?
 - a. the inherent powers of the presidency
 - b. a congressional delegation of power
 - c. executive privilege
 - d. the War Powers Resolution
 - e. the executive mandates
6. When government is unable to act on policy issues, how do we describe that situation?
 - a. a congressional quagmire
 - b. a presidential fault line
 - c. gridlock
 - d. congressional veto
 - e. congressional stalemate

7. Which of the following would not be considered a part of the Executive Office of the President?
 - a. White House Chief of Staff
 - b. Office of Management and Budget (OMB)
 - c. National Security Advisor
 - d. Secretary of State
 - e. All of the above
8. According to the Constitution, what entity has the power to act as commander-in-chief of the military?
 - a. the Congress
 - b. the president, with the advice and consent of the Senate
 - c. the Supreme Court of the United States
 - d. the president, on the advice of the National Security Council
 - e. the president
9. When a president contends that the voters have given him a special endorsement of his policies in an election, what is he claiming?
 - a. inherent powers
 - b. a mandate
 - c. a congressional delegation of power
 - d. pardon power
 - e. home rule advantage
10. Which of the following has not been a major factor in increasing presidential power?
 - a. constitutional amendments expanding presidential power
 - b. the theory of inherent presidential power
 - c. crises such as war or depression
 - d. congressional delegations of power
 - e. increasingly aggressive use of formal powers
11. When contemporary presidents face resistance from Congress, what do they typically do?
 - a. bargain with a small number of party and committee leaders
 - b. not rely on public appearances to promote their objectives
 - c. rally broad coalitions of public support to pressure Congress to act
 - d. rely exclusively on party loyalty to win key votes
 - e. rely on the power of the veto
12. In recent times, presidents have relied most heavily for advice on which of the following?
 - a. the cabinet
 - b. the House of Representatives
 - c. the Senate
 - d. the vice president
 - e. the White House staff
13. What is the War Powers Act an example of?
 - a. Congress restricting the power of the president
 - b. delegation of powers
 - c. executive order
 - d. inherent powers of the president
 - e. the Supreme Court limiting presidential power

14. President Bush suggested what major change in conducting our foreign policy?
 - a. building international coalitions
 - b. deployment of troops abroad without a declaration of war
 - c. preemptive military action
 - d. promoting democracy and freedom
 - e. reduction in the scope and use of military force
15. What did the Articles of Confederation provide for?
 - a. no head of state
 - b. a parliamentary government
 - c. a powerful head of state
 - d. a president similar to the one defined in the Constitution
 - e. a weak head of state
16. Who was the first president to have an M.B.A. degree?
 - a. Jimmy Carter
 - b. Bill Clinton
 - c. Gerald Ford
 - d. George W. Bush
 - e. Harry Truman
17. What term do we use to describe the first one hundred days in office during a president's first term?
 - a. gridlock
 - b. honeymoon effect
 - c. mandate model
 - d. Mondale model
 - e. constitutional mandate
18. What do we call the situation in which one party controls Congress while the other party controls the White House?
 - a. the separation of powers
 - b. checks and balances
 - c. pluralism
 - d. divided government
 - e. cabinet government
19. As originally ratified, the Constitution included which of the following among its requirements for presidential candidates?
 - a. a natural born citizen who has lived in the United States for at least 14 years
 - b. a male at least 35 years of age
 - c. a white male at least 35 years of age
 - d. a property owner
 - e. None of the above
20. Who is third in line to become U.S. president if the sitting president becomes incapacitated?
 - a. the secretary of state
 - b. the attorney general
 - c. the secretary of defense
 - d. the speaker of the House
 - e. the president pro tempore

21. How would we best describe the contemporary role of the president in the legislative process?
 - a. The president proposes and Congress disposes.
 - b. Under the separation of powers, the president distances himself from the process.
 - c. The president may serve as chief lobbyist and be active in all stages of legislation.
 - d. The president is active only if his party controls Congress.
 - e. The president can largely determine the content of legislation passed by Congress.
22. What is the major communications link between the president and Congress?
 - a. the legislative liaison staff
 - b. the vice president
 - c. the cabinet
 - d. the Office of Management and Budget
 - e. the Government Accountability Office
23. Which of the following is not one of the chief “roles” of the U.S. president?
 - a. commander-in-chief
 - b. chief diplomat
 - c. chief lobbyist
 - d. chief lawmaker
 - e. national leader
24. Which of the following is not one of the four fundamental objectives of our President in Foreign Relations?
 - a. fostering a peaceful international environment
 - b. mediates conflict and facilitates bargaining
 - c. assist with humanitarian aid around the globe, as needed
 - d. ensure stability and enforce negotiated peace plans
 - e. direct protection of the U.S. from external threats
25. Which of the following is true about executive orders?
 - a. They require the approval of Congress.
 - b. They carry the weight of law.
 - c. They require the approval of the Supreme Court.
 - d. They are explicitly described in the Constitution.
 - e. None of the above

Essay Questions

1. Does divided government mean we must suffer through “gridlock?” Draw on research discussed in the chapter in formulating your answer.
2. What are the major constitutional powers of the presidency and how have they changed through the years?
3. Explain the constitutional role of the vice president and how that position has changed according to the will of the president that they serve under.
4. What factors influence the level of presidential approval? Discuss both factors that tend to reduce approval ratings and factors that tend to drive up approval ratings.
5. How did the events of September 11 affect the power of President Bush? Are these changes a new direction, or do they continue trends that were observed prior to the attacks?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. e
2. b
3. a
4. b
5. a
6. c
7. d
8. e
9. b
10. a
11. c
12. e
13. a
14. c
15. a
16. d
17. b
18. d
19. b
20. e
21. a
22. a
23. d
24. c
25. b

CHAPTER 13

The Bureaucracy

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- List key factors that have contributed to the growth of the American bureaucracy.
- Explain the difficulties that surround efforts to reduce the size of the bureaucracy.
- Outline the basic types of organizations that make up the bureaucracy.
- Explain why presidents often feel they have inadequate control of the bureaucracy.
- Describe the formal and informal processes of bureaucratic policymaking.
- Explain the “rational comprehensive” model of decision making and compare it with real-world decision-making.
- Give the main reasons why policies fail at the implementation stage.
- Describe the three major initiatives to reform the bureaucracy.

THE BUREAUCRACY AND THE CHALLENGE OF DEMOCRACY

After the 9/11 terrorist attacks, mistakes by federal agencies—security vulnerabilities left unchecked by the FAA and information not made public by the FBI—drew the attention of the media and elected officials. One fundamental and controversial reform—the creation of the Department of Homeland Security—came about as a result of this criticism. Responses to September 11 illustrate the dilemma created by Americans rejecting big government but wanting the services big government provides. Every day, through the bureaucracy, the government is involved in hundreds of situations that involve conflicts among the values of freedom, order, and equality. Departments, bureaus, and agencies are required to make rules, to adjudicate, and to exercise administrative discretion to fill in the details left out of legislation passed by Congress. In their effort to achieve legislative goals, do bureaucrats go too far? Does the bureaucracy try to do too much? Is it out of control and out of touch?

From a majoritarian standpoint, the answers to these questions would seem to be yes. In recent years, the public has shown a preference for a smaller bureaucracy. Once again, however, we see the impact of pluralism on the American system. The various bureaus, agencies, and departments exist to do what some part of the population (call it a faction or an interest group) wants government to do. Often, the bureaucracy balances competing interests, thus doing a job political scientists think is essential if pluralism is to be democratic.

Efforts to reform the bureaucracy may run into trouble because of pluralist politics. Interest groups that have built up contacts with existing agencies will fight reorganization. Deregulation offers another method of reducing the bureaucracy, but it raises anew the fundamental questions related to the scope of government. It may provide greater freedom, but it may also result in inadequate protection, thus undermining order.

CHAPTER OVERVIEW

Organization Matters

The large, complex mass of organizations that administer the nation's laws and implement government policies is known as the bureaucracy. Although there is no perfect way to structure all bureaucracies, it is clear that a bureaucracy's organization directly affects its ability to perform effectively.

Development of the Bureaucratic State

Government at all levels has grown enormously in the twentieth century. This growth results from several factors:

- Increasing complexity of society and the range of functions embraced by government
- Changing attitudes about government's responsibilities to society and government's role in the marketplace
- Ambitious officials who wish to expand their organizations to serve their clients more fully

On the whole, the public has little confidence in the government, but cuts in the government's size are difficult, since each part of the bureaucracy does a job some part of society wants done. Interest groups with a stake in an agency or department will often organize to resist cuts. Pressure to restrict the federal bureaucracy but preserve government programs has led to a gradual devolution of authority to state and local government and increasing use of private for-profit firms and non-profit organizations to deliver government services.

Bureaus and Bureaucrats

The bureaucracy is not a unified entity but a collection of dozens of government organizations, including the following:

- Fifteen departments—cabinet-level organizations that cover broad areas of government responsibility and contain within them numerous subsidiary offices and bureaus
- Independent agencies and regulatory commissions—not part of any cabinet department and controlled to varying degrees by the president
- Government corporations—organizations that provide services, such as mail delivery and passenger rail, that could be provided by the private sector but have been made public because Congress decided it better serves the public interest

Many of the 2.8 million workers in the federal bureaucracy are part of the civil service, a system established to fill government jobs on the basis of merit rather than political patronage. The overall composition of the federal bureaucracy generally mirrors the population and a much broader spectrum of Americans are represented in higher-level civil service positions than either high-level corporate managers or high-level political appointees.

Although presidential appointees fill the top policymaking jobs in the federal bureaucracy, the bulk of civil service employees are independent of the chief executive. Even if they support the objectives of the president, agency administrators are constrained by demands from members of Congress and the scrutiny of organized groups attentive to agency policy choices.

Administrative Policymaking: The Formal Processes

Congress gives the cabinet-level departments and agencies it creates administrative discretion—that is, authority to make policy within certain guidelines. Sometimes the guidelines are vague. The wide latitude Congress gives the bureaucracy sometimes leads to charges that the government is out of control. But Congress does have the power to review the legislation that establishes bureaucratic organizations. It also controls the purse strings. Informal contacts between members of Congress and agency personnel also help Congress communicate its intentions to the bureaucracy.

Administrative discretion is exercised through rule-making—the quasi-legislative process of formulating and issuing regulations. Regulations have the force of law. They are created in accordance with a formal procedure that allows affected parties to register their views. Regulations serve to balance the needs of society. A regulation-writing agency (such as the FDA) may attempt to strike a compromise between interests, but frequently compromises fail to please either side.

Administrative Policymaking: Informal Politics

Real-world decision making in government does not really resemble the textbook “rational-comprehensive” model, in which administrators rank their objectives and carefully weigh the costs and benefits of all possible solutions to a problem. In practice, policymakers find that their values often conflict—that their time, information, and options are limited, and the decisions that are best in theory may in reality be politically impracticable. Policymaking becomes a matter of “muddling through” and tends to be incremental, with policies changing only very gradually over time.

Bureaucracies develop written rules and regulations to promote efficiency and fairness. In addition, certain unwritten rules and norms evolve, influencing the way people act on the job. Employees in a bureaucracy—the bureaucrats—wish to advance their careers, and as a result they may avoid rocking the boat—that is, engaging in behavior that might violate written or unwritten canons.

Problems in Implementing Policy

Policies do not always do what they are designed to do. To find out why, it is necessary to look beyond the process of policymaking, to policy implementation. Policies may fail because the directives concerning them or their implementation may be vague, or because lower-level officials have too much discretion. Programs may fail because of the complexity of government; the necessary coordination among federal agencies or among federal, state, and local agencies may be impossible to achieve. Policies may also fail because policymakers overestimate the capacity of an agency to carry them out. While bureaucrats have often been criticized for having too much discretion, more recently critics have charged that bureaucrats need more flexibility to be able to tailor their solutions to fit the specific context.

Reforming the Bureaucracy: More Control or Less?

Because organization makes a difference in a bureaucracy’s ability to achieve its goals, people in government often tinker with organizational designs to make bureaucracy more effective. Three different reform strategies have emerged in recent years: deregulation, competition and outsourcing, and performance standards. The use of performance standards was mandated when Congress passed the Government Performance and Results Act. The act requires each agency to develop strategic plans describing overall goals, objectives, and performance plans, and to publish reports with performance data on each measure.

KEY TERMS

bureaucracy

bureaucrat

department

independent agency

regulatory commission

government corporation

civil service

administrative discretion

rule making

regulations

incrementalism

norms

implementation

regulation

deregulation

competition and outsourcing

Government Performance and Results Act of 1993

RESEARCH AND RESOURCES

The U.S. government bureaucracy is large and complex, but there are some good reference tools to help you make sense of it. The *United States Government Manual*, published annually and billed as the official handbook of the federal government, contains detailed information on all three branches of government as well as extensive material on departments and agencies. Typically, each agency description provides a list of the principal officials, a summary of the purposes and role of the agency, an outline of the legislative or executive functions, and a description of the agency's activities. In the back, the manual offers organizational charts of each agency it describes. It is now available on the Internet in searchable form at <<http://www.gpoaccess.gov/gmanual/index.html>>. For links to home pages of individual federal departments and agencies, check out:

<<http://www.gpoaccess.gov/agencies.html>>

Congressional Quarterly's Federal Regulatory Directory, 11th ed. (Washington, D.C.: Congressional Quarterly Press 2003) contains much of the same information found in the *United States Government Manual*, though this work is not updated as frequently. It does have some other useful features, however. It opens with an introductory essay on the regulatory process, exploring the history of regulation and current trends and issues. There are detailed profiles on major regulatory agencies, including analyses of their past histories, current issues, and future prospects. Biographical sketches of major administrators within each agency are included also.

USING YOUR KNOWLEDGE

- Using the *Federal Regulatory Directory* and the *United States Government Manual*, prepare a profile of at least two government departments. Outline the functions, present status, and future prospects of each. How large are their budgets? How many persons does each employ? Have these figures increased or decreased? Have its responsibilities grown or decreased recently?
- Visit the websites for the agencies you profiled in question 1. Describe the information presented. Note the similarities and differences between the sites. What types of users would each site serve best?

GETTING INVOLVED

As the chapter noted, the national government employs people all over the country in virtually every field imaginable. If you are interested in government, you may want to consider a career working in one of the many departments, bureaus, or agencies of the federal system. As we noted in the text, all federal government employees (except for a very few political employees at the highest levels) are part of the civil service merit system. What should you do if you are interested in joining their ranks?

In the past, the Office of Personnel Management played the biggest role in the hiring process, but now the process is more decentralized. This means that in addition to visiting the Federal Job Information Center in your area and filling out Standard Form 171 (SF 171), the basic résumé form required in order to apply for most federal jobs, you'll also want to contact particular agencies where you think your talents and interests could be put to use. If you are interested in positions in the area of international affairs, be sure to look at the Getting Involved section in Chapter 20.

There are many useful resources to help you learn more about the federal job-seeking process. Here are two:

- Krannich, Ronald, and Caryl Krannich. *Find a Federal Job Fast! Cutting the Red Tape of Getting Hired*. 4th ed. Woodbridge, VA: Impact Publications, 1998.
- Damp, Dennis. *The Book of U.S. Government Jobs: Where They Are, What's Available, and How to Get One*. 8th ed. McKees Rock, PA: Bookhaven Press. 2002.

Be warned: despite the title of the Krannich and Krannich book, getting a government job is not always a quick process.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

- How many agencies and employees were merged together to form the new Department of Homeland Security?
 - 8 agencies and over 55,000 employees
 - 11 agencies and over 60,000 employees
 - 18 agencies and over 120,000 employees
 - 22 agencies and over 170,000 employees
 - 25 agencies and over 230,000 employees

2. How large is the U.S. government compared to other western democracies?
 - a. relatively large
 - b. relatively small
 - c. offers a more extensive array of services
 - d. imposes a higher tax burden on citizens
 - e. employs a higher proportion of the nation's workers
3. What do we call the practice of filling government jobs with political allies or cronies?
 - a. norms
 - b. rule making
 - c. civil service
 - d. patronage
 - e. deregulation
4. What do we call the large units of the executive branch, whose heads are the members of the president's cabinet?
 - a. government corporations.
 - b. bureaus.
 - c. regulatory commissions.
 - d. independent agencies.
 - e. None of these
5. Why did we create the regulatory commissions?
 - a. They were created solely due to political pressure.
 - b. Congress needed to control consumers and businesses.
 - c. To give more power to interest groups.
 - d. To police unfair business practices or protect integrity of markets.
 - e. They were needed to protect new market monopolies.
6. Generally, how does our government usually reduce government?
 - a. It cuts specific programs.
 - b. It cuts personnel.
 - c. It cuts funding.
 - d. It combines agencies into one department.
 - e. It splits departments into specific agencies.
7. What new program was created in response to the bankruptcies of Enron and WorldCom?
 - a. the Security and Exchange Commission
 - b. the Transportation Security Administration
 - c. the Accounting Regulation Board
 - d. the Citizen-Company Oversight Commission
 - e. the Public Company Accounting Oversight Board
8. How has our national government been able to meet the service and benefits needs of a growing population while shrinking the size of the national government?
 - a. deregulation
 - b. patronage
 - c. analytical budgeting
 - d. implementation
 - e. incrementalism

9. What term do we use to describe the formal administrative procedure that results in the issuance of regulations?
 - a. adjudication
 - b. rule making
 - c. reorganization
 - d. implementation
 - e. incrementalism
10. In most situations, how does our bureaucracy create the “best” policy?
 - a. outsourcing
 - b. common sense
 - c. asking Congress
 - d. asking the president
 - e. None of these
11. What do we call the informal and unwritten rules of behavior in government agencies?
 - a. incrementalism
 - b. patronage
 - c. norms
 - d. civil service
 - e. deregulation
12. Why don’t administrative decisions follow the “rational comprehensive” model?
 - a. Policymakers have precise goals and values.
 - b. Policymakers typically consider only a limited range of feasible solutions.
 - c. Administrative decisions are rarely incremental.
 - d. Administrative decisions are never guided by evaluations of efficiency.
 - e. Congress controls most administrative decisions.
13. In which area does Congress tend to allow the broadest discretion?
 - a. domestic and international security
 - b. regulation of food and drugs
 - c. environmental regulation
 - d. education
 - e. regulation of the media
14. Why do policies sometimes fail at the implementation stage?
 - a. Policy directives are unclear.
 - b. Coordination among implementing agencies is weak.
 - c. Policymakers have unrealistic expectations about an agency’s capabilities.
 - d. Government functions are technically complex.
 - e. All of the above
15. When policies change slowly, bit by bit, step by step, over time, policymaking is said to be characterized by what?
 - a. a planning-programming budgeting system
 - b. total quality management
 - c. management by objective
 - d. incrementalism
 - e. merit criteria

16. What have recent efforts to reform the bureaucracy tended to emphasize?
 - a. less reliance on the mechanisms of free market.
 - b. more reliance on the mechanisms of free markets.
 - c. regulation.
 - d. centralization of power in Washington, D.C.
 - e. the elimination of clear performance standards.
17. Where do departments, agencies, and corporations receive their official mandates from?
 - a. the Constitution
 - b. the president
 - c. Congress
 - d. organized interests
 - e. citizens
18. In comparison with citizens in western European democracies, Americans spend _____
 - a. a higher percent of GNP and receive roughly the same benefits and services.
 - b. a higher percent of GNP and receive more benefits and services.
 - c. a lower percent of GNP and receive roughly the same benefits and services.
 - d. a lower percent of GNP and receive fewer benefits and services.
 - e. roughly the same percent of GNP and receive the same benefits and services.
19. According to the text, which of the following did not spur the growth of bureaucracy?
 - a. scientific and technological change
 - b. the desire to regulate business
 - c. the decline of the belief in progress
 - d. the belief that government should play a role in social welfare programs
 - e. ambitious and powerful bureaucrats
20. What was the civil service merit system supposed to reduce?
 - a. patronage
 - b. competence
 - c. decentralization
 - d. pork barrel politics
 - e. incrementalism
21. What did the Reinventing Government initiative propose?
 - a. to expand the power and influence of presidential appointees
 - b. to give Congress more oversight control
 - c. to run government like a business and outsource more
 - d. to adopt Total Quality Management philosophy
 - e. to diminish administrative discretion for agencies
22. What was the major problem with relief efforts after Katrina from a bureaucratic position?
 - a. No problem—it just takes time to organize large relief efforts.
 - b. There were equipment delays and foul ups in scheduling.
 - c. Congressional oversight got in the way because they kept changing directives.
 - d. State and local officials interfered and slowed down federal relief efforts.
 - e. No clear chain of command, which made coordinating relief much more difficult.
23. What is the new major initiative that holds agencies accountable for their performance?
 - a. the Pendleton Act
 - b. the Government Performance and Results Act of 1993
 - c. the Reinvention of Government Act of 1996
 - d. the America First and Foremost Initiative
 - e. the Accountability Act of 1998

24. Which of the following is an example of an independent agency?
 - a. the National Endowment for the Arts
 - b. the Office of Management and Budget
 - c. the U.S. Postal Service
 - d. National Aeronautics and Space Administration
 - e. the Department of Education
25. Devolution is associated with what changes in the delivery of government services?
 - a. More government programs at the state and local level
 - b. Fewer nonprofit organizations involved in delivery of services
 - c. Fewer block grants
 - d. Fewer private contracts for delivery of services
 - e. More government programs at the federal level

Essay Questions

1. Why was the civil service system introduced? Why might the system be frustrating to presidents?
2. What recent efforts have tried to reform the bureaucracy? Explain the objectives and content of each reform strategy.
3. What does it mean to act “bureaucratically”? How do “by-the-book” bureaucrats actually advance democratic values?
4. What is devolution? How has devolution affected the delivery of government services in the United States?
5. Compare and contrast the successes and failures of the new Homeland Security Department.

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. d
2. b
3. d
4. e
5. d
6. b
7. e
8. a
9. b
10. e
11. c
12. b
13. a
14. e
15. d
16. b
17. c
18. d
19. c
20. a
21. d
22. e
23. b
24. d
25. a

CHAPTER 14

The Courts

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Explain the concept of judicial review and how it was established in *Marbury v. Madison*.
- Sketch the basic organization of the federal court system.
- Explain the role of the federal district courts and federal appeals courts.
- Describe two ways in which judges exercise a policymaking role.
- Outline the routes by which cases come to the Supreme Court.
- Describe the formal procedures at the Supreme Court's biweekly conferences.
- Explain ways in which justices, particularly the chief justice, influence court decisions.
- Describe the process of appointment to the federal judiciary.
- Evaluate the Supreme Court as an instrument of pluralist or majoritarian democracy.

THE COURTS AND THE CHALLENGE OF DEMOCRACY

In the American system, the courts interpret the law. Courts are made up of judges, and judges bring their own value systems with them to the job. Each judge will give a different weight to freedom, order, and equality. Since federal judges hold lifetime appointments to insulate them from politics, a president's judicial appointees will continue to make decisions long after he leaves office. They may do so without regard for the will of the majority. The decision of the Supreme Court in the 2000 election overturned the ruling of the Florida Court and set aside a constitutional crisis, raising the question of partisanship on the part of the Supreme Court.

When judges interpret laws and precedents loosely, in ways that are heavily influenced by their own values, they are said to be judicial activists. When they stick closely to the letter of the law and let their own preferences intrude as little as possible, they are said to exercise judicial restraint. Is judicial activism compatible with democracy? Sometimes it has promoted democratic ends—as in the “one person, one vote” decisions, for example. But the judiciary itself is the least democratic branch of government. Its members are protected from popular control, because they are appointed, not elected, to serve life terms. Through judicial review, the Supreme Court may, and has, overruled acts of the popularly elected Congress. The power of the Supreme Court in the 2000 presidential election posed a problem for democratic theory, which is based on the right of the people to determine their elected officials.

CHAPTER OVERVIEW

In American democracy, the court system is involved in many decisions. Yet, the courts themselves are largely beyond democratic control. Judges are limited by statutes and precedents, but they still have substantial leeway in deciding how to interpret them. Thus their own values often influence their interpretations, setting the stage for judicial restraint or judicial activism.

National Judicial Supremacy

The founders could not agree on the details concerning the structure of the federal judiciary. So after creating a single Supreme Court, they left most of the details up to the First Congress. By the Judiciary Act of 1789, Congress established a system made up of district courts, circuit courts, and the Supreme Court.

Under Chief Justice John Marshall, the Supreme Court developed into a powerful branch of government that could check the power of other branches through its use of judicial review. Judicial review was interpreted from the *Marbury v. Madison* case, where the Court established itself as the final authority on the meaning of the Constitution.

The Organization of the Courts

The American court system is complex. In addition to a national system, there are separate court systems operating in each state. The main entry points for cases into the national judicial system are the 94 federal district courts, which hear criminal cases involving violations of federal law, civil cases brought under federal law, cases in which the federal government is the plaintiff or defendant, and civil cases between citizens of different states when more than \$75,000 is at issue.

Federal courts handle far fewer cases than do state courts, but the number of cases in federal courts has grown and is generally related to the overall level of social, political, and economic activity in the nation.

Judges exert a policymaking function by applying rules (precedents) established in prior decisions (common or “judge-made” law) and by interpreting legislative acts (through a process of “statutory construction”).

Appeals may be carried from federal district courts to one of the thirteen courts of appeals. Judges in the appeals courts sit in panels of three. They write and publish opinions on the cases they hear. These opinions establish legal precedents that serve as a basis for continuity and stability, following the principle of *stare decisis*.

Since relatively few cases are ever actually brought to the Supreme Court, the decision of a lower court is usually the final word. The decentralization of the system allows for individual judges in various district or circuit courts to interpret laws differently; this lack of uniformity may cause difficulties until discrepancies are resolved by a Supreme Court decision.

The Supreme Court

The Supreme Court makes national policies—its decisions affect the nation as a whole. The Court’s caseload includes a few cases that it hears as part of its original jurisdiction under the Constitution, but the main body of cases comes to the Court on appeal from lower courts or state courts.

The Court controls its docket and hears very few cases, less than 100 a year. Cases usually come to it only after all other avenues have been exhausted and must concern a substantial federal question. At least four justices must agree to hear a case, or it is not argued before the Court.

In deciding which cases to review, the Court often takes cues from the solicitor general, the Department of Justice official who represents the government before the Court. The solicitor general performs a dual role as an advocate for the president's policy preferences, and as an officer of the Court, defending the institutional interests of the federal government.

After a case has been heard, the nine judges meet in conference to discuss their positions. A formal vote decides the outcome. As they approach cases, justices may differ in their view of their role. Some may practice judicial restraint, trying to stick closely to the intent of the legislators who made the law and to previous decisions of the courts. Other justices may take on the role of judicial activist, interpreting the law more loosely and in accord with their own policy preferences. In recent history, as a result of many activist judges' support for liberal ideas, judicial activism has been associated with liberalism. But the decision in the case of *Bush v. Gore* proves that conservative judges can also become judicial activists. Although justices may agree on what the particular result of a case should be, they may not agree fully on the legal reason for the decision. In the Supreme Court's policymaking, both the Court's decision and the reasons offered for it are important. The opinion, or explanation of reasons for a decision, is critical. Sometimes justices may shift their votes if they do not believe an opinion is based on legal reasoning they are able to support.

Justices will try to win the support of their fellow justices in conference and also through their opinion writing. They may also try to influence the selection of personnel for the Court.

The chief justice is particularly well-placed to exercise leadership on the Court. He or she directs the conference and, by tradition, speaks first and votes last in court deliberations. When voting with the majority, the chief justice assigns the opinion. Astute use of these powers can make the chief justice an intellectual leader, a social leader, and a policy leader, although perhaps only Chief Justice Marshall ever fully filled all three roles.

Judicial Recruitment

There are no formal constitutional qualifications for federal judgeships, though a set of standards has evolved. By law, judges must be approved by the Senate. Over the years, an informal practice known as "senatorial courtesy" has given the senior senator of the president's party a substantial amount of control over judicial appointments in his state, although this power is not as extensive as it once was. In addition, the American Bar Association screens candidates and ranks them as qualified or unqualified for office, though it has come to play a diminished role in the appointment process.

Presidents generally seek to appoint judges who share their ideological orientation. Thus, while President Carter sought judges who mirrored the population in race and gender, Presidents Reagan and Bush looked for judges who valued order and appointed fewer women and minorities to the federal bench. President Clinton, like President Carter, sought greater diversity in his appointments.

The Consequences of Judicial Decisions

Only a small percent of federal cases wind up in court. Many civil cases end in out-of-court settlements. In criminal cases, defendants often admit guilt and plea bargain.

Although the courts have the power to make judgments, they do not have the power to implement the policies they make. They must rely on the other branches of government for that. Judicial opinions are not always popular. Courts as institutions may appear to be countermajoritarian. Yet, a study of Supreme Court decisions shows that the Court mirrored public opinion in more than 60 percent of its decisions. (Two major exceptions are the abortion issue, where the public is sharply divided, and school prayer, where the public opposes the Court's decisions.) The key reasons for this are that the Courts tends to defer to the law, and the law tends to mirror public opinion. Despite the controversy over the

decision in the election of 2000, the Gallup Poll showed no erosion of public confidence in the Supreme Court.

The Courts and Models of Democracy

The major question in evaluating the role of the courts as creators of policy concerns how far judges stray from existing statutes and precedents. Majoritarians want judges to cling closely to the letter of the law, leaving it to the elected legislature to decide how much emphasis to put on equality or order. Pluralists think the values of judges should come into play to advance the values and interests of the population. Several aspects of the judicial system make it conform to the pluralist model. Among these are the decentralized court system, which offers multiple access points to the legal system, and class action suits, which allow individuals to pool their claims.

KEY TERMS

judicial review

criminal case

civil case

plea bargain

common (judge-made) law

U.S. district courts

U.S. courts of appeals

precedent

stare decisis

original jurisdiction

appellate jurisdiction

federal question

docket

rule of four

solicitor general

amicus curiae brief

judicial restraint

judicial activism

judgment

argument

concurrence

dissent

senatorial courtesy

class action

RESEARCH AND RESOURCES

An excellent starting point for research on the Supreme Court is *Congressional Quarterly's Guide to the U.S. Supreme Court*, 3rd ed. (Washington, D.C.: Congressional Quarterly Press 1996). This hefty volume contains a brief (sixty-page) overview of the origins and development of the Court and detailed analyses of the role of the Court in the federal system, of Court decisions on individual rights, of pressures on the Court, and of the Court at work. It includes brief biographies of every justice who ever served on the Court and short summaries of major decisions.

What if you need more than a brief summary of a case—what if you must examine the actual opinion handed down by the Court? Suppose, for example, that you wanted to find the Supreme Court decision that forced President Nixon to surrender the Watergate tapes. The Internet really simplifies the task. One method would be to use “Findlaw: Internet Legal Resources” at <<http://www.findlaw.com>>. Not only does this site provide information about law schools and a wide array of legal subjects, but it also provides the text of Supreme Court and Circuit Court opinions (back to 1893) and allows you to search using the names of the parties to the case, the citation of the case, or words found in the text of the opinion (start at “U.S. Law: Cases and Codes” under “For Legal Professionals”). At the “Oyez” site, <<http://www.oyez.org/oyez/frontpage>>, you locate cases by selecting from a number of keywords. If you are not able to use the Internet, consult the subject index in the back of *Guenther's United States Supreme Court Decisions*. Look up the word “Watergate” and you will find a reference leading to the place where the case you want appears in the listing in the front of the book. Regardless of the source you use, you will find the case cited as *United States v. Richard M. Nixon*, 418 US 683. This citation for the case refers to where it appears in *U.S. Reports*, the official version of the opinion published by the U.S. Government Printing Office. The number preceding “US” indicates the volume number, while the number following “US” gives the page number where the case is to be found.

Sometimes, if you are working on a project that involves references to eighteenth- and nineteenth-century cases, you will find cases cited in this way:

- *Calder v. Bull* (3 Dall. 386), 1798.
- *Fletcher v. Peck* (6 Cr. 87), 1810.
- *McCulloch v. Maryland* (4 Wheat. 316), 1819.

Until 1875, the official reports of the Supreme Court were designated by the last name of the court reporter who recorded the decisions. The abbreviations in the above examples stand for the first three court reporters, whose names were Dallas, Cranch, and Wheaton. The citation for the *McCulloch* case tells you that it will be found in the fourth volume of Wheaton's reports, on page 316.

Here is a list of the early reporters, their dates, and the redesignations assigned to make each conform to the *U.S. Reports* system:

Early Designation	Abbr.	Dates Covered	U.S. Reports	
1–4	Dallas	(Dall.)	(1790–1800)	1–4
1–9	Cranch	(Cr.)	(1801–1815)	5–13
1–12	Wheaton	(Wheat.)	(1816–1827)	14–25
1–24	Howard	(How.)	(1843–1860)	42–65
1–2	Black	(Black)	(1861–1862)	66–67
1–23	Wallace	(Wall.)	(1863–1874)	68–90

To cite a case in a footnote or bibliography, you should include the official name of the case (usually the names of the two parties to the case), the volume of the report where the case appears (for example,

Cr., Wall., U.S.), the page number where the decision may be found, and the year in which the case was decided.

Other Judicial Sites: In addition to providing access to cases, the “Oyez” mentioned above offers an opportunity to listen to the actual oral arguments of a large selection of cases before the Supreme Court, as well as extensive biographical material on the justices and a virtual tour of the Court building. The Federal Judicial Homepage, <<http://www.uscourts.gov/>>, offers general information about the court system as well as a map showing the circuits at <<http://www.uscourts.gov/links.html>>. The American Judicature Society, which promotes the effective administration of justice and includes judges and lawyers as well as lay people in its membership, can be found on-line at <<http://www.ajs.org>>.

USING YOUR KNOWLEDGE

1. Using the procedures outlined in the Research and Resources section above, locate the following cases:

- the *VMI* case
- cases involving *Hustler* publisher, Larry Flynt
- *Roe v. Wade*

Find each opinion online or on the library shelf, and copy the citation from each opinion.

2. Using the resources outlined in the section above, prepare a list of Supreme Court decisions dealing with each of these subjects:

- executive privilege
- children’s rights
- the Internet
- the veto power

Give a full citation for each case.

3. Listen to the oral argument for at least one of the cases you find in question 1 or 2 above.

GETTING INVOLVED

If you see yourself sitting on the Supreme Court some day, perhaps you would like to take a crack at an internship while you are still in college. Most opportunities to work at the Supreme Court take the form of clerkships and are available only to recent law school graduates. There are, however, a small number of highly competitive internships available to undergraduates. Some background in constitutional law is usually expected. Internships are available in summer, fall, and winter. They are unpaid, although a small scholarship may be available. For further information, contact the Supreme Court of the United States, Judicial Internship Program, Office of the Administrative Assistant to the Chief Justice, Room 5, Washington, D.C. 20543. Telephone: 202-479-3374. See <<http://www.supremecourtus.gov/jobs/jip/jiprogram.pdf>>.

Many local law firms and local courts (county and municipal courts) also offer internship opportunities.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. When judges interject their own values into their interpretation of cases, what are they practicing?
 - a. liberalism
 - b. conservatism
 - c. judicial restraint
 - d. judicial activism
 - e. stare decisis
2. What do we call the power to declare acts of Congress invalid?
 - a. judicial review
 - b. judicial restraint
 - c. judicial activism
 - d. adjudication
 - e. original jurisdiction
3. Although powerful, the Supreme Court justices can be checked through what process?
 - a. judicial activism
 - b. judicial review
 - c. executive orders
 - d. impeachment
 - e. statutory constructionism
4. What are the Constitutional qualifications to be a U.S. Supreme Court justice?
 - a. 35 years old, American citizen and 10 years experience as a lawyer
 - b. 35 years old and American citizen
 - c. 40 years old and natural born American citizen
 - d. 40 years old and 10 years experience as a lawyer
 - e. None of these
5. Which level of the Federal Courts System only hears NO cases of original jurisdiction?
 - a. federal district courts
 - b. federal tax court
 - c. federal appellate courts
 - d. U.S. Supreme Court
 - e. They all hear cases of original jurisdiction.
6. Which of the following may Congress not change?
 - a. the organization of district and circuit courts
 - b. the Supreme Court's appellate jurisdiction
 - c. the Supreme Court's original jurisdiction
 - d. the number of justices on the Supreme Court
 - e. the number of judges in the district and circuit courts
7. What do we call a court case stemming from a dispute over something of value?
 - a. a crime
 - b. a civil case
 - c. stare decisis
 - d. a criminal case
 - e. plea bargaining

8. What is the term for the bias in favor of precedents or existing decisions?
 - a. rule of four
 - b. tort
 - c. *amicus curiae*
 - d. judicial review
 - e. *stare decisis*
9. Approximately how many new civil and criminal cases did our federal district courts get in 2004?
 - a. 100,000 or so
 - b. 225,000 or so
 - c. 350,000 or so
 - d. 475,000 or so
 - e. over 500,000
10. On what basis are appeals made?
 - a. guilt or innocence
 - b. based on new evidence
 - c. plea bargain
 - d. rulings and procedure
 - e. *amicus curiae*
11. Which of the following is true about the chief justice?
 - a. assigns all opinions
 - b. assigns opinions when voting with the majority
 - c. speaks last in conference
 - d. votes first in conference
 - e. writes all opinions issued by the court
12. *Bush v. Gore* demonstrated that conservative judges may practice which of the following?
 - a. judicial activism
 - b. judicial restraint
 - c. *stare decisis*
 - d. the rule of four
 - e. *amicus curiae*
13. Supreme Court actions to void parts of the Violence against Women Act and the Americans with Disabilities Act are examples of which power of the court?
 - a. judicial activism
 - b. judicial restraint
 - c. *stare decisis*
 - d. majoritarian democracy
 - e. the rule of four
14. In what two cases can the Supreme Court hold original jurisdiction?
 - a. cases involving Government officials and Ambassadors
 - b. cases involving Ambassadors and the Death Penalty
 - c. cases of Civil Liberties and Civil Rights
 - d. cases of which a State is a party and it involves an elected official
 - e. None of these

15. Which of the following are needed to win a seat on the federal bench?
 - a. a presidential nomination and approval by Congress
 - b. an open election and approval by Congress
 - c. a presidential nomination and approval by the House
 - d. a presidential nomination and approval by the Senate
 - e. None of the above
16. What did the Gallup Polls taken a few months after the 2000 election find?
 - a. An erosion in public confidence in the Supreme Court.
 - b. No erosion in confidence in the Supreme Court.
 - c. That a majority of Americans distrust the Supreme Court.
 - d. Long-term changes in the way that Democrats and Republicans view the Supreme Court.
 - e. None of the above
17. What term do we use to describe the petitions sent to the Supreme Court for their consideration?
 - a. writs of habeas corpus
 - b. writs of certiorari
 - c. plea bargaining
 - d. writ of amicus curiae
 - e. None of these
18. What official has the unofficial title of “the tenth justice?”
 - a. Attorney General
 - b. Speaker of the House
 - c. Chief White House Counsel
 - d. President Pro Tempore of the Senate
 - e. Solicitor General
19. Which of the following must be true in order for a state case to come before the Supreme Court?
 - a. Appeals in the state court system must be exhausted.
 - b. It must raise a legal question.
 - c. It must receive approval from the President.
 - d. All of the above must occur
 - e. None of the above are required
20. Who determines the docket of the U.S. Supreme Court?
 - a. the president.
 - b. the Congress.
 - c. the Supreme Court.
 - d. the Solicitor General.
 - e. the Chief Justice of the Supreme Court.
21. From the “Measuring Judicial Activism” chart, which justice tended more towards activism?
 - a. Justice Rehnquist
 - b. Justice Ginsburg
 - c. Justice Breyer
 - d. Justice Thomas
 - e. Justice Scalia
22. What is the term used to describe a justice who disagrees with a judgment?
 - a. dissent
 - b. concurrence
 - c. ex post facto
 - d. stare decisis
 - e. nolo contendere

23. Why do federal judges have life tenure and protected salaries?
 - a. to keep them responsible to the majority of the people
 - b. to keep them responsible to the legislature that confirmed them
 - c. to keep them responsible to the executive who appointed them
 - d. to keep them independent
 - e. to keep them responsible to organized interests who appear before them
24. What political value was directly endorsed by the Supreme Court in *Brown v. Board of Education*?
 - a. equality
 - b. freedom
 - c. order
 - d. judicial restraint
 - e. judicial review
25. Which legal entity had the ability to pre-screen judicial candidates in the past, but still rates them today after their nomination?
 - a. American Civil Liberties Union
 - b. League of Women Voters
 - c. Federal Bar Committee
 - d. American Bar Association
 - e. Independent Judges Union

Essay Questions

1. Distinguish between judicial restraint and judicial activism. Is there a necessary connection between restraint and activism on the one hand and political ideology on the other?
2. What is “judicial review”? Explain how it was established in *Marbury v. Madison*.
3. What are the steps for a case to be decided by the U.S. Supreme Court?
4. How can a chief justice exert leadership on the Supreme Court? Use concrete examples to illustrate your answer.
5. How does the Supreme Court affect policy in the United States? Use concrete examples to illustrate your answer.

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. d
2. a
3. d
4. e
5. c
6. c
7. b
8. e
9. c
10. d
11. b
12. a
13. b
14. e
15. d
16. b
17. b
18. e
19. a
20. c
21. d
22. a
23. d
24. a
25. d

CHAPTER 15

Order and Civil Liberties

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Know how to differentiate between civil rights and civil liberties.
- Explain how the establishment clause of the First Amendment has been interpreted in cases involving the separation of church and state.
- Show how the free-exercise clause of the First Amendment has been applied to the issues of compulsory saluting of the flag and the use of drugs as a sacrament.
- Describe the two approaches developed by the Supreme Court for dealing with cases involving the free-expression clause of the First Amendment.
- Outline the evolution of the clear and present danger test.
- List the major exceptions to the First Amendment's protection of freedom of speech.
- Discuss how prior restraint, libel, censorship, and shield laws affect freedom of the press in America.
- Explain how the Fourteenth Amendment has been used to extend the protections of the Bill of Rights to citizens in cases involving the states.
- Discuss where the Supreme Court found the right to privacy in the Constitution, and explain how this right has been applied in cases involving medical, sexual and legal confidentiality.

ORDER AND CIVIL LIBERTIES AND THE CHALLENGE OF DEMOCRACY

The opening vignette illustrates how the courts are asked to balance order and freedom. Under what conditions can speech or expression be censored to prevent unrest or disorder? Is criticism of the president likely to promote disorder? This chapter looks at how the courts have resolved conflicts among the three values that are so important to democratic politics—order, freedom, and equality. Court decisions involve a balancing act among these values. A review of the cases in the chapter may lead a person to conclude that not one of these values is ever preferred unconditionally over the others. The freedoms of speech, press, and assembly are all particularly important to the conduct of democracy, yet the Supreme Court has sometimes limited them, in the name of order, when exercising these freedoms would create a very serious danger. Furthermore, where certain types of expression are concerned—for example, obscenity—the Court may choose to uphold the value of order by supporting community standards. On the other hand, the fact that the exercise of these freedoms may offer an affront to the majority and threaten to disrupt established patterns of social order is not always enough to convince the Court to restrict them.

Courts may forbid prayer in public schools under any circumstances, but they may sometimes find that public monies can be used to fund nativity displays or aid church schools. The courts balance freedom and order in these instances.

As a part of the task of upholding order, the government punishes those who violate laws and endanger the lives and property of others. However, those accused of crimes may not be deprived of their freedoms without due process of law. This means, among other things, that they must be informed of their legal rights, including the right to an attorney and to protection against self-incrimination. Enforcing these rights may sometimes mean that guilty people go free, but in balancing order and freedom, the courts often decide that the threat to order posed by freeing a guilty person is less worrisome than the threat to freedom that is posed by denying an accused person due process of law.

With respect to the right to personal autonomy, the Supreme Court has given mixed signals. In cases involving abortion, contraception, and, recently, homosexual activity, the Court has defended individual freedom. But the Supreme Court has tolerated additional restrictions on abortions and remains deeply divided on the issue.

The Court often uses the Bill of Rights to protect citizens from the national government. But the Bill of Rights did not initially apply to the states; while the national government was barred, for example, from using illegally obtained evidence in trials, state courts were not. Gradually in this century, however, the Court has used the Fourteenth Amendment to extend the provisions of the Bill of Rights to the states as well.

CHAPTER OVERVIEW

The Bill of Rights

In the American system, the values of freedom, equality, and order often conflict. In such cases, each side may claim that its view is rooted in the law. Disputes over issues involving such basic values are usually settled in the courts by our unelected judiciary. Conflicts often arise from different views on the rights of citizens, and a major source of people's rights is the Constitution—in the Bill of Rights and the Fourteenth Amendment. The Constitution guarantees civil rights and civil liberties. A civil right declares what the government must do or provide; a civil liberty is a guarantee to individual citizens that acts as a restraint on government.

Freedom of Religion

The First Amendment provides for freedom of religion, speech, press, and assembly. These protections of individual freedoms may conflict with the need for order—an example of the original dilemma of government discussed in Chapter 1. Freedom of religion is guaranteed in two clauses. The first, the establishment clause, forbids any law that would create an official religion; the second, the free-exercise clause, prevents the government from interfering with the practice of religion. The establishment clause erected “a wall of separation between church and state.” The government is also supposed to be neutral between religions and between the religious and the nonreligious. On certain issues, such as government aid to church-related schools, the Supreme Court has allowed what opponents have seen as violations of the establishment clause. Reasoning that textbook loans and transportation are aids to students, not churches, the Court has allowed some support to church schools. In 1971, the *Lemon* test put forth guidelines for determining constitutionality under the establishment clause. The Court loosened its application of the *Lemon* test by allowing public school teachers to provide government-mandated classes to disadvantaged youngsters in New York parochial schools. A 2002 decision upholding school voucher programs further weakened the standards outlined in *Lemon*. The Supreme Court has also relaxed restrictions on the use of public funding for Christmas displays. On the issue of school prayer, however, the Court has maintained a consistent position that public

school prayer violates the establishment clause. In 2000, the Supreme Court struck down the practice of organized student-led prayer at public high school football games.

The free-exercise clause also gives rise to conflicts when the practice of a certain religion leads a person to do what is forbidden by law or to refuse to do what is required by law. A person may not be forced to take a job that requires him or her to work on the Sabbath, but the Court has forbidden participation in traditional religious rituals that involve the use of illegal drugs. The Court reasoned that religious beliefs are inviolate, but antisocial actions in the name of religion are not protected by the Constitution. The perceived narrowing of the range of free expression of religion led Congress to pass the Religious Freedom Restoration Act that required the government to meet strict scrutiny before interfering with religious practices. The Court quickly ruled the popular act unconstitutional, noting that Congress could not change the Constitution.

Freedom of Expression

Freedom of expression, including freedom of speech and freedom of the press, provides a right to unrestricted discussion of public affairs, yet these rights have never been absolute. Initially, the First Amendment clauses seemed aimed at preventing prior restraint. As the First Amendment speech doctrines developed, justices argued that speech creating a “clear and present danger” may be limited. “Symbolic speech” and “fighting words” may receive even less protection, though the Supreme Court has ruled that flag burning is a constitutionally protected form of expression. Obscenity—although hard to define—is not protected by the Constitution, and the Court agreed that the government can regulate distribution of obscene materials. Yet, the Court has also affirmed broad latitude for freedom of speech in cyberspace. In 1999, a federal court issued a permanent injunction closing a website of some anti-abortion advocates who threatened doctors performing abortions.

Freedom of the press, including the ability to collect and report information without government interference, is crucial in a free society. Print media defend this freedom as absolute, although electronic media have had to accept some government regulation. Individuals may sue the media for libel, but public figures must show that there is actual malice involved when publishers print false statements about them. Basically, freedom of the press means freedom from prior restraint. The Court has been reluctant to limit freedom of the press in order to ensure a fair trial. However, reporters are not protected from the demands of law enforcement and may be required to reveal their sources. Only in the most extreme and compelling cases has prior restraint been considered justified, as, for example, when publishing certain material might mean nuclear annihilation.

The First Amendment also provides the right to peaceably assemble and to petition the government for redress of grievances. This right has merged with freedom of speech and freedom of the press under the general heading of freedom of expression.

The Right to Bear Arms

The Second Amendment’s guarantee of the right to keep and bear arms is a source of great controversy. Advocates of gun control see the guarantee as a collective one, centered on the right of states to maintain militias. Opponents of gun control argue that the amendment protects the individual’s right to own guns.

Applying the Bill of Rights to the States

The Bill of Rights was created to put limits on the power of the national government. Initially, its provisions did not apply to states. Under the Fourteenth Amendment, however, nearly all of the items in Bill of Rights have gradually been extended to all levels of government. The Fourteenth Amendment guarantees people due process of law. The Court has interpreted this provision to mean that, in criminal proceedings, defendants in both state and national cases must be told about their constitutional rights,

including their right to remain silent and their right to an attorney. The Court still allows jury size in trials to vary from state to state, however. The right to an attorney is considered fundamental, while the right to trial by a jury of a certain size is not. In one of the important cases of 2000, the court reaffirmed that *Miranda* had a constitutional rule, which Congress could not undermine through legislation. The Fourth Amendment provides people with freedom from unreasonable searches and seizures. The exclusionary rule, which disallows the use of evidence obtained illegally, helps to ensure this right, though this rule has been weakened in recent years. Interpretation of the exclusionary rule continues to divide the Court and serves as an example of the conflict between freedom and order.

The Ninth Amendment and Personal Autonomy

The Ninth Amendment left open the possibility that there were other rights, not enumerated, that might also be free from government interference. In the 1960s and 1970s, the Supreme Court used the Ninth Amendment as the basis for asserting that people have a right to privacy and that that right allows individuals to make their own choices about birth control and abortion. The appointment of conservative justices under Presidents Reagan, G. H. W. Bush, and G. W. Bush placed gay rights and abortion rights in question, but President Clinton's more liberal appointees seem more likely to support those unenumerated rights.

Constitutionalizing Public Policies

The discovery of new rights under the Ninth Amendment creates a difficulty for democracy. It removes questions about value conflicts from the arena of democratic politics and puts them under the protection of the Constitution and the unelected judicial branch.

KEY TERMS AND CASES

Terms

civil liberties

civil rights

establishment clause

free-exercise clause

strict scrutiny

prior restraint

free-expression clauses

clear and present danger test

fighting words

public figures

bill of attainder

ex post facto law

obligation of contracts

Miranda warning

exclusionary rule

good faith exception

Cases

Lemon v. Kurtzman

Sherbert v. Verner

Brandenburg v. Ohio

Tinker v. Des Moines Independent County School District

Cohen v. California

Reno v. ACLU

Miller v. California

New York Times v. Sullivan

New York Times v. United States

Palko v. Connecticut

Gideon v. Wainwright

Griswold v. Connecticut

Roe v. Wade

Lawrence and Garner v. Texas

RESEARCH AND RESOURCES

This chapter deals mostly with the protection and extension of civil liberties as a result of Supreme Court decisions. The text describes the Court's recent discovery of a right to privacy. In the 1970s, Congress also took some measures to protect two individual rights not explicitly specified in the Constitution, namely the right to privacy and the right to information. Congress passed a pair of acts known as the Privacy Act and the Freedom of Information Act. The first of these grants all individuals access to information the government keeps about them; the second gives people a right to see much of the information collected by the government. This section of the study guide outlines methods for using these acts.

If you have used government documents, you have no doubt been amazed by the range of subjects they cover. Published government documents are only the tip of the information iceberg. The government collects information on practically everything, and much of that material is in file drawers and computers in Washington rather than publicly disseminated in the form of published government documents.

How do you get information that is gathered, but not published, by the government? What rights do you have to it?

Answers to these questions are found in the Freedom of Information Act (FOIA). The FOIA, first passed in 1966, marked a revolution in government record handling. The act shifted the burden of proof. Formerly, the person requesting information had been required to convince the government that the material should be provided; now the government must provide information unless it can give a specific reason under the statute why the information should be denied. One Food and Drug Administration official reported that as a result of the FOIA his agency "went from a situation in which about 10 percent of our records were disclosed before the act to a situation where now we estimate about 90 percent of the categories of records we have are disclosed."

The FOIA applies to information held by the administrative agencies of the government (including the executive office of the president), but it does not apply to records held by Congress, the courts, or state

governments (virtually every state has its own act governing availability of public records). In 1974, the FOIA was amended, speeding and easing the process of gaining access to records.

What sort of information may come to light under the FOIA? Here are some examples:

- FBI reports on high-profile deceased individuals at <<http://foia.fbi.gov/room.htm>>
- Records of regulatory agencies concerning pollution control programs (Environmental Protection Agency)
- Government files on UFOs (FBI <<http://foia.fbi.gov/unusual.htm>>)
- Consumer complaints registered with the Fair Trade Commission

Under statute, nine categories of information may be denied you, including agency personnel records, material on criminal investigations that might be an invasion of personal privacy, deprive a person of the right to a fair trial, or compromise a confidential source, and properly classified national defense or foreign policy secrets. For information on how to file an FOIA request, try this Department of Justice site at <<http://www.usdoj.gov/04foia/index.html>>.

The FOIA protects your access to government materials, but under its provisions, you may be denied information of a sensitive or personal nature about individuals. You do have a right to obtain personal information about yourself, however. Under the Privacy Act, if you are an American citizen, you are entitled to access government records kept about you. The government will have records on you in the following instances:

- You have ever applied for a federal grant or loan, including student aid.
- You have ever worked for a federal agency or government contractor or were a member of the armed forces.
- You were ever arrested by your local police and fingerprinted and the FBI has a record of the arrest.
- You have ever traveled abroad and the Department of State has a file on your conduct abroad.
- You have ever received Medicare or social security benefits.

To obtain information under the Privacy Act, follow the procedures sketched out by the FOIA. You can adapt the model to reflect the fact that you are using the provisions of the Privacy Act of 1974, 5 U.S.C. 522a.

For printed information on these two laws, see *A Citizen's Guide on Using the Freedom of Information Act and the Privacy Act of 1974 to Request Government Records*, published by the Government Printing Office.

USING YOUR KNOWLEDGE

1. Follow the process sketched out in the Research and Resources section to prepare a request for information obtainable under the Freedom of Information Act or the Privacy Act.
2. Visit the FBI's electronic reading room, and browse the files for well-known people such as Mickey Mantle, Elvis Presley, John Wayne, and Jackie Robinson. What kinds of information were collected?

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. What entity was the Bill of Rights supposed to limit?
 - a. the federal government
 - b. the U.S. Constitution
 - c. the Congress
 - d. the state governments
 - e. the president
2. Which of the following is another term for civil liberties?
 - a. positive rights
 - b. fighting words
 - c. certiorari
 - d. nolo contendere
 - e. negative rights
3. What do we call the three-pronged test which determines whether aid to church schools is constitutional?
 - a. the *Cohen* test
 - b. the *Miranda* test
 - c. prior restraint
 - d. the *Lemon* test
 - e. the *Miller* test
4. Why was the Religious Freedom Restoration Act struck down by the Supreme Court?
 - a. The Bill of Rights does not apply to the states.
 - b. The city of Boerne did not have standing to sue.
 - c. Congress passed it by a narrow margin.
 - d. It amounted to an amendment of the First Amendment, and Congress alone cannot amend the constitution.
 - e. The Supreme Court could not allow prayer in school.
5. What have recent decisions by the Supreme Court on school voucher programs done?
 - a. validated the *Lemon* test
 - b. strengthened the establishment clause
 - c. weakened the free exercise clause
 - d. lowered the wall separating church and state
 - e. maintained that voucher programs favor religious schools
6. What does the free-exercise clause of the First Amendment provide for?
 - a. It permits all beliefs and practices of all religions.
 - b. It permits all beliefs but allows for limitation of antisocial religious practices.
 - c. It may, in rare cases, allow the government to compel belief.
 - d. It protects belief and practice of Christianity only.
 - e. It allows government to overrule states in times of dire emergency.
7. What term do we use to describe censorship before publication?
 - a. exclusion
 - b. strict scrutiny
 - c. prior restraint
 - d. ex post facto
 - e. stare decisis

8. Our government needs the doctrine of strict scrutiny to do what?
 - a. Conform with constitutional limits on search and seizure.
 - b. Represent a compelling state interest if religious practice is restricted.
 - c. Subject religious practices to careful inspection.
 - d. Stop speeches or acts that careful inspection reveals to be obscene.
 - e. Rarely use the power of the Supreme Court to challenge laws passed by legislatures.
9. Why did the Supreme Court reverse the decision in *Brandenburg v. Ohio*?
 - a. Evidence was gathered illegally.
 - b. They found no crimes were committed.
 - c. It was politically advantageous to do so.
 - d. It pleased the public.
 - e. No evidence that danger was real.
10. Which of the following is true about the Second Amendment?
 - a. Mentions the need for a well-regulated militia.
 - b. Entitles citizens to own any type of weapon.
 - c. Mentions need for state and/or federal licensing restrictions.
 - d. Places burden of enforcement at the federal level.
 - e. All of the above are true
11. Which of the following upholds the idea that “undifferentiated fear of apprehension of disturbance is not enough to overcome the right to freedom of expression?”
 - a. *Palko v. Connecticut*
 - b. *Cohen v. California*
 - c. *Tinker v. Des Moines Independent County School District*
 - d. *Sherbert v. Verner*
 - e. *Gideon v. Wainwright*
12. How have the protections of the Bill of Rights been gradually extended to the states?
 - a. The Fourteenth Amendment.
 - b. The *Slaughterhouse* cases.
 - c. *Barron v. Baltimore*.
 - d. The privileges and immunities clause.
 - e. The Second Amendment.
13. Which of the following cases extended Sixth Amendment provision for a right to counsel to the states?
 - a. *Palko v. Connecticut*.
 - b. *Near v. Minnesota*.
 - c. *Mapp v. Ohio*.
 - d. *Miranda v. Arizona*.
 - e. *Gideon v. Wainwright*.
14. What does the *Miranda* warning do?
 - a. protects against illegal search and seizure
 - b. informs suspects of their right to remain silent and to be represented by an attorney
 - c. informs suspects of their right to a trial by a twelve-person jury
 - d. protects suspects against being placed in double jeopardy
 - e. informs subjects of their right to bear arms

15. Which Amendment was used by the Supreme Court to justify an unenumerated right of privacy?
 - a. First Amendment.
 - b. Second Amendment.
 - c. Sixth Amendment.
 - d. Ninth Amendment.
 - e. Fourteenth Amendment.
16. What did *Roe v. Wade* settle for the nation as a whole?
 - a. upheld order over freedom
 - b. rejected all state regulation of abortion
 - c. allowed abortions during the first three months of pregnancy
 - d. permanently settled the abortion question
 - e. permitted unrestricted state regulation of abortion
17. Which case was used by the Supreme Court to protect the emotive and cognitive elements of speech?
 - a. *Palko v. Connecticut*
 - b. *Cohen v. California*
 - c. *Sherbert v. Verner*
 - d. *Near v. Minnesota*
 - e. *Gideon v. Wainwright*
18. Under current Supreme Court interpretations of the right to privacy, states must permit which of the following?
 - a. unrestricted rights to abortion during the first trimester of pregnancy
 - b. use of birth-control devices
 - c. homosexual sodomy
 - d. abortions in the second trimester when the health of the mother has been protected
 - e. All of the above
19. What do Bills of Attainder accomplish?
 - a. They ban homosexual marriage throughout the United States.
 - b. They eliminated income taxes until overturned by Sixteenth Amendment..
 - c. They allow bills to become law without the President's signature.
 - d. They pronounce an individual guilty of a crime without a trial being held.
 - e. They permit criticism of public officials without fear of retaliation.
20. According to Justice Felix Frankfurter, what has "the history of liberty" been?
 - a. An erosion of the restrictions on religion.
 - b. An observance of procedural safeguards.
 - c. A weakening of the establishment clause.
 - d. A strengthening of the free exercise clause.
 - e. An observance of due process.
21. *Gideon v. Wainwright* concerns which Amendment of the U.S. Constitution?
 - a. First Amendment
 - b. Fourth Amendment
 - c. Fifth Amendment
 - d. Sixth Amendment
 - e. Eighth Amendment

22. In 2000, Justice O'Connor sided with a coalition of liberal justices to strike down which of the following?
 - a. *Roe v. Wade*.
 - b. the *Lemon* test.
 - c. the right to counsel.
 - d. a Nebraska law that banned partial birth abortion.
 - e. the clear and present danger test.
23. Concerning the exclusionary rule, the Supreme Court places a premium which of the following?
 - a. order
 - b. equality
 - c. freedom
 - d. federalism
 - e. free exercise of religion
24. What did the 1996 Defense of Marriage Act accomplish?
 - a. It allowed gay marriage in certain situations.
 - b. It defined marriage as union of opposite sexes and allows states to ignore gay marriage of other states.
 - c. It defined marriage as union between two persons who love each other and ensures legal recognition of same.
 - d. It permitted gay unions, and only recognized marriage between opposite sexes.
 - e. It allowed each state to determine its own policy concerning gay marriage.
25. Before the Fourteenth Amendment was passed and applied to the states, the Constitution still barred both state and national governments from
 - a. passing *ex post facto* laws.
 - b. establishing an official religion.
 - c. denying citizens the right to a jury trial.
 - d. searching property without warrants.
 - e. denying the free exercise of religious practices.

Essay Questions

1. How does the Supreme Court balance the tension between freedom of speech and the value of order? How has this balance changed over time? Provide examples of cases that balance these competing values.
2. Where did the Supreme Court find the right to privacy? Outline activities in this area that are currently protected and those that are exempted from protection.
3. Which Amendments to the U.S. Constitution protect the rights of the accused? Please discuss them in detail.
4. What specific clause created and protects the separation of church and state? Have recent court cases involving public funding of religious schools reinforced or undermined the wall between church and state? Provide examples of cases that define how the government must treat religious schools.
5. In deciding cases involving civil liberties, has the Supreme Court held freedom, equality, or order as an absolute value? Defend your answer by providing examples from cases discussed in this chapter.

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. a
2. e
3. a
4. d
5. d
6. b
7. c
8. b
9. e
10. a
11. c
12. a
13. e
14. b
15. d
16. c
17. b
18. e
19. d
20. b
21. d
22. d
23. c
24. c
25. a

CHAPTER 16

Equality and Civil Rights

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Distinguish between equality of opportunity and equality of outcome.
- Explain why the Civil War amendments proved ineffective in ensuring racial equality.
- Outline the NAACP's strategy for ending school segregation.
- Distinguish between *de jure* and *de facto* segregation.
- Describe the tactics of the civil rights movement and the passage of the 1964 Civil Rights Act.
- Show how protectionist legislation discriminated against women.
- List the major legislative and judicial milestones in the struggle for equal rights for women.
- Explain why women's rights advocates favored the Equal Rights Amendment (ERA) as a way to extend equal rights to women.
- Discuss how affirmative action programs have led to charges of reverse discrimination.

EQUALITY AND CIVIL RIGHTS AND THE CHALLENGE OF DEMOCRACY

With the separate-but-equal decision of *Plessy v. Ferguson* in 1876, the national government tried to sweep the conflict between equality and freedom under the rug. By announcing in *Brown v. Board of Education* in 1954 that "separate is inherently unequal," the national government faced the tension between freedom and equality and the fact that more of one usually means less of the other. The meaning of equality also creates difficulties. Many who agree on the need for equality of opportunity will not support measures they think are geared to produce equality of outcome.

The struggle for civil rights also illustrates the conflict between pluralism and majoritarianism. In accepting the demands of African American citizens, the national government acts in a way that is more pluralist than majoritarian. As Chapter 1 pointed out, majoritarian democracy does what the majority wants and thus may allow discrimination against minorities, even though the substantive outcome (inequality) seems undemocratic.

Thus, questions about what kind of public policies should be adopted to achieve equality are often highly controversial. If the nation wants to promote racial and gender equality among doctors or sheet-metal workers, for example, it may design policies to help previously disadvantaged and underrepresented groups gain jobs in these areas. This practice, however, may lead to charges of reverse discrimination.

African Americans seeking civil rights not only had to contend with being members of a minority group, but they also were largely excluded from the electoral process. Under the leadership of the National Association for the Advancement of Colored People (NAACP), they adopted the strategies of

lobbying legislators and pressing claims before the judiciary, the branch of government least susceptible to majoritarian influences. Later, as the civil rights movement grew (and as majority opinion became more hospitable to their cause), they emphasized the importance of legislation as a method of achieving equality and also used the techniques of civil disobedience to challenge laws they believed to be unjust. This quest for racial equality remains incomplete. A part of a mandatory response to a new UN treaty, the U.S. State Department reported in 2000 that racial discrimination still persists in the United States. Under the same treaty, advocates of racial equality may appeal to an international authority to end racial or other forms of discrimination.

The women's movement offers an interesting contrast to the case of African Americans. Women are not actually a minority group; they are a majority of the population. Yet, in the struggle to pass the Equal Rights Amendment (ERA), pluralism prevailed! Although a majority of Americans favored the amendment, it failed. The amending process, by requiring extraordinary majorities, gives enormous power to minorities bent on thwarting a particular cause.

CHAPTER OVERVIEW

Two Conceptions of Equality

Throughout much of American history, civil rights—the powers and privileges supposedly guaranteed to individuals and protected from arbitrary removal at the hand of government—have often been denied to certain citizens on the basis of their race or sex. The pursuit of civil rights in America has been a story of the search for social and economic equality. But people differ on what equality means. Most Americans support equal opportunity, but many are less committed to equality of outcome.

The Civil War Amendments

After the Civil War, the Thirteenth, Fourteenth, and Fifteenth amendments were passed to ensure freedom and equality for African Americans. In addition, as a response to the black codes, Congress passed civil rights acts in 1866 and 1875 to guarantee civil rights and access to public accommodations. While the legislative branch was attempting to strengthen African American civil rights, the judicial branch seemed intent on weakening them through a number of decisions that gave states room to maneuver around civil rights laws. States responded with a variety of measures limiting the rights of African Americans, including poll taxes, grandfather clauses that prevented them from voting, and Jim Crow laws that restricted their use of public facilities. These restrictions were upheld in *Plessy v. Ferguson*, which justified them under the separate-but-equal doctrine. By the end of the nineteenth century, segregation was firmly and legally entrenched in the South.

The Dismantling of School Segregation

The NAACP led the campaign for African American civil rights. Its activists used the mechanism of the courts to press for equal facilities for African Americans and then to challenge the constitutionality of the separate-but-equal doctrine itself. In 1954, in *Brown v. Board of Education*, a class-action suit, the Supreme Court reversed its earlier decision in the *Plessy* case. It ruled that “separate educational facilities are inherently unequal” and that segregated schools must be integrated “with all deliberate speed” under the direction of the federal courts. The Court thus ordered an end to school segregation that had been imposed by law (*de jure* segregation), but in many parts of the country segregation persisted, because African Americans and whites lived in different areas and sent their children to local schools (*de facto* segregation). This problem led the courts to require the unpopular remedy of bussing African American and white children as a means of integrating schools. By 1974, however, the Supreme Court began to limit bussing as ordered by the judicial branch.

The Civil Rights Movement

The NAACP's use of the legal system ended school segregation and achieved some other, more limited, goals, but additional pressure for desegregation in all aspects of American life grew out of the civil rights movement. The first salvo in the civil rights movement came when African Americans in Montgomery, Alabama, boycotted the city's bus system to protest Rosa Parks's arrest and the law that prohibited African Americans from sitting in the front of buses. Under the leadership of Martin Luther King, Jr., the movement grew, and civil rights activities, including nonviolent civil disobedience, spread.

In the early 1960s, President Kennedy was gradually won over to supporting the civil rights movement. In 1963, he asked Congress to outlaw segregation in public accommodations. Following Kennedy's death, President Lyndon Johnson made passage of the Civil Rights Act of 1964 his top legislative priority, and the bill passed despite a long debate and filibuster in the Senate. More civil rights legislation followed in 1965 and 1968. This time, the legality of civil rights acts was upheld by the Supreme Court.

Having civil rights laws on the books does not mean discrimination will end once and for all, however. For one thing, the courts must interpret the laws and apply them to individual cases. In the *Grove City College* case, the Supreme Court offered a very narrow interpretation of a civil rights law, in effect taking the teeth out of the legislation. Congress reasserted its original, more sweeping intent in the Civil Rights Restoration Act of 1988.

Meanwhile, the Court, with a new conservative majority in the ascendancy, continued to issue decisions limiting the scope of previous civil rights rulings. Civil rights groups looked to Congress to restore rights previously recognized, but presidential vetoes scuttled such measures until 1991.

Despite Dr. King's commitment to nonviolence, the struggle for civil rights was not always a peaceful one. White violence against civil rights workers included murders and bombings. By the late 1960s, racial violence had increased as African Americans demanded their rights, but many whites remained unwilling to recognize them. The African American nationalist movements, often militant, promoted "black power" and helped instill racial pride in African Americans.

Civil Rights for Other Minorities

Civil rights legislation won through the struggles of African Americans also protects other minorities. Native Americans, Latinos, and disabled Americans were also often victims of discrimination. Native Americans were not even considered citizens until 1924. The Indian reservations established by the U.S. government were poverty-stricken. In the late 1960s and early 1970s, the frustrations of Native Americans erupted into militancy. By the mid-1970s and early 1980s, they began to win important legal victories, including compensation for land taken by the U.S. government. Recently, new entrepreneurial tribal leadership of Indian tribes has capitalized on the special status of their tribes and enjoyed economic success by sponsoring casino gambling ventures.

Latinos who migrated to the United States seeking economic opportunities found poverty and discrimination instead. This problem was compounded by the language barrier and the inattention of public officials to their needs. Latinos, too, have used the courts to gain greater representation on governing bodies. Recently, they have begun to be successful in obtaining elected and appointed political offices.

Building on the model of existing civil rights laws, disabled Americans managed to gain recognition as an oppressed minority and, through the 1990 Americans with Disabilities Act, receive the protection of a right of access to employment and facilities.

Homosexual Americans

Though gays and lesbians have made significant progress, they have not yet succeeded in passing a complete civil rights law protecting their rights. The 2000 Supreme Court decision in *Boy Scouts of America v. Dale* illustrated the continued struggles of gays and lesbians for civil rights. The court ruled that homosexuals could be excluded from leadership positions in the organization.

The demand for equality has recently been extended to the institution of marriage. In 2003, the State of Massachusetts recognized same-sex marriages.

Gender and Equal Rights: The Women's Movement

Civil rights have long been denied to women, partly as a result of policies designed to protect women from ill-treatment. Only after a long struggle did women win the right to vote under the Nineteenth Amendment that was passed in 1920. Yet gaining the right to vote did not bring the equality that women hoped for. Discrimination continued in the workplace and elsewhere. It took legislation such as the 1963 Equal Pay Act, the 1964 Civil Rights Act, and Title IX of the Education Amendments Act of 1972 to prohibit these other forms of discrimination against women. In the early 1970s, the Court began to strike down gender-based discriminations that could not be justified as serving an important government purpose. In 1996, the Court applied a new standard of “skeptical scrutiny” to acts denying rights based on sex. This new standard makes distinctions based on sex almost as suspect as those based on race.

For many years, the Court proved reluctant to use the Fourteenth Amendment as the basis for guaranteeing women's rights. As a result, proponents of equal rights for women sought an amendment to ensure that women's rights stood on a clear constitutional footing. Although the ERA was ratified by 35 states, it fell three states short of the minimum number required for adoption and did not become the law of the land, although many states eventually adopted their own ERAs. Some scholars argue that, in practice, the Supreme Court has since implemented the equivalent of the ERA through its decisions.

Affirmative Action: Equal Opportunity or Equal Outcome?

The Johnson administration started a number of programs to overcome the effects of past discrimination by extending opportunities to groups previously denied rights. These affirmative action programs involved positive or active steps taken to assist members of groups formerly denied equality of opportunity.

These programs soon led to charges of reverse discrimination. The Court, however, has found some role for affirmative action programs. In the *Bakke* decision, a split court held that race could be one of several constitutionally permissible admissions criteria. In other cases, the Court has allowed the use of quotas to correct past discriminatory practices. In the *Adarand* case, however, the Court decided that programs that award benefits based on race must themselves be held up to a strict scrutiny standard—a test few could pass. Based on the *Adarand* case, a federal court in 1996 rejected the use of race or ethnicity as a condition for admission to the University of Texas law school. The Supreme Court sent a mixed message in its review of University of Michigan affirmative action policies in 2003. The court ruled that an undergraduate affirmative action formula was unconstitutional, but that a law school admissions standard that included a racial preference was acceptable.

KEY TERMS AND CASES

Terms

equality of opportunity

equality of outcome

invidious discrimination

civil rights

black codes

racism

poll tax

racial segregation

separate-but-equal doctrine

desegregation

de jure segregation

de facto segregation

civil rights movement

boycott

civil disobedience

set-asides

protectionism

Nineteenth Amendment

sexism

Equal Rights Amendment (ERA)

Affirmative Action Cases

Plessy v. Ferguson

Brown v. Board of Education

Brown v. Board of Education II

Boy Scouts of America v. Dale

United States v. Virginia

Regents of the University of California v. Bakke

Johnson v. Transportation Agency, Santa Clara County

Adarand Constructors v. Peña

RESEARCH AND RESOURCES

Chapter 14 in this guide explained how to find a Supreme Court opinion. Once you have located an opinion, however, you might still have some difficulty figuring out how to read it. Cases are reported beginning with a heading that gives the parties to the case, the docket number, the dates on which the argument was heard, and the date on which the decision was handed down. Next, in rather small print, comes the syllabus. This includes a summary of the facts of the case and the legal questions it raised, as well as a summary of what the Court decided, or held, in the case. Next comes a paragraph, also part of the syllabus, explaining how the justices divided on the opinion. This paragraph identifies (1) the author of the Court’s opinion, (2) the justices who joined in that opinion, (3) those who concurred with it, and (4) those who dissented.

Justices *concur* when they vote with the majority on the actual decision but do not fully agree with the reasoning behind the majority’s decision. Justices in this position often write separate opinions detailing their differences with the opinion of the Court and outlining the grounds on which they based their vote. Justices who are in the minority may choose to write *dissenting* opinions explaining the reasons for their disagreement with the majority. Writers of concurring and dissenting opinions all try to set out alternative views of the case, hoping that their views might influence and persuade Court members in future decisions.

After the syllabus comes the full text of the opinion of the Court. The opinion of the Court ends with the judgment—for example, “affirmed” or “denied.” This is followed by the full text of any concurring opinions and then by any dissenting opinions.

More Civil Rights Web Sites

Learn more about the NAACP, its role in the civil rights movement, and its current agenda by visiting its Web site at <<http://www.naacp.org>>. Take a virtual tour of the National Civil Rights Museum at <<http://www.civilrightsmuseum.org/gallery/movement.asp>>. The site features material on topics including *Brown v. Board of Education of Topeka*, the Montgomery Bus Boycott, and the March on Washington. Numerous people contributed to the civil rights movement, and this website examines current trends and how leaders like Martin Luther King and Malcolm X influence people today. <<http://www.voicesofcivilrights.org/>>

The Human Rights Campaign lobbies for gay and lesbian rights can be visited at <<http://www.hrc.org>>. The Feminist Majority Foundation’s Web site has a wealth of information on women’s rights in the United States and worldwide. Their URL is <<http://www.feminist.org>>. For rights of the disabled, see the Disability Rights Education and Defense Fund <<http://www.dredf.org>>

USING YOUR KNOWLEDGE

1. Select three of the cases discussed in this chapter of the text. Look them up in *U.S. Reports*, or find them online. (See Chapter 14 of this guide.) For each case, note the vote tally, who authored the opinion of the Court, which justices joined in that opinion, which ones wrote concurring opinions, and which ones wrote dissents. Did any justices join in the concurring or dissenting opinions?
2. Visit the websites of at least two civil rights groups. You may want to start with some of those listed above. Compare the key issues facing each group and the strategies they are using to deal with those issues.

GETTING INVOLVED

Students interested in civil rights work have internship opportunities available. The NOW Legal Defense and Educational Fund has internships in New York and Washington for undergraduates interested in policy projects on women's rights. Contact Ms. Jackie Butler, Administrative Assistant, NOW Legal Defense and Educational Fund, 99 Hudson Street, New York, NY 10013. Check out NOW's home page at <<http://www.now.org>>.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. Which part of the Constitution outlaws the institution of slavery?
 - a. First Amendment
 - b. Thirteenth Amendment
 - c. Fourteenth Amendment
 - d. Fifteenth Amendment
 - e. Nineteenth Amendment
2. Why are most people in America against equality of outcome?
 - a. The concept disagrees with Christianity.
 - b. Many believe it would cost too much.
 - c. Many believe that equality of outcome would sacrifice equal opportunity.
 - d. Many believe we already have it, especially with capitalism.
 - e. It goes against majoritarian beliefs of most Americans.
3. Which Court decision upheld separate-but-equal facilities for African Americans and whites?
 - a. *Plessy v. Ferguson*
 - b. *Brown v. Board of Education*
 - c. *Sweatt v. Painter*
 - d. the *McLaurin* case
 - e. the *Dred Scott* case
4. Which of the following was not a result of the civil rights movement?
 - a. increasing numbers of African Americans in public office
 - b. more African American voters
 - c. an immediate end to *de facto* and *de jure* segregation of schools
 - d. an increase in African American nationalism
 - e. legislation to reduce discrimination in employment
5. Which of the following is one of the more common methods of discrimination forcing poor blacks to pay \$1 or \$2 in order to vote?
 - a. affirmative action
 - b. *de jure* segregation
 - c. *de jure* discrimination
 - d. black codes
 - e. poll tax
6. What do we call school segregation that results from the racial patterns of neighborhood housing?
 - a. *de facto* segregation
 - b. *de jure* segregation
 - c. government-imposed segregation
 - d. separate-but-equal facilities
 - e. reverse discrimination

7. In what state was the first test of the *Brown v. Board of Education* decision?
 - a. Alaska
 - b. Alabama
 - c. Georgia
 - d. Arkansas
 - e. Missouri
8. *United States v. Virginia* introduced what standard to cases of gender discrimination?
 - a. strict scrutiny
 - b. skeptical scrutiny
 - c. stare decisis
 - d. gender gap
 - e. sexism
9. How has the Civil Rights Act of 1866 (Section 1981) been used in recent court decisions?
 - a. to expand the scope of government protection of minorities
 - b. to restrict the scope of government protection of minorities
 - c. to reverse many gains of the civil rights movements
 - d. to expand civil rights of the disabled
 - e. to overturn affirmative action programs
10. What did the Voting Rights Act of 1965 accomplish?
 - a. Nothing; it was declared unconstitutional.
 - b. It had little effect on African American registration, because of *de facto* segregation.
 - c. It didn't do much of anything in all regions of the country.
 - d. It improved voter registration among minority groups.
 - e. Over time, it resulted in a lower turnout of African Americans voters.
11. Which of the following were not a result President Johnson's efforts to end discrimination?
 - a. Voting Rights Act of 1965
 - b. Civil Rights Act of 1964
 - c. Education Act of 1967
 - d. Fair Housing Act of 1968
 - e. Economic Opportunity Act of 1964
12. Which law prohibited sex discrimination in federally aided education programs?
 - a. the Elementary and Secondary Education Act of 1965
 - b. the Civil Rights Act of 1964
 - c. the Education Amendments Act of 1972
 - d. the Equal Rights Amendment
 - e. the Civil Rights Act of 1866
13. Which of the following is true about the Court's ruling in *Grove City College v. Bell*?
 - a. It broadly interpreted Title IX of the Education Amendments Act of 1972.
 - b. It was the target of the Civil Rights Restoration Act of 1988.
 - c. It was accepted by Congress as a faithful interpretation of legislative intent.
 - d. It applied the law to entire institutions whenever any part of them discriminates against women or minorities.
 - e. It was a major victory for proponents of gender equality.
14. Which of the following was not a success of the Black nationalist movement?
 - a. affirmative Action program
 - b. instilled pride in black history and culture
 - c. created black studies programs in U.S. colleges and universities
 - d. encouraged blacks to vote in record numbers
 - e. brought more blacks into elected office

15. Which case overturned the separate-but-equal doctrine in the U.S. Supreme Court?
 - a. *Regents of the University of California v. Bakke*.
 - b. *Boy Scouts of America v. Dale*.
 - c. *Milliken v. Bradley*.
 - d. *United States v. Virginia*.
 - e. *Brown v. Board of Education*.
16. Numerous frustrated Native Americans acted out against the American Government and took matters into their own hands after decades of inaction. Which of the following was the result of Native American frustration and anger towards the American government?
 - a. the bus boycott in Birmingham, Alabama
 - b. 164 riots after the death of Martin Luther King, Jr.
 - c. record high voter registration drives
 - d. seizure of Alcatraz Island
 - e. None of these
17. *Johnson v. Santa Clara County* reinforced the idea that what factor could be used in promotion decisions?
 - a. gender
 - b. race
 - c. age
 - d. sexual orientation
 - e. religious practice
18. Until 1965 the laws governing U.S. immigration policy were rooted in what?
 - a. outdated Civil War quota system
 - b. separate but equal doctrine
 - c. invidious discrimination
 - d. Jim Crow laws
 - e. All of these
19. The Supreme Court appealed to what element of the Constitution to support the Civil Rights Act of 1964?
 - a. elastic clause
 - b. commerce clause
 - c. Fifteenth Amendment
 - d. First Amendment
 - e. Nineteenth Amendment
20. Which of the following did not advance the equality of women?
 - a. the Nineteenth Amendment
 - b. the Civil Rights Restoration Act
 - c. the Equal Pay Act of 1963
 - d. the Civil Rights Act of 1964
 - e. protective legislation
21. Which of the following was not a method used to keep African Americans from voting?
 - a. poll taxes
 - b. literacy tests
 - c. grandfather clauses
 - d. separate-but-equal elections
 - e. minimum education requirements

22. Which of the following is currently true about the Equal Rights Amendment?
 - a. It guarantees equal pay for equal work.
 - b. It was proposed in 1923, but not ratified until 1979.
 - c. It prohibits gender discrimination in education.
 - d. It provides a constitutional basis for affirmative action.
 - e. It was never ratified.
23. Which of the following resulted from the strike led by Cesar Chavez against California growers in 1965?
 - a. It won better working conditions for immigrant workers.
 - b. It won better pay for immigrant workers.
 - c. It instituted national boycott.
 - d. It won better housing for immigrant workers.
 - e. All of these.
24. With the U.S. population having grown over 300 million, our government estimates that 25% of the U.S. population will be Hispanic by what year?
 - a. 2010
 - b. 2025
 - c. 2050
 - d. 2075
 - e. 2100
25. Which of the following does the 1990 Americans with Disabilities Act not guarantee access to?
 - a. employment
 - b. public accommodations
 - c. housing
 - d. communication services
 - e. transportation

Essay Questions

1. Explain the difference between *de jure* and *de facto* segregation. Give examples of each type of segregation.
2. What major methods of political participation did the NAACP use in the effort to integrate schools and by the civil rights movement in the effort to secure passage of civil rights legislation?
3. How was “protective” legislation a form of discrimination against women?
4. Have recent Supreme Court decisions expanded or contracted the scope of affirmative action? Reference specific cases and explain the broader effects of the particular decision.
5. Distinguish between “equality of opportunity” and “equality of outcome.” Which is more controversial? Why?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. b
2. c
3. a
4. c
5. e
6. a
7. d
8. b
9. a
10. d
11. c
12. c
13. b
14. a
15. e
16. d
17. a
18. c
19. b
20. e
21. d
22. e
23. e
24. c
25. c

CHAPTER 17

Polymaking

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Describe the three main types of public policies.
- Describe the three primary public policy tools.
- Describe the four main stages in the policymaking process.
- Explain the causes of the fragmentation that often occurs in policymaking in America.
- Describe the means used to achieve coordination of policies.
- Explain the dynamics of issue network politics.
- Describe the role of the nonprofit sector in the provision of public services.

POLICYMAKING AND THE CHALLENGE OF DEMOCRACY

The government seeks to achieve its purposes by adopting plans of action, or policies. Government has several different, often competing purposes, including maintaining order, promoting freedom, and enhancing equality. Different people inside and outside government attach different weights to these purposes, in general and often in specific cases as well. Given the multiplicity of actors, values, and interests involved in the political process, policymaking can be a complicated, sometimes contradictory business, where plans often have unintended results.

Policymaking in the American system can be highly fragmented. Different organs of the national government often have overlapping jurisdictions or areas of responsibility. State governments, too, may develop policies. This fragmentation makes the policymaking process conform to the pluralist model. We have seen that the general public is not very well informed about politics; a weakness of the majoritarian model is that it threatens us with government by people who have little knowledge behind their decisions. In contrast, the people who make up issue networks concerned with specific areas of public policy bring enormous expertise to bear in public policy matters. Their activities fit well with a pluralist model of democracy, which promises considerable influence in the policy process to those with the greatest stake in an issue area. However, if pluralist politics are to be democratic, access must be open, and different interests must be able to compete on a relatively equal basis.

CHAPTER OVERVIEW

Government Purposes and Public Policies

Governments attempt to achieve their purposes through public policies—that is, plans of action they adopt to solve social problems, counter threats, or use opportunities. Public policies are the means by which governments pursue certain goals in specific situations. Because people disagree on their perceptions of situations and on the appropriateness of goals and means, they differ on which public policies should be adopted.

The Policymaking Process

Policy choices may involve clashes between competing values of freedom, equality, and order. The problem of illegal drug use pits advocates of legalization (proponents of freedom) against those who favor harsh penalties for drug use (proponents of order).

Public policies take one of three basic forms. *Distributive* policies provide a particular benefit or service to particular groups. *Redistributive* policies take resources from one sector of society and give them to another. *Regulatory* policies spell out the rules that guide government programs. Whatever the policy objectives of government, the main arsenal of tools are thus incentives and disincentives, direct provision of services, and rule setting. They are often combined to achieve a particular goal and over time one approach may fall out of favor and another may be tried. Policies aimed at specific problems are not static; means, goals, and situations change. Public policies are typically reviewed and updated in stages:

- An agenda setting stage, in which a problem is defined as a political problem
- A policy formulation stage, in which possible solutions are developed in the form of policy proposals and decisions are made about which proposal (if any) to adopt
- An implementation stage, in which a policy is carried out (often amid difficulties in coordinating the activities of government officials at various levels, who must implement the policy)
- A policy evaluation stage, in which programs are analyzed to discover how well they work in practice.

Evaluation results in feedback—that is, information that lets policymakers know how well programs are doing what they were created to do and whether they should be continued, expanded, changed, or cut. Feedback may lead to new items being put on the political agenda and, hence, to a new cycle of policymaking.

Fragmentation and Coordination

The fundamental nature of American government—federalism and the separation of powers—contributes to the fragmentation of policymaking by creating multiple centers of power. These centers of power may pursue competing policies in the same policy area. This circumstance may be the result of real conflict between branches of government or merely a lack of coordination within a branch. Sometimes, problems of fragmentation and coordination may be attacked by reassignment of agency jurisdictions, by reform of congressional committees, by Office of Management and Budget regulatory review, or by industry appeals for a single national policy to replace fifty state policies in an issue area.

In any given issue area, many interest groups try to influence policy. These private sector actors are effective when they are able to provide technical mastery of a policy area. In Washington, American government often amounts to “government by policy area,” which involves interaction among various

governmental institutions and private sector organizations. When changes in the Clean Air Act were considered, for example, a group of actors emerged with shared knowledge of this aspect of environmental policy, including members of Congress, EPA bureaucrats, consultants, lawyers representing environmentalists, lawyers representing industries, and trade associations represented by public relations firms trying to sway public opinion. These actors, who share a knowledge of and an interest in the particular policy under consideration, form an issue network.

Recently, the concept of “issue networks” has emerged to describe the policymaking process. Issue networks include a large and varied group of participants and are more easily penetrated than iron triangles (although they are still held together by technical mastery of particular policy areas). Individuals in an issue network speak the same language; they are united by shared knowledge of and experience in a policy area. Although it is desirable to have those with expertise influence policymaking, the dominance of iron triangles and issue networks in the process may make policymaking appear too responsive to the demands of small groups and hence undemocratic.

The Nonprofit Sector

Community-based organizations have become important players in the policymaking process. Nonprofits are voluntary organizations that use government funds to implement a government program. They provide vitally important services and tap into a large pool of volunteer labor. According to one scholar, they are “the glue that holds civil society together.”

KEY TERMS

public policy

distributive policies

redistributional policies

regulation

agenda setting

issue definition

policy formulation

implementation

policy evaluation

feedback

fragmentation

issue network

nonprofit organization

RESEARCH AND RESOURCES

Who makes up issue networks? Who influences policymaking? What are their names? For whom do they work? If you are interested in finding answers to questions like these, you might turn to a recent edition of *Washington Representatives* (Washington, D.C.: Columbia Books). This is an annual directory that lists lobbyists, consultants, legal advisers, foreign agents, and public affairs and government relations representatives. The work describes the clients handled by each representative, giving areas of interest and expertise, party affiliation, and ideological orientation. The volume also contains a list of organizations represented in Washington. Finally, it includes a list of selected topics

that were cross-referenced so you can find out what companies or associations are likely to be active in what sort of policy discussions.

Public Policy Web Sites

The Electronic Policy Network features a wealth of information on a vast array of public policy issues at its site <<http://www.movingideas.org>>. The site is organized with a liberal orientation. On the right, the Cato Institute analyzes public policy issues from a libertarian perspective at <<http://www.cato.org>>.

USING YOUR KNOWLEDGE

1. Locate a copy of *Washington Representatives*. What kinds of groups take an interest in sugar production? Compare this list with those groups that lobby on women's issues. Which issue (if either) would seem more likely to produce the kind of subsystem described as an iron triangle? Why?
2. Find a public policy issue discussed on Policy.com, the Electronic Policy Network, or the Cato Institute websites. Summarize the difference in their perspectives on the issue. What kinds of evidence does each use in making its case?

GETTING INVOLVED

Many lobbying and advocacy firms offer internship opportunities. Contact information for many of these lobbying firms is available in copies of *Washington Representative*. Advocacy groups, such as environmental interest groups, the American Civil Rights Union, or the National Rifleman's Association, also use volunteers to coordinate outreach and education activities.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. What do all government policies have in common?
 - a. level of effectiveness
 - b. broad purpose
 - c. conclusion of governmental plans carefully thought-out and implemented
 - d. all policies end up by government muddling through as best it can
 - e. means by which certain goals are pursued in specific situations
2. Which of the following is not one of the elements people tend to disagree about?
 - a. how effective the policy should be
 - b. how the situation should be perceived
 - c. the means used to meet its goals
 - d. the goals government should have
 - e. all are elements people disagree on
3. Which of the following is an example of a redistribution policy?
 - a. funding Medicaid with income tax
 - b. paying interest on National Debt with tax on capital gains
 - c. tax reduction for businesses, while increasing the estate tax
 - d. paying for child care with tax on auto sales
 - e. All of the above

4. What do we call governmental policies designed to benefit a particular group or institution?
 - a. implementation policies
 - b. redistributive policies
 - c. distributive policies
 - d. off-budget expenditures
 - e. regulations
5. Which of the following would be an example of regulation?
 - a. the federal highway system
 - b. public education
 - c. food stamps
 - d. safety rules for commercial aircraft
 - e. income tax deductions for charitable contributions
6. What do issue networks tend to promote?
 - a. majoritarian democracy
 - b. federalism
 - c. centralized government
 - d. autocracy
 - e. pluralist democracy
7. When you add federalism and the separation of powers to the policymaking process, what does it do to the process?
 - a. makes it more fragmented
 - b. makes it more majoritarian
 - c. creates a more well-coordinated process
 - d. it is more likely to emphasize order
 - e. makes it more centralized
8. The study of government by policy areas concentrates on which of the following?
 - a. policymaking across institutions
 - b. policymaking within institutions
 - c. the majoritarian aspects of American politics
 - d. public sector actors
 - e. private sector actors
9. Which of the following is not one of the four stages in the policymaking process?
 - a. research and review
 - b. policy formulation
 - c. policy evaluation
 - d. agenda setting
 - e. implementation
10. Which of the following do not give much support to nonprofits?
 - a. private donations.
 - b. government contracts.
 - c. volunteer labor.
 - d. private shareholders.
 - e. state funding.

11. Which of the following strategies aims at reducing fragmentation and improving coherence of public policy?
 - a. disbanding interagency task forces
 - b. asking the national government to develop a single regulatory policy
 - c. reducing the power of the Office of Management and Budget
 - d. developing regulatory policies at the state level
 - e. reducing the powers of congressional leadership
12. In policy areas that involve complex decisions, what types of actors tend to have the most influence?
 - a. elected officials
 - b. grassroots advocacy groups
 - c. the courts
 - d. the political parties
 - e. technical experts
13. Which of the following was a problem associated with the new Medicare Prescription Drug Improvement and Modernization Act in 2003?
 - a. Seniors had too few options.
 - b. Seniors could not get their medications in some instances.
 - c. Seniors were overcharged in many instances.
 - d. Seniors got too much medication too quickly.
 - e. All of these
14. How can government reduce bureaucrats and not anger people by cutting services?
 - a. through use of nonprofit organizations
 - b. through the media
 - c. through the efforts of issue networks
 - d. from the Internet
 - e. using the committee structure of Congress
15. Which of the following would probably not be part of an Issue Network?
 - a. Supreme Court Justice
 - b. lawyers
 - c. lobbyists
 - d. consultants
 - e. congresspersons
16. What is the common denominator in order to have a good chance of influencing policymaking in an issue area?
 - a. party affiliation
 - b. money
 - c. expertise
 - d. contacts and associates
 - e. None of these
17. How does the government discover whether or not a policy is working?
 - a. through agenda setting
 - b. through policy formulation
 - c. through implementation
 - d. through policy evaluation
 - e. through regulation

18. What do we call the stage of the policymaking process in which new issues are identified as problems to be addressed by government?
 - a. agenda setting.
 - b. policy formulation.
 - c. implementation.
 - d. policy evaluation.
 - e. research and review.
19. Policy formulation may be the result of actions by which of the following?
 - a. Congress
 - b. the president
 - c. the courts
 - d. administrative agencies
 - e. All of the above
20. The implementation stage of the policy process
 - a. runs smoothly, because government officials always willingly accept Washington's dictates.
 - b. typically involves only Washington bureaucrats.
 - c. often involves bargaining and negotiation.
 - d. is strictly nonpolitical.
 - e. is the final stage in the policy process.
21. Based on the chapter, policy formulation tends to be
 - a. radical.
 - b. cyclical.
 - c. incremental.
 - d. static.
 - e. None of the above
22. The greatest number of nonprofits are found in which area?
 - a. charities.
 - b. food distribution.
 - c. health care.
 - d. social service.
 - e. environmental.
23. Why are nonprofits usually able to deliver their services so inexpensively?
 - a. deregulation of markets
 - b. regulation of markets
 - c. use of best business practices
 - d. governmental oversight
 - e. volunteer labor
24. A key issue in implementation is how much _____ should be given to the state and local officials who have the responsibility of carrying out policies.
 - a. regulation
 - b. discretion
 - c. direction
 - d. evaluation
 - e. agenda control

25. What do we call the part of the policymaking process in which proposals are developed and officials decide which one, if any, to adopt?
- policy formulation
 - agenda setting
 - implementation
 - policy evaluation
 - research and review

Essay Questions

- Why does the government produce public policies that are fragmented? Explain both the sources of fragmentation and attempts to coordinate public policy choices.
- Outline the three basic types of public policies. Give examples of policies in each category.
- Does government by policy area promote pluralist or majoritarian democracy? Explain your answer and give examples.
- What is an issue network? Describe the participants and their roles and provide an example of an issue network.
- How does political belief affect public policy? Please explain and use examples.

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. e
2. a
3. e
4. c
5. d
6. e
7. a
8. a
9. a
10. d
11. b
12. e
13. b
14. a
15. a
16. c
17. d
18. a
19. e
20. c
21. c
22. d
23. e
24. b
25. a

CHAPTER 18

Economic Policy

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Compare and contrast laissez-faire, Keynesian, monetarist, and supply-side economic theory with respect to the role of government in the economy.
- Describe the functions of the Federal Reserve System.
- Outline the steps in the budgetary process.
- Show how the Gramm-Rudman Act represented a failure of the legislative and budgetary processes.
- Explain how the Budget Enforcement Act resulted in lower deficits.
- List the major objectives of tax policy.
- Distinguish between progressive and regressive tax policies.
- Compare tax burdens in the United States with those in other Western democracies.
- Assess the effectiveness of American taxing and spending policies in producing greater economic equality.

ECONOMIC POLICY AND THE CHALLENGE OF DEMOCRACY

The opening case illustrates both how White House and Congress need to work together to limit the growth of government. Even with one party in control of Washington the urge to spend seems uncontrollable, since many politicians believe their re-election depends on it.

Making economic public policy, which includes making decisions about taxing and spending, is a value-laden political process. First of all, it involves making choices about the role of government. Should the government maintain more of a hands-off approach, as laissez-faire economists (and, to a lesser extent, supply-siders) believe? Or should it take a more active role? Public economic policy also requires choices between equality and freedom. The structure of the taxing and spending policies themselves reveals a good bit about the public value system. Whereas Americans are interested in political equality, they are much less committed to economic equality. Americans have moved away from progressive taxation, where the rich pay proportionately more and the tax system serves as a means of redistributing wealth and promoting equality.

One reason why the tax system has not been used to promote greater equality is that the government tends to respond to well-organized and well-financed groups. Thus, pluralist politics have given the wealthy more clout than they might have had under a more majoritarian system.

On the spending side, too, the impact of pluralism is apparent. Incremental budgeting processes have given rise to clientele groups that pressure Congress to keep their favorite programs alive. Other groups managed to get spending programs established firmly by law as entitlement programs. Measures such

as the Gramm-Rudman Act and “pay-as-you-go” restrictions proved inadequate to rein in uncontrollable outlays. These failures illustrate a problem of the legislative process in a pluralist democracy, where representatives find it too hard to say no to organized groups demanding expenditures or opposing tax increases. The current debate revolves around the need to make the Bush tax cuts permanent or the need to increase revenue to reduce deficits and the national debt.

CHAPTER OVERVIEW

Theories of Economic Policy

Taxing and spending are the government’s two major policy tools for influencing the economy. Their use depends on policymakers’ beliefs about how the economy works and how much government should be involved in the economy. Policymakers’ (and economists’) differences on this issue are rooted in disagreements over economic theories and their assumptions.

Four important schools of thought are used to explain market, or capitalist, economies, where prices are determined through supply and demand.

- *Laissez-faire doctrine* relies on economic competitors to weed out the weak and preserve the strong. Government should not interfere with the economy.
- *Keynesian theory* relies on the government to deal with the problems of depression and inflation by adjusting fiscal policies (government taxing and spending) and monetary policy (the money supply).
- *Monetarism* argues that the adjustments required by Keynesian theory cannot be made quickly enough or at the right time. Political forces make it difficult to cut spending or raise taxes when Keynesian theory requires. Monetarists, therefore, rely on controlling the money supply through the Federal Reserve System (a more politically independent body) to regulate the business cycle and manage inflation.
- *Supply-side economists* argue that the government should reduce its role in the economy by lowering taxes, thus leaving people with more money. People who have money will invest it in enterprises that will bring them more money. That will create jobs. Tax cuts for the rich will be good for everyone as the benefits “trickle down.” Supply-side economics are a partial return to laissez-faire policies. They were also the theoretical underpinning of Reaganomics. In practice, several predictions of supply-side economics did not come true. In particular, under Reaganomics, while inflation and unemployment came down, tax revenues fell off, and the federal deficit soared. The budget deficits continued until 1998, when an economic boom led to the first budget surplus since 1969.

Public Policy and the Budget

Until 1921, the budget was the principal product of the many congressional committees charged with taxing and spending. The highly decentralized budgeting process was not well adapted to the needs of a growing industrial nation, however. A new process was devised, in which the newly created Bureau of the Budget (later called the Office of Management and Budget, or OMB) helped the president submit budget proposals to Congress. This gave the president the opportunity to set the government’s fiscal priorities and take the lead in the budgeting process.

The president’s budget is the result of considerable politicking by departments and agencies. The current budgeting process is described as a creaky conglomeration of traditional procedures combined with structural reforms from the 1970s, external constraints from the 1980s, and changes under the 1990 Budget Enforcement Act. The two-step authorization process divides budgeting responsibilities

among several committees. This decentralization leaves many opportunities for interest groups to influence the process, and it makes it difficult to assign responsibility for decisions on the budget as a whole.

In the 1970s, Congress attempted to take back some of the control over the budgetary process that it had surrendered to the president. The new process involved structural reforms and a certain amount of coordination amongst committees, as well as creation of the Congressional Budget Office, a source of expertise equivalent to that of the OMB. The new process broke down, however, when Congress was faced with the huge deficits of the 1980s. Alarmed by the growing deficit, Congress tried something more drastic, the Gramm-Rudman-Hollings Act, which was designed to act as an external constraint and force automatic, across-the-board budget cuts whenever the deficit reached a certain size. The government was unable to meet the Gramm-Rudman deficit-reduction targets, however, and simply revised the target to meet the deficit. Under the pressure of a recession, Congress passed the Budget Enforcement Act of 1990, which capped discretionary spending and placed pay-as-you-go restrictions on mandatory spending. Congress bypassed these restrictions to pass the 2001 tax cut and permitted these restrictions to expire altogether in 2002. This change in procedure, coupled with the 9/11 attacks and a lengthy recession, resulted in a return to deficit spending and mounting federal debt.

Tax Policies

Tax policy is designed to provide the money government spends. Government may use tax policy to serve other purposes as well. Tax policy may be used as a method of making tax burdens more equitable or introducing Keynesian controls on the economy.

In President Reagan's first term, taxes were cut, and the deficit soared. Beginning in his second term, Reagan urged tax reform—lowering taxes in the highest brackets, reducing the number of tax brackets, and eliminating deductions or loopholes, while neither increasing nor decreasing the overall amount of money raised. Tax reform was backed by both Republicans and Democrats. The movement in Congress gathered enough momentum that reform survived, despite pressure from interest groups for special treatment. The result was a somewhat simpler and considerably less progressive two-bracket tax system. Presidents G. H. W. Bush and Clinton each added new brackets at the higher end of the income scale, thereby increasing the progressivity of the tax system. The 2001 tax cut advocated by President George W. Bush reduced the tax rates for upper income tax payers (reducing progressivity) and resulted in lower federal revenues.

Although the tax burden on Americans has increased (doubling between 1953 and 1993), this has come about largely because of increases in state and local taxes and social security. Still, in comparison with other democracies, Americans are near the bottom of the list in terms of taxes paid.

Spending Policies

What does the government spend its money on? The largest expenditures go to social security; next comes defense, followed by income security, and then interest on the national debt. Government spending has increased faster than inflation. However, in recent years, although government spending has increased, the nation's GDP has increased more than spending.

Certain spending programs such as social security and Medicare are difficult to cut because they are legally mandated and backed by politically powerful interests, such as the elderly. Overall, there are very few places left where government spending can be reduced. Although the public wants the benefits the government provides, it does not want the government to raise taxes to pay for them.

Taxing, Spending, and Economic Equality

Because it requires redistribution of wealth, economic equality can be attained only at the cost of economic freedom. Limited redistribution of wealth through the income tax has aimed at helping the poor reach a minimum standard of living, not at producing overall equality of outcome. In fact, the nation's tax policies as a whole favor the wealthy, especially those who draw their money from investments rather than labor. Although the poor recoup money in transfer payments, regressive taxation claims a higher share of their income. Under capitalism, economic inequality is inevitable, but the degree of inequality may vary. Among Western democracies, the gap between the richest and poorest is largest in America. The United States, which prizes political equality, does not pursue the goal of economic equality with anywhere near the same intensity as other nations. This may be the result of pluralist politics that give upper-income groups more opportunities to exercise influence outside of the "one person, one vote" arena of political equality. Yet, overall, American public opinion shows little support for redistributing wealth through progressive taxation. As a result, even a majoritarian tax policy might do little to reduce inequalities.

KEY TERMS

economic depression

inflation

business cycles

aggregate demand

productive capacity

gross domestic product (GDP)

Keynesian theory

fiscal policies

monetary policies

deficit financing

Council of Economic Advisers (CEA)

monetarists

Federal Reserve System

supply-side economics

fiscal year (FY)

budget authority

budget outlays

receipts

federal debt

Office of Management and Budget (OMB)

Tax committees

Authorization committees

Appropriations committees

budget committees**Congressional Budget Office (CBO)****Gramm-Rudman****Budget Enforcement Act (BEA)****mandatory spending****discretionary spending****entitlement****pay-as-you-go****Balanced Budget Act (BBA)****progressive taxation****incremental budgeting****uncontrollable outlay****transfer payments****RESEARCH AND RESOURCES**

The Office of Management and Budget publishes current and historical information about the composition of federal receipts and expenditure. The OMB web site <http://www.whitehouse.gov/omb/budget/fy2006/> provides a very detailed look at the current budget.

For an overview of monetary policy, consult the website of the Board of Governors of the Federal Reserve System. See “About the Fed” at <http://www.federalreserve.gov/>. The Fed web site also announces the schedule of upcoming policy meetings and recent decisions about interest rates and the money supply.

The Budget committees in Congress also offer extensive assessments of government spending and national economic performance. See <http://www.senate.gov/~budget/> or <http://www.house.gov/budget/>

USING YOUR KNOWLEDGE

1. Locate the websites maintained by the Democrats on the Senate Budget Committee and the Republicans on the Senate Budget Committee (see link above). How do the members from each party differ in their assessment of the economy and the budget?
2. A major concern of the text is political values. As this chapter indicates, two important sources of information about the values of a society are its tax code and its government’s budget. The taxing and spending policies of a nation give people incentives to do some things but not others. To gain insight into American values, do one of the following:
 - Obtain a copy of the filing instructions for the federal income tax. You can find IRS forms on-line at <http://www.irs.gov/>. Look at the deductions allowed. What activities does the tax code seem to encourage? Do these tax regulations seem more likely to be the result of majoritarian or pluralist politics?
 - Obtain a copy of the *Budget of the United States Government*. Visit <http://www.gpoaccess.gov/usbudget/>. Page (or scroll) through and examine the spending categories and the kinds of activities the government funds. Do these expenditures seem more likely to be the result of majoritarian or pluralist politics? Why?

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. The economic theory that relies on the narrow pursuit of individual profit to serve the broader ends of society through an invisible-hand mechanism was first advocated by which economist?
 - a. Adam Smith
 - b. Arthur Laffer
 - c. John Maynard Keynes
 - d. Milton Friedman
 - e. supply-side economists
2. What is the biggest problem that government has with laissez-faire economics?
 - a. Relies too much on Adam Smith's outdated theories
 - b. Does not allow enough control to Congress
 - c. Allows too much control to the President
 - d. Has no concern for an economic depression or inflation
 - e. All of these
3. What term is used to describe the total value of goods and services that can be produced when the economy works at full capacity?
 - a. Aggregate demand
 - b. Gross domestic product
 - c. Business cycle
 - d. Productive capacity
 - e. Economies of scale
4. What theory advocates cutting or increasing government spending to control business cycles?
 - a. monetarism
 - b. fiscal policies
 - c. laissez-faire
 - d. nonmarket economics
 - e. supply-side economics
5. Historically, what is the major concern of the Federal Reserve System?
 - a. inflation
 - b. economic growth
 - c. trade
 - d. government tax revenues
 - e. government spending
6. To deal with problems of inflation and unemployment, what would monetarists rely heavily on?
 - a. The fiscal tools of Keynesian economics
 - b. Laissez-faire principles
 - c. Use of the Federal Reserve System
 - d. Supply-side economics
 - e. Government planners to determine the price and quantity of goods produced in the economy
7. Which economic theory suggests that lowering taxes and reducing government intervention will increase productivity and yield more tax revenue?
 - a. *perestroika*
 - b. Keynesian economics
 - c. monetarism
 - d. supply-side economics
 - e. incremental budgeting

8. Which of the following is not used to calculate the Consumer Price Index (CPI)?
 - a. Price of transportation
 - b. Price of shelter
 - c. Price of stocks
 - d. Price of medical services
 - e. Price of clothing
9. Which of the following congressional committees are involved in budgeting?
 - a. Tax committees
 - b. Authorization committees
 - c. Appropriations committees
 - d. Budget committees
 - e. All of the above
10. How would we describe the taxes in the United States compared to most other democratic nations?
 - a. Much lower
 - b. Slightly lower
 - c. Roughly the same
 - d. Slightly higher
 - e. Much higher
11. In addition to favoring market principles, what else do monetarists believe?
 - a. They recognize that governments can sometimes improve economic outcomes.
 - b. They recognize that government can never improve economic outcomes.
 - c. They recognize that government actions always improve economic outcomes.
 - d. They see no link between government actions and economic outcomes.
 - e. They reject the use of the market to determine prices or the supply of goods.
12. Which of the following is the smallest component of the federal budget?
 - a. Defense spending
 - b. Foreign aid
 - c. Interest on the national debt
 - d. Income security programs
 - e. Medicare and Medicaid
13. Who did President Bush nominate to replace Alan Greenspan as head of the Federal Reserve in 2006?
 - a. David Bolton
 - b. Dennis Hastert
 - c. Andrew Card
 - d. Ben Bernanke
 - e. None of the above
14. Which of the following has historically been an example of progressive taxation?
 - a. The social security tax
 - b. State sales taxes
 - c. The federal income tax
 - d. Taxes of income from sales of real estates or stocks
 - e. All of the above

15. On the whole, American tax policies favor which group the *most*?
 - a. The wealthy who draw their income from capital
 - b. Middle-class workers
 - c. The poor on welfare
 - d. The working poor
 - e. The elderly
16. Which of the following is not part of Reaganomics?
 - a. Reducing demand
 - b. Deregulation
 - c. Increased spending on the military
 - d. Tax cuts
 - e. Cuts in social programs
17. What do we call economies in which the prices of goods and services are determined through the interaction of sellers and buyers?
 - a. nonmarket economies
 - b. market economies
 - c. mixed economies
 - d. directed economies
 - e. supply-side economies
18. What did the Budget and Accounting Act of 1921 provide for?
 - a. Raised taxes
 - b. First tax cut in our history
 - c. Increased the money supply
 - d. Allowed President to prepare budget
 - e. Permitted higher budget deficits
19. Approximately how much did President Bush propose for outlays in the 2007 budget year?
 - a. Under \$1 trillion
 - b. \$1.75 trillion
 - c. \$2.50 trillion
 - d. \$3.25 trillion
 - e. Over \$4 trillion
20. What do we call the amount of money a government agency is authorized to spend for programs?
 - a. off-budget expenditure
 - b. tax expenditure
 - c. budget authority
 - d. budget outlay
 - e. incremental budget
21. According to the Federal Reserve System, the wealthiest one percent of American families control almost what percent of the nation's household wealth (property, stocks, bank accounts)?
 - a. 11%
 - b. 22%
 - c. 33%
 - d. 44%
 - e. 55%

22. Which committees of Congress are responsible for raising the revenue to run the government?
 - a. Authorization committees
 - b. Federal Reserve committees
 - c. Tax committees
 - d. Appropriations committees
 - e. Revenue committees
23. Which economic theory relies on fiscal policies to adjust demand and thereby reduce fluctuations in the business cycle?
 - a. Laissez-faire economics
 - b. Supply-side economics
 - c. Socialist economics
 - d. Keynesian economics
 - e. Monetary economics
24. What 1990 law established “pay-as-you-go” restrictions for the first time in Congress?
 - a. Balanced Budget Act
 - b. Budget Enforcement Act
 - c. Gramm-Rudman Act
 - d. Entitlements First Act
 - e. Spending Restriction Law
25. What is the sixth largest expenditure of our annual budget?
 - a. Interest on our national debt
 - b. Military spending
 - c. Social Security
 - d. Income security expenditures
 - e. Medicare

Essay Questions

1. Explain the difference between progressive and regressive taxes. Is a flat tax progressive or regressive? Why?
2. What is supply-side economic theory and how does it differ from standard Keynesian economics?
3. What were the goals of the 2001 Bush tax cut? How well were they achieved?
4. Differentiate between fiscal policies and monetary policies.
5. What are the basic ways that the Federal Reserve System affects the economy?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. a
2. d
3. d
4. b
5. a
6. c
7. d
8. c
9. e
10. a
11. a
12. b
13. e
14. c
15. a
16. a
17. b
18. d
19. d
20. d
21. c
22. c
23. d
24. b
25. a

CHAPTER 19

Domestic Policy

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Trace the growth of the American welfare state.
- Discuss the debates on social security.
- Explain how social welfare policies involve tradeoffs between equality and freedom.
- Discuss the reasons why the United States, unlike other industrialized nations, has not adopted a system of universal health coverage.
- Describe the major federal programs that provide access to health care
- Distinguish between social insurance programs and public assistance programs.
- Describe changes made in the welfare system by the 1996 welfare reform law.
- Compare the costs and benefits of the American system of social welfare with the systems in other democratic states.
- Explain the federal government role in education.

DOMESTIC POLICY AND THE CHALLENGE OF DEMOCRACY

This chapter highlights the inevitable difficulty of balancing competing values when the government adopts public policy. Social insurance and welfare policies, for example, raise a conflict between equality and freedom.

Before the Great Depression, most aid for the poor came from private charities rather than the government. Old people got by on their savings or on private pensions rather than government-sponsored social security. By 1934, many states provided old-age assistance programs, but the economic hardships of the 1930s far outstripped the ability of such programs and private charities to cope. National relief efforts had to be launched. As a result, people's attitudes about the role of government started to change. Throughout most of American history, the government had confined its activities to protecting persons and property, thereby providing security and order. In the thirties, people began to accept the idea that government should provide a kind of economic floor to protect people from falling into abject poverty.

The New Deal of the 1930s and the Great Society of the 1960s created many programs for aiding the poor. These programs' costs were shouldered by taxpayers, which set up a conflict between freedom and equality. On the one hand, citizens may accept the notion that the government should help the poor; on the other hand, they may resent the loss of freedom to control the part of their income that goes to pay higher taxes.

Before the Depression, people who relied on others for charity were often seen as moral failures. But the poverty of the Depression was so widespread that it challenged this idea. Eventually, many federal

aid programs were viewed as “entitlements,” and aid recipients worked to protect the programs important to them. The domestic aid programs discussed in this chapter show pluralist politics in action. Older Americans of retirement age exercise enormous political power and are keenly interested in protecting the social security and Medicare programs. Under a 1996 welfare reform law, however, those defending the poor have suffered setbacks in preserving welfare as an entitlement.

CHAPTER OVERVIEW

Recent changes to the Medicare program reveal the extent of conflict over the adequacy, costs, and scope of government efforts to provide access to health care. The chapter illustrates how policies that provide social insurance or public assistance raise conflicts between the values of freedom, order, and equality. These areas of public policy aim at alleviating some of the consequences of economic inequality. Government expenditures in these areas represent more than half the national budget of the United States. These huge expenditures to promote equality also stimulate conflicts of values, since government policies that redistribute resources lessen individual freedom.

The Development of the American Welfare State

Virtually every modern nation is a welfare state—providing for its citizens through economic and social programs. Although social welfare programs date back to the Industrial Revolution, the modern welfare state received its impetus from the Great Depression and the New Deal. The Roosevelt administration’s attempt to manage the crisis, called the New Deal, had two phases. The first boosted prices and lowered unemployment. The second phase was more concerned with long-term reform and included a program of social insurance to aid the poor and elderly. The New Deal abandoned reliance on laissez-faire capitalism and a decentralized federal structure. Instead it emphasized more central-government control of the economy, and it set in motion long-term government expansion.

In the 1960s, President Lyndon Johnson launched the Great Society to combat political, social, and economic inequality through civil rights legislation, aid to education, and the War on Poverty. Though most of its programs disappeared during the Vietnam War, the War on Poverty did make the poor aware of their political power.

Social welfare is based on the premise that society has an obligation to provide for the basic needs of its members. In the 1980s, President Reagan questioned this assumption and shifted the emphasis from economic equality to economic freedom. This meant a re-examination of many federal social welfare programs. Tight federal budgets have continued to make funds scarce for initiating or enlarging social welfare programs.

Social Security

In America, social insurance programs are entitlements—benefits to which every eligible person has a legal right that the government cannot deny. The largest federal entitlement program is social security, an insurance program that provides economic assistance to the unemployed, disabled, and aged, without regard to their financial need.

Many European states adopted programs like social security after World War I; in the United States, the Social Security Act of 1935 was passed as part of the second phase of the New Deal. Money for the old-age benefits of social security is paid into a trust fund. Under a pay-as-you-go tax system, today’s workers support today’s elderly. When the program started, only a few people received benefits while many contributed. Over the years, however, the ratio of workers to benefit recipients has decreased. Meanwhile, social security benefits have increased, partly through cost-of-living adjustments (COLAs) enthusiastically supported by both political parties in the 1970s. Government officials expected to be able to finance these increases out of economic growth, but “stagflation” made that impossible. As a result, it became necessary to increase social security taxes and reduce benefits. Although the future

effects of economic conditions on the social security system are hard to predict, few people argue about the need for the system. In the presidential election campaign, the Republicans proposed that individuals should be allowed to invest their own payroll taxes in the stock market with the possibility of higher return. The Democrats proposed a private investment program in which government would match individual contributions with tax credits.

Public Assistance

Public assistance, often called welfare, is government aid given to individuals based on their need. In addition to establishing the old-age insurance program described above, the Social Security Act created categorical assistance programs for needy people who are old, blind, disabled, or have dependent children. These entitlement programs are funded jointly by federal and state tax revenues. Although the bulk of the funding comes from the national government, benefits vary from state to state. Until 1996, national standards were imposed on state programs. These standards established the national poverty level, which still helps measure how well public policies manage to achieve the American promise of equality. Today, women and their dependents (children) make a growing proportion of poor Americans.

Two key programs—food stamps and cash payments—attempt to address the problem of poverty. In 1996, President Clinton and the Republican-led Congress produced compromise legislation that radically changed welfare. The new law ended Aid to Families with Dependent Children (AFDC), and introduced work requirements and limits on the length of time people can receive benefits. Under the new program, Temporary Assistance to Needy Families (TANF), states received greater latitude to shape their own welfare systems with block grants of funds provided by Washington. The changes are controversial, but, aided by a booming economy, they produced a rapid drop in the welfare rolls. The recession of 2001 was a significant test for the new reforms, a period in which an increasing number of female-headed households had no access to jobs or TANF income.

Health Care

The United States is the only industrialized country without a universal health care system. Instead, the United States has a patchwork system designed to cover different segments of the population. In the 1960s, as a part of Lyndon Johnson's Great Society, Congress approved Medicare, a program of medical insurance for the elderly, and Medicaid, a need-based health program for the poor. These programs have faced financial problems, as medical costs have soared. The most recent reforms to Medicare include a prescription drug plan that is estimated to cost \$400 billion. Medicaid has overtaken Medicare as the largest government health care program, currently covering nearly a fifth of all children and 40 percent of all long-term care costs. A 1997 program, the State Children's Health Insurance Program, extends government health care subsidies to children.

While Medicare, Medicaid, and SCHIP provide health care for the aged, children, and the poor, increased health care costs and the difficulties of obtaining insurance helped put the issue of health care for all on the agenda. Health care raises the modern dilemma of government, which pits equality against freedom.

Elementary and Secondary Education

The debate on education concerns the dilemma of freedom versus equality. Historically, the federal role in education has been small, and federal funding accounts for a small portion of education financing. Traditional policy on education centered on providing equal access; however, recent reforms have emphasized accountability and freedom of choice for families. The No Child Left Behind Act of 2001 expands the federal role in monitoring student performance, ensuring teacher quality, and expanding choices for parents. The effects of this 2001 reform remain unclear.

Benefits and Fairness

The government offers both means-tested and non-means-tested benefits to Americans. As program costs increase, many people believe that it might be fairer to apportion benefits according to need.

KEY TERMS

public policy

welfare state

social welfare programs

Great Depression

New Deal

Great Society

War on Poverty

social insurance

social security

Social Security Act

public assistance

entitlements

poverty level

feminization of poverty

Temporary Assistance for Needy Families Act (TANF)

Medicare

Medicaid

State Children's Health Insurance Program (SCHIP)

food stamp program

Elementary and Secondary Education Act of 1965 (ESEA)

No Child Left Behind Act of 2001 (NCLB)

means-tested benefits

non-means-tested benefits

RESEARCH AND RESOURCES

Virtually every American is affected by the public policies described in this chapter. The programs themselves were created by acts of Congress, but as you learned in chapter 12, Congress does not specify every detail concerning every program. Instead, Congress leaves a considerable amount of discretion to the agencies charged with administering programs. These agencies make rules and establish procedures. But how can a citizen find out what the rules are? They are published in a government publication called the *Federal Register*. Since 1995, the *Federal Register* has been available online in a searchable form, which overcomes many of the difficulties of the older, printed version. The URL for the homepage of the *Federal Register* is

<<http://www.gpoaccess.gov/fr/index.html>> The printed version of the *Federal Register* can be difficult

to use, but the government has issued a user's guide to it. Instructions may also be found in *Congressional Quarterly's Federal Regulatory Directory*. The *Federal Register* is published daily. It includes "notices of proposed rule making," that is, agency proposals for new rules; these must be publicized before they can be implemented. When a proposed rule is adopted by an agency, it must be published again as a "final rule." Federal rules undergo constant revision. Each year, the rules of all the agencies are collected into a set of volumes called the *Code of Federal Regulations* (CFR) that can be found online at <<http://www.gpoaccess.gov/cfr/index.html>>. The CFR assigns "title numbers" to broad subject areas affected by regulatory action; for example, Title 7 deals with agriculture, and Title 45 deals with public welfare. Each title is broken down into chapters (designated by Roman numerals), and the chapters are further subdivided into numbered parts. For example, the rules and regulations of the Drug Enforcement Administration would be found in Title 21, Chapter XIII, Part 1300 through the end of the title.

One relatively easy way to locate an agency's regulations is to use the *Federal Regulatory Directory*, which includes as part of its description the CFR titles and parts used by agencies.

The following example should give you an idea of a method for looking up regulations in paper volumes. Work through each step outlined here. Suppose you wanted to find out if full-time college students are eligible to receive food stamps. First, you would need to know what agency administers the food stamp program. If you look under the words *food stamps* in the index of the *Federal Regulatory Directory*, you will learn that the program is administered by an agency called the Food and Nutrition Service, which is part of the Department of Agriculture. If you read through the description of that agency, you will see a section marked "Rules and Regulations." That section tells you where to look in the *Code of Federal Regulations* to find the rules affecting this agency and its programs. Specifically, it directs you to Title 7, Parts 210–299 of the CFR. If you obtain the volume of the CFR containing Title 7, Parts 210–299, you will find a table of contents directing you to subchapter C, "Food Stamp and Food Distribution Program." The part most useful to you appears to be Part 273, "Certification of eligible households," which includes a section (§273.5) labeled "Students" that outlines the eligibility requirements students must satisfy to receive food stamps. With on-line searching, entering the words "students" and "food stamps" will lead you to the same result and allow you to retrieve the text of the regulation instantly.

USING YOUR KNOWLEDGE

Use the *Code of Federal Regulations* to find the following:

- student eligibility requirements for Pell grants
- the parity price of tobacco
- regulations governing access to the Internet for schools and libraries

GETTING INVOLVED

Founded in 1981, the Center on Budget and Policy Priorities works on public policy issues affecting low-income families and individuals. They have full- and part-time paid internships available for undergraduate and graduate students. Learn more about these opportunities at their website, <<http://www.cbpp.org/internship.html>>. The Children's Defense Fund offers internships on policy matters dealing with children, such as improving child health, nutrition, and the availability of child care. Find out more at their website at <<http://www.childrensdefense.org/internships/default.aspx>>

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

1. Which of the following is not correct about Social Security, public assistance, health care and education?
 - a. These four areas represent more than half the nation's annual budget.
 - b. All four of these areas create conflicting views of freedom, order and equality.
 - c. All four are cabinet-level administrations with a direct supervision from the president.
 - d. Despite Terrorism concerns these four still remain at the top of most American's concerns.
 - e. The goal of these areas is to alleviate some of the consequences of economic inequality.
2. Which of the following was the main focus for Lyndon B. Johnson's Great Society to eliminate?
 - a. political inequality
 - b. social inequality
 - c. economic inequality
 - d. All of the above
 - e. None of the above
3. Under which president did we begin a reexamination of social welfare policy, with a shift in emphasis from economic equality to economic freedom?
 - a. Franklin Roosevelt
 - b. John Kennedy
 - c. Lyndon Johnson
 - d. Ronald Reagan
 - e. Bill Clinton
4. Which of the following nations is the only one not to have a socialized health care system?
 - a. England
 - b. Norway
 - c. Denmark
 - d. Germany
 - e. None of the above
5. Which of the following is not true about the Great Depression?
 - a. One out of four Americans lost their jobs.
 - b. This minor event of the twentieth century had no lasting impact..
 - c. No growth in the export markets.
 - d. No new technologies boosted employment.
 - e. The crisis fueled itself.
6. Approximately what percent of all long-term care expenses is covered by the Medicaid program?
 - a. 25%
 - b. 40%
 - c. 50%
 - d. 65%
 - e. 75%
7. What term describes the minimum cash income that will provide for a family's basic needs?
 - a. categorical assistance level
 - b. entitlement level
 - c. poverty level
 - d. public assistance level
 - e. social insurance level

8. Which president created the State Children's Health Insurance Program?
 - a. Franklin Roosevelt
 - b. Lyndon Johnson
 - c. Richard Nixon
 - d. Ronald Reagan
 - e. Bill Clinton
9. What is America's largest entitlement program?
 - a. Social Security
 - b. Medicaid
 - c. Temporary Assistance to Needy Families
 - d. Medicare
 - e. State Children's Health Insurance Program
10. Between the election of 2000 and the campaign for the White House in 2004, what changes have been implemented to reform social security?
 - a. The retirement age has been adjusted upward.
 - b. Benefits have been cut.
 - c. Young workers have been given the option of creating a private savings account.
 - d. Social security taxes have been increased.
 - e. No reform measures have been passed.
11. Which of the following contributed to the "feminization of poverty"?
 - a. the increased divorce rate
 - b. the lack of affordable child care
 - c. increases in teenage pregnancy
 - d. limited employment opportunities for single women with young children
 - e. All of the above
12. Besides cost, what is the other major issue confronting our health care system?
 - a. choice
 - b. access
 - c. insurance
 - d. supervision
 - e. quality
13. Over fifty percent of Americans believe that they will not receive the benefits they expect from what social welfare program?
 - a. Social Security
 - b. AARP
 - c. Medicaid
 - d. SCHIP
 - e. TANF
14. In 2004, what percent of America's GDP did we spend on health care?
 - a. 12%
 - b. 16%
 - c. 20%
 - d. 22%
 - e. 25%

15. Which of the following groups was Medicare designed to serve?
 - a. children
 - b. the poor
 - c. the elderly
 - d. veterans
 - e. None of these
16. What is the most likely outcome of the Medicare Prescription Drug and Modernization Act of 2003?
 - a. It will reduce the number of individuals eligible for Medicare.
 - b. It will expand the number of individuals eligible for Medicare.
 - c. It will reduce the cost and scope of the Medicare program.
 - d. It will expand the cost and scope of the Medicare program.
 - e. It will have no effect on the cost or size of the Medicare program.
17. Social welfare policy in America is based on what premise?
 - a. Society has an obligation to provide for the minimum welfare of its members.
 - b. The government should take from each according to his or her ability and give to each according to his or her need.
 - c. Laissez-faire systems are best.
 - d. No redistribution of wealth should take place in a just society.
 - e. No individuals should be compelled to participate in social insurance programs.
18. What was the main concern for most opponents to a national health care system?
 - a. freedom to choose their own doctor
 - b. cost
 - c. complexity
 - d. equality and fairness
 - e. All of these
19. What does it mean when we describe Social Security as a “pay-as-you-go” system?
 - a. Today’s workers support today’s elderly.
 - b. You pay in while you are working, and the money is saved until you retire.
 - c. It is a progressive tax.
 - d. It is financed out of income taxes.
 - e. It is a means-tested program.
20. Medicaid insures what proportion of American children?
 - a. 1/12
 - b. 1/9
 - c. 1/8
 - d. 1/6
 - e. 1/5
21. What do the data on health expenditures and longevity indicate?
 - a. The larger a country’s per capita health expenditures, the longer its citizens will live.
 - b. The larger a country’s total health expenditures, the longer its citizens will live.
 - c. The smaller a country’s per capita health expenditures, the longer its citizens will live.
 - d. The smaller a country’s total health expenditures, the longer its citizens will live.
 - e. Health expenditures do not seem to be closely related to longevity.

22. What is the main purpose of the Elementary and Secondary Education Act of 1965?
 - a. It established free education to all American children.
 - b. It tried to improve educational equity in America's schools.
 - c. It initiated the School free lunch program.
 - d. It improved standards so more children could go to college.
 - e. All of the above
23. What education law did the Russian satellite "Sputnik" help create?
 - a. Education Employment Act
 - b. National College Attainment Act
 - c. National Education Standards Act
 - d. National Defense Education Act
 - e. No Child Left Behind Act
24. Which of the following does the school voucher program in No Child Left Behind Act promote?
 - a. equality over freedom
 - b. order over equality
 - c. freedom over order
 - d. freedom over equality
 - e. equality over order
25. Which of the following would be considered a "means-tested" benefit?
 - a. tax cut
 - b. sales Tax
 - c. Pell Grants
 - d. Social Security
 - e. Medicare

Essay Questions

1. How did the Great Depression help produce new attitudes about the government's role in ensuring the social welfare of citizens?
2. What methods did the War on Poverty use in its effort to eradicate poverty?
3. What are the principal components of the No Child Left Behind Act? How is this reform expected to improve access of quality education?
4. What are the main obstacles to reforming our Social Security system and what is going to happen if we do not reform it? Explain your answers.
5. The health care system in the United States is described as a patchwork of plans to provide access and ensure quality. What are the three major government programs designed to expand access? Whom do these programs serve? Are these programs sufficient?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. c
2. d
3. d
4. e
5. b
6. c
7. b
8. e
9. a
10. e
11. e
12. b
13. a
14. b
15. c
16. d
17. a
18. a
19. a
20. e
21. e
22. b
23. d
24. d
25. c

CHAPTER 20

Global Policy

LEARNING OBJECTIVES

After reading this chapter you should be able to

- Define the key terms at the end of the chapter.
- Describe the changes in outlook and priorities that characterized America's emergence as a superpower following World War II.
- Outline the basic consensus that characterized American foreign policy during the Cold War.
- Explain why that consensus broke down.
- Show how foreign policy issues have become more "intermestic" since the end of the Cold War.
- Describe the impact of the September 11 terrorist attacks on America's foreign policy strategy and choices.
- Discuss the impact of trade and investment policies on foreign policy.
- Outline the president's chief powers in the area of foreign policy, and list the devices presidents have used to avoid congressional limitations on those powers.
- Describe the roles played by the Department of State, Department of Defense, National Security Council, and Central Intelligence Agency in making foreign policy.
- Identify other players in the foreign policymaking process.
- Assess the limits of public opinion as a guide for foreign policy.

GLOBAL POLICY AND THE CHALLENGE OF DEMOCRACY

The United States faces challenges related to both national security and our role in the international community. The two concerns are increasingly linked. Although the United States may assert the right to "go it alone" to combat terrorism, our participation in a variety of international organizations and agreements implies broader international responsibilities. The United States is currently grappling with the outsourcing of jobs to foreign countries, and we are learning that globalization brings both costs and benefits.

Policymakers may want a stable world order, but they also want economic prosperity. Achieving these goals may lead America to oppose revolutionary movements in the developing world, or to support regimes that violate human rights. Should we choose stability (order) over freedom? In the short run, at least, it is possible to maintain order through the use of force, but in the long run, many argue, stability is best preserved by rooting out the sort of political and social inequalities that lead to disorder. Other questions about values raised in connection with foreign policy concern the cost of superpower status. What does it cost to be a superpower—not just in dollars, but in terms of other values important to democracy? How much freedom do we give up at home by tolerating the secrecy of the Central Intelligence Agency (CIA)? How should decisions about foreign policy be made in a democracy? Analysts certainly feared the application of a majoritarian model, which would make the consistency

and secrecy required in foreign affairs almost impossible. While recent research has suggested that the American public is generally consistent in its foreign policy views and responsive to candidates' foreign policy positions, it is still hard to see the making of foreign policy as the outcome of a majoritarian process.

Certainly the foreign policy arena is full of examples of pluralistic politics in action. Ethnic groups, foreign governments, businesses, and unions may all lobby in support of foreign policy interests. But in foreign policy, the president still remains the most important actor.

CHAPTER OVERVIEW

Following World War II, the United States built a consensus for its foreign policy in order to overcome communist aggression everywhere in the world. With the fall of the Soviet Union and the end of the Cold War, this objective became irrelevant. America sought to shape a new approach to foreign policy that emphasized new issues such as trade and the environment. The September 11 attacks and the subsequent war on terror have returned the focus of foreign policy to national security and an expanded role for the military.

Making Foreign Policy: The Constitutional Context

Under the Constitution, the president is clearly the chief actor in foreign policy matters; but, as elsewhere in the system, Congress has several prerogatives that serve as checks on his powers. However, presidents have frequently used tools like executive agreements, undeclared wars, discretionary funds, and transfer authority to sidestep constitutional limitations on their foreign policy powers. The War Powers Resolution (1973) was an attempt by Congress to limit the ability of the President to sustain undeclared wars. The resolution has not been successfully implemented.

Making Foreign Policy: Organization and Cast

The major organizations responsible for formulating and conducting foreign affairs are the Department of State, the Department of Defense, the National Security Council, and the Central Intelligence Agency. The Department of State has the most to do with the overall conduct of foreign affairs, yet it has a relatively small staff (especially in comparison with the Department of Defense) and has often been criticized for its inertia. The Department of Defense manages America's military forces and provides civilian control over the military. The CIA is charged with gathering intelligence about the actions and intentions of foreign powers. It also performs certain covert operations. These activities have given rise to controversies about the place of such operations in a democratic government. In response, Congress placed legislative limits and reporting requirements on CIA operations. The CIA has been the focus of recent criticism due to faulty intelligence about weapons of mass destruction in Iraq. The National Security Council (NSC) coordinates the details of foreign, military, and domestic policy as they relate to national security. Due to globalization and interdependence of social, environmental, and economic issues with political matters, the number of players involved in making foreign policy has increased to include the Departments of Commerce and Agriculture, as well as offices set up by state governments.

A Review of Foreign Policy

The Monroe Doctrine of 1823, which advocated an isolationist policy and nonintervention in European politics, dominated U.S. foreign policy in most of the nineteenth century. World War II and its aftermath brought a decisive change, as globalism replaced isolationism. Following the war, the United States adopted a policy of containment to limit Soviet expansion. The pillars of containment were the Bretton-Woods economic system, the Marshall Plan, and the NATO alliance. Containment required creation of a much larger military and a commitment to far higher levels of defense spending.

In the first decade or so of containment policy, the United States relied heavily on nuclear deterrence to hold the Soviets in check. The shift from near-exclusive reliance on nuclear deterrence to flexible response under President Kennedy created a need for greater military spending. In addition, Kennedy committed himself to nation-building policies in the developing world. The commitment the United States made to nation-building in Vietnam cost well over 58,000 American lives and badly damaged America's foreign policy consensus.

President Nixon pursued a policy of détente toward the Soviet Union and also opened the way for relations with the People's Republic of China. The post-Vietnam era saw Jimmy Carter's attempt to base foreign policy on human rights, and Ronald Reagan's reemphasis on military strength and anticommunism as the backbone of U.S. foreign policy. With the decline of communism in Eastern Europe, America's chief adversary paled in strength. But no clear, consistent foreign policy vision emerged to help policymakers balance the conflicting demands of establishing a stable world order, promoting the creation of free institutions, and creating a level of international economic equality adequate to protect against instability.

G. H. W. Bush successfully crafted a coalition of international support to oust Saddam Hussein's army from Iraq in 1991. Bill Clinton committed the U.S. to a broader international role as he sought to enlarge the number of free market economies and engage global security and economic challenges. After 9/11, George W. Bush asserted the nation's right to preemptively attack potential threats, and engaged in two major military campaigns in Afghanistan and Iraq. Bush has broadened the role of the military and reasserted the role of the United States as a global superpower.

From Foreign to Global Policy

Foreign policy focuses on security against military threats. On the other hand, global policy focuses on social and environmental concerns. In global policy, the players are no longer competing alliances but international organizations that cooperate internationally.

Global Issue Areas

In the post-Cold War era, defense and military issues continue to be important. But the end of the Cold War shifted attention to new foreign policy issue areas that highlight the extent to which America exists in an interdependent community of nations. Economically, the United States is linked to the rest of the world through aid, trade, and investment. Environmentally, Americans are finding that the choices and activities of one nation may have an ecological impact on the rest of the world. In addition to combating terrorism, the international community faces challenges related to global inequality, drugs, smuggling of aliens, and appropriation of intellectual property.

The Public and Foreign Policy

Historically, the public has paid little attention to traditional concerns of foreign policy issues. Recently, however, there has been a steady increase in the percent of people who believe the United States should play an active part in world affairs. The making of foreign policy does not closely adhere to majority rule. Interest groups—including ethnic groups, business groups, unions, and others—are becoming increasingly involved in the process. The media also help shape the process, particularly through their function as agenda setters.

KEY TERMS

executive agreement

isolationism

Cold War

containment

North Atlantic Treaty Organization (NATO)

nation building

Nixon Doctrine

détente

peace through strength

enlargement and engagement

preemptive action

global policy

intermistic

free trade

comparative advantage

fair trade

managed trade

protectionists

RESEARCH RESOURCES

What is the U.S. policy toward Myanmar, or Morocco, or Burkina Faso, or Argentina? You can find the answers by consulting *Background Notes on Countries of the World*, a series of loose-leaf publications prepared by the Department of State. This material is also accessible on-line through the State Department's web page at <<http://www.state.gov/r/pa/ei/bgn>>. These notes give information on the history, population, economy, and government of every nation in the world, with a summary of the current status of each nation's relations with the United States. These notes are also very useful for travelers. The Department of State's website also provides information on policy issues as well as policy toward nations and regions. Check their home page at <<http://www.state.gov>>.

What about defense policy? Where can you find information on defense and foreign policy? Start with the Department of Defense's official Web site at <<http://www.defenselink.mil>>. How do you discover how American defense spending compares with the defense spending of other nations? Try *World Military Expenditures and Arms Transfers*, published annually by the U.S. Arms Control and Disarmament Agency, a part of the federal government. Another interesting source for research into weapons systems is the *Defense and Foreign Affairs Handbook* (Washington, D.C.: Defense and Foreign Affairs, Ltd.), which includes descriptions of the defense capabilities of nations around the globe. It offers a handy guide to "who's who in politics and defense," as well as a list of corporations that supply armaments to the government and descriptions of the kinds of products they supply. SIPRI, the Stockholm International Peace Research Institute, publishes an annual yearbook on armaments, disarmaments, and international security. Much of their data is available on-line through their Web site

at <<http://sunsite.sipri.se>>. For a respected source critical of defense spending, try Center for Defense Information at <<http://www.cdi.org>>. For a pro-defense spin, you might also visit the Heritage Foundation's National Security site at <<http://www.nationalsecurity.org>>.

USING YOUR KNOWLEDGE

1. Select an important foreign policy issue (such as U.S. policy toward North Korea or nuclear nonproliferation). Visit the Department of State's website to find current U.S. policy. Have there been debates in Congress on the issue? Finally, research public opinion on the issue.
2. Using Internet resources, trace U.S. defense spending over the past decade. How does it compare to the defense spending of other NATO nations?

GETTING INVOLVED

Careers in Foreign Affairs

Students interested in careers in international affairs often hope to work for the Department of State. As this chapter points out, the bad news is that positions as foreign-service officers are highly competitive. There is good news, though—namely, that there are many other opportunities to work for the U.S. government in the area of international affairs. There are also opportunities to be involved in international affairs working for nongovernmental organizations.

Foreign Service. As the text mentions, the first hurdle for those seeking a foreign-service appointment in the Department of State is a written examination. To obtain further information, visit the Department of State's Careers Web site at <<http://www.state.gov/m/dghr/hr>>.

Other Departments in International Affairs. There are many other ways to pursue a career in international affairs. Here is a short list of other federal departments and agencies that deal with international matters.

The Department of Agriculture runs international affairs and commodity programs as well as marketing and inspection programs. Try contacting the department's employment office at Room 1080, South Building, Washington, D.C. 20250, or the Personnel Division, Field Servicing Office, Animal and Plant Inspection Service, USDA, 100 N. Sixth St., Butler Square West, Minneapolis, MN 55403.

To learn more about positions with the CIA, visit their website <<http://www.cia.gov/employment>>

You might be interested in the International Trade Administration of the Department of Commerce. This organization tries to promote overseas markets for U.S. goods. The address is Personnel Office, Room 4808, Hoover Building, 14th St. and Constitution Ave., NW, Washington, D.C. 20230.

The Peace Corps at <<http://www.peacecorps.gov>> accepts volunteers for two-year terms in over seventy countries. The agency also has its own staff of regular employees overseeing operations. For further information, contact the Peace Corps, Office of Personnel, 1990 K St., NW, Washington, D.C. 20526.

Internships

As you contemplate a career in the field of international affairs or foreign policy, you may want to take a closer look. Some of the possibilities for internships in government, as well as in think tanks and with interest groups, include the following.

With the U.S. Government. The Department of State offers both paid summer internships and work-study internships. These internships are highly competitive and may even include work overseas. The lead time for obtaining Department of State internships is fairly long, since successful applicants may

need to be put through a security clearance. Applications for summer are usually due around November 1. For further information, visit <<http://www.careers.state.gov/student/index.html>> The CIA offers internships paid at the rate of \$300 to \$375 per week. These are available at its Langley, Virginia, headquarters as well as elsewhere. Its undergraduate internships are open to minority and disabled students in their junior and senior years of college. Applications for summer spots are due early—September 30! For more information, write to the Central Intelligence Agency, CIA Employment Center, P.O. Box 12727, Arlington, VA 22209.

The Peace Corps also offers a year-round, two- to six-month internship program in its headquarters offices. These internships are unpaid. Applicants must submit a Standard Form 171 Personal Qualifications Statement. For further information, contact the Student Intern Coordinator, Peace Corps Personnel, 806 Connecticut Avenue, NW, Room P-307, Washington, D.C. 20526. Telephone: 800-424-8580.

Internships outside Government. The Center for Defense Information gives students with an interest in defense policy and related public-policy issues the opportunity to serve as research and outreach assistants. These competitive, paid internships are offered in spring, summer, and fall. The deadlines are October 15 for spring, March 15 for summer, and July 1 for fall. For further information, visit their website at <<http://www.cdi.org>> or contact the Intern Coordinator, Center for Defense Information, 1779 Massachusetts Avenue, NW, Washington, D.C. 20036.

The Kathryn and Shelby Cullom Davis International Studies Center, a department of the Heritage Foundation, conducts research and publishes papers on a wide variety of international political, economic, and security issues and offers internships during the fall and spring semesters. To find out more, send e-mail to <froningd@heritage.org>.

SAMPLE EXAM QUESTIONS

Multiple-Choice Questions

- How many times did George W. Bush mention “globalism” in his five State of the Union addresses from 2002 to 2006?
 - 28 times
 - 22 times
 - 15 times
 - 8 times
 - None at all
- What term describes the principle that states all nations will benefit when each nation specializes in goods it can produce efficiently?
 - protectionism
 - flexible response
 - free Trade
 - isolationism
 - comparative advantage
- What term describes a pact between the heads of countries concerning their joint activities, which needs no formal approval from the U.S. Senate?
 - preemptive action
 - comparative advantage
 - flexible response
 - executive agreement
 - détente

4. What document, passed over President Nixon's veto, requires the U.S. president to "consult" with Congress before involving U.S. troops in hostilities and notify Congress within forty-eight hours of such an intervention?
 - a. War Powers Act
 - b. Marshall Plan
 - c. Détente
 - d. Preemptive Action
 - e. Executive Agreement
5. What term do we use to describe the Bush Administration's policy of acting against nations before threats occur?
 - a. nation building
 - b. preemptive action
 - c. War Powers Act
 - d. flexible response
 - e. détente
6. What did the North Atlantic Treaty commit the United States to?
 - a. the defense of Western Europe
 - b. the defense of Eastern Europe
 - c. the defense of Japan
 - d. the defense of South Korea
 - e. the defense of our eastern coastline
7. What did we call the U.S. policy to stop Soviet expansion during the Cold War?
 - a. the Marshall Plan
 - b. flexible response
 - c. containment
 - d. mutual assured destruction
 - e. preemptive action
8. What did we call Colin Powell's new method of foreign diplomacy, "Define your objective. Bring massive force to bear. Take on only those battles you are sure you can win and line up public support before you start?"
 - a. the Powell Doctrine
 - b. preemptive action
 - c. détente
 - d. mutual assured destruction
 - e. comparative advantage
9. What group of advisors assists the president in molding a coherent approach to foreign policy by integrating and coordinating details of domestic, foreign and military affairs?
 - a. National Security Agency
 - b. Department of Defense
 - c. National Security Council
 - d. State Department
 - e. Central Intelligence Agency
10. Which foreign policy served to scale back U.S. overseas commitments by linking commitments to interests?
 - a. Monroe Doctrine
 - b. Truman Doctrine
 - c. Carter Doctrine
 - d. Nixon Doctrine
 - e. Clinton Doctrine

11. Which is not true of the International Liberals?
 - a. They use international government to protect the environment.
 - b. They use international government to improve conditions of workers.
 - c. They use international government to aid children in foreign countries.
 - d. They use international government to advance the rights of women.
 - e. They use international government to provide subsidies to national businesses.
12. Which of the following is a foreign policy power explicitly assigned to the president under the Constitution?
 - a. the power to declare war
 - b. the power to receive ambassadors
 - c. the power to conclude executive agreements
 - d. the power to raise revenue for the armed forces
 - e. All of the above
13. Which of the following agencies does the Agency for International Development (AID) work with on a regular basis?
 - a. the Central Intelligence Agency
 - b. the Department of Agriculture
 - c. the Peace Corps
 - d. the Defense Department
 - e. All of the above
14. Which American President used a policy of "peace through strength" during his administration?
 - a. Jimmy Carter
 - b. Gerald Ford
 - c. Ronald Reagan
 - d. George H.W. Bush
 - e. Bill Clinton
15. Which of the following is true about the United States' "active role" in world affairs?
 - a. Neither the public nor foreign policy elites support an active role.
 - b. The public does not support an active role, but foreign policy elites do.
 - c. The public supports an active role, but foreign policy elites do not.
 - d. Both the public and foreign policy elites support an active role.
 - e. Foreign policy elites have only recently begun to support an active role.
16. Approximately what percent of the federal budget is devoted to foreign aid?
 - a. 1%
 - b. 5%
 - c. 15%
 - d. 25%
 - e. 35%
17. The Clinton administration replaced the Cold War policy of containment with what policy?
 - a. enlargement and engagement
 - b. constructive disengagement
 - c. détente and peace
 - d. cooperation
 - e. preemptive action

18. What term describes the use of creating order through the use of international agreements to outlaw unfair business practices?
 - a. flexible response
 - b. fair trade
 - c. free trade
 - d. comparative advantage
 - e. intermestic
19. Which of the following is not one of the big emerging markets (BEM) the U.S. is interested in?
 - a. Indonesia
 - b. Mexico
 - c. Brazil
 - d. South Africa
 - e. None of the above
20. Where foreign policy matters are concerned, how do interest groups help?
 - a. They provide the Department of State with a strong, built-in constituency.
 - b. They are more effective in noncrisis situations than in crisis situations.
 - c. They are more effective at bringing about change than at supporting the status quo.
 - d. They are prohibited from forming where national security matters are at stake.
 - e. They rarely play a role.
21. Which of the following is *true* concerning an executive agreement?
 - a. It requires ratification by the Senate.
 - b. It is outside the range of presidential power.
 - c. It has the legal status of a treaty.
 - d. It is a power reserved for the President by the Constitution.
 - e. It has no legal standing.
22. When did the United States break out of its policy of isolationism and become a “superpower?”
 - a. after the Civil War
 - b. after World War I
 - c. after World War II
 - d. during the Vietnam War
 - e. after the 9/11 terrorist attacks
23. What has the War Powers Resolution done?
 - a. It greatly diminished the ability of presidents to conduct undeclared wars.
 - b. It played no role in the Bush Administration’s decisions related to the war on terror.
 - c. It failed to diminish the ability of the President to conduct undeclared war.
 - d. It resulted in a major reorganization of the Department of Defense.
 - e. It increased the role of the House of Representatives in foreign policy choices.
24. Which is not true for the International Conservatives?
 - a. They favor spending for national defense.
 - b. They favor support of U.S. intelligence agencies.
 - c. They favor placing U.S. forces under command of international organizations.
 - d. They favor using the military only to fight in defense of vital national interests.
 - e. They oppose other nations monitoring human rights conditions in the U.S.

25. Which of the following are affected by our global foreign policy?
- sporting teams
 - human rights
 - civil Liberties
 - health care costs
 - All of the above

Essay Questions

- How have the September 11 terrorist attacks affected U.S. foreign policy choices and strategies?
- What fundamental changes in American foreign and defense policy came about as part of the aftermath of World War II?
- Describe the major approaches to managing trade. What are the advantages and drawbacks of each?
- Which agencies play a major role in our foreign policy and what are their roles?
- What role has the United States played concerning major environmental issues?

ANSWERS TO MULTIPLE-CHOICE QUESTIONS

1. e
2. e
3. d
4. a
5. b
6. a
7. c
8. a
9. c
10. d
11. e
12. b
13. e
14. c
15. d
16. a
17. a
18. b
19. d
20. b
21. c
22. c
23. c
24. c
25. b