

SOU
1996

SOURCES

Notable Selections in *American* Government

Edited by

MITCHEL GERBER

Southeast Missouri State University

A Gift of The Asia Foundation.
San Francisco, California, U.S.A.
NOT FOR SALE

ĐẠI HỌC QUỐC GIA HÀ NỘI
TRUNG TÂM THÔNG TIN THƯ VIỆN
No ADQ/1805

Dushkin/McGraw-Hill

A Division of The McGraw-Hill Companies



Contents

Preface i

PART ONE *The Intellectual and Ideological Context of American Government* 1

CHAPTER 1 American Political Culture and Ideology 3

1.1 JOHN LOCKE, from *Two Treatises of Government* 3

"The great and chief end therefore, of Mens uniting into Commonwealths, and putting themselves under Government, is the Preservation of their Property."

1.2 ALEXIS DE TOCQUEVILLE, from *Democracy in America* 9

"The people reign in the American political world as the Deity does in the universe."

1.3 LOUIS HARTZ, from *The Liberal Tradition in America: An Interpretation of American Political Thought Since the Revolution* 16

"At bottom it is riddled with paradox. Here is a Lockian doctrine which in the West as a whole is the symbol of rationalism, yet in America the devotion to it has been so irrational that it has not even been recognized for what it is: liberalism."

1.4 ROBERT N. BELLAH ET AL., from *Habits of the Heart: Individualism and Commitment in American Life* 23

"Individualism lies at the very core of American culture."

1.5 AMITAI ETZIONI, from *Rights and the Common Good: The Communitarian Perspective* 31

"In the United States, at the onset of the 1990s, communitarians felt that social responsibilities particularly needed shoring up."

PART TWO *The Constitutional Framework and the Federalist System* 39

CHAPTER 2 The Constitutional Foundation of American Government 41

2.1 JAMES MADISON, from *Federalist*, Nos. 47, 48, and 51 41

"The accumulation of all powers, legislative, executive, and judiciary, in the same hands, whether of one, a few, or many, and whether hereditary, self-appointed, or elective, may justly be pronounced the very definition of tyranny."

2.2 CHARLES A. BEARD, from *An Economic Interpretation of the Constitution of the United States* 47

"The overwhelming majority of members, at least five-sixths, were immediately, directly, and personally interested in the outcome of their labors at Philadelphia, and were to a greater or less extent economic beneficiaries from the adoption of the Constitution."

2.3 GORDON S. WOOD, from "The Intellectual Origins of the American Constitution," *National Forum: The Phi Kappa Phi Journal* 54

"[T]hey were men intensely interested in ideas and especially concerned with making theoretical sense of what they were doing. They were participants in a rich, dynamic political culture that helped determine the nature of the Constitution they created."

CHAPTER 3 The Evolution of American Federalism 60

3.1 JOHN MARSHALL, from *McCulloch v. Maryland*, U.S. Supreme Court 60

"If any one proposition could command the universal assent of mankind, we might expect it would be this: that the government of the Union, though limited in its powers, is supreme within its sphere of action."

3.2 SAMUEL H. BEER, from "Federalism, Nationalism, and Democracy in America," *American Political Science Review* 66

"What is interesting about American federalism today is not its particular allocation of functions or powers between levels of government, but rather what it is adding to our national system of representation."

3.3 DANIEL J. ELAZAR, from "Opening the Third Century of American Federalism: Issues and Prospects," *The Annals of the American Academy of Political and Social Science* 76

"Nevertheless, within this deteriorating constitutional and political framework, the states have become stronger and more vigorous than ever. They

have reasserted themselves as polities and have become the principal source of governmental innovation in the United States as well as the principal custodians of most domestic programs."

PART THREE *Civil Liberties and Civil Rights* 85

CHAPTER 4 Civil Liberties 87

4.1 **JOHN STUART MILL**, from *On Liberty* 87

"If all mankind minus one were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind."

4.2 **HUGO L. BLACK**, from *Gideon v. Wainwright*, U.S. Supreme Court 94

"Not only these precedents but also reason and reflection require us to recognize that in our adversary system of criminal justice, any person haled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him. This seems to us to be an obvious truth."

4.3 **ANTHONY M. KENNEDY ET AL.**, from *Lee v. Weisman*, U.S. Supreme Court 100

"In this atmosphere the state-imposed character of an invocation and benediction by clergy selected by the school combine to make the prayer a state-sanctioned religious exercise in which the student was left with no alternative but to submit."

4.4 **HARRY A. BLACKMUN**, from *Roe v. Wade*, U.S. Supreme Court 107

"This right of privacy, whether it be founded in the Fourteenth Amendment's concept of personal liberty and restrictions upon state action, as we feel it is, or, as the District Court determined, in the Ninth Amendment's reservation of rights to the people, is broad enough to encompass a woman's decision whether or not to terminate her pregnancy."

CHAPTER 5 Civil Rights 114

5.1 **RICHARD KLUGER**, from *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality* 114

"In the United States, schoolchildren could no longer be segregated by race. The law of the land no longer recognized a separate equality: No Americans were more equal than any other Americans. Jim Crow was on the way to the burial ground."

5.2 JANE J. MANSBRIDGE, from *Why We Lost the ERA* 122

"While the ERA would have had few immediate, tangible effects, I nonetheless believe that its defeat was a major setback for equality between men and women. Its direct effects would have been slight, but its indirect effects on both judges and legislators would probably have led in the long run to interpretations of existing laws and enactment of new laws that would have benefited women."

5.3 HUGO L. BLACK, from *Korematsu v. United States*, U.S. Supreme Court 129

"Compulsory exclusion of large groups of citizens from their homes, except under circumstances of direst emergency and peril, is inconsistent with our basic governmental institution. But when under conditions of modern warfare our shores are threatened by hostile forces, the power to protect must be commensurate with the threatened danger."

PART FOUR *Democratic Participatory Organizations* 133

CHAPTER 6 Interest Groups 135

6.1 JAMES MADISON, from *Federalist*, No. 10 135

"Among the numerous advantages promised by a well-constructed Union, none deserves to be more accurately developed than its tendency to break and control the violence of faction."

6.2 BURDETT A. LOOMIS AND ALLAN J. CIGLER, from "The Changing Nature of Interest Group Politics," in Allan J. Cigler and Burdett A. Loomis, eds., *Interest Group Politics*, 3rd ed. 142

"From James Madison to Madison Avenue, political interests have played a central role in American politics. But this great continuity in our political experience has been matched by the ambivalence with which citizens, politicians, and scholars have approached interest groups."

CHAPTER 7 Political Parties 152

7.1 LARRY SABATO, from "New Campaign Techniques and the American Party System," in Vernon Bogdanor, ed., *Parties and Democracy in Britain and America* 152

"The growth of political consultancy and the development of advanced campaign techniques were combined with the new election finance laws that hurt the parties, favored the prospering consultants, and encouraged the mushrooming of party-rivaling political action committees."

- 7.2 **JAMES L. SUNDQUIST**, from "Strengthening the National Parties," in A. James Reichley, ed., *Elections American Style* 161

"Political parties have always occupied an ambiguous position in American public life. They are profoundly mistrusted—yet accepted. Their constant maneuvering for petty advantage is reviled and ridiculed, but millions of people call themselves either Democrats or Republicans and cherish the ideals of their party with a religious fervor."

PART FIVE *Democratic Participatory Processes* 171

CHAPTER 8 Electoral Politics 173

- 8.1 **V. O. KEY, JR.**, from *The Responsible Electorate: Rationality in Presidential Voting, 1936–1960* 173

"The perverse and unorthodox argument of this little book is that voters are not fools. To be sure, many individual voters act in odd ways indeed; yet in the large the electorate behaves about as rationally and responsibly as we should expect, given the clarity of the alternatives presented to it and the character of the information available to it."

- 8.2 **WALTER DEAN BURNHAM**, from *Critical Elections and the Mainsprings of American Politics* 179

"The critical realignment is characteristically associated with short-lived but very intense disruptions of traditional patterns of voting behavior. Majority parties become minorities; politics which was once competitive becomes noncompetitive or, alternately, hitherto one-party areas now become arenas of intense partisan competition; and large blocks of the active electorate—minorities, to be sure, but perhaps involving as much as a fifth to a third of the voters—shift their partisan allegiance."

- 8.3 **W. LANCE BENNETT**, from *The Governing Crisis: Media, Money, and Marketing in American Elections* 187

"The decline of voter interest and satisfaction suggests that even the symbolic meanings of electoral choices have become undermined in recent elections, raising questions about this legitimization function of elections and the stability of public support for any elected governments put in office."

CHAPTER 9 The Media and Public Opinion 195

- 9.1 **MICHAEL PARENTI**, from *Inventing Reality: The Politics of the Mass Media* 195

"By focusing on 'human interest' trivia, on contest rather than content, the media make it difficult for the public to give intelligent expression to politi-

cal life and to mobilize around the issues. Thus the media have—intentionally or not—a conservative effect on public discourse.”

- 9.2 KATHLEEN HALL JAMIESON AND KARLYN KOHRS CAMPBELL**, from *The Interplay of Influence: News, Advertising, Politics, and the Mass Media*, 3rd ed. 202

“Image versus issues; character versus positions. Scholars have wasted a lot of time trying to distinguish between messages that relate to candidate image and messages that relate to candidates’ stands on issues. The problem, of course, is that almost every message says something that can be interpreted as an issue and tries to enhance the candidate’s credibility, hence image.”

PART SIX *Institutions of National Government* 211

CHAPTER 10 Congress 213

- 10.1 DAVID R. MAYHEW**, from *Congress: The Electoral Connection* 213

“Whether they are safe or marginal, cautious or audacious, congressmen must constantly engage in activities related to reelection.”

- 10.2 RICHARD F. FENNO, JR.**, from *Home Style: House Members in Their Districts* 219

“In a House member’s first years, the opportunities for gaining inside power and policy influence are limited. . . . It requires time and energy to develop a successful career in Washington just as it does to develop a successful career in the district. Because it may not be possible to allocate these resources to House and home, each to an optimal degree, members may have to make allocative and goal choices.”

- 10.3 ROGER H. DAVIDSON AND WALTER J. OLESZEK**, from *Congress and Its Members*, 4th ed. 229

“By most accounts individual members of Congress are faring rather well. The hours are long and the pay relatively modest, but diligence and attentive home styles yield dividends at the polls. If voters think that elected officials as a class are rascals, they do not feel that way about their own elected officials.”

CHAPTER 11 The Presidency 237

- 11.1 CLINTON ROSSITER**, from *The American Presidency* 237

“Chief of State, Chief Executive, Commander in Chief, Chief Diplomat, Chief Legislator—these functions make up the strictly constitutional burden of the President. As Mr. Truman himself allowed in several of his folksy

sermon on the Presidency, they form an aggregate of power that would have made Caesar or Genghis Khan or Napoleon bite his nails with envy."

- 11.2 RICHARD E. NEUSTADT**, from *Presidential Power and the Modern Presidents: The Politics of Leadership from Roosevelt to Reagan* 245

"The essence of a President's persuasive task, with congressmen and everybody else, is to induce them to believe that what he wants of them is what their own appraisal of their own responsibilities requires them to do in their interest, not his."

- 11.3 DUANE M. OLDFIELD AND AARON WILDAVSKY**, from "Reconsidering the Two Presidencies," *Society* 252

"Foreign policy has become more like domestic policy—a realm marked by serious partisan divisions in which the president cannot count on a free ride."

CHAPTER 12 The Bureaucracy 259

- 12.1 HUGH HECLO**, from *A Government of Strangers: Executive Politics in Washington* 259

"With a degree of certainty rare in social science, political executives can be predicted to be disproportionately white, male, urban, affluent, middle-aged, well educated at prestige schools, and pursuers of high-status white-collar careers. They are unlikely to be female, nonwhite, wage-earning, from a small town, or possessors of average educational and social credentials."

- 12.2 JAMES Q. WILSON**, from *Bureaucracy: What Government Agencies Do and Why They Do It* 267

"To do better we have to deregulate the government. If deregulation of a market makes sense because it liberates the entrepreneurial energies of its members, then it is possible that deregulating the public sector also may help energize it."

CHAPTER 13 The Judiciary 274

- 13.1 JOHN MARSHALL**, from *Marbury v. Madison*, U.S. Supreme Court 274

"It is emphatically the province and duty of the judicial department to say what the law is. Those who apply the rule to particular cases, must of necessity expound and interpret that rule. If two laws conflict with each other, the courts must decide on the operation of each."

- 13.2 LAURENCE H. TRIBE**, from *God Save This Honorable Court: How the Choice of Supreme Court Justices Shapes Our History* 279

"All that the President and the Senate need do is stop appointing 'activist' judges who impose their own philosophies upon the document they are