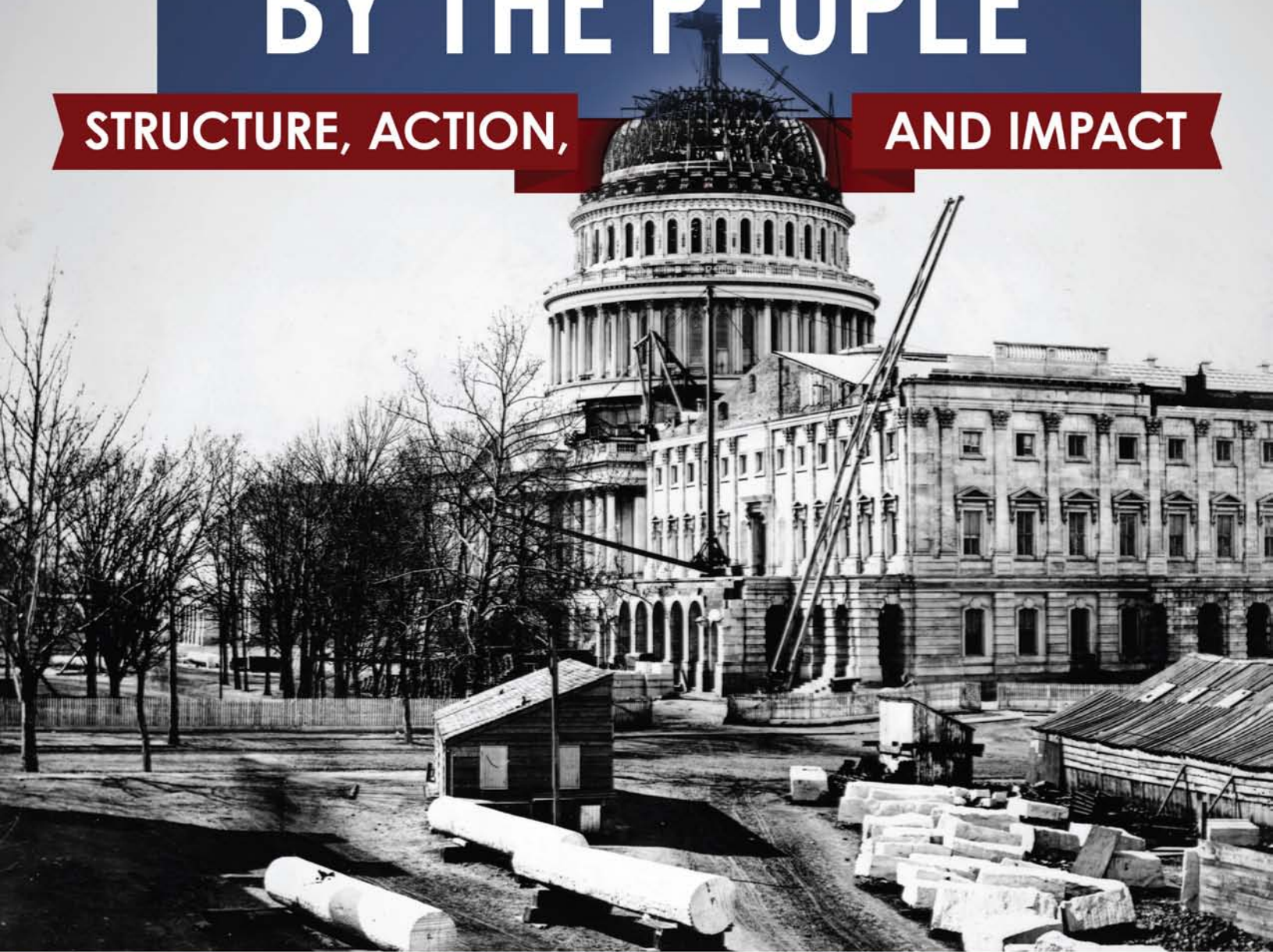


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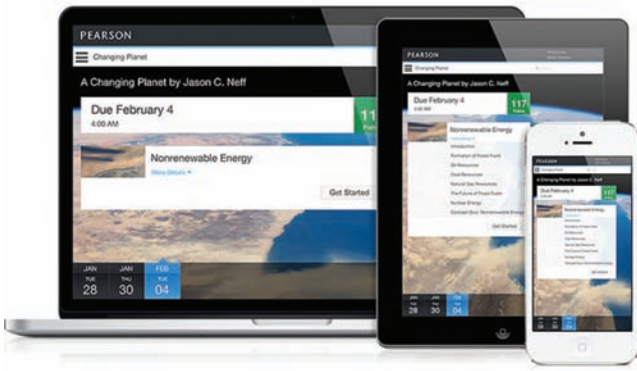
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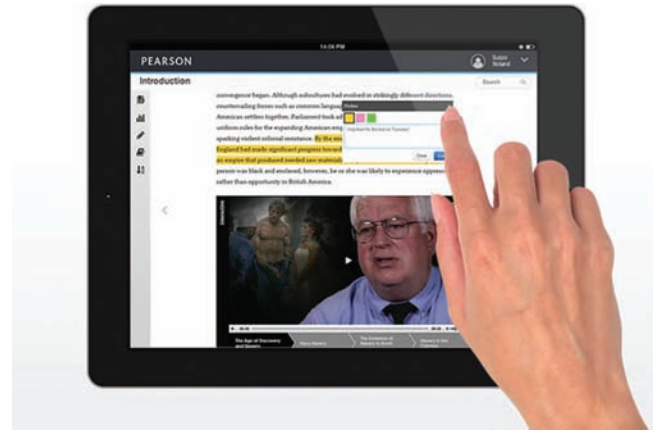
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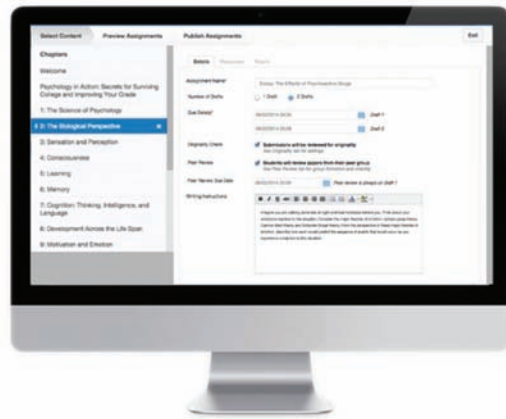
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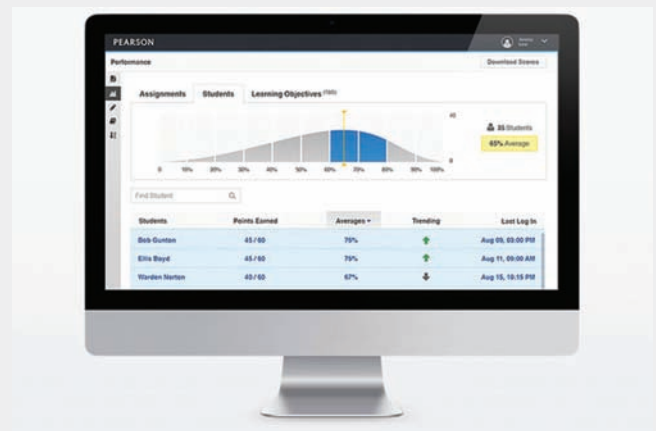
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# Government by the People

Structure, Action, and Impact  
2016 Presidential Election Edition

26<sup>TH</sup> EDITION

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# ○ To the Student

As the title of our book suggests, we view the idea of government by the people as a defining element of American politics and government. From the Mayflower Compact to the Declaration of Independence to the expansion of rights and liberties to more and more citizens in the last century, we have expanded on the idea of self-government. Too often, Americans take their basic rights to life, liberty, and the pursuit of happiness for granted. But these rights were guaranteed neither by those who wrote our Constitution nor by the citizens who have worked, one generation after another, to expand these rights and set our government's course. Rather, government by the people today depends on citizens who are informed and involved in the decisions and processes of our constitutional democracy. We have written this book with the aim of informing you about why you have a stake in our government. In this edition we have gone a step further to argue that you can have an impact on government at all levels if you understand how government works—what we call structure—and if you are willing to act on your knowledge. Our idea can be summarized as follows: knowledge of structure + action = impact. We will develop this focus in each chapter.

The image we selected for the cover of this edition was chosen with our theme of structure, action and impact in mind. Central to government by the people is the U.S. Capitol building. This physical structure, like our government, was built over time and was expanded as our country and government grew. By 1850 the Capitol could no longer accommodate the increasing numbers of senators and representatives from newly admitted states. The expansion seen here occurred between 1851 and 1865, though work was suspended temporarily from 1861 to 1862 due to the Civil War. The expansion of the Capitol is evidence of the government taking action. Over the course of U.S. history, there are many examples of government having an impact on people's lives. As you reflect on this image during your course of study we hope it reminds you of the importance of structure, action and impact.

The Framers of our Constitution warned us that we must always safeguard our rights, liberties, and political institutions. But we cannot do so without first understanding the basic rules of the game set by the Constitution. We must see the presidency, Congress, the federal bureaucracy, and the Supreme Court not as a remote "federal government" but as institutions that affect each of us every single day. Government by the people depends on people informing themselves and participating. It is not something that can be outsourced or that a generation can decide to take a pass on.

This new edition of *Government by the People* will help you embrace the legacy of constitutional government you have inherited, even as it gives you important insights into how you can shape the future direction of our country, guarantee a system that protects minorities and all of our rights and liberties, and defend our government by the people from tyranny. In some ways, you can read this book as an "owner's guide" to American government and as a basic "repair manual" about how you can play a role in making our Constitution work. Whether you act on your own or with others on campus and in your communities, your participation alone will make American government work better. Our constitutional system depends on active engagement—win, lose, or draw. As the old saying goes, politics is a game for people who show up. We want you to get into the game.

# Meet Your Authors

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# ○ To the Instructor

The three of us remember well the first time we taught an introductory American Government class. As teaching assistants in graduate school, we had given an occasional lecture. But to pull off our own first class seemed daunting. We also remember our desire for a well-written, carefully researched, well-illustrated, up-to-the-minute book that would help us jump-start student interest in active citizenship.

We share a desire to make a difference through our teaching, and we care deeply about playing our own role in making American government work. Although we have provided many enhancements to this text that will help your students make a difference in their own way, the text itself lays the foundation for leading students forward into political science majors and public service.

These experiences inform our approach, as does the feedback you and your students pass along about what works and what does not. Long after teaching our first American Government classes, we continue to share a common passion for teaching and for the study of American government. Because all of us still teach this course regularly, we recognize the challenges of engaging students and overcoming their cynicism about the subject and doubts about the relevance of the course to their lives. We see American government as a lively subject and make every effort to provide opportunities for debate and active learning in our own classes, using current examples and controversies to help show students the relevance of the topic. We know that students won't learn what they don't read, and we believe we have written a book that gives them every reason to stick with each topic.

This book and the courses we teach are informed by our professional lives and academic research. We are actively engaged in research and publication on courts, campaigns, bureaucracy, the presidency, Congress, public opinion, campaign finance, judicial nominations, and policy making. Our engagement in studying how government and politics really work has interrupted our teaching careers as we pursued appointments as Congressional Fellows of the American Political Science Association, produced new information for many of the book's figures and charts, and wrote books on the core topics in each of our areas. All of us regularly conduct interviews with leading policy makers in the executive, legislative, and judicial branches, and we study implementation and ongoing controversies through frequent trips to the major centers of government activity across the country. This constant contact with history, theory, and reality buttresses our appreciation for American government and tempers our interpretations of the many contemporary events we use in this book. We care deeply about the challenges facing American government today but also rely on history and theory to put those challenges in context.

We are delighted that you are reading this edition of *Government by the People*. First published in the 1950s, the book has reached more than 2 million students during its 60-plus years in circulation. Given the distinguished coauthors who came before us, we always carefully anchor our writing in the long tradition of careful scholarship embedded in the very fiber of this book. We believe our coauthors were right on point when they decided to title this book *Government by the People*. They wanted to emphasize how important people are in our constitutional democracy, and we still make every effort to reinforce the point. Understanding American politics and government must include an understanding of the American people, their similarities and differences, their beliefs and attitudes, and their behaviors.

The constitutional democracy we have in the United States is exceedingly hard to achieve, equally hard to sustain, and often hard to understand, especially when contemporary experience seems to frustrate action on the problems we all care about. We know that our democracy has evolved toward a greater and greater role for citizens and voters over the decades since the first edition of *Government by the People* was published. Citizens have more rights and political opportunities in 2017 than they had when early editions of this book were published, while social media has made politics available to everyone instantly by providing a deluge of information.

Given the conflicting opinions students often confront in their Web browsing, we frequently remind ourselves of the famous adage that everyone is entitled to their opinions, but not to their facts. That is why we work hard to set the record straight by providing a constitutional anchor for critical thinking, even as we make every effort to keep this book relevant through up-to-date examples, charts, chapter openers, photos, and exercises that challenge the instant analysis that sometimes distorts the real workings of American government.

Like your students, we are sometimes frustrated by the contemporary state of American government and the challenges in solving tough problems, and we are not reluctant to talk about the current level of public cynicism and polarization. In the book we emphasize the importance of learning the structure of American government and politics, and that when students act on that knowledge through participation they can have an impact on the future of their community, their state, the nation, and the world. We are committed to helping educate and activate the next generation of citizens who will take their place in honing the Framers' design to meet the challenges of the future, and we are hopeful that this edition of *Government by the People* will help them shape the future, each in his or her own most effective way.

## New to This Edition

The new 26th edition of *Government by the People* builds on this book's long reputation for deep, accurate, accessible, and current coverage of the foundations of American government. We embrace the idea of government by the people and want students to understand how they can have an impact at any level of government. Our simple formulation is that students must first understand the structure of government and politics. Participation is a necessary step as well, but participation without knowledge of the structure of politics and government is not likely to be effective. But participation with an understanding of how government and politics works can have an impact. We integrate this theme throughout the book, provide examples of people who have made a difference, and suggest ways students in the class can make a difference.

As in prior editions, we again integrate the latest in scholarship on American politics and government, comparisons with countries around the world, and analysis of recent political events, including the 2016 presidential and the 2014 midterm elections; legislative controversies over economic, social, and defense and foreign policy; and the Supreme Court vacancy resulting from Justice Scalia's death, as well as recent Supreme Court decisions. We also examine emerging constitutional controversies such as same-sex marriage, campaign finance reform, and the use of presidential power. In addition, the growing partisan polarization and legislative gridlock are discussed. Building on original research, we also examine the use of big data in campaigns, the surge in spending by Super PACs and other outside money groups, and the increasing role of the Internet and social media in politics.

Keeping in mind the current political context as well as the needs of your course, we have made the following the focus of this update:

- The book provides a launchpad for discussing all the major issues in the headlines today: the surprise of the Donald Trump nomination by the Republican party and the implications of his candidacy, victory, and presidency; the 2016 election results and



the coming 2018 midterm election contest; the war on terrorism; the Supreme Court's health care and same-sex marriage decisions; the ongoing government debt debate; the role of social media in politics today; the growing polarization of Congress; and the many current and unresolved questions on the basic performance of government. Social media and use of the Web in politics and government are a focus throughout the book. We also use these resources to reinforce learning and encourage further analysis through our discussion of what students can do to make a difference, as well as our examples, photos, figures, tables, and critical-thinking exercises.

- In all cases where recent data are available, tables, figures, and the text have been updated to reflect that current data. In other cases, where there have been new developments, as with Super PACs and 501(c) groups, we provide textual and tabular summaries to provide specific information—in the case of Super PACs, for example, showing where this money came from and for which sides it was spent.
- In the chapters on the courts, civil liberties, and civil rights, we discuss the Supreme Court's recent decisions regarding marriage equality, affirmative action, and abortion access. We also discuss other major legal developments, including Justice Scalia's death and the Court's consideration of how to protect religious liberties in light of contraception coverage under Obamacare.

Alongside these major organizational changes, we have updated the book to make sure your students can see American government as it is today:

- We have reviewed every table and figure in the book to include the most recent information available and included many new items across chapters. We want students to see how public opinion, diversity, campaign finance, congressional action, presidential press conferences and approval, judicial decisions, and the federal budget have changed in the past two to four years and how they might change in the future.
- We also have reviewed every photo in the book and replaced most to provide the most dynamic and engaging art program for your students. We have not left behind the iconic photos of the past, but we have worked both to capture major events from the last few years and to create a visual narrative that enhances rather than repeats the text.

## Features

While upholding the long tradition of scholarship that has always made this book credible to the political science community, we have brought new perspectives, stories, and data into the text to make sure every student knows that American government is as relevant to his or her life today as it was when our book was first published. We are proud of what our coauthors produced over the first 25 editions, but at the same time, we have not rested on the past by merely updating what has come before. We want this book to live on as an exemplar of how to integrate the basic arguments about what the Framers created with what is happening now, while retaining a focus on what needs to be changed in the future.

Toward this goal, we continue to present the book in an accessible tier of increasingly detailed knowledge. We start with a clear introduction telling students what they will read and how we think and then pivot to the constitutional foundations and the basic elements of our federalist system. After that we provide a deep introduction to the American political landscape to make sure students understand the geographic, demographic (race and ethnicity, religion, gender, sexual orientation, family structure, education, age), and economic (wealth and income, occupation, social class) factors that shape American government. This foundation informs

our chapters on political parties, interest groups' political participation, elections, and the media.

The book then turns to core chapters on American political institutions (Congress, the presidency, the bureaucracy and policy process, and the judiciary), follows with chapters on civil rights and liberties, and ends with chapters on economic, social, and defense and foreign policy. The book flows naturally from one section to the other, but we invite you to present these chapters in any order that fits with your own teaching plan.

We have placed definitions of key terms in the margins of every chapter to help students define new and important concepts at first encounter. For easy reference, key terms from the marginal glossary are repeated at the end of each chapter and in the end-of-book glossary.

These many tools and updates bring the book into the present. Students will never wonder what an example has to do with their reality. They will never question why the Constitution and history matter to solving big problems. And they will never ask how American government is being challenged today.

Ultimately, the book draws upon its own past to show students that others have made a difference before and that they can make their own difference today. We want all of your students to become active participants in our democracy, and we have written a book that gives them a broad invitation to engage. This is the enduring commitment of the book and one that we take very seriously when we sit down every two years to bring American government back into focus through a vibrant emphasis on what students need to know as they accept the call to public service.

## Revel for *Government by the People*

Providing educational technology for the way today's students read, think, and learn, Revel is an interactive learning environment that offers a fully digital experience. It uses frequent updates of articles and data to illustrate the current state of government and politics in the United States. Students can interact with multiple types of media and assessments integrated directly within the authors' narrative:

- Chapter-opening **Current Events Bulletins** feature author-written articles that put breaking news and current events into the context of American government. Examples include Gun Control, Mass Shootings, and Tragedy in Orlando; Party Disunity and the 2016 Presidential Election, A Rebellion in Congress; and Politics and the Nomination of Merrick Garland.

### Chapter 2

## Constitutional Foundations

Current Events Bulletin

*Gun Control, Mass Shootings and Tragedy in Orlando*

August 2016

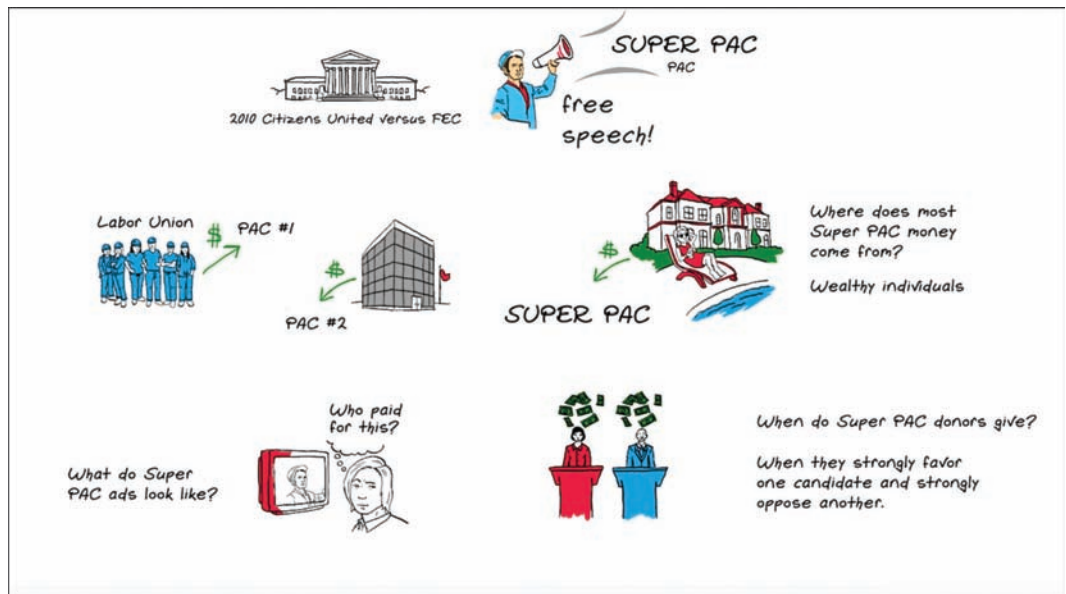
Orlando police received the first report of gunshots fired at the Pulse nightclub at 2:02 a.m. on June 12, 2016. Over the next three hours, Omar Mateen, armed with a semi-automatic rifle and a handgun, shot and killed many of the club's patrons and terrorized many others. In one of the deadliest mass shootings in United States history, Mateen killed forty-nine people and injured another fifty-three. He was shot and killed by police officers sometime after 5:00 a.m. that morning. During breaks in the shooting, Mateen made several phone calls. In one call Mateen told 911 dispatchers that he "pledge[d] allegiance to Abu Bakr al-Baghdadi of the Islamic State." A local newspaper also received a ph...

- **Videos** bring to life chapter contents and key moments in American government. ABC news footage provides examples from both current and historical events, including President George W. Bush’s “bullhorn speech,” footage of 2016 primary and general election candidates like Hillary Clinton, Bernie Sanders and Donald Trump on the campaign trail, and Gabby Giffords’s “You Must Act” speech to Congress about gun control.

**WATCH** Bernie Sanders Rails Against Income Inequality in Rural America

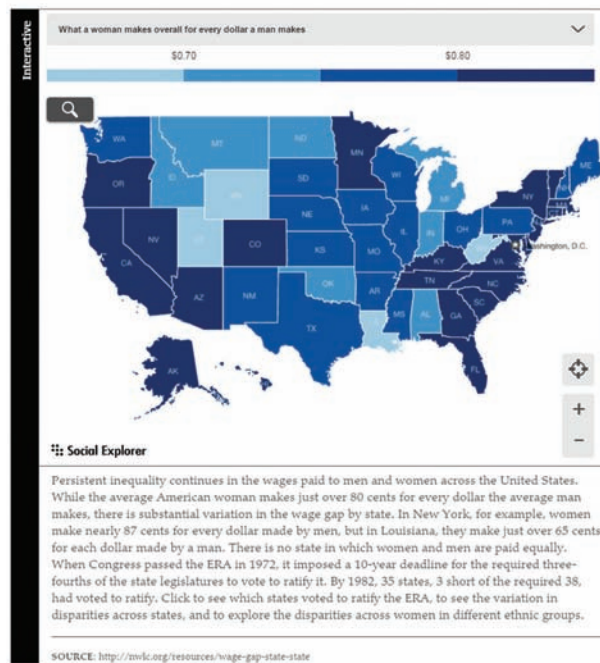


In addition, popular “Sketchnote” videos, two per chapter, walk students through difficult-to-understand concepts such as the Electoral College, reapportionment and redistricting, lack of success of minor party candidates and PACs and Super PACs. Through the visual storytelling approach, Sketchnote videos cater to visual and audio learners, but also activate a high level of engagement in all students, as they see the concepts come to life.

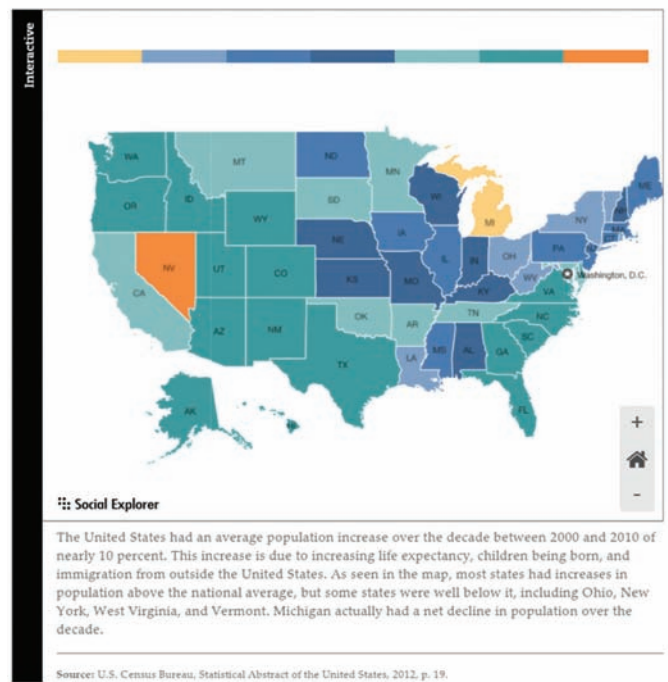


- **Interactive maps, figures, and tables** feature Social Explorer technology which allow for real-time data updates and rollover information to support the data and show movement over time.

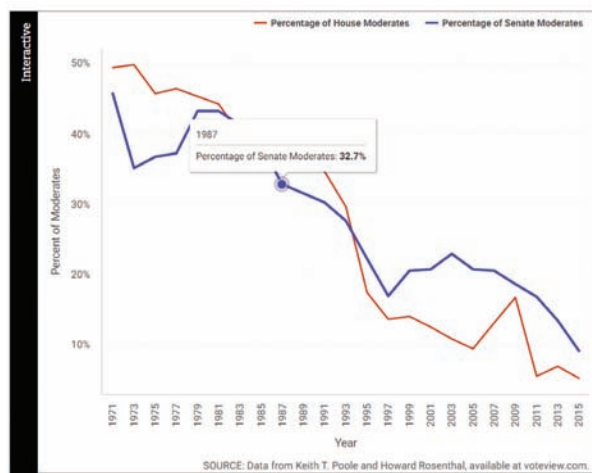
**FIGURE 2.3** WHAT A WOMAN MAKES FOR EVERY DOLLAR A MAN MAKES



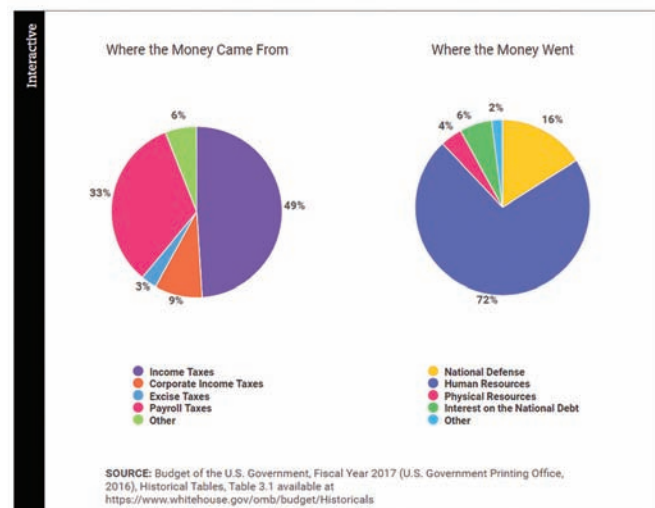
**FIGURE 4.1** PERCENTAGE CHANGE IN RESIDENT POPULATION, 2000-2010



**FIGURE 10.6** MODERATES IN CONGRESS, 1870-2016



**FIGURE 16.2** WHERE THE FEDERAL INCOME CAME FROM AND WHERE IT WENT IN 2016

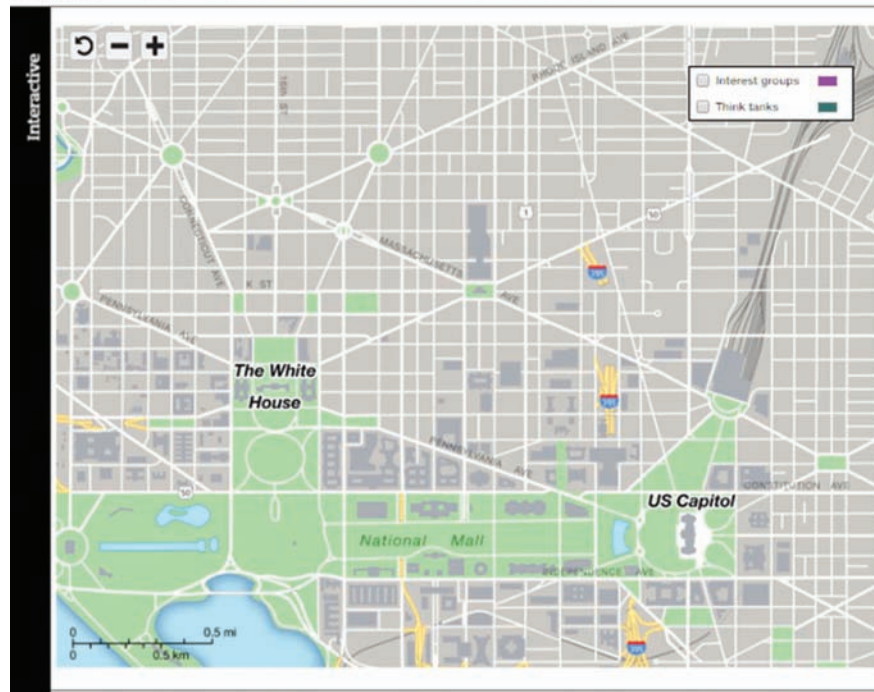


The federal government has many ways to collect revenues, and many ways to spend it. However, the most important change in spending over the past three decades has been a sharp rise in interest on the national debt. As the federal budget has grown, while taxes have remained steady, the federal government has borrowed more money to cover the difference.

Dozens of other interactivities such as “click-to-reveals,” enhanced maps, and images with hotspots bring important concepts to life.

- **Interactive scenarios and simulations** in all chapters allow students to explore critical issues and challenges that the country’s founders faced and that elected officials, bureaucrats, and political activists still face today. These features apply key chapter concepts in realistic situations. Examples include “You Are a U.S. President During a Foreign Policy Crisis” and “You Are a Voter and You are the Federal Reserve Chair.”

MAP 5.1 INTEREST GROUPS AND THINK TANKS IN WASHINGTON, D.C.



SCENARIO You Are the Federal Reserve Chair

**Interactive**

**CHALLENGE 1**

The Fed is preparing to hold its monthly meeting. In the past three months, the economy has slowed down after a period of relatively strong growth. Unemployment has started to rise. Inflation has been holding steady.

So far, the Fed has chosen to keep the federal funds rate unchanged, preferring to see if these data signify longer-term trends or simply minor fluctuations in growth. You are beginning to think that you may need to do something with the federal funds rate to correct some of these negative trends.

Before you make your decision, you decide to review the most recent economic data collected by the Federal Advisory Council:

- In the last month, the economy grew at an annual rate of less than 1 percent per year, suggesting that it is beginning to contract.
- First-time claims for unemployment rose for the second month in a row to 150,000, also suggesting a contraction.
- The threat of inflation remains quite low, and prices have risen very slowly over the last 30 days, suggesting that the economy may even be entering a recession.

**Based on the economic data you have evaluated, should the Fed increase or decrease the federal funds rate?**

Reset Back Next

- **Document prompts** incorporate primary source material into the narrative. Examples include the U.S. Constitution, excerpts from various Federalist Papers, Gideon’s Petition, the Obergefell Petition, FDR’s Executive Order 9066 and *Marbury v. Madison*.

### Majority opinion by Chief Justice John Marshall, issued 24 February 1803

At the last term on the affidavits then read and filed with the clerk, a rule was granted in this case, requiring the Secretary of State to show cause why a mandamus should not issue, directing him to deliver to William Marbury his commission as a justice of the peace for the county of Washington, in the district of Columbia.

No cause has been shown, and the present motion is for a mandamus. The peculiar delicacy of this case, the novelty of some of its circumstances, and the real difficulty attending the points which occur in it, require a complete exposition of the principles on which the opinion to be given by the court is founded....

- Interactive **Review the Chapter** summaries that utilize video, learning objectives, and flashcards featuring key terms and definitions allow students to review the chapters and reinforce the content.
- **Assessments** tied to primary chapter sections, as well as full chapter exams, allow instructors and students to track progress and get immediate feedback.

Worth 3 Points ⓘ

As a result of the decision in *Marbury v. Madison* (1803), what took place?

- Federalists took control of power in the Senate.
- President Jefferson refused to implement the Court’s holding.
- The Supreme Court claimed the power to review acts of the federal legislature.
- Marbury was given his position as a justice of the peace of the District of Columbia.

3 attempts remaining

Submit

- **Integrated Writing Opportunities:** To help students reason and write more clearly, each chapter offers two varieties of writing prompts:
  - **Journal prompts** at the end of each major section ask students to consider critical issues that relate to topics at the module level. These questions are designed to reinforce the authors’ main goal—to equip students to change the world.

## Journal 2.1

How often do you think the branches of government ought to check one another? If you were the president, would you veto any law with which you disagreed? Why or why not?

The response entered here will appear in the performance dashboard and can be viewed by your instructor.

Submit

- **Shared writing prompts**, linked to each chapter's conclusion, encourage students to consider how to address challenges described in the chapter. Through these prompts, instructors and students can address multiple sides of an issue by sharing their own views and responding to each other's viewpoints.

## Shared Writing: Constitutional Foundations

Worth 20 Points ⓘ

What do you think is the most important problem facing the nation that might be better resolved if there was an agreed-upon method of interpreting the Constitution? What is the best way to interpret the document? How could you require that method?

A minimum number of characters is required to post and earn points. After posting, your response can be viewed by your class and instructor, and you can participate in the class discussion.

Post

0 characters | 140 minimum

## Supplements

Make more time for your students with instructor resources that offer effective learning assessments and classroom engagement. Pearson's partnership with educators does not end with the delivery of course materials; Pearson is there with you on the first day of class and beyond. A dedicated team of local Pearson representatives will work with you to not only choose course materials but also integrate them into your class and assess their effectiveness. Our goal is your goal—to improve instruction with each semester.

Pearson is pleased to offer the following resources to qualified adopters of *Government by the People*. Several of these supplements are available to instantly download on the Instructor Resource Center (IRC); please visit the IRC at [www.pearson-highered.com/irc](http://www.pearson-highered.com/irc) to register for access.

**TEST BANK** Evaluate learning at every level. Reviewed for clarity and accuracy, the Test Bank measures this book's learning objectives with multiple-choice, true/false, fill-in-the-blank, short-answer, and essay questions. You can easily customize the assessment to work in any major learning management system and to match what is covered in your course. Word, Black-Board, and WebCT versions

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**PEARSON MYTEST** This powerful assessment generation program includes all of the questions in the Test Bank. Quizzes and exams can be easily authored and saved online and then printed for classroom use, giving you ultimate flexibility to manage assessments anytime and anywhere. To learn more, visit [www.pearsonhighered.com/mytest](http://www.pearsonhighered.com/mytest).

**INSTRUCTOR'S RESOURCE MANUAL** Create a comprehensive roadmap for teaching classroom, online, or hybrid courses. Designed for new and experienced instructors, the Instructor's Manual includes learning objectives, lecture and discussion suggestions, activities for in or out of class, and essays on teaching American Government. Available on the IRC.

**POWERPOINT PRESENTATION WITH LEARNING CATALYTICS™** Make lectures more enriching for students. The PowerPoint presentation includes a full lecture outline and, photos and figures from the book. With integrated Learning Catalytics™ questions, get immediate feedback on what your students are learning during a lecture. Available on the IRC.

## Acknowledgments

*Government by the People* began in 1948 when two young assistant professors, James MacGregor Burns of Williams College and Jack W. Peltason of Smith College, decided to partner and write an American government text. Their first edition had a publication date of 1952. Their aim was to produce a well-written, accessible, and balanced look at government and politics in the United States. As new authors have become a part of this book, they have embraced that objective. Tom Cronin of Colorado College and David O'Brien of the University of Virginia have been coauthors and made important contributions to the book. As the current authors of *Government by the People*, we are grateful for the legacy we have inherited.

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# Constitutional Democracy



Self-government requires many actions on the part of citizens from obeying laws to casting ballots as is happening here. It includes serving on juries, volunteering in the community, and helping others with their participation as the election officials are doing here. People often take for granted the opportunity to govern themselves. But many people in the world today are not free to participate openly in their government.

## LEARNING OBJECTIVES

- 1.1** Describe the nature of the “grand experiment in self-government” in America (Structure), p. 2.
- 1.2** Describe the importance of citizen participation in constitutional democracy (Structure), p. 4.
- 1.3** Describe democracy and the conditions conducive to its success (Structure), p. 7.
- 1.4** Identify pre-Revolutionary concepts central to the new government and the problems under the Articles of Confederation (Structure), p. 16.
- 1.5** Identify the issues resolved by compromise during the writing of the Constitution (Action), p. 18.
- 1.6** Evaluate the arguments for and against the ratification of the Constitution (Impact), p. 24.

Americans are often cynical about government, and students sometimes ask why they should take a course in American government. Our answer is that government can foster the freedom that makes higher education possible. More generally, American government, with all of its limitations, has enhanced the lives and prosperity of people not only in the United States, but in much of the world. We helped defeat fascism and communism, we helped establish democratic self-government in Germany and Japan after World War II, we extended civil rights and voting rights to more people, we dramatically expanded the reach of college education, we built the interstate highway system, and we successfully put an astronaut on the moon. We often overlook the role of American government in reducing air and water pollution, extending health care to children and older Americans, reducing disease, and fostering technological advances like the Internet. In order to continue to be a positive force in the lives of its citizens and the world, the government needs the participation and help of civically knowledgeable and engaged young people—people just like you.

At the same time we are reminded daily that our country and the world faces many unresolved problems. Racial prejudice lingers in our society, in high youth unemployment and incarceration rates for black Americans. The global economy still struggles; the war on terrorism continues to expand with the rise of the Islamic State in Iraq and Syria (ISIS) and home-grown violence; trust in government has dropped; and the September 11, 2001, attacks continue to cast a long shadow on the national consciousness. Many of America's achievements of the past are in trouble—our interstate highway system is straining under increased traffic and congestion; the environment is facing new threats; political participation is falling; health care costs are rising; and the threat of terrorism has made air travel less convenient and poses ongoing challenges about what parts of our lives can be private. Looking to the future, many Americans wonder how we will solve the problems ahead.

The answers to some of these problems are already emerging. You and others like you are engaging in tough conversations about what unites and divides us, and finding your own solutions and ways to make a difference. You know that the world is much more complex than it was when your parents were born. Students like you have changed the way we communicate, learn, participate, and innovate. And you have already shown a deep commitment to changing the future. You have launched new programs to help vulnerable Americans, volunteered for great causes, and adapted the conversation about how we can get along. We are confident you can make a difference, and our goal in this book is to provide you with some of the knowledge you will need to create lasting impact.

Our Constitution provides the basic framework or structure of government of the United States, and it is within that structure that the next generation of achievement will be shaped, and it is within that structure that “we the people” must act to create policy and to make an impact. In each chapter of the book, we embrace that simple framework for understanding American government: **STRUCTURE + ACTION = IMPACT** in solving important national challenges such as economic growth, environmental pollution, access to health care and college, and protection from international threats and terrorism. *Structure* refers to the basic rules or framework of government set by the Constitution, the courts, and history, while *action* refers to the political behavior that occurs within the structure. Put these two elements together, and the result is *impact*, or the lack of it, in terms of policy aimed at solving tough problems.

## A Grand Experiment in Self-Government (Structure)

**1.1** Describe the nature of the “grand experiment in self-government” in America.

*Government by the People* is about the continuing grand experiment in self-government launched more than two centuries ago by the United States. In this book, we examine the historical context and current practices of the institutions and political processes

of American government. As this book's title strongly suggests, we will focus on the role played by people like you in government. The idea of government by the people was important to the Pilgrims who wrote and signed the Mayflower Compact in 1620, the document in which they committed to a system of democratic government to promote the "general good of the colony."<sup>1</sup>

A century and a half later, a different group signed the Declaration of Independence claiming that government derived its powers from the people, and government violation of that public trust was a legitimate cause for revolution. After winning the Revolutionary War and recognizing the need for a stronger and more unified government, the authors of our most important political document, the Constitution, began their proposed framework with the words, "We the people," vividly emphasizing their commitment to self-governance.

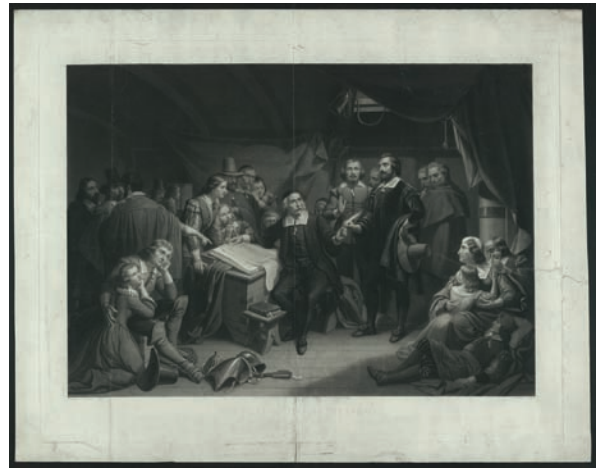
Undergirding this experiment in self-government is what we might call the idea of America. More broadly, the idea of America includes individualism, a desire for self-government, the pursuit of opportunity, and a commitment to equality of opportunity, to freedom of religion, and the importance of economic liberty. A list like this was identified by Alexis de Tocqueville, the French aristocrat who visited the United States in the 1820s and whose book *Democracy in America* (written for French readers and published in 1835) remains insightful. More recently, other writers have identified a similar set of ideas as enduring elements of the American political tradition.<sup>2</sup>

Securing an agreement on self-government and perpetuating that agreement is unusual in human history. In many nations, those in power got there because they were born into the right family or because they killed and jailed their opponents. During most of the world's history, no one, especially not oppositional political figures, could openly criticize the government, and any political opponent was treated as an enemy by the state. This is not the case in the United States. Periodically throughout history there had been instances of self-government, including in ancient Greece and the Italian city-states, with republics in Rome, and in England, where the Magna Carta granted by King John in 1215 provided some limits on the monarch and granted certain liberties for free men.

The American colonists had themselves practiced self-government in a limited way through their state legislatures. European philosophers had articulated ideas consistent with the idea of self-government long before the founders of the American republic declared their independence and enshrined these ideas into an agreed-upon constitutional structure. What distinguishes the American Revolution and Constitution is the dramatic scale of the experiment and the claim that ultimate sovereignty came from the people, rather than God or some other source.

The Framers of our republic acknowledged they had devised an imperfect constitution. We know this to be true because the Framers built into the Constitution the ability to change it through amendment or through the calling of another constitutional convention. But the United States has never exercised the option of a second constitutional convention, and only 27 constitutional amendments have been adopted. The experience of the United States in developing a constitutional framework for government and sustaining that framework over time is unusual and important enough to warrant your careful study. In contrast, it is not uncommon for other countries to have had multiple constitutions. For example, Nigeria has had nine constitutions in 24 years.<sup>3</sup>

Some of our early leaders assumed more fundamental change would occur from time to time. Thomas Jefferson, for example, said that "a little rebellion now and then is a good thing, and as necessary in the political world as storms in the physical."<sup>4</sup> Some of our adversaries assumed it would not take long for a monarch, presumably



After arriving in the New World but before departing the Mayflower to establish Plymouth, the settlers who were free men agreed to and signed a compact about how leaders would be selected and laws enacted. This Mayflower Compact is an early example of self-government.

George Washington, to assume power. England’s King George III reportedly said that George Washington would be “the greatest man alive” if he were to voluntarily step down as president after two terms.<sup>5</sup> In this day and age, we take for granted that an officeholder who is defeated in an election will relinquish power to the candidate who won. Imagine what our early leaders would think of the fact that since the birth of the nation, we have held 115 presidential and midterm elections (as of the 2016 election), and we have witnessed the peaceful transfer of power from one party to another on dozens of occasions.

Constitutional self-government is more than a set of abstract principles detached from your life—this is your government too. “Government by the people” now includes you. You will have to protect and use our government of the people to solve the great problems of the day—from repairing the nation’s broken roads and rusty bridges to restoring air and water quality, fixing our immigration policy and national defense, protecting the voting rights of all citizens, attacking new diseases, fixing Social Security and our expensive health care system, reducing the debt, making college affordable, caring for our veterans, and reducing the threat of global climate change and nuclear war.

As noted at the start of the chapter, our country has taken on great problems before, not the least of which was surviving the first decades of its existence. And it has produced great achievements in doing so. The air and water did become cleaner; diseases such as polio were conquered; the electorate was expanded to include women, all races, and 18–21-year-olds; Social Security has been repaired at least twice; and the right to marriage now exists for all couples. But even as the nation solved these problems, new problems have arisen. And it is now up to you to provide many of the answers and much of the pressure to solve them.

Constitutional self-government requires each successive generation to decide what parts of the Constitution to retain and what to change. So as *you* read this book and take this course, and beyond this term, ask *yourself* what should be retained and what should be changed. How would you go about defending what you like? How can you change what you don’t like? How did we arrive at a constitution that has remained the largely undisputed government structure for more than two centuries? How have we overcome religious and other differences that are an extensive and enduring source of disagreement in Syria and many other countries? How have we come to see elections as the means to work out our differences and take for granted the peaceful transfer of political power from one party to another?

We believe the answers to these questions come from the people, including you and your peers. Without your engagement, the Constitution is only a collection of words. People must pay taxes, defend the nation, and vote and run for office for the structure to have meaning. In this book we emphasize the importance of citizen action. It is our good fortune to live in a country with an established democratic structure. We do not have to establish freedom; for us action often involves less dangerous forms of political participation. Our view is that active citizenship can have an impact, especially when the action is informed by an understanding of the structure of government.

## U.S. Government and Politics in Context (Structure)

### 1.2 Describe the importance of citizen participation in constitutional democracy.

The United States of America, the oldest constitutional democracy in the world, has survived for more than two centuries, yet it is still a work in progress. We think of it as an enduring, strong government, but our political system actually stands on a delicate

foundation. The U.S. Constitution and Bill of Rights survive, not because we still have the parchment they were written on, but because each generation of U.S. citizens has respected and worked to understand the principles and values found in these documents. Each generation has faced different challenges in preserving, protecting, and defending our way of **government**, meaning the procedures and institutions (that is, structures such as elections, courts, and legislatures) by which a people govern and rule themselves.

We start to practice democracy from an early age, and often go to the polls with our parents or watch them cast their votes by mail to learn how elections work, and though we may be critical of the leaders we choose, we nevertheless recognize the need for political leadership. We also acknowledge the deep divisions and unsolved problems in the United States. For instance, many Americans are concerned about the persistence of racism, about religious bigotry, and about the gap in economic opportunities between rich and poor. We also want our government to defend us against terrorism and foreign enemies, and to address domestic problems like basic health care, education, and unemployment.

But what is this government of which we expect so much? The reality is that “government by the people” is built on the foundation of hundreds of thousands of our fellow citizens: the people we elect and the people they appoint to promote the general welfare, provide for domestic tranquility, and secure the blessings of liberty for us. Government involves **politics**, which, at least in our system of government, is the process by which people decide who shall govern and what policies shall be adopted. Research shows that many of you do not like politics, but politics still matters to your future. Research also shows that you are pioneering new methods for civic engagement using social networks.<sup>6</sup> Whatever tool you use, politics is still a game for those who show up. If you do not participate, your interests will not be represented in such issues as taxes, U.S. policy in the Middle East, interest on student loans, or the environment.

More than any other form of government, the kind of democracy that has emerged under the U.S. Constitution requires active participation and a balance between faith and skepticism. Government by the people does not, however, mean that everyone must be involved in politics and policy making, or that those who become involved need to do so through traditional avenues such as campaigning for a political candidate or interning in a representative’s office. Some individuals run for office seeking to represent the voters, many of whom will always be too busy doing other, nonpolitical things, and some of whom will always be apathetic about government and politics. However, a fraction of the public must be sufficiently attentive, interested, involved, informed, and willing, when necessary, to criticize and change the direction of government.

Thomas Jefferson, author of the Declaration of Independence and a champion of constitutional democracy, believed in the common sense of the people and in the possibilities of the human spirit. Jefferson warned that every government degenerates when it is left solely in the hands of the rulers. The people themselves, Jefferson wrote, are the only safe repositories of government. He believed in popular control, representative processes, and accountable leadership. But he was no believer in the participatory democracy of ancient Greece, where all eligible citizens were directly involved in decision making in the political process. Even the power of the people, Jefferson believed, must be restrained from time to time.

Jefferson also believed that education was essential to a successful democracy, and urged citizens to learn how government works. Even today, the vast majority of our leaders have bachelor’s degrees—indeed,

## government

The processes and institutions through which binding decisions are made for a society.

## politics

The process by which decisions are made and carried out within and among nations, groups, and individuals.

Thomas Jefferson, author of the Declaration of Independence, third president of the United States, and founder of the University of Virginia. This statue of Jefferson is in Paris, France, where Jefferson was serving during the Constitutional Convention.





a college degree is almost a requirement for political life. If you do not know the structure, action, and impact of government, you will enter the process unprepared for its many twists and turns, and you will be locked out.

Government by the people requires faith in our common human enterprise, a belief that the people can be trusted with their own self-government, and an optimism that when things begin to go wrong, the people can be relied upon to set them right. But the people also need a healthy dose of skepticism. Democracy requires us to question our leaders and never entrust a group or institution with too much power. And even though constitutional advocates prize majority rule, they must think critically about whether the majority is always right. Constitutional democracy requires constant attention to protect the rights and opinions of others, and to ensure that our democratic processes serve the principles of liberty, equality, and justice. A peculiar blend of faith and caution is warranted when dealing with the will of the people.

### politician

An individual who participates in politics and government, often in the service of a group or political community.

Constitutional democracy means government by **politicians** who represent the people; the elected officials who fulfill the tasks of overseeing and directing the government. A central feature of democracy is that those who hold power do so only by winning a free and fair election. In our political system, the fragmentation of powers requires elected officials to mediate among factions, build coalitions, and work out compromises among and within the branches of our government to produce policy and action.

We all expect our politicians to operate within the rules of democracy and to be honest, humble, patriotic, compassionate, well informed, self-confident, and inspirational. We want politicians, in other words, to be perfect, to have all the answers, and to have all the “correct” values (as we perceive them). We want them to solve our problems, yet we also make them scapegoats for the things we dislike about government: taxes, regulations, hard times, and limits on our freedom. Many of these ideals are unrealistic, and no one could live up to all of them. Like all people, politicians live in a world in which perfection may be the goal, but compromise, ambition, fundraising, and self-promotion are necessary.

Citizens of the United States will never be satisfied with their political candidates and politicians. The ideal politician is a myth. Politicians become “ideal” only when they are dead. Politicians and candidates, as well as the people they represent, all have different ideas about what is best for the nation. Indeed, liberty invites disagreements about ideology and values. That is why we have politics,

Clay De Long (pictured center), a student at the University of California, Davis, studies a voter’s guide as he waits to vote early at a campus polling site in Davis, California.



candidates, opposition parties, heated political debates, and elections. Sadly, the lack of agreement on many of these tough problems can drive down trust in government. Vast numbers of Americans have come to believe the worst about their leaders—that they are lazy, dishonest, and just not very smart.<sup>7</sup> But it is up to the same citizens to restore trust.

## Defining Democracy (Structure)

### 1.3 Describe democracy and the conditions conducive to its success.

The distinguishing feature of democracy is that government derives its authority from its citizens. In fact, the word comes from two Greek words: *demos*, “the people,” and *kratos*, “authority” or “power.” Thus **democracy** means *government by the people*, not government by one person (a monarch, dictator, or priest) or government by the few (an oligarchy or aristocracy).

The word *democracy* is not found in either the Declaration of Independence or the U.S. Constitution. Ancient Athens, a few other Greek city-states, and the Roman Republic had a **direct democracy**, in which citizens assembled to discuss and pass laws and select their officials. Most of these Greek city-states and the Roman Republic degenerated into mob rule and then resorted to dictatorial rule or rule by aristocrats. In 1787, James Madison, in *The Federalist*, No. 10, reflected the view of many of the Framers of the U.S. Constitution when he wrote, “Such democracies [as the Greek and Roman]...have ever been found incompatible with personal security, or the rights of property; and have in general been as short in their lives, as they have been violent in their deaths.” Madison feared that empowering citizens to decide policy directly would be dangerous to freedom, minorities, and property and would result in violence by one group against another. In line with Madison’s view, the Framers used the term *democracy* to describe unruly groups or mobs, and a system that encouraged leaders to gain power by appealing to the emotions and prejudices of the people.

Over time, our democracy has increasingly combined representative and direct democracy. The three most important forms of direct democracy were created roughly a century ago and include the **direct primary**, in which voters, rather than party leaders or other elected officials, select who may run for office; the **initiative** and **referendum**, which allow citizens to vote on state laws or constitutional amendments; and the **recall**, which lets voters remove state and local elected officials from office between elections. Initiatives and referendums are not permitted in all states, but where they are allowed and used, they have been important.

For example, in 2008, California’s Proposition 8 divided the state on the issue of gay marriage. Proposition 8 was an initiative that defined marriage as a legal relationship solely between a man and a woman. More than \$73 million was spent by the two sides in an intensely fought campaign. The measure was passed with 52 percent of the vote and was deemed constitutional by the California Supreme Court in 2009.<sup>8</sup> Since then it has been reversed by the federal courts.<sup>9</sup> This is not the first vote of the people to be overturned by the courts. In the 1960s, the U.S. Supreme Court reversed a ballot initiative enacted by California voters sanctioning racial discrimination in the sale of housing, sometimes called the “open housing initiative.”<sup>10</sup>

Today, even if it were desirable, it is no longer possible to assemble the citizens of any but the smallest towns to make their laws or select their officials directly. Rather, we have invented a system of

### democracy

Government by the people, where citizens through free and frequent elections elect those who govern and pass laws or where citizens vote directly on laws; also called a *republic*.

### direct democracy

Government in which citizens vote on laws and select officials directly.

### direct primary

An election in which voters choose party nominees.

### initiative

A procedure whereby a certain number of voters may, by petition, propose a law or constitutional amendment and have it submitted to the voters.

### referendum

A procedure for submitting to popular vote measures passed by the legislature or proposed amendments to a state constitution.

### recall

A procedure for submitting to popular vote the removal of officials from office before the end of their term.

James Madison can be thought of as the architect of the Constitution. He was its principal author and one of its strongest supporters as a contributing author of *The Federalist Papers*.



Steve Marx stands up to speak at the Strafford Meeting Hall in Strafford, Vermont, during a town meeting. Since colonial times, many local governments in New England have held meetings at which all community members are invited to discuss issues with public officials.



### representative democracy

Government in which the people elect those who govern and pass laws; also called a republic.

### republic

Government in which the power is held by the people and their elected representatives.

### constitutional democracy

A government that enforces recognized limits on those who govern and allows the voice of the people to be heard through free, fair, and relatively frequent elections.

representation. Democracy today means **representative democracy**, or a **republic**, in which those who have governmental authority get and retain that power directly or indirectly by winning free elections in which all adult citizens are allowed to participate. These elected officials are the people who determine budgets, pass laws, and are responsible for the performance of government. The Framers used the term *republic* to avoid any confusion between direct democracy, which they disliked, and representative democracy, which they liked and thought secured all the advantages of a direct democracy while curing its weaknesses.

Many ideas that are found in the Constitution can be traced to philosophers' writings—in some cases, centuries before the American Revolution and the Constitutional Convention. Among those philosophers, the Framers would have read and been influenced by Aristotle, Thomas Hobbes, John Locke, and Montesquieu. Aristotle, a Greek philosopher writing in the fourth century BCE, provided important ideas on a political unit called a state, on constitutions, and on various forms of governing in his famous work *Politics*.<sup>11</sup> John Locke, an English philosopher, also profoundly influenced the authors of the Declaration of Independence and Constitution. Locke rejected the idea that kings had a divine right to rule, advocated for constitutional democracy, and provided philosophic justification for revolution.<sup>12</sup> Locke, like his fellow Englishman Thomas Hobbes, asserted that there was a social contract whereby people formed governments for security and to avoid what he called the state of nature, where chaos existed and where "everyone was against everyone."<sup>13</sup>

To fully define democracy, we need to clarify other terms. **Constitutional democracy** refers to a government (or structure) through which individuals exercise governmental power (act) as the result of winning free and relatively frequent elections. It is a government in which there are recognized, enforced limits on the powers of all governmental officials. Usually, it also includes a written set of governmental rules and procedures—a constitution. The practice in the United States of constitutional provisions limiting the power of one part of the government by having another part of the government balance or check it is another example of the Framers applying ideas from earlier thinkers—in this case, the French philosopher Charles de Montesquieu.<sup>14</sup> *Constitutionalism* is a term we apply to arrangements or structures designed to limit power and to require leaders to listen, compromise, and reach agreements before they make laws. The people can then hold them politically and legally accountable for the way they exercise their powers.

Like most political concepts, democracy encompasses many ideas and has many meanings. It is a way of life, a form of government, a way of governing, a type of nation, a state of mind, and a variety of processes. We can divide these many meanings of democracy into three broad categories: a system of interacting values, a system of interrelated political processes, and a system of interdependent political structures.

## Democracy as a System of Interacting Values

A constitutional democracy is built on a foundation of the people sharing a set of core values, an agreed-upon structure of governance, and confidence in their ability to work out differences through the political process. Political scientists use the term **political culture** to refer to the widely shared beliefs, values, and norms citizens hold about their relationship to government and to one another. These beliefs, values, and norms provide the structure or context needed to understand American politics. We can discover the specifics of a nation's political culture not only by studying what its people believe and say, but also by observing how they behave. That behavior includes such fundamental decisions as who may participate in political decisions, what rights and liberties citizens have, how political decisions are made, and what people think about politicians and government generally.

The founders of our nation claimed that individuals have certain **natural rights**—the rights of all people to dignity and worth—and that government must be limited and controlled because it is a threat to those rights. This belief in natural rights creates a system of interacting values that provides a foundation for public confidence. Among those values are personal and economic liberty, individualism, equality of opportunity, and popular sovereignty.

**PERSONAL AND ECONOMIC LIBERTY** No value in the American political culture is more revered than liberty. “We have always been a nation obsessed with liberty. Liberty over authority, freedom over responsibility, rights over duties—these are our historic preferences,” wrote the late Clinton Rossiter, a noted political scientist. “Not the good man but the free man has been the measure of all things in this sweet ‘land of liberty’; not national glory but individual liberty has been the object of political authority and the test of its worth.”<sup>15</sup> The essence of liberty is self-determination, meaning that all individuals must have the opportunity to realize their own goals. Liberty is not simply the absence of external restraint on a person (freedom from something); it is also a person's capacity to reach his or her goals (freedom to *do* something). Not all students of U.S. political thought accept this emphasis on freedom and individualism over virtue and the public good, and in reality both sets of values are important.<sup>16</sup>

**INDIVIDUALISM** Popular rule in a democracy flows from a belief that every person has the potential for common sense, rationality, and fairness. Individuals have important rights; collectively, those rights are the source of all legitimate governmental authority and power. These concepts pervade democratic thought, and constitutional democracies make the individual—rich or poor, black or white, male or female—the central measure of value. Policies that limit individual choice generate intense political conflict. The debates over legalized abortion and universal health care are often framed in terms of our ability to exercise choices. Although American citizens support individual rights and freedoms, they also understand that their rights can conflict with another person's or with the government's need to maintain order or promote the general welfare.

Not all political systems put the individual first. Some promote a form of government based on centralized authority and control, especially over the economy. China, Vietnam, and Cuba, for example, take this approach. But, in a modern democracy, the nation, or even the community, is less important than the individuals who compose it.

**EQUALITY** Thomas Jefferson's famous words in the Declaration of Independence express the strength of our views of equality: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights that among these are life, liberty, and the pursuit of happiness.” In contrast to Europeans, our nation shunned aristocracy, and our Constitution explicitly prohibits governments from granting titles of nobility. Although our rhetoric about

### political culture

The widely shared beliefs, values, and norms citizens hold about their relationship to government and to one another.

### natural rights

The rights of all people to dignity and worth; also called *human rights*.