Chapter 1: The Study of American Government

I. What is political power?
   A. Two great questions about politics
      1. Who governs: the people who govern affect us
      2. To which ends: in which ways government affects our lives
      3. And then how the government makes decisions on a variety of issues
   B. Power
      1. Definition: the ability of one person to cause another person to act in accordance with the first person's intentions
      2. Text's concern: power as it is used to affect who will hold government office and how government will behave
      3. Authority: the right to use power; not all who exercise political power have it
      4. Legitimacy: what makes a law or constitution a source of right
      5. Struggles over what makes authority legitimate
      6. Necessity to be in some sense democratic in the United States today

II. What is democracy?
   A. Aristotelian "rule of the many" (participatory democracy)
      1. Fifth-century B.C. Greek city-state
      2. New England town meeting
      3. Community control in self-governing neighborhood
      4. Citizen participation in formulating programs
   B. Acquisition of power by leaders via competitive elections (representative democracy)
      1. Sometimes disapprovingly referred to as the elitist theory
      2. Justifications of representative democracy
         a. Direct democracy is impractical.
         b. The people make unwise decisions based on fleeting emotions.

III. Direct versus representative democracy
   A. Text uses the term democracy to refer to representative democracy.
      1. The Constitution does not contain the word democracy but the phrase "republican form of government."
      2. Representative democracy requires leadership competition if the system is to work.
         a. Individuals and parties must be able to run for office.
         b. Communication must be free.
         c. Voters perceive that a meaningful choice exists.
      3. Many elective national offices
      4. Most money for elections comes from special interests
   B. Virtues of direct democracy should be reclaimed through
      1. Community control
      2. Citizen participation
   C. Framers: "will of people" not synonymous with the "common interest" or the "public good"
      1. They strongly favored representative over direct democracy.
      2. Direct democracy minimized chances of abuse of power by tyrannical popular majority or self-serving office holders.

IV. How is power distributed in a democracy?
   A. Majoritarian politics
      1. Leaders constrained to follow wishes of the people very closely
      2. Applies when issues are simple, clear, and feasible
   B. Elitism
      1. Rule by identifiable group of persons who possess a disproportionate share of political power
      2. Four theories of Elite Influence
         a. Marxism: government merely a reflection of underlying economic forces
         b. C. Wright Mills: power elite composed of corporate leaders, generals, and politicians
         c. Max Weber: bureaucracies based on expertise, specialized competence
         d. Pluralist view: no single elite has a monopoly on power; hence must bargain and compromise
C. Cynical view that politics is self-seeking
   1. Good policies may result from bad motives
   2. Self-interest is an incomplete guide to actions (Alexis de Tocqueville on America)
      a. September 11 and self interest
      b. AFL-CIO and civil rights
   3. Some act against long odds and without the certainty of benefit

V. Political change
   A. Necessary to refer frequently to history because no single theory is adequate
      1. Government today influenced by yesterday
      2. Government today still evolving and responds to changing beliefs
   B. Politics about the public interest, not just who gets what

VI. Finding out who governs
   A. We often give partial or contingent answers.
   B. Preferences vary, and so does politics.
   C. Politics cannot be equated with laws on the books.
   D. Sweeping claims are to be avoided.
   E. Judgments about institutions and interests should be tempered by how they behave on different issues.
   F. The policy process can be an excellent barometer of change in who governs.

Chapter 2: The Constitution

I. The problem of liberty
   A. The colonial mind
      1. Belief that because British politicians were corrupt, the English constitution was inadequate
      2. Belief in higher law of natural rights
         a. Life
         b. Liberty
         c. Property (Jefferson notwithstanding)
      3. A war of ideology, not economics
      4. Specific complaints against George III for violating unalienable rights
   B. The "real" revolution
      1. The "real" revolution was the radical change in belief about what made authority legitimate and liberties secure.
      2. Government by consent, not by prerogative
      3. Direct grant of power: written constitution
      4. Human liberty before government
      5. Legislature superior to executive branch
   C. Weaknesses of the confederation
      1. Could not levy taxes or regulate commerce
      2. Sovereignty, independence retained by states
      3. One vote in Congress for each state
      4. Nine of thirteen votes in Congress required for any measure
      5. Delegates picked, paid for by legislatures
      6. Little money coined by Congress
      7. Army small; dependent on state militias
      8. Territorial disputes between states
      9. No national judicial system
      10. All thirteen states' consent necessary for any amendments

II. The Constitutional Convention
   A. The lessons of experience
      1. State constitutions
         a. Pennsylvania: too strong, too democratic
         b. Massachusetts: too weak, less democratic
2. Shays's Rebellion led to the fear the states were about to collapse.

B. The Framers
   1. Who came: men of practical affairs
   2. Who did not come
   3. Intent to write an entirely new constitution
   4. Lockean influence
   5. Doubts that popular consent could guarantee liberty
   6. Results: "a delicate problem"; need strong government for order but one that would not threaten liberty
      a. Democracy of that day not the solution
      b. Aristocracy not a solution either
      c. Government with constitutional limits no guarantee against tyranny

III. The challenge
   A. The Virginia Plan
      1. Design for a true national government
      2. Two houses in legislature
      3. Executive chosen by legislature
      4. Council of revision with veto power
      5. Two key features of the plan
         a. National legislature with supreme powers
         b. One house elected directly by the people
   B. The New Jersey Plan
      1. Sought to amend rather than replace the Articles
      2. Proposed one vote per state
      3. Protected small states' interests
   C. The compromise
      1. House of Representatives based on population
      2. Senate of two members per state
      3. Reconciled interests of big and small states
      4. Committee of Detail

IV. The Constitution and democracy
   A. Founders did not intend to create pure democracy
      1. Physical impossibility in a vast country
      2. Mistrust of popular passions
      3. Intent instead to create a republic with a system of representation
   B. Popular rule only one element of the new government
      1. State legislators to elect senators
      2. Electors to choose president
      3. Two kinds of majorities: voters and states
      4. Judicial review another limitation
      5. Amendment process
   C. Key principles
      1. Separation of powers
      2. Federalism
   D. Government and human nature
      1. Aristotelian view: government should improve human nature by cultivating virtue
      2. Madisonian view: cultivation of virtue would require a government too strong, too dangerous; self-interest should be freely pursued
      3. Federalism enables one level of government to act as a check on the other
   E. The Constitution and liberty
   F. Whether constitutional government was to respect personal liberties is a difficult question; ratification by conventions in at least nine states a democratic feature but a technically illegal one
G. The Antifederalist view
   1. Liberty could be secure only in small republics.
      a. In big republics national government would be distant from people.
      b. Strong national government would use its powers to annihilate state functions.
   2. There should be many more restrictions on government.
   3. Madison's response: personal liberty safest in large ("extended") republics
      a. Coalitions likely more moderate there
      b. Government *should* be somewhat distant to be insulated from passions
   4. Reasons for the absence of a bill of rights
      a. Several guarantees in Constitution
         1. Habeas corpus
         2. No bill of attainder
         3. No ex post facto law
         4. Trial by jury
         5. Privileges and immunities
         6. No religious tests
         7. Obligation of contracts
      b. Most states had bills of rights.
      c. Intent to limit federal government to specific powers

H. Need for a bill of rights
   1. Ratification impossible without one
   2. Promise by key leaders to obtain one
   3. Bitter ratification narrowly successful

V. The Constitution and slavery
   A. Slavery virtually unmentioned
   B. Apparent hypocrisy of Declaration signers
   C. Necessity of compromise: otherwise no ratification
      1. Sixty percent of slaves counted for representation.
      2. No slavery legislation possible before 1808
      3. Escaped slaves to be returned to masters
   D. Legacy: Civil War, continuing problems

VI. The motives of the Framers
   A. Acted out of a mixture of motives; economic interests played modest role
   B. Economic interests of framers varied widely
      1. Economic interests of Framers varied widely
      2. Beard: those who owned governmental debt supported Constitution
      3. However, no clear division along class lines found
      4. Recent research: state considerations outweighed personal considerations; exception: slaveholders
   C. Economic interests and ratification
      1. Played larger role in state ratifying conventions
      2. In favor: merchants, urbanites, owners of western land, holders of government IOUs, non-slave owners
      3. Opposed: farmers, people who held no IOUs, slaveowners
      4. But remarkably democratic process because most could vote for delegates
      5. Federalists versus Antifederalists on ideas of liberty
   D. The Constitution and equality
      1. Critics: government today is too weak
         a. Bows to special interests
         b. Fosters economic inequality
         c. Liberty and equality are therefore in conflict
      2. Framers more concerned with political inequality; weak government reduces political privilege

VII. Constitutional reform--modern views
   A. Reducing the separation of powers to enhance national leadership
      1. Urgent problems remain unresolved
      2. President should be more powerful, accountable, to produce better policies
      3. Government agencies exposed to undue interference
4. Proposals
   a. Choose cabinet members from Congress
   b. Allow president to dissolve Congress
   c. Empower Congress to require special presidential election
   d. Require presidential/congressional terms
   e. Establish single six-year term for president
   f. Lengthen terms in House to four years

5. Contrary arguments: results uncertain, worse

B. Making the system less democratic
   1. Government does too much, not too little
   2. Attention to individual wants over general preferences
   3. Proposals
      a. Limit amount of taxes collectible
      b. Require a balanced budget
      c. Grant president a true line-item veto
      d. Narrow authority of federal courts
   4. Contrary arguments: unworkable or open to evasion

C. Who is right?
   1. Decide nothing now
   2. Crucial questions
      a. How well has it worked in history?
      b. How well has it worked in comparison with other constitutions?

Chapter 3: Federalism

I. Governmental structure
   A. Federalism: good or bad?
      1. Definition: political system with local governmental units, in addition to national one, that can make final decisions
      2. Examples of federal governments: Canada, India, and Germany
      3. Examples of unitary governments: France, Great Britain, and Italy
      4. Special protection of subnational governments in federal system is the result of:
         a. Constitution of country
         b. Habits, preferences, and dispositions of citizens
         c. Distribution of political power in society
      5. National government largely does not govern individuals directly but gets states to do so in keeping with national policy
      6. Negative views: block progress and protect powerful local interests
         a. Laski: states "poisonous and parasitic"
         b. Riker: perpetuation of racism
      7. Positive view: Elazar: strength, flexibility, and liberty
      8. Federalism makes good and bad effects possible
         a. Different political groups with different political purposes come to power in different places
         b. Federalist No. 10: small political units dominated by single political faction

   B. Increased political activity
      1. Most obvious effect of federalism: facilitates mobilization of political activity
      2. Federalism lowers the cost of political organization at the local level.

II. The Founding
   A. A bold, new plan to protect personal liberty
      1. Founders believed that neither national nor state government would have authority over the other because power derives from the people, who shift their support.
      2. New plan had no historical precedent.
      3. Tenth Amendment was added as an afterthought, to define the power of states
B. Elastic language in Article I: necessary and proper
   1. Precise definitions of powers politically impossible because of competing interests, such as commerce
   2. Hence vague language—“necessary and proper”
   3. Hamilton's view: national supremacy because Constitution supreme law
   4. Jefferson's view: states' rights with people ultimate sovereign

III. The debate on the meaning of federalism
   A. The Supreme Court speaks
      1. Hamiltonian position espoused by Marshall
      2. *McCulloch v. Maryland* settled two questions.
         a. Could Congress charter a national bank? (yes, because "necessary and proper")
         b. Could states tax such a bank? (no, because national powers supreme)
      3. Later battles
         a. Federal government cannot tax state bank
         b. Nullification doctrine led to Civil War: states void federal laws they deem in conflict with Constitution

B. Dual federalism
   1. Both national and state governments supreme in their own spheres
   2. Hence interstate versus intrastate commerce
      a. Early product-based distinction difficult
      b. "Original package" also unsatisfactory

C. State sovereignty
   1. Mistake today to think that doctrine of dual federalism is entirely dead
   2. Supreme Court limited congressional use of commerce clause, thus protecting state sovereignty under Tenth Amendment
   3. Supreme Court has given new life to Eleventh Amendment
   4. Not all recent Supreme Court decisions support greater state sovereignty.
   5. New debate resurrects notion of state police powers
   6. Many state constitutions open door to direct democracy through initiative, referendum, and recall.
   7. Existence of states guaranteed while local governments exist at pleasure of states

IV. Federal-state relations
   A. Grants-in-aid
      1. Grants show how political realities modify legal authority.
      2. Began before the Constitution with "land grant colleges," various cash grants to states
      3. Dramatically increased in scope in the twentieth century
      4. Were attractive for various reasons
         a. Federal budget surpluses (nineteenth century)
         b. Federal income tax became a flexible tool
         c. Federal control of money supply meant national government could print more money
         d. "Free" money for state officials
      5. Required broad congressional coalitions

B. Meeting national needs: 1960s shift in grants-in-aid
   1. From what states demanded
   2. To what federal officials found important as national needs

C. The intergovernmental lobby
   1. Hundreds of state, local officials lobby in Washington
   2. Purpose: to get more federal money with fewer strings

D. Categorical grants versus revenue sharing
   1. Categorical grants for specific purposes; often require local matching funds
   2. Block grants devoted to general purposes with few restrictions
3. Revenue sharing requires no matching funds and provides freedom in how to spend.
   a. Distributed by statistical formula
   b. Ended in 1986
4. Neither block grants nor revenue sharing achieved the goal of giving states more freedom in spending
5. Block grants grow more slowly than categorical grants.
   a. Desire for federal control and distrust of state government
   b. No single interest group has a vital stake in multipurpose block grants, revenue sharing
   c. Categorical grants are matters of life or death for various agencies.
E. E. Rivalry among the states
   1. Increased competition a result of increased dependency
   2. Snowbelt (Frostbelt) versus Sunbelt states
      a. Difficulty telling where funds spent
      b. Difficulty connecting funds to growth rates
      c. Focus on formulas and their impact
   3. Census takes on monumental importance

V. Federal aid and federal control
A. Introduction
   1. Fear of "Washington control" and jeopardy of Tenth Amendment
   2. Failed attempts at reversal in trends (block grants and revenue sharing)
   3. Traditional and newer forms of federal controls on state governmental actions
      a. Conditions of aid tell a state government what it must do to obtain grant money
      b. Mandates tell state governments what to do, in some instances even when they do not receive grant money
B. B. Mandates
   1. Most concern civil rights and environmental protection
   2. Administrative and financial problems often result
   4. Features of mandates
      a. Regulatory statutes and amendments of previous legislation
      b. New areas of federal involvement
      c. Considerable variation in clarity, administration, and costs
   5. Additional costs imposed on the states through:
      a. Federal tax and regulatory schemes
      b. Federal laws exposing states to financial liability
   6. Federal courts have fueled the growth of mandates
      a. Interpretations of the Tenth Amendment have eased flow of mandates
      b. Court orders and prisons, school desegregation, busing, hiring practices, police brutality
C. Conditions of aid
   1. Received by states voluntarily, in theory
      a. Financial dependence blurs the theory
      b. Civil rights generally the focus of most important conditions in the 1960's, a proliferation has continued since the 1970's
      c. Conditions range from specific to general
   2. Divergent views of states and federal government on costs, benefits
   3. Reagan's attempt to consolidate categorical grants; Congress's cooperation in name only
   4. States respond by experimenting with new ways of delivering services (e.g., child care, welfare, education)
VI. A devolution revolution?
   A. Renewed effort to shift important functions to states by Republican-controlled Congress in 1994
      1. Key issue: welfare (i.e., the AFDC program)
      2. Clinton vetoes two bills, then signed the third, to give management to states
   B. These and other turn-back efforts were referred to as devolution.
      1. Old idea, but led by Congress
      2. Clinton agreed with need to scale back size and activities of federal government.
   C. Block grants for entitlements
      1. Most block grants are for operating and capital purposes (contra entitlement programs).
      2. Republican efforts to make AFDC and Medicaid into block grant programs
      3. Partial success and possible effects
         a. AFDC and a number of related programs are now block grants
         b. Possible triggering of second-order devolution
         c. Possible triggering of third-order devolution
         d. Dramatic decrease in welfare rolls increase in unspent dollars
         e. Surpluses and Medicaid costs, shortfalls in state revenues and funding
            surges
   D. What's driving devolution?
      1. Beliefs of devolution proponents
      2. Realities of budget deficit
      3. Citizen views
   E. Congress and federalism: nation far from wholly centralized
      1. Members of Congress still local representatives
      2. Members of Congress represent different constituencies from the same localities.
      3. Link to local political groups eroded
      4. Differences of opinion over which level of government works best

Chapter 4: American Political Culture

I. Introduction
   A. The American model of government both here and abroad
   B. Tocqueville on American democracy
      1. Abundant and fertile soil for democracy to grow
      2. No feudal aristocracy; minimal taxes; few legal restraints
      3. Westward movement; vast territory provided opportunities
      4. Nation of small, independent farmers
      5. "Moral and intellectual characteristics," today called political culture
II. Political Culture
   A. Defined as a distinctive and patterned way of thinking about how political and economic
      life ought to be carried out (e.g. stronger American belief in political than in economic
      equality)
   B. Elements of the American political system
      1. Liberty
      2. Democracy
      3. Equality
      4. Civic duty
   C. Some questions about the U.S. political culture
      1. How do we know people share these beliefs?
         Before polls, beliefs inferred from books, speeches, and so on
      2. How do we explain behavior inconsistent with beliefs?
         Beliefs still important, source of change
      3. Why so much political conflict in U.S. history?
         Conflict occurs even with beliefs in common
4. Most consistent evidence of political culture
   Use of terms Americanism, un-American

D. The economic system
   1. Americans support free enterprise but see limits on marketplace freedom
   2. Americans prefer equality of opportunity to equality of result; individualist view
   3. Americans have a shared commitment to economic individualism/self-reliance
      (see 1924 and 1977 polls)

III. Comparing citizens of the United States with those of other nations
   A. Political system
      1. Swedes: more deferential than participatory
         a. Defer to government experts and specialists
         b. Rarely challenge governmental decisions
         c. Believe in what is best more than what people want
         d. Value equality over liberty
         e. Value harmony and observe obligations
      2. Japanese
         a. Value good relations with colleagues
         b. Emphasize group decisions and social harmony
         c. Respect authority
      3. Americans
         a. Tend to assert rights
         b. Emphasize individualism, competition, equality, following rules, treating
            others fairly (compare with the Japanese)
      4. Cultural differences affect political and economic systems
      5. Danger of overgeneralizing: many diverse groups within a culture
      6. Almond and Verba: U.S. and British citizens in cross-national study
         a. Stronger sense of civic duty, civic competence
         b. Institutional confidence
         c. Sense of patriotism
   B. Economic system
      1. Swedes (contrasted with Americans): Verba and Orren
         a. Equal pay and top limit on incomes
         b. Less income inequality
      2. Cultural differences make a difference in politics: private ownership in United
         States versus public ownership in European countries
   C. The Civic Role of Religion
      1. Americans are highly religious compared with Europeans
      2. Recent trends in religiosity
      3. Putnam's "bowling alone" thesis
   D. Religion and Politics
      1. Religious movements transformed American politics and fueled the break with
         England.
      2. Both liberals and conservatives use the pulpit to promote political change.
      3. Bush, Gore and public support for faith based approaches to social ills

IV. The sources of political culture
   A. Historical roots
      1. Revolution essentially over liberty; preoccupied with asserting rights
      2. Adversarial culture the result of distrust of authority and a belief that human
         nature is depraved
      3. Federalist-Jeffersonian transition in 1800 legitimated the role of the opposition
         party; liberty and political change can coexist
   B. Legal-sociological factors
      1. Widespread participation permitted by Constitution
      2. Absence of an established national religion
         a. Religious diversity a source of cleavage
         b. Absence of established religion has facilitated the absence of political
            orthodoxy
c. Puritan heritage (dominant one) stress on personal achievement
   1. Hard work
   2. Save money
   3. Obey secular law
   4. Do good
   5. Embrace "Protestant ethic"
d. Miniature political systems produced by churches’ congregational organization

3. Family instills the ways we think about world and politics
   a. Great freedom of children
   b. Equality among family members
   c. Rights accorded each person
   d. Varied interests considered

4. Class consciousness absent
   a. Most people consider themselves middle class
   b. Message of Horatio Alger stories is still popular

C. The culture war
   1. Two cultural classes in America battle over values
   2. Culture war differs from political disputes in three ways:
      a. Money is not at stake
      b. Compromises are almost impossible
      c. Conflict is more profound
   3. Culture conflict animated by deep differences in people's beliefs about private and public morality
   4. Culture war about what kind of country we ought to live in
   5. Two camps:
      a. Orthodox: morality, with rules from God, more important than self-expression
      b. Progressive: personal freedom, with rules based on circumstances, more important than tradition
   6. Orthodox associated with fundamentalist Protestants and progressives with mainline Protestants and those with no strong religious beliefs
   7. Culture war occurring within religious denominations
   8. Current culture war has special importance historically because of two changes:
      a. More people consider themselves progressives than previously
      b. Rise of technology makes culture war easier to wage

V. Mistrust of government
   A. What the polls say
      1. Since the 1950s, a steady decline in percentage who say they trust the government in Washington
      2. Increase in percentage who think public officials do not care about what we think
   3. Important qualifications and considerations:
      a. Levels of trust rose briefly during the Reagan administration
      b. Distrust of officials is not the same as distrust for our system of government
      c. Americans remain more supportive of the country and its institutions than most Europeans
   B. Possible causes of apparent decline in confidence
      1. Vietnam
      2. Watergate and Nixon's resignation
      3. Clinton's sex scandals and impeachment
      4. Levels of support may have been abnormally high in the 1950s
         a. Aftermath of victory in World War II and possession of Atomic bomb
         b. From Depression to currency that dominated international trade
         c. Low expectations of Washington and little reason to be upset / disappointed
5. 1960's and 1970's may have dramatically increased expectations of government
6. Decline in patriotism (temporarily affected by the attacks of September 11)

C. Necessary to view in context
   1. Decline in confidence not spread to all institutions
   2. Decline in confidence also varies from group to group
   3. American's loss of support for leaders and particular policies does not mean loss of confidence in the political system or each other

VI. Political efficacy
A. Definition: citizen's capacity to understand and influence political events
B. Parts
   1. Internal efficacy
      a. Ability to understand and influence events
      b. About the same as in 1950s
   2. External efficacy
      a. Belief that system will respond to citizens
      b. Not shaped by particular events
      c. Declined steadily through the 1960s and 1970s
C. Comparison: still much higher than Europeans'
D. Conclusion
   1. Some say Americans are more "alienated" from politics
   2. But current research has not easily established a relationship between trust in government and confidence in leaders and vote turnout
   3. Decline in trust and confidence may mean support for non-incumbents and third party candidates

VII. Political tolerance
A. Crucial to democratic politics
   1. Citizens must be reasonably tolerant
   2. But not necessarily perfectly tolerant
B. Levels of American political tolerance
   1. Most Americans assent in abstract
   2. But would deny rights in concrete cases
      a. Liberals intolerant of extreme right
      b. Conservatives intolerant of extreme left
   3. Most are willing to allow expression to most
   4. Americans have become more tolerant in recent decades
C. Question: How do very unpopular groups survive?
   1. Most people do not act on beliefs
   2. Usually no consensus on whom to persecute
   3. Courts are sufficiently insulated from public opinion to enforce protection
D. Conclusions
   1. Political liberty cannot be taken for granted
   2. No group should pretend it is always tolerant
      a. Conservatives once targeted professors
      b. Later, professors targeted conservatives

Chapter 5: Public Opinion

I. Introduction
   A. Lincoln and the Gettysburg address "of the people, by the people, for the people."
   1. Yet the federal government's budget is not balanced
   2. Yet the people have opposed busing
   3. Yet the ERA was not ratified
   4. Yet most Americans opposed Clinton's impeachment
   5. Yet most Americans favor term limits for Congress
B. Why government policy and public opinion may appear to be at odds
   1. Government not intended to do "what the people want"
      a. Framers of Constitution aimed for substantive goals
      b. Popular rule was only one of several means toward these goals.
      c. Large nations feature many "publics" with many "opinions."
         1. Framers hoped no single opinion would dominate
         2. Reasonable policies can command support of many factions
   2. Limits on effectiveness of opinion polling; difficult to know public opinion
   3. Government may give more weight to political elites who may think differently

II. What is Public Opinion?
   A. Influences and limitations
      1. Public ignorance: Monetary Control Bill ruse, poor name recognition of leaders
      2. Importance of wording of questions, affects answers
      3. Questions may focus one side of an issue at the expense of another (benefits / costs)
      4. Instability of public opinion
      5. Public has more important things to think about; need clear-cut political choices
      6. Specific attitudes less important than political culture

III. The origins of political attitudes
   A. The role of the family
      1. Child absorbs party identification of family but becomes more independent with age
      2. Much continuity between generations
      3. Declining ability to pass on identification
      4. Younger voters exhibit less partisanship; more likely to be independent
      5. Meaning of partisanship unclear in most families; less influence on policy preferences
      6. Few families pass on clear ideologies
   B. Religion
      1. Religious traditions affect families
         a. Catholic families somewhat more liberal
         b. Protestant families more conservative
         c. Jewish families decidedly more liberal
      2. Two theories on differences
         a. Social status of religious group
         b. Content of religion's tradition
   C. The gender gap
      1. A "problem" that has existed for a long time for both parties
         a. Men and women both identified with the Democratic Party at about the same levels in the 1950s
         b. By the 1990's men identified more with the Republican party while women continued to support the Democrats at earlier levels
      2. Possible explanations for the "gap"
         a. Attitudes about size of government, gun control, spending programs for the poor, and gay rights
         b. The conservative policy positions of men are increasingly matched by their party loyalty
         c. Presence of Democratic female candidates may also have an impact
   D. Schooling and information
      1. College education has liberalizing effect; longer in college, more liberal
      2. Effect extends beyond end of college
      3. Cause of this liberalization?
         a. Personal traits: temperament, family, intelligence
         b. Exposure to information on politics
         c. Liberalism of professors
      4. Effect growing as more go to college
5. Increasing conservatism since 1960s?
   a. Yes (legalizing marijuana)
   b. No (school busing)

IV. Cleavages in public opinion
   A. Social class: less important in United States than in Europe
      1. More important in 1950s on unemployment, education, housing programs
      2. Less important in 1960s on poverty, health insurance, Vietnam, jobs
      3. Why the change?
         a. Education: occupation depends more on schooling
         b. Noneconomic issues now define liberal and conservative
   B. Race and ethnicity
      1. Social class becoming less clear-cut source of political cleavage
      2. Impact of race and ethnicity is less clear
         a. Some clear difference in opinion (party identification, O.J. Simpson, criminal justice system, affirmative action)
         b. Some similarities (quotas, getting tough on crime, abortion, etc.)
         c. Evidence that the gap in opinions is narrowing
         d. Further complication: gaps between the opinions of younger and older blacks
      3. Big opinion gap between black leaders and black people generally
         a. Still differences of opinions between blacks and whites on social issues; opinions similar on others
         b. Evidence that black-white differences are narrowing
      4. Few studies of the opinions of over 30 million Latinos
         a. California study of Latinos and Asian Americans
         b. Latinos identified themselves as Democrats / Asian Americans identified themselves as Republicans
         c. Latinos were somewhat more liberal than Anglo whites and Asian Americans, but less liberal than blacks
         d. Diversity within ethnic groups and limitations of such studies
   C. Region
      1. Southerners more conservative than northerners on military and civil rights issues but difference fading overall
      2. Southern lifestyle different
      3. Lessening attachment to Democratic party

V. Political ideology
   A. Consistent attitudes
      1. Ideology: patterned set of political beliefs about who ought to rule, their principles and policies
      2. Most citizens display little ideology; moderates dominate
      3. Yet most citizens may have strong political predispositions
      4. "Consistency" criterion somewhat arbitrary
      5. Some believe ideology increased in 1960s
      6. Others argue that poll questions were merely worded differently in 1960s
   B. What do liberalism and conservatism mean?
      1. Liberal and conservative labels have complex history
         a. Europe during French Revolution: conservative = church, state authority
         b. Roosevelt and New Deal: activism = liberalism
         c. Conservative reaction to activism (Goldwater): free market, states’ rights, economic choice
         d. Today’s imprecise and changing meanings
   C. Various categories
      1. Three useful categories emerge from studies
         a. Economic policy: liberals favor jobs for all, subsidized medical care and education, taxation of rich
         b. Civil rights: liberals prefer desegregation, equal opportunity, etc.
c. Public and political conduct: liberals tolerant of demonstrations, favor legalization of marijuana, and so on

D. Analyzing consistency; people can mix categories
   1. Pure liberals: liberal on both economic and personal conduct issues
   2. Pure conservatives: conservative on both economic and personal conduct issues
   3. Libertarians: conservative on economic issues, liberal on personal conduct issues
   4. Populists: liberal on economic issues, conservative on personal conduct issues

E. Political elites
   1. Definition: those who have a disproportionate amount of some valued resource
   2. Elites, or activists, display greater ideological consistency
      a. More information than most people
      b. Peers reinforce consistency and greater difference of opinion than one finds among average voters

F. Is there a "new class"?
   1. Definition: those who are advantaged by the power, resources, and growth of government (not business)
   2. Two explanations of well-off individuals who are liberals
      a. Their direct benefits from government
      b. Liberal ideology infusing postgraduate education
   3. Traditional middle class: four years of college, suburban, church affiliated, pro-business, conservative on social issues, Republican
   4. Liberal middle class: postgraduate education, urban, critical of business, liberal on social issues, Democratic
   5. Emergence of new class creates strain in Democratic party

VI. Political elites, public opinion, and public policy
   A. Elites influence public opinion in three ways
      1. Raise and form political issues
      2. State norms by which to settle issues, defining policy options
      3. Elite views shape mass views
   B. Limits to elite influence on the public
      1. Elites do not define problems
      2. Many elites exist; hence many elite opinions

Chapter 6: Political Participation

I. A closer look at nonvoting
   A. Alleged problem: low turnout compared with Europeans, but this compares registered voters with the eligible adult population
   B. Common explanation: voter apathy on election day, but the real problem is low registration rates
   C. Proposed solution: get-out-the-vote drives, but this will not help those who are not registered
   D. Apathy not the only cause of nonregistration
      1. Costs here versus no costs in European countries where registration is automatic
         a. Did not create a general boom in vote turnout
         b. Did increase registration among eligible voters
         c. Did not change the two party balance of registrants
         d. Did increase the number of independent registrants
         e. May actually add registrants who are less likely to vote
   E. Voting is not the only way of participating

II. The rise of the American electorate
   A. From state to federal control
      1. Initially, states decided nearly everything
      2. This led to wide variation in federal elections
3. Congress has since reduced state prerogatives
   a. 1842 law: House members elected by district
   b. Suffrage to women
   c. Suffrage to blacks
   d. Suffrage to eighteen- to twenty-year-olds
   e. Direct popular election of U.S. senators

4. Black voting rights
   a. Fifteenth Amendment gutted by Supreme Court as not conferring a right to vote
   b. Southern states then use evasive strategies
      1. Literacy test
      2. Poll tax
      3. White primaries
      4. Grandfather clauses
      5. Intimidation of black voters
   c. Most of these strategies ruled out by Supreme Court
   d. Major change with 1965 Voting Rights Act; black vote increases

5. Women's voting rights
   a. Western states permit women to vote
   b. Nineteenth Amendment ratified 1920
   c. No dramatic changes in outcomes

6. Youth vote
   b. Twenty-sixth Amendment ratified 1971
   c. Lower turnout; no particular party

7. National standards now govern most aspects

B. Voting turnout
   1. Debate over declining percentages: two theories
      a. The percentages are real and the result of a decline in popular interest in elections and competitiveness of the two parties
         1. Parties originally worked hard to increase turnout among all voters
         2. The election of 1896 locked Democrats in the South and Republicans in the North
         3. Lopsided Republican victories caused citizens to lose interest
         4. Leadership in the major parties became conservative and resisted mass participation
      b. The percentages represent an apparent decline induced, in part, by more honest ballot counts of today.
         1. Parties once printed ballots
         2. Ballots cast in public
         3. Parties controlled counting
      c. Most scholars see several reasons for some real decline.
         1. Registration more difficult: longer residency, educational qualifications, and discrimination
         2. Continuing drop after 1960 cannot be explained
         3. Refinement of VAP data to VEP data also reveals a decline
         d. Universal turnout probably would not alter election outcomes

III. Who participates in politics?
   A. Forms of participation
      1. Voting the most common, but 8 to 10 percent misreport it
2. Verba and Nie's six types of participants
   a. Inactives
   b. Voting specialists
   c. Campaigners
   d. Communalists
   e. Parochial participants
   f. Complete activists

B. Causes of participation
   1. Schooling, or political information, more likely to vote
   2. Church-goers vote more
   3. Men and women vote same rate
   4. Race
      a. Black participation lower than that of whites overall
      b. But controlling for SES, higher than whites
   5. Level of trust in government?
      a. Studies show no correlation
   6. Difficulty of registering; as turnout declines, registration gets easier
   7. Several small factors decrease turnout
      a. More youths, blacks, and other minorities
      b. Decreasing effectiveness of parties
      c. Remaining impediments to registration
      d. Voting compulsory in other nations
      e. Ethnic minorities encounter language barriers, whereas blacks are involved in nonpolitical institutions
      f. May feel that elections do not matter
   8. Democrats and Republicans fight over solutions
      a. No one really knows who would be helped
      b. Nonvoters tend to be poor, black, and so on
      c. But an increasing percentage of college graduates are also not voting
      d. Hard to be sure that turnout efforts produce gains for either party: Jesse Jackson in 1984

C. The meaning of participation rates
   1. Americans vote less but participate more
      a. Other forms of activity becoming more common
      b. Some forms more common here than in other countries
   2. Americans elect more officials than Europeans do and have more elections
   3. U.S. turnout rates heavily skewed to higher status; meaning of this is unclear

Chapter 7: Political Parties

I. Parties here and abroad
   A. Decentralization
      1. A party is a group that seeks to elect candidates to public office by supplying them with a label.
      2. Arenas
         a. A label in the minds of the voters
         b. Set of leaders in government
         c. Organization recruiting and campaigning
      3. American parties have become weaker in all three arenas
         a. As labels: more independents
         b. As organizations: much weaker since the 1960s
         c. As sets of leaders: the organization of Congress less under their control
   B. Reasons for differences from European parties
      1. Federal system decentralizes power
         a. Early on, most people with political jobs worked for state and local government.
         b. National parties were coalitions of local parties.
c. As political power becomes more centralized, parties become weaker still
2. Parties closely regulated by state and federal laws
3. Candidates chosen through primaries, not by party leaders
4. President elected separately from Congress
5. Political culture
   a. Parties unimportant in life; Americans do not join or pay dues
   b. Parties separate from other aspects of life

II. The rise and decline of the political party
   A. The Founding (to the 1820s)
      1. Founders' dislike of factions
      2. Emergence of Republicans, Federalists: Jefferson versus Hamilton
         a. Loose caucuses of political notables
         b. Republicans' success and Federalists' demise
      3. No representation of clear economic interests
   B. The Jacksonians (to the Civil War)
      1. Political participation a mass phenomenon
         a. More voters to reach
         b. Party built from the bottom up
         c. Abandonment of presidential caucuses
         d. Beginning of national conventions to allow local control
   C. The Civil War and sectionalism
      1. Jacksonian system unable to survive slavery issue
      2. New Republicans become dominant because of
         a. Civil War and Republicans on Union side
         b. Bryan's alienation of northern Democrats in 1896
      3. In most states one party predominates
         a. Party professionals, or "stalwarts," one faction in GOP
         b. Mugwumps, Progressives, or "reformers" another faction
            1. Balance of power at first
            2. Diminished role later
   D. The era of reform
      1. Progressive push measures to curtail parties
         a. Primary elections
         b. Nonpartisan elections
         c. No party-business alliances
         d. Strict voter registration requirements
         e. Civil service reform
         f. Initiative and referendum elections
      2. Effects
         a. Reduction in worst forms of political corruption
         b. Weakening of all political parties

III. Party realignments
   A. Definition: sharp, lasting shift in the popular coalition supporting one or both parties
   B. Occurrences: change in issues
      1. ) 1800: Jeffersonians defeated Federalists
      2. ) 1828: Jacksonian Democrats came to power
      3. ) 1860: Whigs collapsed; Republicans won
      4. ) 1896: Republicans defeated Bryan
      5. ) 1932: FDR Democrats came to power
   C. Kinds of realignments
      1. ) Major party disappears and is replaced (1800, 1860)
      2. ) Voters shift from one party to another (1896, 1932)
   D. Clearest cases
      1. ) 1860: slavery
      2. ) 1896: economics
      3. ) 1932: depression
E. 1980 not a realignment
   1. Expressed dissatisfaction with Carter
   2. Also left Congress Democratic

F. 1972-1988: shift in presidential voting patterns in the South
   1. Fewer Democrats, more Republicans, more independents
   2. Independents vote Republican
   3. Now close to fifty-fifty Democratic, Republican
   4. Party dealignment, not realignment

G. Party decline; evidence for it
   1. Fewer people identify with either party
   2. Increase in ticket splitting

IV. The national party structure today
   A. Parties similar on paper
      1. National convention ultimate power; nominates presidential candidate
      2. National committee composed of delegates from states
      3. Congressional campaign committees
      4. National chair manages daily work
   
   B. Party structure diverges in the late 1960s
      1. RNC moves to bureaucratic structure; a well-financed party devoted to electing its candidates
      2. Democrats move to factionalized structure to distribute power
      3. RNC uses computerized mailing lists to raise money
         a. Money used to run political consulting firm
         b. Democrats still manage to outspend GOP
         c. Public opinion polls used to find issues and to get voter response to issues and candidates
      4. RNC now tries to help state and local organizations
      5. Democrats remain a collection of feuding factions

   C. National conventions
      1. National committee sets time and place; issues call setting number of delegates for each state
      2. Formulas used to allocate delegates
         a. Democrats shift the formula away from the South to the North and West
         b. Republicans shift the formula away from the East to the South and Southwest
         c. Result: Democrats move left, Republicans right
      3. Democratic formula rewards large states and Republican-loyal states
      4. Democrats set new rules
         a. In the 1970s the rules changed to weaken party leaders and increase the influence of special interests.
         b. Hunt commission in 1981 reverses 1970s rules by increasing the influence of elected officials and by making convention more deliberative
      5. Consequence of reforms: parties represent different set of upper-middle-class voters
         a. Republicans represent traditional middle class
         b. Democrats represent the "new class"
         c. Democrats hurt because the traditional middle class closer in opinions to most citizens
      6. To become more competitive, Democrats adopt rule changes
         a. In 1988 the number of superdelegates increased and special interests decreased.
         b. In 1992 three rules: winner-reward system, proportional representation, and states that violate rules are penalized
      7. Conventions today only ratify choices made in primaries.
V. State and local parties
   A. The machine
      1. Recruitment via tangible incentives
      2. High degree of leadership control
      3. Abuses
         a. Gradually controlled by reforms
         b. But machines continued
      4. Both self-serving and public regarding
      5. Winning above all else
   B. Ideological parties
      1. Principle above all else
      2. Usually outside Democrats and Republicans
      3. But some local reform clubs
      4. Reform clubs replaced by social movements
   C. Solidary groups
      1. Most common form of party organization
      2. Members motivated by solidary incentives
      3. Advantage: neither corrupt nor inflexible
      4. Disadvantage: not very hard working
   D. Sponsored parties
      1. Created or sustained by another organization
      2. Example: Detroit Democrats controlled by UAW
      3. Not very common
   E. Personal following
      1. Examples: Kennedys, Curley, Talmadges, Longs
      2. Viability today affected by TV and radio
      3. Advantage: vote for the person
      4. Disadvantage: takes time to know the person

VI. The two-party system
   A. Rarity among nations today
   B. Evenly balanced nationally, not locally
   C. Why such a permanent feature?
      1. Electoral system: winner-take-all and plurality system
      2. Opinions of voters: two broad coalitions
   VII. Minor parties
   D. Ideological parties: comprehensive, radical view; most enduring
      Examples: Socialist, Communist, Libertarian
   E. One-issue parties: address one concern, avoid others
      Examples: Free Soil, Know-Nothing, Prohibition
   F. Economic protest parties: regional, oppose depressions
      Examples: Greenback, Populist
   G. Factional parties: from split in a major party
      Examples: Bull Moose, Henry Wallace, American Independent
   H. Movements not producing parties; either slim chance of success or major parties accommodate
      Examples: civil rights, antiwar, labor
   I. Factional parties have had greatest influence

VII. Nominating a president
   A. Two contrary forces: party's desire to win motivates it to seek an appealing candidate, but its desire to keep dissidents in party forces a compromise to more extreme views
   B. Are the delegates representative of the voters?
      1. Democratic delegates much more liberal
      2. Republican delegates much more conservative
      3. Explanation of this disparity not quota rules: quota groups have greater diversity of opinion than do the delegates
   C. Who votes in primaries?
      1. Primaries now more numerous and more decisive
         a. Stevenson and Humphrey never entered a primary
         b. By 1992: forty primaries and twenty caucuses
      2. Little ideological difference between primary voters and rank-and-file party voters
3. Caucus: meeting of party followers at which delegates are picked
   a. Only most-dedicated partisans attend
   b. Often choose most ideological candidate: Jackson, Robertson in 1988

D. Who are the new delegates?
   1. However chosen, today's delegates a new breed unlikely to resemble average
      citizen: issue-oriented activists
   2. Advantages of new system
      a. Increased chance for activists within party
      b. Decreased probability of their bolting the party
   3. Disadvantage: may nominate presidential candidates unacceptable to voters or
      rank and file

VIII. Parties versus voters
   A. Democrats: win congressional elections but lose presidential contests
      1. Candidates are out of step with average voters on social and tax issues
      2. So are delegates, and there's a connection
   B. Republicans had the same problem with Goldwater (1964)
   C. Rank-and-file Democrats and Republicans differ on many political issues, but the
      differences are usually small
   D. Delegates from two parties differ widely on these same issues
      1. 1996 conventions
         a. Few conservatives at Democratic convention
         b. Few liberals at Republican convention
      2. Formula for winning president
         a. Nominate candidates with views closer to the average citizen (e.g.,
            1996 election)
         b. Fight campaign over issues agreed on by delegates and voters (e.g.,
            1992 election)

Chapter 8: Elections and Campaigns

I. Presidential versus congressional campaigns
   A. Introduction
      1. Two phases: getting nominated and getting elected
      2. Getting nominated
         a. Getting a name on the ballot
         b. An individual effort (versus organizational effort in Europe)
         c. Parties play a minor role (compared with Europe)
         d. Parties used to play a major role
   B. Major differences
      1. Presidential races are more competitive.
         a. House races have lately been one-sided for Democrats.
         b. Presidential winner rarely gets more than 55 percent of vote
         c. Most House incumbents are reelected (more than 90 percent)
      2. Fewer people vote in congressional elections
         a. Unless election coincides with presidential election
         b. Gives greater importance to partisan voters (party regulars)
      3. Congressional incumbents can service their constituents.
         a. Can take credit for governmental grants, programs, and so forth
         b. President can't: power is not local
      4. Congressional candidates can duck responsibility.
         a. "I didn't do it; the people in Washington did!"
         b. President is stuck with blame
         c. But local candidates can suffer when their leader's economic policies fail
      5. Benefit of presidential coattails has declined
         a. Congressional elections have become largely independent
         b. Reduces meaning (and importance) of party
C. Running for president
   1. Getting mentioned
      a. Using reporters, trips, speeches, and name recognition
      b. Sponsoring legislation, governing large state
   2. Setting aside time to run
      a. Reagan: six years
      b. May have to resign from office first
   3. Money
      a. Individuals can give $1,000, political action committees (PACs) $5,000
      b. Candidates must raise $5,000 in twenty states to qualify for matching grants to pay for primary
   4. Organization
      a. Need a large (paid) staff
      b. Need volunteers
      c. Need advisers on issues: position papers
   5. Strategy and themes
      a. Incumbent versus challenger: defend or attack?
      b. Setting the tone (positive or negative)
      c. Developing a theme: trust, confidence, and so on
      d. Judging the timing
      e. Choosing a target voter: who's the audience?

D. Getting elected to Congress
   1. Malapportionment and gerrymandering.
   2. Establishing the size of the House
   3. Winning the primary
      a. Ballot procedures
      b. Developing a personal following for the "party's" nomination
      c. Incumbent advantage
   4. Sophomore surge
      a. Using the perqs of office
      b. Campaigning for / against Congress
   5. Impact of the way we elect individuals to Congress
      a. Legislators closely tied to local concerns
      b. Weak party leadership

II. Primary versus general campaigns
   A. Kinds of elections and primaries: general versus primary elections
   B. Differences between primary and general campaigns
      1. What works in a general election may not work in a primary
         a. Different voters, workers, and media attention
         b. Must mobilize activists with money and motivation to win nomination
         c. Must play to the politics of activists
      2. Iowa caucuses
         a. Held in February of general election year
         b. Candidates must do well
         c. Winners tend to be "ideologically correct"
         d. Most liberal Democrat, most conservative Republican
         e. The caucus system: "musical chairs and fraternity pledge week"
      3. The balancing act
         a. Being conservative (or liberal) enough to get nominated
         b. Move to center to get elected
         c. True nationwide in states where activists are more polarized than average voter
         d. The "clothespin vote": neither candidate is appealing
      4. Even primary voters can be more extreme ideologically than the average voter
         Example: McGovern in 1972
C. Two kinds of campaign issues
   1. Position issues
   2. Valence issues

D. Television, debates, and direct mail
   1. Paid advertising (spots)
      a. Has little (or a very subtle) effect on outcome: spots tend to cancel each other out
      b. Most voters rely on many sources of information.
   2. News broadcasts (visuals)
      a. Cost little
      b. May have greater credibility with voters
      c. Rely on having TV camera crew around
      d. May be less informative than spots
   3. Debates
      a. Usually an advantage only to the challenger
      b. Reagan in 1980: reassured voters
      c. Primary debates: the "dating game" in 1988
   4. Risk of slips of the tongue on visuals and debates
      a. Ford and Poland, Carter and lust, Reagan and trees
      b. Forces candidates to rely on stock speeches
      c. Sell yourself, not your ideas
   5. Free television time to major presidential candidates in 1996
   6. The computer
      a. Makes direct mail campaigns possible
      b. Allows candidates to address specific voters
      c. Creates importance of mailing lists
   7. The gap between running a campaign and running the government
      a. Party leaders had to worry about reelection
      b. Today's political consultants don't

III. Money
A. How important is it?
   1. "Money is the mother's milk of politics."
   2. Presidential candidates spent $286 million in 1992; up from $177 million in 1988
   3. Are candidates being "sold" like soap? Answer is not so obvious
B. The sources of campaign money
   1. Presidential primaries: part private, part public money
      a. Federal matching funds
      b. Only match small donors: less than $250; $5,000 in twenty states
      c. Gives incentive to raise money from small donors
      d. Government also gives lump-sum grants to parties to cover conventions
   2. Presidential general elections: all public money
   3. Congressional elections: all private money
      a. From individuals, PACs, and parties
      b. Most from individual small donors ($100 to $200 a person)
      c. $1,000 maximum for individual donors
      d. Benefit performances by rock stars, etc.
      e. $5,000 limit from PACs
      f. But most PACs give only a few hundred dollars
      g. Tremendous PAC advantage to incumbents: backing the winner
      h. Challengers have to pay their own way; only one-sixth from PACs
C. Campaign finance rules
   1. Watergate
      a. Dubious and illegal money raising schemes
      b. Democrats and Republicans benefited from unenforceable laws.
      c. Nixon’s resignation and a new campaign finance law
   2. Reform law
      a. Set limit on individual donations ($1,000 per election)
      b. Reaffirmed ban on corporate and union donations, but allowed them to raise money through PACs
c. Set limit on PAC donations ($5,000 per election to individuals, $15,000 per year to a party)
d. Federal tax money made available for primaries and general election campaigns.

3. Impact of the law
   a. Increase in money spent on elections
   b. Increase in PAC spending
   c. Additional problems: independent expenditures and soft money

4. Campaign finance reform
   a. Reforms can have unintended consequences
   b. Bipartisan Campaign Finance Reform Act of 2002
      1. Ban on soft money
      2. Increase on individual contributions (to $2,000 per candidate per election)
      3. Restrictions on independent expenditures

D. Money and winning
   1. During peacetime, presidential elections usually decided by three things:
      a. Political party affiliation
      b. State of the economy
      c. Character of candidates
   2. Money makes a difference in congressional races
      a. Challenger must spend to gain recognition
      b. Jacobson: big-spending challengers do better
      c. Big-spending incumbents also do better
   3. Party, incumbency, and issues also have a role
   4. Advantages of incumbency
      a. Easier to raise money
      b. Can provide services for constituency
      c. Can use franked mailings
      d. Can get free publicity through legislation and such

IV. What decides elections?
A. Party identification, but why don't Democrats always win?
   1. Democrats less wedded to their party
   2. GOP does better among independents
   3. Republicans have higher turnout
B. Issues, especially the economy
   1. V. O. Key: most voters who switch parties do so in their own interests
      a. They know which issues affect them personally
      b. They care strongly about emotional issues (abortion, etc.)
   2. Prospective voting
      a. Know the issues and vote for the best candidate
      b. Most common among activists and special interest groups
      c. Few voters use prospective voting because it requires information.
   3. Retrospective voting
      a. Judge the incumbent's performance and vote accordingly
      b. Have things gotten better or worse, especially economically?
      d. Usually helps incumbent unless economy has gotten worse
      e. Most elections decided by retrospective votes
      f. Midterm election: voters turn against president's party
C. The campaign
   1. Campaigns do make a difference
      a. Reawaken voters' partisan loyalties
      b. Let voters see how candidates handle pressure
      c. Let voters judge candidates' characters
2. Campaigns tend to emphasize themes over details
   a. True throughout American history
   b. What has changed is the importance of primary elections and tone of campaigns
   c. Theme campaigns give more influence to single-issue groups

D. Finding a winning coalition
   1. Ways of looking at various groups
      a. How loyal, or percentage voting for party
      b. How important, or number voting for party
   2. Democratic coalition
      a. Blacks most loyal
      b. Jews slipping somewhat
      c. Hispanics somewhat mixed
      d. Catholics, southerners, unionists departing the coalition lately
   3. Republican coalition
      a. Party of business and professional people
      b. Very loyal, defecting only in 1964
      c. Usually wins vote of poor because of retired, elderly voters
   4. Contribution to Democratic coalition
      a. Blacks loyal but small proportion
      b. Catholics, unionists, and southerners largest part but least dependable

V. The Effect of Elections on Policy
   A. Political scientists are interested in broad trends in winning and losing
   B. Cynics: public policy remains more or less the same no matter which official or party is in office
      1. Comparison: Great Britain, with parliamentary system and strong parties, often sees marked changes, as in 1945
      2. Reply: evidence indicates that many American elections do make great differences in policy
      3. Why, then, the perception that elections do not matter? Because change alternates with consolidation; most elections are only retrospective judgments

Chapter 9: Interest Groups

I. Explaining proliferation: why interest groups are common in the United States
   A. Many kinds of cleavage in the country
   B. Constitution makes for many access points
   C. Political parties are weak

II. The birth of interest groups
   A. Periods of rapid growth
      1. Since 1960, 70 percent have established an office in Washington, D.C.
      2. 1770s, independence groups
      3. 1830s and 1840s, religious, antislavery groups
      4. 1860s, craft unions
      5. 1880s and 1890s, business associations
      6. 1900s and 1910, most major lobbies of today
   B. Factors explaining the rise of interest groups
      1. Broad economic developments create new interests
         a. Farmers produce cash crops
         b. Mass production industries begin
      2. Government policy itself
         a. Created veterans’ groups—wars
         b. Encouraged formation of Farm Bureau
         c. Launched Chamber of Commerce
         d. Favored growth of unions
      3. Emergence of strong leaders, usually at certain times
      4. Expanding role of government
III. Kinds of organizations
   A. Institutional interests
      1. Defined: individuals or organizations representing other organizations
      2. Types
         a. Businesses: example, General Motors
         b. Trade or governmental associations
      3. Concerns--bread-and-butter issues of concern to their clients
         a. Clearly defined, with homogeneous groups
         b. Diffuse, with diversified groups
      4. Other interests--governments, foundations, universities
   B. Membership interests
      1. Americans join some groups more frequently than people in other nations
         a. Social, business, and so on, same rate as elsewhere
         b. Unions, less likely to join
         c. Religious or civic groups, more likely to join
         d. Greater sense of efficacy and duty explains the tendency to join civic groups
      2. Most sympathizers do not join because
         a. Individuals not that significant
         b. Benefits flow to nonmembers too
   C. Incentives to join
      1. Solidary incentives--pleasure, companionship (League of Women Voters, AARP, NAACP, Rotary, etc.)
      2. Material incentives--money, things, services (farm organizations, retired persons, etc.)
      3. Purpose of the organization itself--public-interest organizations
         a. Ideological interest groups’ appeal is controversial principles
         b. Engage in research and bring lawsuits
   D. Influence of the staff
      1. Staff has most influence if members joined for solidary or material benefits
      2. National Council of Churches and unions are examples

IV. Interest groups and social movements
   A. Social movement is a widely shared demand for change
   B. Environmental movement
   C. Feminist movement: three kinds
      1. Solidary--LWV and others (widest support)
      2. Purposive--NOW, NARAL (strong position on divisive issues)
      3. Caucus--WEAL (material benefits)
   D. Union movement; left over after social movement dies

V. Funds for interest groups
   A. Foundation grants
      1. Ford Foundation and public-interest groups
      2. Scaife foundations and conservative groups
   B. Federal grants and contracts
      1. National Alliance for Business and summer youth job programs
      2. Jesse Jackson’s PUSH
   C. Direct mail
      1. Unique to modern interest groups through use of computers
      2. Common Cause a classic example
      3. Techniques
         a. Teaser
         b. Emotional arousal
         c. Celebrity endorsement
         d. Personalization of letter
VI. Problem of bias
   A. Reasons for belief in upper-class bias
      1. More affluent more likely to join
      2. Business or professional groups more numerous; better financed
   B. Why these facts do not decide the issue
      1. Describe inputs but not outputs
      2. Business groups often divided among themselves
   C. Important to ask what the bias is
      1. Many conflicts are within upper middle class
      2. Resource differentials are clues, not conclusions

VII. Activities of interest groups
   A. Information
      1. Single most important tactic
         a. Nonpolitical sources insufficient
         b. Provide detailed, current information
      2. Most effective on narrow, technical issues
      3. Officials also need cues; ratings systems
      4. Dissemination of information and cues via fax
   B. Public support: rise of new politics
      1. Outsider strategy replacing insider strategy
      2. New strategy leads to controversy that politicians dislike
      3. Key targets: the undecided
      4. Some groups attack their likely allies to embarrass them
      5. Legislators sometimes buck public opinion, unless issue important
      6. Some groups try for grassroots support
         a. Saccharin issue
         b. "Dirty Dozen" environmental polluters
      7. Few large, well-funded interests are all-powerful (e.g., NRA)
   C. Money and PACs
      1. Money is least effective way to influence politicians
      2. Campaign finance reform law of 1973 had two effects
         a. Restricted amount interest groups can give to candidates
         b. Made it legal for corporations and unions to create PACs
      3. Rapid growth in PACs has not led to vote buying.
         a. More money is available on all sides
         b. Members of Congress take money but still decide how to vote
      4. Almost any organization can create a PAC.
         a. More than half of all PACs sponsored by corporations
         b. Recent increase in ideological PACs; one-third liberal, two-thirds conservative
      5. Ideological PACs raise more but spend less because of cost of raising money
      6. In 2000 unions and business organizations gave most
      7. Incumbents get most PAC money
         a. Business PACs split money between Democrats and Republicans
         b. Democrats get most PAC money
      8. PAC contributions small
      9. No evidence PAC money influences votes in Congress
         a. Most members vote their ideology
         b. When issue of little concern to voters, slight correlation but may be misleading
         c. PAC money may influence in other ways, such as access
         d. PAC money most likely to influence on client politics
   D. The revolving door
      1. Promise of future jobs to officials
      2. Few conspicuous examples of abuse
   E. Trouble
      1. Disruption always part of American politics
      2. Used by groups of varying ideologies
      3. Better accepted since 1960s
4. History of proper persons using disruption: suffrage, civil rights, antiwar movements

5. Officials dread no-win situation

VIII. Regulating interest groups

A. Protection by First Amendment

B. 1946 law accomplished little in requiring registration

C. 1995 lobby act enacted by Congress
   1. Broadens definition of a lobbyist
   2. Lobbyists must report twice annually
   3. Exempts grassroots organizations
   4. No enforcement organization created

D. Significant restraints prior to 1995 still in effect
   1. Tax code: threat of losing tax exempt status
   2. Campaign finance laws

Chapter 10: The Media

I. Journalism in American political history

A. The party press
   1. Parties created and subsidized various newspapers
   2. Circulation was small, newspapers expensive, advertisers few
   3. Newspapers circulated among political and commercial elites

B. The popular press
   1. Changes in society and technology made the press self-supporting and able to reach mass readership.
      a. High-speed press
      b. Telegraph
      c. Associated Press, 1848; objective reporting
      d. Urbanization allowed large numbers to support paper
      e. Government Printing Office; end of subsidies in 1860
   2. Influence of publishers, editors created partisan bias
      a. "Yellow journalism" to attract readers
      b. Hearst foments war against Spain
   3. Emergence of a common national culture

C. Magazines of opinion
   1. Middle class favors new, progressive periodicals
      a. Nation, Atlantic, Harper's in 1850s and 1860s on behalf of certain issues
      b. McClure's, Scribner's, Cosmopolitan later on
   2. Individual writers gain national followings through investigative reporting
   3. Number of competing newspapers declines, as does sensationalism
   4. Today the number of national magazines focusing on politics accounts for a small and declining fraction of magazines.

D. Electronic journalism
   1. Radio arrives in the 1920s, television in the 1940s
   2. Politicians could address voters directly but people could easily ignore them
   3. But fewer politicians could be covered
      a. President routinely covered
      b. Others must use bold tactics
   4. Recent rise in the talk show as a political forum has increased politicians’ access to electronic media
      a. Big Three networks have made it harder for candidates by shortening sound bites
      b. But politicians have more sources: cable, early morning news, news magazine shows
      c. These new sources feature lengthy interviews
5. No research on consequences of two changes:
   a. Recent access of politicians to electronic media
   b. "Narrowcasting," which targets segmented audiences
6. Politicians continue to seek visuals even after they are elected

E. The Internet
1. Ultimate free market in political news
2. Voters and political activists talk to one another

II. The structure of the media
A. Degree of competition
   1. Newspapers
      a. Number of daily newspapers has declined significantly
      b. Number of cities with multiple papers has declined
         1. 60 percent of cities had competing newspapers in 1900
         2. Only 4 percent in 1972
      c. Newspaper circulation has fallen since 1967
      d. Most people now get most of their news from television
   2. Radio and television
      a. Intensely competitive, becoming more so
      b. Composed mostly of locally owned and managed enterprises, unlike Europe
      c. Orientation to local market
      d. Limitations by FCC; widespread ownership created

B. The national media
   1. Existence somewhat offsets local orientation
   2.Consists of
      a. Wire services
      b. National magazines
      c. Television networks
      d. Newspapers with national readerships
   3. Significance
      a. Washington officials follow it closely
      b. Reporters and editors different from the local press
         1. Better paid
         2. From more prestigious universities
         3. More liberal outlook
         4. Do investigative or interpretive stories
   4. Roles played
      a. Gatekeeper: what is news, for how long
         1. Auto safety
         2. Water pollution
         3. Prescription drugs
         4. Crime rates
      b. Scorekeeper: who is winning, losing
         1. Attention to Iowa, New Hampshire
      c. Watchdog: investigate personalities and expose scandals
         1. Hart's name, birth date, in 1984; Donna Rice in 1987
         2. Watergate (Woodward and Bernstein)

III. Rules governing the media
A. Newspapers versus electronic media
   1. Newspapers almost entirely free from government regulation; prosecutions only
      after the fact and limited: libel, obscenity, incitement
   2. Radio and television licensed, regulated
B. Confidentiality of sources
   1. Reporters want right to keep sources confidential
   2. Most states and federal government disagree
3. Supreme Court allows government to compel reporters to divulge information in
   court if it bears on a crime
4. Myron Farber jailed for contempt
5. Police search of newspaper office upheld

C. Regulating broadcasting
   1. FCC licensing
      a. Seven years for radio
      b. Five years for television
      c. Stations must serve “community needs”
      d. Public service, other aspects can be regulated
   2. Recent movement to deregulate
      a. License renewal by postcard
      b. No hearing unless opposed
      c. Relaxation of rule enforcement
   3. Radio broadcasting deregulated the most
      a. Telecommunications Act of 1996 permits one company to own as many
         as eight stations in large markets (five in smaller ones)
      b. Results:
         1. Few large companies now own most of the big-market radio
            stations
         2. Greater variety of opinion on radio
   4. Other radio and television regulations
      a. Equal time rule
      b. Right-of-reply rule
      c. Political editorializing rule
   5. Fairness doctrine was abolished in 1987

D. Campaigning
   1. Equal time rule applies
      a. Equal access for all candidates
      b. Rates no higher than least expensive commercial rate
      c. Debates formerly had to include all candidates
         1. Reagan-Carter debate sponsored by LWV as a “news event”
         2. Now stations and networks can sponsor
   2. Efficiency in reaching voters
      a. Works well when market and district overlap
      b. Fails when they are not aligned
      c. More Senate than House candidates buy TV time

IV. The effects of the media on politics
A. Studies on media influence on elections
   1. Generally inconclusive, because of citizens’
      a. Selective attention
      b. Mental tune-out
   2. Products can be sold more easily than candidates
   3. Newspaper endorsements of candidates
      a. Often of Republicans locally, whereas of Democrats nationally
      b. But worth 5 percent of vote to endorsed Democrats
B. Major effect is on how politics is conducted, not how people vote
   1. Conventions scheduled to accommodate television coverage
   2. Candidates win party nomination via media exposure, for example, Estes
      Kefauver
   3. Issues established by media attention
      a. Environment
      b. Consumer issues
   4. Issues that are important to citizens similar to those in media
      a. TV influences political agenda
      b. But people less likely to take media cues on matters that affect them
         personally
5. Newspaper readers see bigger candidate differences than do TV viewers
6. TV news affects popularity of presidents; commentaries have short-term effect

V. Government and the news
   A. Prominence of the president
      1. Theodore Roosevelt: systematic cultivation of the press
      2. Franklin Roosevelt: press secretary a major instrument for cultivating press
      3. Press secretary today: large staff, many functions
      4. White House press corps is the focus of press secretary
      5. Unparalleled personalization of government
   B. Coverage of Congress
      1. Never equal to that of president; members resentful
      2. House quite restrictive
         a. No cameras on the floor until 1978
         b. Sometimes refused to permit coverage of committees
         c. Gavel-to-gavel coverage of proceedings since 1979
      3. Senate more open
         a. Hearings since Kefauver; TV coverage of sessions in 1986
         b. Incubator for presidential contenders through committee hearings

VI. Interpreting political news
   A. Are news stories slanted?
      1. Most people believe media, especially television, from which they get most news
         a. But the percentage that thinks the media is biased is increasing
         b. Press itself thinks it is unbiased
      2. Liberal bias of national media elite
      3. Various factors influence how stories are written
         a. Deadlines
         b. Audience attraction
         c. Fairness, truth imposed by professional norms
         d. Reporters' and editors' beliefs
      4. Types of stories
         a. Routine stories: public events regularly covered
            1. Reported similarly by all media; opinions of journalists have least effect
            2. Can be misreported: Tet offensive
         b. Selected stories: public but not routinely covered
            1. Selection involves perception of what is important
            2. Liberal and conservative papers do different stories
            3. Increasing in number; reflect views of press more than experts or public
            c. Insider stories: not usually made public; motive problem
      5. Studies on effects of journalistic opinions
         a. Nuclear power: antinuclear slant
         b. School busing: probusing
         c. Media spin almost inevitable
      6. Insider stories raise questions of informant's motives
         a. From official background briefings of the past
         b. To critical inside stories of post-Watergate era
   B. Why do we have so many news leaks?
      1. Constitution: separation of powers
         a. Power is decentralized
         b. Branches of government compete
         c. Not illegal to print most secrets
      2. Adversarial nature of the press since Watergate
         a. Press and politicians distrust each other
         b. Media are eager to embarrass officials
         c. Competition for awards
         d. Spurred by Iran-gate: arms for hostages
3. Cynicism created era of attack journalism
   a. Most people do not like this kind of news
   b. Cynicism of media mirrors public's increasing cynicism of media
   c. People believe media slant coverage
   d. Public support for idea of licensing journalists or fines to discourage biased reporting
4. Public confidence in big business down and now media are big business
5. Drive for market share forces media to use theme of corruption
6. Increased use of negative advertising

C. Sensationalism in the media
   1. Prior to 1980, sexual escapades of political figures not reported
   2. Since 1980, sex and politics extensively covered
   3. Reasons for change
      a. Sensationalism gets attention in a market of intense competition.
      b. Sensational stories are often cheaper than expert analysis and/or investigation of stories about policy or substantive issues.
      c. Journalists have become trusting adversaries of government.
      d. Journalists are much more likely to rely on unnamed sources today and, as a result, are more easily manipulated.

4. Impact of September 11
   a. Public interest in national news
   b. Greater confidence and trust in news organizations

D. Government constraints on journalists
   1. Reporters must strike a balance between
      a. Expression of views
      b. Retaining sources
   2. Abundance of congressional staffers makes it easier
   3. Governmental tools to fight back
      a. Numerous press officers
      b. Press releases, canned news
      c. Leaks and background stories to favorites
      d. Bypass national press for local
      e. Presidential rewards and punishments for reporters based on their stories

Chapter 11: Congress

I. Congress: the "first branch"
   A. This branch has considerable power
   B. Many consider this branch to be the one most badly in need of repair
   C. The puzzles, processes and actions of this branch say a great deal about America's representative democracy

II. Congress versus Parliament
   A. Parliamentary candidates are selected by party
      1. Members of Parliament select prime minister and other leaders
      2. Party members vote together on most issues
      3. Renomination depends on loyalty to party
      4. Principal work is debating national issues
      5. Very little power, very little pay
   B. Congressional candidates run in a primary election, with little party control
      1. Vote is for the man or woman, not the party
      2. Result is a body of independent representatives
      3. Members do not choose the president
      4. Principal work is representation and action
      5. Great deal of power, high pay; parties cannot discipline members
C. Congress a decentralized institution
   1. Members more concerned with their views and views of their constituents
   2. Members less concerned with organized parties and program proposals of president

D. Congress can be unpopular with voters

III. The evolution of Congress
   A. Intent of the Framers
      1. To oppose concentration of power in a single institution
      2. To balance large and small states: bicameralism
   B. Traditional criticism: Congress is too slow
      1. Centralization needed for quick and decisive action
      2. Decentralization needed if congressional constituency interests are to be dominant
   C. Development of the House
      1. Always powerful but varied in organization and leadership
         a. Powerful Speakers
         b. Powerful committee chairmen
         c. Powerful individual members
      2. Ongoing dilemmas
         a. Increases in size have lead to the need for centralization and less individual influence
         b. Desire for individual influence has led to institutional weakness
   D. Development of the Senate
      1. Structural advantages over the House
         a. Small enough to be run without giving authority to small group of leaders
         b. Interests more carefully balanced
         c. No time limits on speakers or committee control of debate
         d. Senators not elected by voters until this century
            1. Chosen by state legislators
            2. Often leaders of local party organizations
      2. Major changes
         a. Demand for direct popular election
            1. Intense political maneuvering and the Millionaire's Club
            2. Senate opposition and the threat of a constitutional convention
            3. 17th Amendment approved in 1913
         b. Filibuster restricted by Rule 22 - though tradition of unlimited debate remains

IV. Who is in Congress?
   A. The beliefs and interests of members of Congress can affect policy
   B. Sex and race
      1. House has become less male and less white
      2. Senate has been slower to change, but several blacks and Hispanics hold powerful positions
   C. Incumbency
      1. Low turnover rates and safe districts common in Congress before 1980s
      2. Incumbents increasingly viewed as professional politicians and out of touch with the people by the 1980s
      3. Call for term limits; however, natural forces were doing what term limits were designed to do by the mid-1990s
      4. Influx of new members should not distort incumbents' advantage
   D. Party
      1. Democrats are beneficiaries of incumbency
      2. Gap between votes and seats: Republican vote higher than number of seats won
         a. One explanation: Democratic legislatures redraw district lines to favor Democratic candidates
b. But research does not support; Republicans run best in high turnout districts, Democrats in low turnout ones  
c. Another explanation: incumbent advantage increasing  
d. But not the reason; Democrats field better candidates whose positions are closer to those of voters  

3. Advantages of incumbency for Democrats turn into disadvantages by the 1990s  
4. Republicans win control of Congress in 1994  
5. Republicans replace conservative Democrats in the South during the 1990s  
6. More party unity, especially in the House, since the 1990s  

V. Do members represent their voters?  
   A. Representational view  
      1. Assumes that members vote to please their constituents  
      2. Constituents must have a clear opinion of the issue  
         a. Very strong correlation on civil rights and social welfare bills  
         b. Very weak correlation on foreign policy  
      3. May be conflict between legislator and constituency on certain measures: gun control, Panama Canal treaty, abortion  
      4. Constituency influence more important in Senate votes  
      5. Members in marginal districts as independent as those in safe districts  
      6. Weakness of representational explanation: no clear opinion in the constituency  
   B. Organizational view  
      1. Assumes members of Congress vote to please colleagues  
      2. Organizational cues  
         a. Party  
         b. Ideology  
      3. Problem is that party and other organizations do not have a clear position on all issues  
      4. On minor votes most members influenced by party members on sponsoring committees  
   C. Attitudinal view  
      1. Assumes that ideology affects a legislator's vote  
      2. House members tend more than senators to have opinions similar to those of the public.  
         a. 1970s: senators more liberal  
         b. 1980s: senators more conservative  
      3. Prior to 1990s, southern Democrats often aligned with Republicans to form a conservative coalition.  
      4. Conservative coalition no longer as important since most southerners are Republicans  
   D. Ideology and civility in Congress  
      1. Members of Congress more sharply divided ideologically than they once were  
      2. New members of Congress are more ideological  
      3. Members of Congress more polarized than voters  
         a. Democrats more liberal/Republicans more conservative  
         b. Voters closer to center of political spectrum  
      4. Members of Congress (especially the House) do not get along as well as they once did.  

VI. The organization of Congress: parties and caucuses  
   A. Party organization of the Senate  
      1. President pro tempore presides; member with most seniority in majority party  
      2. Leaders are the majority leader and the minority leader, elected by their respective party members  
      3. Party whips keep leaders informed, round up votes, count noses  
      4. Policy Committee schedules Senate business  
      5. Committee assignments  
         a. Democratic Steering Committee  
         b. Republican Committee on Committees
c. Emphasize ideological and regional balance
d. Other factors: popularity, effectiveness on television, favors owed

B. Party structure in the House
1. Speaker of the House as leader of majority party; presides over House
   a. Decides whom to recognize to speak on the floor
   b. Rules of germaneness of motions
   c. Decides to which committee bills go
   d. Appoints members of special and select committees
   e. Has some patronage power
2. Majority leader and minority leader
3. Party whip organizations
4. Democratic Steering and Policy Committee, chaired by Speaker
   a. Makes committee assignments
   b. Schedules legislation
5. Republican Committee on Committees; makes committee assignments
6. Republican Policy Committee; discusses policy
7. Democratic and Republican congressional campaign committees

C. The strength of party structure
1. Loose measure is ability of leaders to determine party rules and organization
2. Tested in 103d Congress: 110 new members
   a. Ran as outsiders
   b. Yet reelected entire leadership and committee chairs
3. Senate different since transformed by changes in norms, not rules: now less party centered, less leader oriented, more hospitable to new members

D. Party unity
1. Recent trends
   a. Party unity voting higher between 1953 and 1965 and lower between 1966 and 1982
   b. Party unity voting increased since 1983 and was norm in the 1990s
   c. Party unity voting lower today than in the 1800s and early 1900s
   d. Party splits today may reflect sharp ideological differences between parties (or at least their respective leaders)
2. Such strong differences in opinion are not so obvious among the public
   a. Impeachment vote did not reflect public opinion
   b. Congressional Democrats and Republicans also more sharply divided on abortion
3. Why are congressional Democrats and Republicans so liberal and conservative?
   a. Most districts are drawn to protect partisan interests
      1. Few are truly competitive
      2. Primary elections count for more and ideological voters are more common in such a low turnout environment
   b. Voters may be taking cues from the liberal and conservative votes of members of Congress
   c. Committee chairs are typically chosen on the basis of seniority
      1. They are also usually from safe districts
      2. And hold views shaped by lifetime dedication to the cause of their party

E. Caucuses: rivals to parties in policy formulation
1. No longer supported by public funds
2. Six types

VII. The organization of Congress: committees
A. Legislative committees--most important organizational feature of Congress
1. Consider bills or legislative proposals
2. Maintain oversight of executive agencies
3. Conduct investigations
B. Types of committees
1. Select committees—groups appointed for a limited purpose and limited duration
2. Joint committees—those on which both representatives and senators serve
3. Conference committee—a joint committee appointed to resolve differences in the Senate and House versions of the same piece of legislation before final passage
4. Standing committees—most important type of committee
   a. Majority party has majority of seats on the committees
   b. Each member usually serves on two standing committees
   c. Chairs are elected, but usually the most senior member of the committee is elected by the majority party
   d. Subcommittee “bill of rights” of 1970s changed several traditions
      1. Opened more meetings to the public
      2. Allowed television coverage of meetings
      3. Effort to reduce number of committees in 1995-1996

C. Committee styles
1. Decentralization has increased individual member’s influence
   a. Less control by chairs
   b. More amendments proposed and adopted
2. Ideological orientations of committees vary, depending on attitudes of members
3. Certain committees tend to attract particular types of legislators
   a. Policy-oriented members
   b. Constituency-oriented members

VIII. The organization of Congress: staffs and specialized offices
A. Tasks of staff members
1. Constituency service: major task of staff
2. Legislative functions: monitoring hearings, devising proposals, drafting reports, meeting with lobbyists
3. Staff members consider themselves advocates of their employers
B. Growth and influence of staff
1. Rapid growth: a large staff itself requires a large staff
2. Larger staff generates more legislative work
3. Members of Congress can no longer keep up with increased legislative work and so must rely on staff
4. Results in a more individualistic Congress
C. Staff agencies offer specialized information
1. Congressional Research Service (CRS)
2. General Accounting Office (GAO)
3. Office of Technology Assessment (OTA)
4. Congressional Budget Office (CBO)

IX. How a bill becomes law
A. Bills travel through Congress at different speeds
1. Bills to spend money or to tax or regulate business move slowly
2. Bills with a clear, appealing idea move fast
   Examples: “Stop drugs,” “End scandal”
B. Introducing a bill
1. Introduced by a member of Congress: hopper in House, recognized in Senate
2. Most legislation has been initiated in Congress
3. Presidentially-drafted legislation is shaped by Congress
4. Resolutions
   a. Simple—passed by one house affecting that house
   b. Concurrent—passed by both houses affecting both
   c. Joint—passed by both houses, signed by president (except for constitutional amendments)
C. Study by committees
1. Bill is referred to a committee for consideration by either Speaker or presiding officer
2. Revenue bills must originate in the House
3. Most bills die in committee
4. Hearings are often conducted by several subcommittees: multiple referrals
   (replaced by sequential referral system in 1995)
5. Markup of bills--bills are revised by committees
6. Committee reports a bill out to the House or Senate
   a. If bill is not reported out, the House can use the discharge petition
   b. If bill is not reported out, the Senate can pass a discharge motion
7. House Rules Committee sets the rules for consideration
   a. Closed rule: sets time limit on debate and restricts amendments
   b. Open rule: permits amendments from the floor
   c. Restrictive rule: permits only some amendments
   d. Use of closed and restrictive rules growing
   e. Rules can be bypassed by the House
   f. No direct equivalent in Senate

D. Floor debate, House
   1. Committee of the Whole--procedural device for expediting House consideration
      of bills but cannot pass bills
   2. Committee sponsor of bill organizes the discussion

E. Floor debate, Senate
   1. No rule limiting debate or germaneness
   2. Entire committee hearing process can be bypassed by a senator
   3. Cloture--sets time limit on debate--three-fifths of Senate must vote for a cloture
      petition
   4. Both filibusters and cloture votes becoming more common
      a. Easier now to stage filibuster
      b. Roll calls are replacing long speeches
      c. But can be curtailed by "double tracking"--disputed bill is shelved
         temporarily--making filibuster less costly

F. Methods of voting
   1. To investigate voting behavior one must know how a legislator voted on
      amendments as well as on the bill itself.
   2. Procedures for voting in the House
      a. Voice vote
      b. Division vote
      c. Teller vote
      d. Roll call vote
   3. Senate voting is the same except no teller vote
   4. Differences in Senate and House versions of a bill
      a. If minor, last house to act merely sends bill to the other house, which
         accepts the changes
      b. If major, a conference committee is appointed
         1. Decisions are made by a majority of each delegation; Senate
            version favored
         2. Conference reports back to each house for acceptance or
            rejection
   5. Bill, in final form, goes to the president
      a. President may sign it
      b. If president vetoes it, it returns to the house of origin
         1. Either house may override the president by a vote of two-thirds
            of those present
         2. If both override, the bill becomes law without the president's
            signature

X. Reducing power and perks
   A. Many proposals made to "reform" and "improve" Congress
   B. Common perception it is overstaffed and self-indulgent
      1. Quick to regulate others, but not itself
      2. Quick to pass pork barrel legislation but slow to address controversial questions
         of national policy
3. Use of franking privilege to subsidize personal campaigns
   a. Proposals to abolish it
   b. Proposals for restrictions on timing of mailings and a taxpayer "notice"

C. Congressional Accountability Act of 1995
   1. For years Congress routinely exempted itself from many of the laws it passed
   2. Concern for enforcement (by Executive branch) and separation of powers
   3. 1995 Act
      a. Obliged Congress to obey eleven major laws
      b. Created the Office of Compliance
      c. Established an employee grievance procedure

D. Trimming the pork
   1. Main cause of deficit is entitlement programs, not pork
   2. Some spending in districts represents needed projects
   3. Members supposed to advocate interests of district
   4. Price of citizen-oriented Congress is pork

XI. Ethics and Congress
   A. Separation of powers and corruption
      1. Fragmentation of power increases number of officials with opportunity to sell influence. Example: senatorial courtesy offers opportunity for office seeker to influence a senator
      2. Forms of influence
         a. Money
         b. Exchange of favors
   B. Problem of defining unethical conduct
      1. Violation of criminal law is obviously unethical
         a. Since 1941, over one hundred charges of misconduct
         b. Most led to convictions, resignations, or retirements
         c. Ethics codes and related reforms enacted in 1978, 1989, and 1995 have placed members of Congress under tight rules
      2. Other issues are more difficult.
         a. A substantial outside income from speaking and writing does not necessarily lead to vote corruption.
         b. Personal friendships and alliances can have an undue influence on votes.
         c. Bargaining among members of Congress may involve exchange of favors and votes.

XII. Summary: The old and the new Congress
   A. House has evolved through three stages
      1. Mid-1940s to early 1960s
         a. Powerful committee chairs, mostly from the South
         b. Long apprenticeships for new members
         c. Small congressional staffs
      2. Early 1970s to early 1980s
         a. Spurred by civil rights efforts of younger, mostly northern members
         b. Growth in size of staffs
         c. Committees became more democratic
         d. More independence for members
         e. Focus on reelection
         f. More amendments and filibusters
      3. Early 1980s to present
         a. Strengthening and centralizing party leadership
         b. Became apparent under Jim Wright
         c. Return to more accommodating style under Tom Foley
      4. Senate meanwhile has remained decentralized throughout this period
   B. Reassertion of congressional power in 1970s
      1. Reaction to Vietnam and Watergate
      3. Congressional Budget and Impoundment Act of 1974
      4. Increased requirement for legislative veto
   C. Congressional power never as weak as critics have alleged
Chapter 12: The Presidency

I. Presidents and prime ministers
   A. Characteristics of parliaments
      1. Parliamentary system twice as common
      2. Chief executive chosen by legislature
      3. Cabinet ministers chosen from among members of parliament
      4. Prime minister remains in power as long as his or her party or coalition maintains a majority in the legislature
   B. Differences
      1. Presidents are often outsiders; prime ministers are always insiders, chosen by party members in parliament
      2. Presidents choose their cabinet from outside Congress; prime ministers choose members of parliament
      3. Presidents have no guaranteed majority in the legislature; prime ministers always have a majority. The United States usually has a divided government.
      4. Presidents and the legislature often work at cross-purposes
         a. Even when one party controls both branches
         b. A consequence of separation of powers
         c. Only Roosevelt and Johnson had much luck with Congress

II. Divided Government
   A. Divided versus unified government
      1. Fifteen of twenty-two congressional/presidential elections since 1952 produced divided government
      2. Americans dislike divided government because it can lead to gridlock.
   B. Does gridlock matter?
      1. But divided government enacts as many important laws as a unified government
      2. Reason: Unified government is something of a myth in U.S.
   C. Is policy gridlock bad?
      1. Unclear whether gridlock is always bad; it is a necessary consequence of representative democracy
      2. Representative democracy opposite direct democracy

III. The evolution of the presidency
   A. Delegates feared both anarchy and monarchy
      1. Idea of a plural executive
      2. Idea of an executive checked by a council
   B. Concerns of the Founders
      1. Fear of military power of president who could overpower states
      2. Fear of presidential corruption of Senate
      3. Fear of presidential bribery to ensure reelection
   C. The electoral college
      1. Each state to choose own method for selecting electors
      2. Electors to meet in own capital to vote for president and vice president
      3. If no majority, House would decide
   D. The president's term of office
      1. Precedent of George Washington and two terms
      2. Twenty-second Amendment in 1951 limits to two terms
      3. Problem of establishing the legitimacy of the office
      4. Provision for orderly transfer of power
   E. The first presidents
      1. Prominent men helped provide legitimacy
      2. Minimal activism of early government contributed to lessening fear of the presidency
      3. Appointed people of stature in the community (rule of fitness)
      4. Relations with Congress were reserved; few vetoes, no advice
F. The Jacksonians
   1. Jackson sought to maximize powers of presidency
   2. Vigorous use of veto for policy reasons
   3. Challenged Congress

G. The reemergence of Congress
   1. With brief exceptions the next hundred years was a period of congressional ascendancy
   2. Intensely divided public opinion
   3. Only Lincoln expanded presidential power
      a. Asserted "implied powers" and power of commander in chief
      b. Justified by emergency conditions
   4. President mostly a negative force to Congress until the New Deal
   5. Since the 1930s power has been institutionalized in the presidency
   6. Popular conception of the president as the center of government contradicts reality; Congress often policy leader

IV. The powers of the president
   A. Formal powers found in Article II
      1. Not a large number of explicit powers
      2. Potential for power found in ambiguous clauses of the Constitution, such as power as commander in chief and duty to "take care that laws be faithfully executed"
   B. Greatest source of power lies in politics and public opinion
      1. Increase in broad statutory authority
      2. Expectation of presidential leadership from the public

V. The office of the president
   A. The White House Office
      1. Contains the president's closest assistants
      2. Three types of organization
         a. Circular
         b. Pyramid
         c. Ad hoc
      3. Staff typically worked on the campaign: a few are experts
      4. Relative influence of staff depends on how close one's office is to the president's
   B. The Executive Office of the President
      1. Composed of agencies that report directly to the president
      2. Appointments must receive Senate confirmation
      3. Office of Management and Budget most important
         a. Assembles the budget
         b. Develops reorganization plans
         c. Reviews legislative proposals of agencies
   C. The cabinet
      1. Largely a fiction, not mentioned in Constitution
      2. President appoints or controls more members of cabinet than does prime minister
      3. Secretaries become preoccupied and defensive about their own departments
   D. Independent agencies, commissions, and judgeships
      1. President appoints members of agencies that have a quasi-independent status
      2. Agency heads serve a fixed term and can be removed only "for cause"
      3. Judges can be removed only by impeachment

VI. Who gets appointed
   A. President knows few appointees personally
   B. Most appointees have had federal experience
      1. "In-and-outers"; alternate federal and private sector jobs
      2. No longer have political followings but picked for expertise
   C. Need to consider important interest groups when making appointments
   D. Rivalry between department heads and White House staff
VII. Presidential character
   A. Eisenhower: orderly
   B. Kennedy: improviser
   C. Johnson: dealmaker
   D. Nixon: mistrustful
   E. Ford: genial
   F. Carter: outsider
   G. Reagan: communicator
   H. Bush: hands-on manager
   I. Clinton: focus on details
   J. Bush: a different kind of outsider

VIII. The power to persuade
   A. Formal opportunities for persuasion
   B. The three audiences
      1. Other politicians and leaders in Washington, D.C.; reputation very important
      2. Party activists and officials inside Washington
      3. The various publics
   C. Popularity and influence
      1. Presidents try to transform popularity into support in Congress
      2. Little effect of presidential coattails
      3. Members of Congress believe it is politically risky to challenge a popular
         president
      4. Popularity is unpredictable and influenced by factors beyond the president's
         control.
   D. The decline in popularity
      1. Popularity highest immediately after an election
      2. Declines by midterm after honeymoon period

IX. The power to say no
   A. Veto
      1. Veto message
      2. Pocket veto (only before end of Congress)
      3. Congress rarely overridden vetoes in 1996
   B. Executive privilege
      1. Confidential communications between president and advisers
      2. Justification
         a. Separation of powers
         b. Need for candid advice
   C. Impoundment of funds
      1. Defined: presidential refusal to spend funds appropriated by Congress
      2. Countered by Budget Reform Act of 1974
         a. Requires president to notify Congress of funds he does not intend to
            spend
         b. Congress must agree in forty-five days

X. The president's program
   A. Putting together a program
      1. President can try to have a policy on everything (Carter)
      2. President can concentrate on a small number of initiatives (Reagan)
      3. Constraints
         a. Public reaction may be adverse
         b. Limited time and attention span
         c. Unexpected crises
         d. Programs can be changed only marginally
      4. Need for president to be selective about what he wants
      5. Heavy reliance on opinion polls
      6. Impact of dramatic events and prolonged crises
B. Attempts to reorganize the executive branch
   1. An item on presidential agendas since the administration of Herbert Hoover
   2. Bush and the Department of Homeland Defense
      a. White House Office of Homeland Security created in aftermath of terrorist attack of September 11
         1. Small staff
         2. Little budgetary authority
         3. No ability to enforce decisions
      b. Bush's call for a reorganization
         1. Creation of third largest cabinet department encompassing twenty-two federal agencies
         2. 170,000 employees and an annual budget of almost $40 million
      c. Fate of proposal is pending, but it is neither the first of its kind nor the largest
   3. Reasons for reorganizing
      a. Large number of agencies
      b. Easier to change policy through reorganization
   4. Reorganization outside the White House staff must be by law

XI. Presidential transition
A. Few presidents serve two terms
B. The vice president
   1. May succeed on death of president
      a. Has happened eight times
      b. John Tyler defined status of ascending vice president: president in title and in powers
   2. Rarely are vice presidents elected president
      a. Unless they first took over for a president who died
      b. Only five instances otherwise: Adams, Jefferson, Van Buren, Nixon, and Bush
   3. "A rather empty job"
      a. Candidates still pursue it
      b. Preside over Senate and vote in case of a tie
      c. Leadership powers in Senate are weak
C. Problems of succession
   1. What if the president falls ill?
      Examples: Garfield, Wilson
   2. If vice president steps up, who becomes vice president?
      a. Succession Act (1886): designated secretary of state as next in line
      b. Amended in 1947 to designate Speaker of the House
   3. Twenty-fifth Amendment resolved both issues
      a. Allows vice president to serve as "acting president" if president is disabled; decided by president, by vice president and cabinet, or by two-thirds vote of Congress
      b. Requires vice president who ascends to office on death or resignation of the president to name a vice president
         1. Must be confirmed by both houses
         2. Examples: Agnew and Nixon resignations
D. Impeachment
   1. Judges most frequent targets of impeachment
   2. Indictment by the House, conviction by the Senate

XII. How powerful is the president?
A. Both president and Congress are constrained
B. Reasons for constraints
   1. Complexity of issues
   2. Scrutiny of the media
   3. Power of interest groups
Chapter 13: The Bureaucracy

I. Distinctiveness of the American bureaucracy
   A. Constitutional system and traditions
      1. Supervision shared
      2. A federalist structure shares functions
      3. Adversary culture leads to defense of rights and lawsuits
   B. Scope of bureaucracy
      1. Little public ownership of industry in the United States
      2. High degree of regulation in the United States of private industries

II. The growth of the bureaucracy
   A. The early controversies
      1. Senate consent to removal of officials is challenged by supporters of a strong
         president
      2. President is given sole removal power but Congress funds and investigates
   B. The appointment of officials
      1. Officials affect how laws are interpreted, the tone of their administration, and their
         effectiveness
      2. Use of patronage in the nineteenth and early twentieth centuries to reward
         supporters
      3. Civil War a watershed in bureaucratic growth; showed the weakness of federal
         government
   C. A service role
      1. 1861-1901: shift in role from regulation to service
      2. Reflects desire for limited government, laissez-faire beliefs, and the Constitution's
         silence
   D. A change in role
      1. Depression and World War II lead to a role of government activism
      2. Introduction of heavy income taxes supports a large bureaucracy

III. The federal bureaucracy today
   A. Direct and indirect growth
      1. Modest increase in the number of government employees
      2. Indirect increase through the use of private contractors much greater
   B. Growth in discretionary authority
      1. Delegation of undefined authority by Congress
      2. Primary areas of delegation
         a. Subsidies to groups
         b. Grant-in-aid programs
         c. Enforcement of regulations
   C. Factors explaining behavior of officials
      1. Recruitment and retention
         a. The competitive service: most bureaucrats compete for jobs through
            OPM
            1. Appointment by merit based on a written exam
            2. Decreased to less than 54 percent of federal government work
               force
         b. The excepted service: most are appointed by other agencies on the
            basis of qualifications approved by OPM
            1. Fastest growing sector of federal government employment
            2. Examples: Postal Service employees and FBI agents
            3. But president can also appoint employees: presidential
               appointments, Schedule C jobs, and NEA jobs
            4. Pendleton Act (1883): transferred basis of government jobs
               from patronage to merit
            5. Merit system protects president from pressure and protects
               patronage appointees from new presidents ("blanketing in")
c. The buddy system
   1. Name-request job: filled by a person whom an agency has already identified for middle- and upper-level jobs
   2. Job description may be tailored for person
   3. Circumvents usual search process
   4. But also encourages "issue networks" based on shared policy views

d. Firing a bureaucrat
   1. Most bureaucrats cannot be fired
   2. Exception: Senior Executive Service (SES)
   3. SES managers receive cash bonuses for good performance
   4. But very few SES members have been fired or even transferred

e. The agencies' point of view
   1. Agencies are dominated by lifetime bureaucrats who have worked for no other agency
   2. System assures continuity and expertise
   3. But also gives subordinates power over new bosses: can work behind boss's back through sabotage, delaying, and so on

2. Personal attributes
   a. Allegations of critics
      1. Higher civil servants are elitists
      2. Political appointees and career bureaucrats think about government and politics differently than public at large
   b. Correlation between type of agency and attitudes of employees: activist versus traditional
   c. Professional values of officials

3. Do bureaucrats sabotage their political bosses?
   a. If so, such sabotage hurts conservatives more than liberals; bureaucrats tend to be liberal
   b. But loyalty to bosses runs strong--despite the power of bureaucrats to obstruct or complain
      1. Whistleblower Protection Act (1989) created Office of Special Counsel
      2. "Cooperation is the nature of a bureaucrat's job"
   c. Most civil servants: highly structured roles make them relatively immune to personal attitudes
   d. Professionals such as lawyers and economists in the FTC: loosely structured roles may be much influenced by personal attitudes, professional values help explain how power is used

4. Culture and careers
   a. Each agency has its own culture
   b. Jobs with an agency can be career enhancing or not
   c. Strong agency culture motivates employees but makes agencies resistant to change

5. Constraints
   a. Biggest difference between a government agency and a business: hiring, firing, pay, procedures, and so forth
   b. General constraints
      1. Administrative Procedure Act (1946)
      5. Open Meeting Law (1976)
      6. Assignment of single jobs to several agencies
c. Effects of constraints
   1. Government moves slowly
   2. Government acts inconsistently
   3. Easier to block than to take action
   4. Reluctant decision making by lower-ranking employees
   5. Red tape

6. Why so many constraints?
   a. Constraints come from us
   b. They are an agency's response to our demands for openness, honesty, fairness, and so on

7. Agency allies
   a. Agencies often seek alliances with congressional committees or interest groups: "iron triangle"
   b. Far less common today; politics has become too complicated
   1. More interest groups, more congressional subcommittees, and easier access for individuals
   2. Far more competing forces than ever given access by courts
   c. "Issue networks": groups that regularly debate government policy on certain issues
      1. Contentious and partisan
      2. New president often recruits from networks

IV. Congressional oversight
   A. Forms of congressional supervision
      1. Approval necessary for creation
      2. Statutes influence agency behavior (sometimes precisely)
      3. Authorization of money, either permanent or fixed number of years
      4. Appropriation of money allows spending
   B. Congressional oversight and "homeland security"
      1. Lieberman's call for Department of Homeland Defense after September 11 attack
      2. President Bush's creation of Office of Homeland Security
         a. Appointment of Governor Ridge and the blueprint for homeland security
         b. Congressional calls for testimony about strategies
         c. Need to coordinate personnel and budgets
      3. Proposal of a Department of Homeland Security
         a. Consolidation, reorganization and transformation
         b. Need for Congress to reorganize itself to make the bureaucracy work
            1. Immediate protests about committee and subcommittee jurisdiction
            2. Congress' historical tendency to resist streamlining
   C. The Appropriations Committee and legislative committees
      1. Appropriations Committee most powerful
         a. Most expenditure recommendations are approved by House
         b. Has power to lower agency's expenditure request
         c. Has power to influence an agency's policies by marking up an agency's budget
         d. But becoming less powerful because of
            1. Trust funds: Social Security
            2. Annual authorizations
            3. Meeting target spending limits
      2. Legislative committees are important when
         a. A law is first passed
         b. An agency is first created
         c. An agency is subject to annual authorization
      3. Informal congressional controls over agencies
         a. Individual members of Congress can seek privileges for constituents
         b. Congressional committees may seek committee clearance: right to pass on certain agency decisions
         c. Committee heads may ask to be consulted
D. The legislative veto
   1. Declared unconstitutional by Supreme Court in Chadha (1983)
   2. Weakens traditional legislative oversight but Congress continues creating such vetoes
E. Congressional investigations
   1. Power inferred from power to legislate
   2. Means for checking agency discretion
   3. Means for limiting presidential control
V. Bureaucratic "pathologies"
   A. Red tape--complex and sometimes conflicting rules among agencies
   B. Conflict--agencies work at cross-purposes
   C. Duplication--two or more agencies seem to do the same thing
   D. Imperialism--tendency of agencies to grow, irrespective of benefits and costs of programs
   E. Waste--spending more than is necessary to buy some product or service
VI. Reforming the bureaucracy
   A. Numerous attempts to make bureaucracy work better for less money
      1. Eleven attempts to reform in this century alone
      2. National Performance Review (NPR) in 1993 designed to reinvent government
         a. Differs from previous reforms that sought to increase presidential control
         b. Emphasizes customer satisfaction by bringing citizens in contact with agencies
      3. NPR calls for innovation and quality consciousness by
         a. Less-centralized management
         b. More employee initiatives
         c. Customer satisfaction
   B. Bureaucratic reform always difficult to accomplish
      1. Most rules and red tape result from the struggle between the president and Congress.
      2. This struggle makes bureaucrats nervous about irritating either
      3. Periods of divided government exacerbate matters, especially in implementing policy.
         a. Republican presidents seek to increase political control (executive micromanagement)
         b. Democratic Congresses respond by increasing investigations and rules (legislative micromanagement)

Chapter 14: The Judiciary

I. Introduction
   A. Only in the United States do judges play so large a role in policy-making.
      1. Judicial review: right to rule on laws and executive acts on basis of constitutionality; chief judicial weapon in system of checks and balances
      2. In Great Britain, Parliament is supreme
      3. In other countries, judicial review means little
         Exceptions: Australia, Canada, West Germany, India, and a few others
   B. Debate is over how the Constitution should be interpreted
      1. Strict constructionist (interpretivist) approach: judges are bound by the wording of the Constitution
      2. Activist (legislative) approach: judges should look to the underlying principles of the Constitution
      3. Not a matter of liberal versus conservative
         a. A judge can be both conservative and activist, or vice versa
         b. Today most activists tend to be liberal, most strict constructionists conservative
II. The development of the federal courts
A. Founders’ view
1. Most Founders probably expected judicial review but not its large role in policy making
2. Traditional view: judges find and apply existing law
3. Activist judges would later respond that judges make law
4. Traditional view made it easy for Founders to justify judicial review
5. Hamilton: courts least dangerous branch
6. But federal judiciary evolved toward judicial activism
B. National supremacy and slavery: 1789-1861
1. *McCulloch v. Maryland*: federal law declared supreme over state law
2. Interstate commerce clause is placed under the authority of federal law; conflicting state law void
3. *Dred Scott v. Sanford*: Negroes were not and could not become free citizens of the United States; a direct cause of the Civil War
C. Government and the economy: Civil War to 1936
1. Dominant issue of the period: whether the economy could be regulated by state and federal governments
2. Private property held to be protected by the Fourteenth Amendment
3. States seek to protect local businesses and employees from the predatory activities of national monopolies; judicial activism
4. The Supreme Court determines what is “reasonable” regulation
5. The Court interprets the Fourteenth and Fifteenth Amendments narrowly as applied to blacks
D. Government and political liberty: 1936 to the present
1. Court establishes tradition of deferring to the legislature in economic cases
2. Court shifts attention to personal liberties and becomes active in defining rights
E. The revival of state sovereignty
1. Supreme Court rules that states have right to resist some forms of federal action
2. Hint at some real limits to the supremacy of the federal government

III. The structure of the federal courts
A. Two kinds of federal courts
1. Constitutional courts
   a. Created under Article III
   b. Judges serve during good behavior
   c. Salaries not reduced while in office
   d. Examples: District Courts (ninety-four), Courts of Appeals (twelve)
2. Legislative courts
   a. Created by Congress for specialized purposes
   b. Judges have fixed terms
   c. No salary protection
B. Selecting judges
1. Party background some effect on judicial behavior but ideology does not determine behavior
2. Senatorial courtesy: judges for U.S. district courts must be approved by that state’s senators
3. The litmus test
   a. Presidential successes in selecting compatible judges
   b. Concern this may downplay professional qualifications
   c. Greatest effect on Supreme Court

IV. The jurisdiction of the federal courts
A. Dual court system
1. One state, one federal
2. Federal cases listed in Article III and the Eleventh Amendment of the Constitution
   a. Federal question cases: involving U.S. matters
   b. Diversity cases: involving citizens of different states
   c. All others are left to state courts
3. Some cases can be tried in either court  
a. Example: if both federal and state laws have been broken (dual sovereignty)  
b. Justified: each government has right to enact laws, and neither can block prosecution out of sympathy for the accused  

4. State cases sometimes can be appealed to Supreme Court  
5. Exclusive federal jurisdiction over federal criminal laws, appeals from federal regulatory agencies, bankruptcy, and controversies between two states  

B. Route to the Supreme Court  
1. Most federal cases begin in U.S. district courts, are straightforward, and do not lead to new public policy.  
2. The Supreme Court picks the cases it wants to hear on appeal  
a. Uses writ of certiorari ("cert")  
b. Requires agreement of four justices to hear case  
c. Usually deals with significant federal or constitutional question  
   1. Conflicting decisions by circuit courts  
   2. State court decisions involving the Constitution  
d. Only 3 to 4 percent of appeals are granted certiorari  
e. Others are left to lower courts; this results in a diversity of constitutional interpretation  

V. Getting to court  
A. Deterrents  
1. The Court rejects 95 percent of applications for certiorari  
2. Costs of appeal are high  
a. But these can be lowered by  
   1. In forma pauperis: plaintiff heard as pauper, with costs paid by the government  
   2. Payment by interest groups who have something to gain (American Civil Liberties Union)  
b. Each party must pay its own way except for cases in which it is decided  
   1. That losing defendant will pay (fee shifting)  
   2. Section 1983 suits  
3. Standing: guidelines  
a. Must be controversy between adversaries  
b. Personal harm must be demonstrated  
c. Being taxpayer not entitlement for suit  
d. Sovereign immunity  

B. Class action suits  
1. Brought on behalf of all similarly situated  
2. Financial incentives to bring suit  
3. Need to notify all members of the class since 1974 to limit such suits  

VI. The Supreme Court in action  
A. Oral arguments by lawyers after briefs submitted  
1. Questions by justices cut down to thirty minutes  
2. Role of solicitor general  
3. Amicus curiae briefs  
4. Many sources of influence on justices, such as law journals  

B. Conference procedures  
1. Role of chief justice: speaking first, voting last  
2. Selection of opinion writer: concurring and dissenting opinions  

C. Strategic retirements from the U.S. Supreme Court  
1. There has been a sharp increase in the rate of retirements (contra deaths)  
2. Early duties were physically onerous, adverse to one's health  
3. More recently, retirements occur when justices and presidents share party identification
VII. The power of the federal courts
   A. The power to make policy
      1. By interpretation
      2. By extending reach of existing law
      3. By designing remedies
   B. Measures of power
      1. Number of laws declared unconstitutional (more than 120)
      2. Number of prior cases overturned; not following stare decisis
      3. Deference to the legislative branch (political questions)
      4. Kinds of remedies imposed; judges go beyond what justice requires
      5. Basis for sweeping orders from either the Constitution or the interpretation of federal laws
   C. Views of judicial activism
      1. Supporters
         a. Courts should correct injustices
         b. Courts are last resort
      2. Critics
         a. Judges lack expertise
         b. Courts not accountable; judges not elected
      3. Various reasons for activism
         a. Too many lawyers; but real cause adversary culture
         b. Easier to get standing in courts
   D. Legislation and courts
      1. Laws and the Constitution are filled with vague language
         a. Ambiguity gives courts opportunities to design remedies
         b. Courts can interpret language in different ways
      2. Federal government is increasingly on the defensive in court cases; laws induce litigation
      3. The attitudes of federal judges affect their decisions

VIII. Checks on judicial power
   A. Judges are not immune to politics or public opinion
      1. Effects will vary from case to case
      2. Decisions can be ignored
         a. Examples: school prayer, segregated schools
         b. Usually if register is not highly visible
   B. Congress and the courts
      1. Confirmation and impeachment proceedings alter the composition of the courts
      2. Changing the number of judges
      3. Revising legislation declared unconstitutional
      4. Altering jurisdiction of the courts and restricting remedies
      5. Constitutional amendment
   C. Public opinion and the courts
      1. Defying public opinion, especially elite opinion, frontally is dangerous
      2. Opinion in realigning eras may energize court
      3. Public confidence in court since 1966 has varied
      4. Change caused by changes of personnel and what government is doing
   D. Reasons for increased activism
      1. Growth of government
      2. Activist ethos of judges

Chapter 22: Who Governs? To What Ends?

I. Introduction
   A. Assumption the president and Congress are to address social and economic problems
      1. Limited concern of government as recently as the Eisenhower administration
      2. The Founders and the role of the federal government
B. Constitutional hurdles to effective federal action
   1. Separation of powers and checks and balances
   2. Federalism
   3. Bicameralism

II. Restraints on the growth of government
   A. For first 150 years government grew slowly
      1. Supreme Court defined government authority narrowly
      2. Popular opinion supported a limited governmental role
      3. The political system was designed to limit government
   B. System limiting government makes it difficult to abolish programs
      1. Under Reagan spending increased for many programs
      2. Bush has also proposed programs that would increase spending

III. Relaxing the Restraints
   A. Changes in Constitutional interpretation
      1. Bill of Rights incorporated to the states
      2. Special protection of property rights reduced, business regulation increased
      3. Congress allowed to give broad discretionary powers to administrative agencies
   B. Changes in public opinion
      1. Public demand for government action during Great Depression
      2. Opinions of political elites changed even faster
      3. Some programs have been popular with the masses
   C. Changes in the distribution of political resources
      1. Number and variety of interest groups have increased
      2. Funds from organization pursuing causes have grown
      3. Greater access to the federal courts
      4. Technological advances have enhanced the power to communicate ideas
   D. The Old System v. the New System

IV. Consequences of activist government
   A. Need to assess costs and benefits of programs
   B. General political consequences of the enlarged scope of activity
      1. Bureaucratization of all organizations
      2. Rise of competing policies
      3. Less control by the electorate through the decline of parties and turnout and of
         public confidence
      4. Greater risk of government failure

V. The influence of structure
   A. Parliamentary model; if adopted here, would do the following:
      1. Fewer legislative restraints on the executive
      2. More bureaucratic centralization
      3. Less citizen participation to challenge or block policies
      4. Higher taxes and more secrecy
   B. U.S. model
      1. More local authority
      2. Greater citizen participation

VI. The influence of ideas
   A. Preoccupation with rights
      1. Assumption that affected groups have a right to participate in policy formation
      2. Willingness to resort to courts
   B. Effects of rights on government functions
      1. Harder to make government decisions
      2. More red tape
   C. Elite opinion influences which rights have priority
      1. Favors freedom of expression over management of property
      2. Mass opinion less committed to freedom of expression
   D. Freedom versus equality an enduring tension
      1. Advantages of freedom are remote
      2. Advantages of equality are obvious
   E. Fragmentation of political system increases role of ideas
      1. Widespread enthusiasm for an idea can lead to rapid adoption of new programs
2. Competing ideas make change difficult; change today may require the persuading of thousands of special interests

F. Fundamental challenge: to restore confidence in the legitimacy of government itself