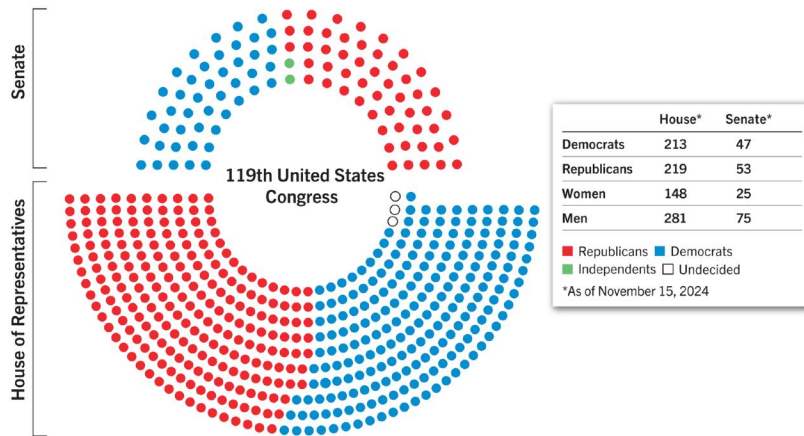
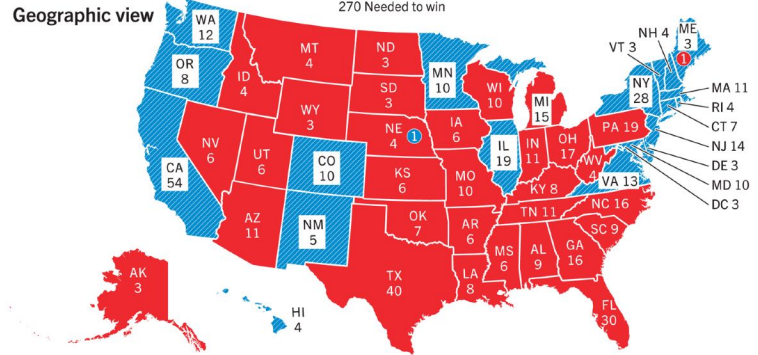
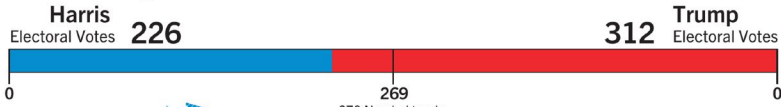




# Maps

## Electoral College Votes in the 2024 Presidential Election



# By the People

## Debating American Government

*Seventh Edition*

James A. Morone

Rogan Kersh

**OXFORD**  
UNIVERSITY PRESS

# Dedication

Many teachers and colleagues inspired us. We dedicate this book to five who changed our lives. Their passion for learning and teaching set the standard we aim for every day—and on every page that follows.

Richard O'Donnell

Murray Dry

Maya Angelou

Jim Barefield

Rogers Smith

# Epigraph

*By the People comes from the Gettysburg Address. Standing on the battlefield at Gettysburg, President Abraham Lincoln delivered what may be the most memorable presidential address in American history—defining American government as a government “of the people, by the people, for the people.” Here is the full address.*

Four score and seven years ago our fathers brought forth on this continent, a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

Now we are engaged in a great civil war, testing whether that nation, or any nation so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting place for those who here gave their lives that that nation might live. It is altogether fitting and proper that we should do this.

But, in a larger sense, we can not dedicate—we can not consecrate—we can not hallow—this ground. The brave men, living and dead, who struggled here, have consecrated it, far above our poor power to add or detract. The world will little note, nor long remember what we say here, but it can never forget what they did here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead we take increased devotion to that cause for which they gave the last full measure of devotion—that we here highly resolve that these dead shall not have died in vain—that this nation, under God, shall have a new birth of freedom—and that government of the people, by the people, for the people, shall not perish from the earth.

# Contents

About the Authors

Preface

Acknowledgments

## PART I IDEAS AND RIGHTS

### 1 IDEAS THAT SHAPE AMERICAN POLITICS

#### 1.1 The Spirit of American Politics

Who Governs?

#### ■ **BY THE NUMBERS** American Ideas

How Does American Politics Work?

Ideas

Institutions

Interests

Individuals

What Does Government Do?

Who Are We?

A Nation of Ideas

#### 1.2 Liberty

“The Land of the Free”

The Two Sides of Liberty

## ■ WHAT DO YOU THINK? Negative Versus Positive Liberty

The Idea of Freedom Is Always Changing

1.3 Self-Rule: Democracy or Representation?

One Side of Self-Rule: Democracy

Another Side of Self-Rule: A Republic

A Mixed System

1.4 Limited Government

The Origins of Limited Government

And Yet ... the United States Has a Big Government

Limits on Government Action

When Ideas Clash: Democracy and Limited Government

## ■ WHAT DO YOU THINK? Democracy Versus Limited Government

1.5 Individualism

Community Versus Individualism

The Roots of American Individualism: Opportunity and Discord

Golden Opportunity

Social Conflict

## ■ WHAT DO YOU THINK? Individualism Versus Solidarity

Who Are We? Individualism and Solidarity

1.6 The American Dream

Spreading the Dream

Challenging the Dream

Is the System Tilted Toward the Wealthy?

Does the American Dream Promote the Wrong Values?

1.7 Equality

Three Types of Equality

How Much Economic Inequality Is Too Much?

Opportunity or Outcome?

1.8 Religion

Still a Religious Country

So Many Religions

The Politics of Religion

1.9 Diversity

Two Powerful Statements

■ **INFO DATA Diversity: How Different Nations Think About Themselves**

The Long Debate

Who Are We?

1.10 How Do Ideas Affect Politics?

Ideas in American Culture

The Ideas in Political Institutions

Culture or Institutions?

Conclusion: Culture and Institutions, Together

Chapter Summary

Study Questions

## **2 THE CONSTITUTION**

2.1 The Colonial Roots of the Constitution

## ■ **BY THE NUMBERS The Constitution**

### 2.2 Why the Colonists Revolted

The Colonial Complaint: Representation

The Conflict Begins with Blood on the Frontier

The Stamp Tax and the First Hints of Independence

The Townshend Acts Worsen the Conflict

The Boston Tea Party

Revolution!

A Long Legacy

### 2.3 The Declaration of Independence

The Principles: “We Hold These Truths ...”

Grievances

### 2.4 The First American Government: The Articles of Confederation

Independent States

The National Government

Some Success ...

... And Some Problems

## ■ **WHAT DO YOU THINK? Your Advice Is Needed**

Secrecy

### 2.5 The Constitutional Convention

How Much Power to the People?

National Government Versus State Government

Big States Versus Small States

The Virginia Plan

The New Jersey Plan

The Connecticut Compromise

The President

Committee or Individual?

The Electoral College

Separation of Powers

“A Principle of Which We Were Ashamed”

The Three-Fifths Compromise

The Slave Trade

Fugitive Slaves

“The National Calamity”

2.6 An Overview of the Constitution

Preamble

Article 1: Congress

■ **WHAT DO YOU THINK? Have We Achieved the Constitution’s Goals Today?**

Article 2: The President

Article 3: The Courts

Article 4: Relations Between the States

Article 5: Amendments

Article 6: The Law of the Land

Article 7: Ratification

The Missing Articles

## 2.7 Ratification

The Anti-Federalists

The Federalists

Two Strong Arguments

A Very Close Vote

## 2.8 Changing the Constitution

The Bill of Rights

The Seventeen Amendments

The Constitution Today

■ **WHAT DO YOU THINK? How Strictly Should We Interpret the Constitution?**

■ **INFO DATA Amend the Constitution Today? On What Issue?**

Conclusion: Does the Constitution Still Work?

Chapter Summary

Study Questions

# 3 FEDERALISM

## 3.1 Where Did Federalism Come From?

■ **BY THE NUMBERS Federalism**

## 3.2 Who Should Wield Government Authority?

Advantages of State-Level Policy

Advantages of National-Level Policy

■ **INFO DATA Education Policies: Teaching About Race**

■ **WHAT DO YOU THINK? Preserving Local Values or Promoting Consistent National Policy?**

### 3.3 How Federalism Works

The Constitution Sets the Ground Rules

The Constitution Grants National Authority

The Constitution Protects State Authority

The Constitution Authorizes Shared Power

The Layer Cake: Dual Federalism (1789–1933)

The Marble Cake: Cooperative Federalism (1933–1981)

The Super-Swirl Cake: Contested Federalism (1981–2025)

### 3.4 Issues in Federalism

Climate Change

Healthcare

Reducing the National Government's Size

Federalism in the Courts

### 3.5 Nationalism, American Style

The Rise of Nationalism

The Two Faces of Nationalism

Engagement

Conclusion: Who Are We?

Chapter Summary

Study Questions

## 4 CIVIL LIBERTIES

### 4.1 The Rise of Civil Liberties

■ **BY THE NUMBERS** Civil Liberties

Civil Rights and Civil Liberties

The Purpose of Civil Liberties

The Slow Rise of Civil Liberties

4.2 Privacy

Penumbras and Emanations

■ **WHAT DO YOU THINK? Is There a Right to Privacy?**

Roe v. Wade

Dobbs v. Jackson Women's Health

Sex Between Consenting Adults

Clashing Principles

4.3 Freedom of Religion

The Establishment Clause

Free Exercise of Religion

■ **WHAT DO YOU THINK? May the Christian Youth Club Meet in School?**

4.4 Freedom of Speech

A Preferred Position

Political Speech

Symbolic Speech

Limits to Free Speech: Fighting Words

Limited Protections: Student Speech

■ **WHAT DO YOU THINK? Free Speech on Campus**

4.5 Freedom of the Press

Prior Restraint

Obscenity

Libel

4.6 The Right to Bear Arms

A Relic of the Revolution?

The Palladium of All Liberties?

■ **INFO DATA** Guns on Campus: Should Colleges Allow Concealed Carry?

4.7 The Rights of the Accused

The Fourth Amendment: Search and Seizure

The Fifth Amendment: Rights at Trials

The Sixth Amendment: The Right to Counsel

The Eighth Amendment: Fines and Death Penalty

4.8 Terrorism, Noncitizens, and Civil Liberties

Contacts with Forbidden Groups

Domestic Terrorism

The Rights of Noncitizens

Conclusion: The Dilemma of Civil Liberties

Chapter Summary

Study Questions

## **5 THE STRUGGLE FOR CIVIL RIGHTS**

■ **BY THE NUMBERS** Civil Rights

5.1 Winning Rights: The Political Process

Eight Steps to Political Equality

The March to Civil Rights

How the Courts Review Cases

Suspect Category

Quasi-Suspect Category

Nonsuspect Category

5.2 Race and Civil Rights: Revolt Against Slavery

The Clash over Slavery

Abolition

Economics

Politics

Dred Scott v. Sandford

The Second American Founding: A New Birth of Freedom?

Freedom Fails

5.3 The Next Fight for Racial Equality

Two Types of Discrimination

The Modern Civil Rights Campaign Begins

The Courts

The Civil Rights Movement

Congress and the Civil Rights Act

The Rise of Black Nationalism

5.4 After the Southern Civil Rights Movement

Affirmative Action in the Workplace

Affirmative Action in Education

Black Lives Matter Movement

## ■ WHAT DO YOU THINK? Higher Education and Affirmative Action

### 5.5 Women's Rights

Suffrage

The Civil Rights Act of 1964: Unexpected Breakthrough

Equal Rights Amendment

The Courts

Progress for Women—But How Much?

Abortion

#MeToo

### 5.6 Immigrants Help Build America

Latinos—A Rising Force in American Politics

Barriers to Civil Rights

Challenging Discrimination

The Politics of Immigration

Ancient Fears

Immigration by the Numbers

Three Categories

Undocumented Individuals

Immigration Policy

Too Many Immigrants? Or Too Few?

Language Controversy: “Speak English!”

Latino Political Mobilization

Asian Americans—The Fastest-Growing American Population

Facing Discrimination

Political and Cultural Influence

5.7 Native Americans

The Lost Way of Life

Native Americans and the Federal Government

The Struggle for Native American Civil Rights

Native Americans and the Courts

5.8 Groups Without Traditional Court Protections

People with Disabilities

Sexual Orientation and Gender Identity

LGBTQ+ Civil Rights

The Conflicts Continue

■ **INFO DATA Who Faces Discrimination? The People Disagree**

5.9 The Fight for Civil Rights Goes On

Voting Rights Today

Economic and Social Rights Today

Health

Income

Incarceration

Conclusion: Civil Rights ... By the People

Chapter Summary

Study Questions

# PART II POLITICAL BEHAVIOR

## 6 PUBLIC OPINION AND POLITICAL PARTICIPATION

### 6.1 Sources of Public Opinion

Political Socialization

Parents and Friends

#### ■ **BY THE NUMBERS** Public Opinion and Political Participation

Education

Gender

Race

Religion

Life Events

Party

Self-Interest: Voting Our Pocketbooks

Elite Influence

Wars and Other Focusing Events

### 6.2 Measuring Public Opinion

Polling Bloopers

Polling 101

The Random Sample

Sampling Frame

Refining the Sample

Timing

Wording

Lies, Damn Lies, and Polls

Technology

Sampling Error and Response Bias

Do Opinion Surveys Influence Us?

■ **WHAT DO YOU THINK? Too Much Polling?**

6.3 Public Opinion in a Democracy

Ignorant Masses

The Rational Public

Governing by the People

Do the People Know What They Want?

How Do the People Communicate Their Desires?

Do Leaders Respond to Public Opinion?

6.4 Getting Involved: Political Participation

Traditional Participation

Voting

Electoral Activities

Voice

Direct Action

Civic Voluntarism

■ **INFO DATA Public Rallies: What Issues Draw People to Protest?**

■ **WHAT DO YOU THINK? Would You Have Protested?**

The Participation Puzzle

6.5 Why Do People Get Involved?

Background

Age

Wealth

Education

Race/Ethnicity

Friends and Family

Community

Political Mobilization

Government Beneficiaries

Historical Context

6.6 What Discourages Political Participation?

Alienation

Institutional Barriers

Complacency

Shifting Mobilization Patterns

6.7 Social Media, Big Data, and Gen Z

How Social Media Improves Democracy

How Social Media Challenges Democracy

Centralized Control

Din

Misinformation, Malice, and Trolls

Does Social Media Increase Political Participation?

How Young Americans Participate

Conclusion: Government by the People

Chapter Summary

Study Questions

## **7 MEDIA, TECHNOLOGY, AND GOVERNMENT**

7.1 Media and American Democracy

Providing Information

■ **BY THE NUMBERS** The Media

Watching Officials

Shaping the Policy Agenda

7.2 U.S. Media Today: Traditional Formats Are Declining

Newspapers and Magazines: Rise and Decline

Radio Holds Steady

Conservative Talk

Public Radio

Podcasts

Television: From News to Infotainment

Cable

Infotainment

The Rise of Social Media

Worries About the News Media Today

Things to Cheer About the News Media Today

But Is It True? How to Spot Fake News

7.3 Is the Media Biased?

Are Reporters Politically Biased?

Profits Drive the News Industry

Drama Delivers Audiences

Investigative “Bias”

The Fairness Bias

■ **WHAT DO YOU THINK? Is the Media Objective?**

7.4 How Governments Shape the Media

The First Amendment Protects Print Media from Regulation

Regulating Broadcasters

Regulating Social Media

Local News: Most Trusted ... and Fading Away?

Public Ownership

■ **INFO DATA Disappearing Local Outlets: The Collapse of Local Reporting**

Censorship

7.5 Media in Context: War, Terrorism, and U.S. Elections

Covering Wars

The Campaign as Drama

Candidate Profiles

Conclusion: At the Crossroads of the Media World

Chapter Summary

Study Questions

## **8 CAMPAIGNS AND ELECTIONS**

■ **BY THE NUMBERS Campaigns and Elections**

## 8.1 How Democratic Are U.S. Elections?

Frequent and Fixed Elections

Over 520,000 Elected Officials

Barriers to Voting

### ■ **WHAT DO YOU THINK? Are There Too Many Elective Positions?**

Financing Campaigns: The New Inequality?

Too Much Money?

Democracy for the Rich?

Major Donors: Easier to Give

### ■ **INFO DATA Money in Elections: The New Rules**

## 8.2 Presidential Campaigns and Elections

Who Runs for President?

The Three Phases of Presidential Elections

Winning the Nomination

### ■ **WHAT DO YOU THINK? Why Iowa and New Hampshire?**

Organizing the Convention

The General Election

Winning Presidential Elections

The Economy

Demographics

War and Foreign Policy

Domestic Issues

The Campaign Organization

Parties Matter

The Electoral College and Swing States

That Elusive Winning Recipe

Predicting Presidential Elections

8.3 Congressional Elections

Candidates: Who Runs for Congress?

The Power of Incumbency

Patterns in Congressional Elections

Redrawing the Lines: The Art of Gerrymandering

Nonpartisan Districting and Minority Representation

8.4 How to Run for Congress

Key 1: Money

Key 2: Organization

Key 3: Strategy

Key 4: Message

Conclusion: Reforming American Elections

Reduce Gerrymanders

Adapt the Electoral College

Limit Money

Adopt Term Limits

Shaking Up the System

Chapter Summary

Study Questions

## 9 INTEREST GROUPS AND POLITICAL PARTIES

### ■ BY THE NUMBERS Interest Groups and Political Parties

#### 9.1 Interest-Group Roles in American Politics

Informing Members

Communicating Members' Views

Mobilizing the Public

What Do Interest Groups Do for Democracy?

Types of Interest Groups

Economic Groups

Citizen or Public Interest Groups

Intergovernmental and Reverse Lobbying

#### 9.2 Interest Groups and the Federal Branches of Government

Lobbyists' Multiple Roles

Researchers

Witnesses

Position Takers

Coalition Builders

Grassroots Campaign Builders

Not Your Grandparents' Lobbyists

Iron Triangles

Rise of the Issue Network

Interest Groups and the Courts

Lobbying on Judicial Confirmations

Filing *Amicus Curiae* (Friend of the Court) Briefs

Sponsoring Litigation

9.3 Interest Groups and Power

Lobbyists in Washington

Interest Groups' Spending

■ **INFO DATA Tech Lobbying Interests: How Do Interests Expand as Companies Grow?**

9.4 Political Parties and the U.S. Government

What Political Parties Do

Parties Champion Ideas

Parties Select Candidates

Parties Mobilize Voters

Parties Organize Governing Activity After the Election

Parties Help Integrate New Groups into the Political Process

Two-Party America

Third Parties in American Politics

America's Party Systems: Origins and Change

Beginnings: First Party System (1789–1828)

Rise: Second Party System (ca. 1828–1860)

War and Reconstruction: Third Party System (1860–1896)

Business and Reform: Fourth Party System (1896–1932)

Depression and New Deal: Fifth Party System (1933–1968)

The Sixth Party System: The Parties at Equal Strength (1972–Present)

9.5 Party Identification

Building Party Identification

The Power of Party Attachment

Voting/Participation

Filtering

■ **WHAT DO YOU THINK? Personality and Party**

Ideology

Negative Partisanship

Republican Factions

American Nationalists or Trumpists

Religious Traditionalists

Fiscal Conservatives

Libertarians

Neoconservatives

Moderates

Democratic Factions

Progressives

The Civil Rights Caucus

Organized Labor

Centrists

Why So Many Factions?

9.6 Party Organization

The Party Bureaucracy

Party in Government

Party in the Electorate

The Big Tent

9.7 Party Competition ... and Partisanship

Parties Rise Again

Partisanship Intensifies

Conclusion: A Political System Ripe for Reform?

1. Regulate Interest Groups

2. Proportional Representation

3. Reduce Partisanship in Government

■ **WHAT DO YOU THINK? Should We Be Trying to Diminish Partisanship?**

Chapter Summary

Study Questions

## **PART III POLITICAL INSTITUTIONS**

### **10 CONGRESS**

■ **BY THE NUMBERS Congress**

10.1 Introducing Congress

Two Chambers, Different Styles

House and Senate: Unique Roles for Each

■ **WHAT DO YOU THINK? Senate Filibusters and Legislative Holds**

10.2 Congressional Representation

Does Congress Reflect America?

Race

Gender

Religion

Profession and Education

Descriptive Versus Substantive Representation

Trustees and Delegates

Do the Right Thing

Do What the People Want

What Should Members Do?

What Do Members Actually Do?

10.3 Getting to Congress—and Staying There

The Permanent Campaign

Home Style: Back in the District

A Government of Strangers

10.4 Congress at Work

The City on the Hill

Citizens of the City: Members and Staffers

Buzzing with Action: Life on Capitol Hill

Minnnows and Whales: Congressional Leadership

House Leadership

Senate Leadership

Committees: Workhorses of Congress

The Enduring Power of Committees

Committee Assignments

## 10.5 How a Bill Becomes a Law

Drafting a Bill

Submitting the Bill

Committee Action

1. Hold Hearings on Policy Topics
2. Prepare Legislation for Floor Consideration
3. Kill Legislation
4. Exercise Oversight

Floor Action

Getting to the Floor

On the Floor

The Vote

Conference Committee

Presidential Action: Separated Powers Revisited

## 10.6 Why Is Congress So Unpopular?

Partisan Polarization in Congress

■ **INFO DATA** Partisan Polarization: How Has It Changed over Time?

■ **WHAT DO YOU THINK?** Is a Partisan Congress Desirable—or Disastrous?

Divided Government

## 10.7 Some Popular Reforms—and Their Limits

Limit Lobbyists

Educate the Public

The Real World of Democracy

Conclusion: Congress and the Challenge of Governing

Chapter Summary

Study Questions

## **11 THE PRESIDENCY**

### **■ BY THE NUMBERS The Presidency**

11.1 Defining the Presidency

Defined by Controversy

The President's Powers

11.2 Is the Presidency Too Powerful?

An Imperial Presidency?

A Weak Office?

11.3 What Presidents Do

Commander-in-Chief

Top Diplomat

The First Legislator

Recommending Measures

State of the Union

Presidential "Batting Average"

Veto

Signing Statements

Chief Bureaucrat

Appointments

Executive Orders

Economist-in-Chief

■ **INFO DATA Executive Orders Issued: Which Presidents Relied Most on This Power?**

Head of State

Party Leader

The Bully Pulpit: Introducing Ideas

The Impossible Job

11.4 Presidential Leadership: Success and Failure in the Oval Office

Managing the Public

Approval Ratings

■ **WHAT DO YOU THINK? Go Public or Play the Inside Game?**

Presidential Greatness

Greatness in Context: The Rise and Fall of Political Orders

Step 1: A New Order Rises

Step 2: The Order Refreshed

Step 3: The Old Order Crumbles

The Burden of Office

11.5 The President's Team: A Tour of the White House

The Political Solar System: Presidential Appointments

The Vice President

The Cabinet

The Executive Office of the President

The Office of Management and Budget (OMB)

The Council of Economic Advisers (CEA) and National Economic Council (NEC)

The National Security Council (NSC)

The Heart of Power: The White House Office

■ **WHAT DO YOU THINK? Do Presidents Need Such a Large Staff?**

The First Spouse

Conclusion: The Most Powerful Office on Earth?

Chapter Summary

Study Questions

## **12 BUREAUCRACY**

12.1 How the Bureaucracy Grew

Birth of the Bureaucracy

■ **BY THE NUMBERS The Bureaucracy**

War

Morality

Economics

Geography

Race and Ethnicity

Toward Efficiency

The Bureaucratic Model

Hierarchy

Division of Labor

Fixed Routines

Equal Rules for All

Technical Qualifications

Bureaucratic Pathologies

The Democratic Dilemma

12.2 How Bureaucracies Work

Rulemaking

Implementation

■ **INFO DATA Regulating Health Systems: Do We Have Too Many Regulations?**

12.3 How the Bureaucracy Is Organized

The Cabinet Departments

The Challenge of Governing

Compare to Parliamentary Systems

Cabinet Meetings

The Rotating Bureaucracy

The Cabinet and Diversity

Other Agencies

Executive Agencies

Independent Regulatory Commissions

An Army of Their Own

Private Contractors

12.4 Who Controls the Federal Bureaucracy?

The People

The President

Congress

Interest Groups

Bureaucratic Autonomy

Challenging the Experts

The Courts Step In

Democracy Revisited

■ **WHAT DO YOU THINK? Change Versus Stability: Should We Have More Politically Appointed Bureaucrats?**

12.5 Reforming the Bureaucracy

Critiques

Cost

Inertia

Public Mistrust

Proposed Reforms

Open Up the System

More Efficiency!

Restore the Original Constitutional Logic

Privatization

Conclusion: The Real Solution Lies with You

Chapter Summary

Study Questions

## **13 THE JUDICIAL BRANCH**

■ **BY THE NUMBERS The U.S. Judiciary**

13.1 Who Are We? A Nation of Laws ... and Lawyers

Embracing the Law—and Lawsuits

Trust in Courts

## 13.2 Organizing the Judicial Branch

Divided We Rule

State and Local Courts

Judicial Selection

Judicial Selection in the States

Judicial Selection to the Federal Bench

### ■ **WHAT DO YOU THINK? How Should States Select Their Judges?**

Federal Courts in Action

Specialized Courts

Diversity in the Federal Judiciary

### ■ **WHAT DO YOU THINK? Identity on the Bench**

## 13.3 The Court's Role

Judicial Review

Activism Versus Restraint

The Judicial Process

Too Much Power?

Or Still the “Least Dangerous” Branch?

## 13.4 The Supreme Court and How It Operates

Hearing Cases

Selecting Cases: Formal Requirements

Selecting Cases: Informal Factors

Conference Sessions and Written Decisions

Supreme Court Clerks

Confirmation Battles

13.5 Judicial Decision Making and Reform

The Role of Law

Ideology and Partisanship

Collegiality and Peer Pressure

■ **INFO DATA** How Americans View the Supreme Court: Party Members See It Differently Today

Institutional Concerns

13.6 Nineteen Cases You Should Know

1. *Marbury v. Madison* (1803)

2. *McCulloch v. Maryland* (1819)

3. *Dred Scott v. Sandford* (1857)

4. *Santa Clara Co. v. Southern Pacific Railroad* (1886)

5. *Plessy v. Ferguson* (1896)

6. *Lochner v. New York* (1905)

7. *Muller v. Oregon* (1908)

8. *Schenck v. United States* (1919)

9. *National Labor Relations Board v. Jones and Laughlin Steel Corporation* (1937)

10. *Korematsu v. United States* (1944)

11. *Brown v. Board of Education* (1954)

12. *Gideon v. Wainwright* (1963)

13. *Roe v. Wade* (1973) [and *Dobbs v. Jackson Women's Health Organization*, 2022]

14. *United States v. Nixon* (1974) [and *Trump v. United States*, 2024]

15. *Bush v. Gore* (2000)

16. *Citizens United v. Federal Elections Commission* (2010)

17. *National Federation of Independent Business v. Sebelius* (2012)

18. *Obergefell v. Hodges* (2015)

19. *Looper Bright Enterprises v. Raimondo* (2024)

Landmark Cases—and the Power of the Court

■ **WHAT DO YOU THINK? Name Another Landmark Case**

13.7 Improving the Judiciary

Policing Reforms

Term Limits

Share Authority with Congress

Conclusion: Democracy and the Courts

Chapter Summary

Study Questions

## **PART IV POLICYMAKING**

### **14 DOMESTIC AND FOREIGN POLICY**

14.1 Public Policymaking in Seven (Not-So-Easy) Stages

■ **BY THE NUMBERS U.S. Public Policy**

1. Agenda Setting

2. Framing or Problem Definition

3. Policy Formation

4. Adoption

5. Policy Implementation

6. Administration

7. Evaluation

14.2 U.S. Social Policy

Social Policy: The Early Days

Old-Age Insurance: Social Security

Unemployment Benefits

Health and Disability: Medicare/Medicaid

■ **WHAT DO YOU THINK? Should We Reform Social Security and Medicare?**

14.3 Economic Policymaking: Fiscal and Monetary Policy

Fiscal Policy

Monetary Policy

14.4 Economic Policymaking: The Federal Budget Process

President's Budget Proposal

Congressional Budget Resolution

Reign of the Cardinals: Appropriations Committee Action

14.5 Foreign Policy Goal No. 1: Security

Military Primacy

Basis for Primacy: Realism

A Different View: Liberalism

Soft Power

Foreign Aid and National Security

14.6 Foreign Policy Goal No. 2: Prosperity

Economic Superpower or Nation in Decline?

■ **INFO DATA Global Corruption and U.S. Foreign Policy**

Free Trade

Challenges to Free Trade

Cost

Social Displacement

Volatile Markets

Protectionist Pushback

Energy

Economic Weapons

14.7 Foreign Policy Goal No. 3: Spreading American Ideals

14.8 Who Makes Foreign Policy?

Congress

The President

The State Department

The Department of Defense

Intelligence

The National Security Council

Other Executive Agencies

Interest Groups and the Public

Fragmentation or Success?

14.9 Grand Strategies in U.S. History

Standing Alone (1918–1939)

The Cold War (1945–1989)

The New World Order (1989–2001)

The War on Terror (2001–2009)

The Next Grand Strategy

Conclusion: Policy Matters

Chapter Summary

Study Questions

APPENDIX I THE DECLARATION OF INDEPENDENCE

APPENDIX II THE CONSTITUTION OF THE UNITED STATES OF AMERICA

APPENDIX III THE FEDERALIST PAPERS

APPENDIX IV PRESIDENTIAL ELECTIONS, CONGRESSIONAL CONTROL, 1789–2024

Glossary

Notes

Credits

# About the Authors

James A. Morone

Rogan Kersh



**JAMES MORONE** (BA, Middlebury College; MA and PhD, University of Chicago) is the John Hazen White Professor of Political Science and Public Policy at Brown University and six-time winner of the Hazeltine Citation for outstanding teacher of the year. Jim, an award-winning author, has published twelve books. His most recent books are *Republic of Wrath: How American Politics Turned Tribal from George Washington to Donald Trump* (2020) and *Whiplash: Presidents and Health in a Divided America* (2025). He is also author of *The Heart of Power* (2009, a “New York Times Notable Book”), *Hellfire Nation: The Politics of Sin in American History* (2003, nominated for a Pulitzer Prize), and *The Democratic Wish* (1990, winner of the American Political Science Association’s Kammerer Award for the best book on American politics). He has written over two hundred and fifty articles and essays on subjects ranging from healthcare policy to Harry Potter. Jim has commented on politics in the *New York Times*, the *London Review of Books*, and the *American Prospect* and has testified before Congress multiple times. He has been elected to the National Academy of Medicine and the National Academy of Social Insurance. He has served as president of the politics and history section of the American Political Science Association and the New England Political Science Association. He also has served on the board of editors for twelve scholarly journals.



**ROGAN KERSH** (BA, Wake Forest University; MA and PhD, Yale University) is Academic Director of NYU Florence and Associate Vice Chancellor, NYU Global Programs, as well as Professor of Public Policy at NYU Wagner School of Public Service. Previously, he served ten years as provost at Wake Forest University. A leading scholar in American political science, Dr. Kersh is best known for his work on generational politics and culture, the politics of obesity and public health, and interest-group lobbying. As a political science faculty member over the past quarter-century, he won five teaching awards and (at NYU) the Martin Luther King Jr. Award for scholarship, teaching, and university service. Dr. Kersh has published books on

American political history and on U.S. health policy; his forthcoming work is a study of the “rising generation” of young Americans. He also has published more than seventy academic articles and has provided commentary on U.S. politics for dozens of different media outlets, including CNN, *Newsweek*, and the *New York Times*. He has served as president of the American Political Science Association’s organized section on health politics and policy, is an elected fellow of the National Academy of Public Administration, and has worked in political systems in the U.S., Japan, and Italy.

# Preface

James A. Morone

Rogan Kersh



**AMERICANS ARE ON EDGE.** The economy works for some—but not for others. Temperatures keep breaking records. College campuses are torn. And our politics seem to get crazier all the time.

As we write this, the nation is exhaling from a wild election season. Donald Trump lost the 2020 election (by seven million votes) but flatly refused to accept the results. He was convicted of thirty-four felony counts—which only energized his many supporters. During the 2024 campaign he survived an assassination attempt, leaping back to his feet, pumping his fist, and shouting “fight, fight, fight” while blood dripped from his face.

Joe Biden became the first sitting president to withdraw from the campaign in more than a half century. Kamala Harris, the first Black woman nominated by a major party, replaced him. A close election eventually broke in Trump’s direction, and he powered to a decisive election victory.

President-elect Trump promised vast changes to American government. He would round up and deport undocumented people, shrink the bureaucracy, toss climate change regulations, unleash the economy, and punish bad people (as he called them). His supporters cheered. His opponents declared that American democracy was in peril. We designed this book to help you understand what’s new—and what isn’t—as you watch the drama play out.

Meanwhile, Congress spent more time squabbling than governing. The House of Representatives, led by Republicans, ended up passing less legislation than any Congress in memory. They elected a Speaker (or House leader) then watched a small minority depose him. The spectacle almost led to fistfights on the House floor. A year later, voters shrugged and gave Republicans majorities in both the House

and the Senate—handing them complete control over government for just the third time in the last seventy years.

Two out of three Americans tell pollsters that the nation is going in the wrong direction—a pessimism that has barely changed at all in the past twelve years (which may explain why neither party has elected a president to two successive terms in that period). Now that the Republicans are in control, will we see less rancor? Will the administration get more done? Or will it go too far as its critics are already warning? Stay tuned!

Yes, U.S. government and politics is messy—at times bordering on chaos. And for the first time since we started writing about politics, the future of government by the people seems uncertain. Is the American republic in danger? Or is the whole system muddling along—pretty much as it was designed to do? Or maybe the truth lies somewhere in between? That was the overwhelming question on our minds as we wrote this edition.

And what about equality, social justice, and freedom? Are they rising or falling? Within reach or out of sight? We thought a lot about that too. In the end, we're cautiously optimistic on all these counts. Why? Because of our students. What do we mean? Read on!

# By the People?

---

We picked the book's title—*By the People*—because Lincoln's phrase raises the deepest issue in American government: Who has the power? Or, to put it more pointedly, do the people rule in this day and age? Democracy is a constant struggle; it is an aspiration, a wish, a quest. In every chapter we'll ask how well Americans are living up to Lincoln's ideal. Do social media ([Chapter 7](#)) or Congress ([Chapter 10](#)) or the bureaucracy ([Chapter 12](#)) or state governors, legislatures, and courts ([Chapter 3](#)) support or subvert government by the people? We'll present the details—and let you decide whether we should press for reform or leave things alone.

We'll be straight with you: We won't pretend there was a golden age in some imaginary past. After all, the United States has been home to political machines that enthusiastically stole votes, maintains an Electoral College designed to distort the people's vote for president, and governs through an elaborate system of checks and balances that blunts the popular will. (Again, you'll soon see two sides to each of these features of American government.) At the same time, you'll read about bold popular movements and unexpected electoral surges that changed the face of the nation. In many ways, these are the most exciting moments in American history. They spring up at unexpected times, inspiring ordinary people to achieve great things. Does Donald Trump's return signify such a surge? Or are young Americans' inclination to launch protest movements around issues like climate

change, gun control, and racial/gender justice the larger agent of change?

## Who Are We?

---

Here's Jim's very first political memory: My parents were watching TV, and as soon as I walked into the room, I could see that my mother was trying hard not to cry. "What's going on?" I asked my parents nervously. My dad—a proud Republican who had fought in World War II—said, "Well, the U.S. had a racial problem, but that man there, he's going to get us past it." "That man there" was Martin Luther King Jr., giving one of the most famous speeches in American history: "I have a dream," said King, that "my four little children will one day live in a country where they will not be judged by the color of their skin but by the content of their character." My mother had been born in Poland and her near tears reflected pride in her new nation—and the uplifting aspirations of that August day.

Both of us grew up thinking about the dream—and about the nation that dreams it. America is constantly changing, constantly new. In every chapter we'll ask the same question: *Who are we?* We'll explore a lot of different answers.

Four themes are especially important in this book. **Race** touches everything in the United States, from the Constitution ([Chapter 2](#)) to our political parties ([Chapter 9](#)). The nation arose out of both freedom and slavery; race quickly became one of the great crucibles

of American liberty. Likewise, **immigration** includes some of history's saddest passages involving the mistreatment of recent arrivals. And yet we are a nation of immigrants that continues to welcome the world's "huddled masses yearning to breathe free"—the famous words carved into the Statue of Liberty. More than a fifth of all the emigrants around the globe come to the United States every year. Race and immigration are tied up in another powerful topic: **gender and sexuality**. From women in Congress to same-sex marriage, from teen pregnancy to abortion, we'll show how negotiating an answer to "Who are we?" puts an emphasis on questions of gender and sexuality. Finally, we're especially interested in **American generations**, and more specifically the attitudes and contributions of today's young people, the millennial generation and so-called Generation Z. If you're among this group of teens/twenty- and thirty-somethings, the future belongs to you. This book is an owner's manual for the government that you're going to inherit. We'll have much to say about you as we describe Rogan's decade of research on the rising generation's politics and culture.

The most important thing about all these categories is not their history, or the ways they've influenced voting behavior, or how the courts treat them—although we'll cover all those topics. Rather, what matters most about American politics are the opportunities to get involved. As you'll see, groups and individuals can and do make a difference in a nation that is always evolving. We hope our book inspires you to actively participate in making the American future.

# How Government Works

---

We won't oversell the role of individuals. People's ability to advance political change is always shaped by the way the government is organized and operates. From the very start, this book emphasizes the unusual structure of American government.

Begin with a Constitution full of checks and balances, add a multilayered federalism, develop a chaotic public administration (President Franklin D. Roosevelt cheerfully called the uproar a three-ring circus), spin off functions to the private sector (especially during wars), complexify Congress (thirty-one different committees and subcommittees tried to claim jurisdiction over just one national health insurance proposal), and inject state and federal courts into every cranny of the system. Then throw the entire apparatus open to any interest group that shows up. The twenty-first century adds a 24/7 news cycle with social media commentary all the time and from every angle.

Turn to foreign policy, where high principles contend with tough-minded realism in a fractious world. When the most formidable military in human history is mustered into action, watch presidential power expand so rapidly that it sets off international debates about whether the great republic is morphing into an empire.

# That Optimism We Mentioned

---

Finally, we come back to our optimism. It comes from our students. They display admirable values and ask tough questions. They're weary of partisanship, eager to build good communities, not so sure about American democracy, and even less sure about capitalism. That's pretty much been the recipe for big change in America: a rising generation eager to improve the way things work.

If that sounds like you, we've written this book to help guide you. And if not, we've written with an eye to converting you—to get you interested in American government and, just maybe, to induce you to leap in and participate in the great pageant of local, state, and national politics.

## In Short

---

As you read this book, you'll repeatedly encounter four questions:

- *Who governs?* This is the question of democracy and power—or, as we phrased it earlier: Is this government by the people? And if and where it falls short, how might we refresh our democracy?
- *How does American politics work?* Our job is to help you think like a political scientist. What does that involve? You'll

learn in [Chapter 1](#)—and throughout the book.

- *What does government do?* You can't answer the first two questions if you don't know what the courts or the White House or Congress or interest groups actually do—and how they do it.
- *Who are we?* Americans endlessly debate America's identity. We are students, businesspeople, Hispanics, seniors, Texans, environmentalists, gays, Republicans, Democrats, Portlanders, Christians, Muslims, military families, New Englanders—and the list goes on. Sometimes it adds up to one united people; at other times we're left to wonder how to get along. Either way, American politics arises from—and shapes—a cacophony of identities and interests.

## Changes to the Seventh Edition

---

In this new edition, we have:

- Emphasized both the intense divisions and bitter partisanship of this American political moment—and many sources of encouragement about U.S. democracy's long-run future.
- Ensured that discussions of policy issues, electoral politics, and other topics are balanced on left and right, to consider political sensitivities in our partisan-polarized age.

- Analyzed the seismic events from the 2024 presidential campaign: Trump’s thirty-four felony convictions—and the backlash among his followers; his near assassination and iconic response; the first presidential debate—which forced President Joe Biden out of the race; the joyous, meme-filled reaction when Kamala Harris replaced Biden and surged into a small lead; the issues that dominated the campaign; the apparent surge toward Republicans in the fall; and the election endgame that powered Donald Trump to the White House and Republicans into control of both congressional chambers. We also cover the Supreme Court’s extraordinary set of 2023–2024 summer decisions; historic Congressional disputes, culminating in the first-ever replacement of a sitting House Speaker during their first year; “federalism” battles between national, state, and local governments over who has authority—for example, to determine the legal rights of migrants, especially coming from Mexico; and much more.
- Chronicled shifts in U.S. culture, and their interplay with politics—including everything from the Harris campaign adopting Charli XCX’s distinctive *Brat* color/font for social media platforms to blockbuster movies with surprisingly anti-capitalist messages.
- Underscored the influence of eighteen- to thirty-four-year-old Americans (“Gen Z,” younger millennials) in terms of participation in politics and the policy issues they find most salient. Particularly notable: This U.S. generation is the first in memory to engage extensively in protests AND in “normal

politics”—voting, supporting campaigns, running for office, and so on.

- Introduced dozens of new topics, including: regulation of AI models; conservative governors sending migrants to liberal enclaves like DC/NYC; Biden’s student-loan forgiveness (and GOP pushback); government scrutiny of NIL (Name, Image, Likeness) college-athletics funding; potential regulation of social media platforms, including limiting teenagers’ access; protests over the Israel-Hamas war, especially on college campuses; changes to U.S. food systems as a result of the massive 2024 Farm Bill; and civil liberties issues like Louisiana’s 2024 law requiring all public school classrooms to display the Ten Commandments.
- Supplied new and updated statistics and figures in each chapter, tracking both long- and short-run political trends. Expanded international comparisons, recognizing that trends in U.S. government both shape and are influenced by events and policy decisions around the globe.
- Tracked the impact of recent court and legislative decisions on civil rights, including limits on affirmative action, both in college admissions and expanding access to capital markets for minority women; challenges to immigration laws; a backlash on #MeToo accusations of sexual harassment and other misconduct; and some states’ restrictions on teaching “woke” or “DEI” versions of U.S. history and politics in public schools.

# Getting Involved

---

*By the People*, when its first edition came out a decade ago, marked a new approach to courses in American government. The book displays U.S. politics and government in all its glory, messiness, and power. Like every textbook, this one informs our readers. But, as we hope you can already see, we don't describe government (or ideas about government) as inert and fixed. What's exciting about American politics, like the nation itself, is how fast it changes. And the constant, endless arguments about what it is and what it should be next. Our aim is to get you engaged—whether you already love politics, are a complete newcomer to government, or are a newcomer to the United States itself. In the pages that follow, we'll bring American government to life. Get ready to start a great debate ... about your future.

One final word: We've been working out the story line for this book throughout our teaching careers. We've taught everything from very large lectures to small seminars. Like all teachers, we've learned through trial and error. We've worked hard to pack this book with the stories, questions, and features that our students have found effective. That spirit—the lessons we've learned in the classroom—animates everything that follows.

# Teaching and Learning Support for Instructors and Students

---

## Optimize Student Learning with Oxford Insight

*By the People: Debating American Government* is available with Oxford Insight. **Oxford Insight** delivers the trusted and student-friendly content of *By the People* within a powerful, data-driven learning experience designed to increase student success. **Oxford Insight** is a guided and curated learning environment that provides access to the e-book, multimedia resources, assignable/gradable activities and exercises, and analytics on student achievement and progress. It can be delivered either via LMS/VLE integration or as a standalone resource.

Developed with applied social, motivational, and personalized learning research, **Oxford Insight** enables instructors to deliver an immersive experience that empowers students by actively engaging them with assigned reading. This approach, paired with real-time actionable data about student performance, helps instructors ensure that all students are best supported along their unique learning paths.

**With Oxford Insight, instructors can:**

Assign auto-score multiple-choice, fill-in, and other machine-gradable questions.

Score specific items (including open-ended questions) with feedback.

Set personalized paths for students based on learner-specific performance.


Export grades and change grading points.

Establish a course roster and add/drop students.

Share courses and resources with students and faculty.

Sync real-time assignments with gradebooks.

Author and/or customize content within the courseware.

For more information on how *By the People: Debating American Government* powered by Oxford Insight can enrich the teaching and learning experience in your course, please visit  [oxfordinsight.oup.com](https://oxfordinsight.oup.com) or contact your Oxford University Press representative.

## Student Resources Available in Oxford Insight


- **Learning Objectives**—Guide study and reinforce reading comprehension.
- **Reading Review Quizzes and Chapter Exams**— Assignable multiple-choice, matching, and drag-and-drop type questions to evaluate chapter comprehension. When

assigned in an LMS environment, the results report to a gradebook.

- ***In The News weekly news features***—The authors discuss high-interest hot topics and provide additional links to news articles for a full understanding of the topic under discussion. Each feature includes a quiz. When used in an LMS environment, the results report to a gradebook.
- ***Video Quizzes***—Extensive video clips show concepts in the real world and offer short assessments to capture students' understanding and application of key concepts. When used in an LMS environment, the results of these quizzes report to a gradebook.
- ***Concept Explainers***—Animated concept tutorials, two to four minutes in length, teach key concepts and address important contemporary issues, each with quizzes at the end. When used in an LMS environment, the results report to a gradebook.
- ***Government in Action activities***—Simulations provide students with experiential learning activities in which students role play as political actors and decision makers responding to current political challenges. When used in an LMS environment, the results of these activities report to a gradebook.
- ***Web Activities and Links***—Provided for every chapter, these links and activities offer resources for research and civic engagement.

# Packaging Options

---

Adopters of *By the People* can package any Oxford University Press book with the text for a 20 percent savings off the total package price. See our many trade and scholarly offerings at  [www.oup.com](http://www.oup.com), then contact your OUP sales representative to request a package ISBN. Here are additional suggestions to package with the text:

## Stay Current

For an additional \$10, package *Current Debates in American Government*, 3e.