CHAPTER 1: Why Government? Why Politics?
1.0 | What is Government?

Government can be defined as the institutions and processes that make and implement authoritative decisions for a society. The government unit can be a city, county, state, regional, national, or international government. The decisions, which include laws, regulations, and other public policies, are authoritative in the sense that individuals and organizations are legally obligated to obey the decisions or face some kind of sanction. In the U.S., government includes the national government institutions (Congress, the Presidency, the federal courts, and a broad range of federal bureaucracies), the 50 state governments (state legislatures, governors, state courts, and state bureaucracies), and the local governments (counties, cities, and other special government units such as school boards).

1.10 | Why Government

Is government necessary? Is it possible to live without government? Why do governments exist all over the world when people all over the world are so critical of government? These are old political questions that were first asked when people began thinking about life in organized societies. Questions about the need for government and the legitimate purposes of government are continually being asked because the answers reflect contemporary thinking about basic human values, including freedom, order, individualism, equality, economic prosperity, national security, morality and ethics, and justice. These values are central to government and politics in all countries although the values attached to them and their relative importance varies a great deal. Given the almost universal criticism of government, and a strong tradition of anti-government rhetoric in the United States, it is worth wondering “why government?”

One recurring theme in American government and politics is the conflict between two basic values: freedom and order. Freedom (or liberty) is highly valued in the American political tradition. Individual freedom is an essential element of democracy. Self-government requires individual liberty. In the U.S., freedom of religion, speech, press, and association are individual liberties that are guaranteed by the First Amendment to the U.S. Constitution. The language of the First Amendment, which begins with “Congress shall make no law.....,” reflects the most common understanding of individual liberty in the U.S. where freedom is usually defined as the absence of government limits.

Order is also a basic political value. One of the primary responsibilities of government is to create and maintain good public order. Good public order is commonly defined to include public safety (individuals are protected from crime, foreign invasions, and domestic disturbances) as well as behavior that a society considers appropriate conduct. Governments use law to create and maintain these aspects of good public order. These laws sometimes limit individual liberty in order to achieve order. Politics is often about where to strike the right balance between allowing individuals the freedom to do what they want, to live their lives without government restrictions, and giving government power to control behavior in order
to maintain good public order. In American politics, debates are often framed as freedom versus order because the relationship between individual freedom and government power is considered a zero-sum relationship: an increase in one means a corresponding decrease in the other. The power problem illustrates this relationship.

**1.12 | The Power Problem**

The power problem refers to the need to grant government enough power to effectively address the problems that people expect government to address, while also limiting power enough so that government can be held accountable. The challenge is to give government enough power so that it can address or solve the problems that people want government to solve, such as providing public safety and national security and economic prosperity, while also limiting government power so that it can be held accountable by the people. Too little power can be a problem because weak governments or “failed states” can provide havens for criminals or terrorists. Too much power can be a problem because strong governments can threaten individual rights. Creating good government requires striking the right balance between granting and limiting power. Doing so is difficult because people have different views about the balance point. Politics is about reconciling individual, ideological, and partisan differences of opinion about the power problem.

**1.13 | Politics**

People have different opinions about whether their political system, or the political system of another country, allows too much individual freedom or provides too little public order. People also have different beliefs about what government should be doing. The U.S. Constitution does not say very much about the specifics of where to strike the balance between rights and powers. It mostly provides general guidelines about powers and rights. The Fourth Amendment provides the people a right “against unreasonable searches and seizures,” but it does not say when a police officer’s search or seizure is unreasonable. The Eighth Amendment prohibits “cruel and unusual punishment” but does not define it. Article I, Section 8 of the Constitution grants Congress power to provide for the “general Welfare of the United States,” but it does not define general welfare.

The fact that the Constitution includes such general language means that some disputes about where the balance between government power and individual rights should be struck are more political than legal. In democratic political systems, politics is about different beliefs about how much power government should have and what government should be doing. Conservatives and liberals typically take different positions in political debates about government power, both the amount of government and its uses. Political opinions about the right balance between individual rights and government power are influenced by conditions. Is it a time of war or peace? Is the economy good or bad? Is there good public order or is it a time of crisis or disorder? These are the political conditions that determine public opinion. The Constitution does not say very much about government power during times of crisis or emergency. Article I Section 9 of the Constitution does provide that Congress may suspend the writ of habeas corpus “when in Cases of Rebellion or Invasion the public Safety may require it.” But most questions...
about striking the right balance between granting and limiting power, or the balance between individual freedom and government power, or the right size and role of government, are left for each generation to decide depending on the particular circumstances they face.

American politics is often framed as debates about the size of government. These debates are familiar arguments about big government versus small government. But politics is actually more likely to be about the role of government—the purposes and uses of government power. The “big v. small” arguments tend to distract from the disagreements about what government should be doing. Politics is about whether government is too strong or too weak, too big or too small, doing too much or too little. Politics is also about whether government is doing the right things or the wrong things, whether specific public policies should change, and whether the government has the right priorities. Many of these political questions about the right size and proper role of government are actually questions about whether a political system is a just system.

1.14 | Justice

*Justice* is a basic concept that is hard to precisely define. It can be generally understood to mean that an individual is treated fairly. Politically, justice usually means that an individual is treated fairly by the government. The definition of *justice as fairness* includes the belief that individuals should get what they deserve: good or appropriate behavior is recognized and rewarded; bad or inappropriate behavior is recognized and punished. There are many definitions of justice, but most include a moral or ethical component—that is, definitions of justice commonly identify a particular set of values as important.

Justice is important politically because it describes a proper ordering of things, values, and individuals within a society. The nature of a just society or political system has been the subject of human inquiry since people first thought about living a good life in an organized society. Justice is a familiar subject in works of politics, philosophy, theology, and law. The Ancient Greek philosophers Plato and Aristotle described what they believed to be the attributes of a just society and the best form of government to achieve justice. The Founders of the American political system also thought a great deal about a just society and the best form of government. The [Declaration of Independence](https://en.wikipedia.org/wiki/Declaration_of_Independence) explains why the American colonists were justified in fighting the Revolutionary War against Great Britain. It includes a long list of charges that the “king of Great Britain” acted so unjustly that the colonists were justified in taking up arms and breaking their political bonds with Great Britain. The [Preamble to the U.S. Constitution](https://en.wikipedia.org/wiki/Preamble_to_the_United_States_Constitution) also declares an interest in creating a form of government that promotes justice. It explains that the Constitution was established “in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity…”

The interest in justice was not limited to the founding era. Both sides in the Civil War claimed to be fighting for justice: the North fought against slavery, among other reasons,
and the South fought for states’ rights, among other reasons. The various civil rights movements of the 20th Century were also organized efforts to achieve a more just society for Blacks, women, and other minorities. Political theorists continue to explore the meaning and importance of justice. In *A Theory of Justice*, John Rawls argued that “justice is the first virtue of social institutions, as truth is of systems of thought.” The argument that justice is the most important virtue for our social, political, and governmental institutions to pursue reflects the continued value placed on justice in modern thinking about government and politics—but recognizing the importance of justice is much easier than actually defining it.

Political science studies individuals (and individual behavior) and systems (and the workings of institutions). At the individual level of analysis, justice is as simple as a person’s expectation that she or he will be treated fairly. In this sense, justice is an expectation that a person will get what they deserve—whether it is recognition and reward for doing well and behaving appropriately, or sanctions for not doing well or behaving inappropriately. At the system level of analysis, a just political system is one that maintains a political order where individuals are treated fairly, where the system treats people fairly as is therefore a legitimate system of governance. One factor that complicates considerations of whether an individual is treated fairly or a political system is just is that fair treatment may be a universally accepted concept but views on what fair or just treatment is in a particular situation is a subjective value judgment.

What justice means is further complicated by the fact that there are different types of justice. *Retributive justice* is concerned with the proper response to wrongdoing. Retributive justice is most relevant to the criminal justice system and the theory and practice of punishment as reflected in sentencing policy. The law of retribution—*lex talionis*—reflects the concept of retributive justice—the belief that punishment should fit the crime. The biblical verse “life for life, eye for eye, tooth for tooth, hand for hand, foot for foot, wound for wound, stripe for stripe,” embodies the principle of retributive justice. However, there is no consensus that the “an eye for an eye” principle of retributive justice should be interpreted literally to mean that justice requires taking an eye for an eye, a hand for a hand, a tooth for a tooth, or a life for a life. The alternative to this literal reading of retributive justice is the metaphorical interpretation. The metaphorical interpretation requires proportionality—a punishment that fits the crime. A just punishment must be proportionate to the crime, but justice does not require that punishment be identical to the crime.

A second type of justice is *restorative justice*. Restorative justice is also relevant to the criminal justice system. However, unlike retributive justice, which is primarily concerned with punishing an offender, restorative justice emphasizes the importance of restoring the victim (making the victim whole again) and rehabilitating the offender.

A third type of justice is *distributive justice*. Distributive justice is concerned with the proper distribution of values or valuables among the individuals or groups in a society. The valuables can be things of material value (such as income, wealth, food, health care, tax breaks, or property) or non-material values (such as power, respect, or recognition of status). Distributive justice is based on the assumption that values or valuables can be distributed equitably based upon merit. Political debates about economic inequality, a fair tax system, access to education, and generational justice (whether government policies
benefit the elderly more than the young) are often conducted in terms of distributive justice: who gets what and who should be getting what.

1.2 | The State of Nature: Life Before or without Government

One of the most important concepts in western political thought is “the state of nature.” The state of nature is used to explain the origin of government. The 17th Century English political philosopher Thomas Hobbes (1588-1679) believed that life in a state of nature (that is, without government), would be “solitary, poor, nasty, brutish, and short” because human beings are self-interested actors who will take advantage of others. Hobbes believed that it is simply human nature for the strong to take advantage of the weak. The competition for economic and political advantage results in a constant “war of all against all” that makes an individual’s existence precarious. Hobbes and other social contract theorists believed that individuals who are living a precarious existence in the state of nature decide to enter into a social contract that creates a government with enough power to maintain order by controlling behavior. The terms of the social contract include trading some of the individual freedom in the state of nature for order, security, justice, or other political values. His classic work *Leviathan* (1651) describes a strong government with power to create and maintain order. The word Leviathan comes from the biblical reference to a great sea monster—an image that critics of modern big government consider appropriate.

All ideologies include a view of human nature. Some ideologies are based on a negative view of human nature—one that describes humans as basically self-interested or even quite capable of evil. Some ideologies are based on a more positive view of human nature—one that describes humans as basically public-spirited or even benevolent. Ideologies with a more positive view of human nature assume that individuals are capable of getting along well without government, with minimal government, or with government that is much weaker than a Leviathan. For a view of human nature as capable of good or evil, that stresses the importance of education and socialization to develop the better instincts and moral conscience, read President Abraham Lincoln’s First Inaugural Address, which appeals to Americans to be guided by “the better angels of our nature.”

1.21 | John Locke (1632-1704)

In *An Essay Concerning the True Original, Extent and End of Civil Government*, the English political philosopher John Locke described life in the pre-government “state of nature” as a condition where “all men” are in “a state of perfect freedom to order their actions and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature, without asking leave, or depending upon the will of any other man.”

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Locke did not mean that “perfect freedom” gave individuals license to do whatever they wanted. The law of nature mandated that “no one ought to harm another in his life, health, liberty, or possessions.” According to Locke, the natural state of man is to live free from oppression and the will of man—“living together according to reason without a common superior on earth” and “to have only the law of Nature for his rule.” However, history teaches that some individuals inevitably gain power over others, and use their power to harm them. The use of power or might without right—the fear that might makes right—is one reason why individuals decide to leave the state of nature and live under government.

1.22 | Jean-Jacques Rousseau

In *The Social Contract*, Jean-Jacques Rousseau (1712-1778) wondered why people were born free but everywhere lived with government: “Man is born free, and everywhere he is in chains.” The American political tradition of criticizing government raises the question whether government is necessary. *To govern* means to control. Government control is intended to create and maintain order. Why is government necessary to create order? In the history of western political thought, the alternative to government is life in what political philosophers call a *state of nature*. Life without government in a “state of nature” created problems or conditions that caused individuals to believe that living with government would be an improvement.

1.23 | Influences on the American Founders

John Locke believed that individuals decided to leave the state of nature and live under government because government offered greater protection of their rights including the right to life, liberty, and property. This natural rights-based understanding of the purposes of government greatly influenced the writers of the Declaration of Independence. The Declaration of Independence explained and justified the American Revolution as a necessary act—the right and duty of a free people to assert their natural or “unalienable Rights” to “Life, Liberty, and the Pursuit of Happiness” when confronted with tyrannical government. Some of the most important words and ideas in the Declaration of Independence can be traced to the writings of Locke. Natural rights are those that individuals have because they are human beings or because they are God-given rights. Natural rights are not created by human beings or government. Natural rights contrast with positive rights, which are created by an act of government.

1.24 | The Social Contract Theory of Government

Hobbes, Locke, Rousseau, are classical political philosophers who are *social contractarians*. They advocate a social contract theory that provides a justification for creating government and operating it as acts of self-government. According to social contract theory, people create governments by entering into written or unwritten agreements to live together under a particular form of government. The agreement is a *contract* because it binds the parties to specific rights (or benefits) an obligations, duties, and responsibilities. The agreement is *social* because it involves the members of a community or society deciding to create a binding agreement to live together under a
form of government. In the U.S., the social contract is a written document: the Constitution. The terms of this social contract include individual rights and responsibilities as well as government powers and responsibilities. The people have a duty to obey the law. The government has a responsibility to provide safe streets, national security, and other public goods.

Social contract theory is identified with self-government because it is based on popular sovereignty. Popular sovereignty is the belief that the people are sovereign, that the people are the ultimate source of governing authority. Popular sovereignty describes political authority—the legitimate use of government power—as based on the consent of the governed. Government is based on the consent of the people; government is not imposed on the people. Social contract theory explains why it is rational for an individual to voluntarily give up the freedom of living in the state of nature and agree to live under a government that can tell them what they can and cannot do. The social contract explains why it is rational for an individual to accept a government with the power to take a person’s life, liberty, and property.

John Stuart Mill elaborated on social contract theory in works that described liberal democracy as the major political development or advance of the 19th Century. His classic book *On Liberty* elevated the importance of individual liberty as a political value and advocated for stronger protection of individual liberty from restrictions by government and the rule of the majority. Mill is remembered today for his articulation of the Harm Principle as a way to determine the proper use of government power to limit individual freedom. The Harm Principle held that the only legitimate reason for using law to limit an individual’s freedom was to prevent one person from harming another. The Harm Principle is considered a libertarian principle because it was developed in order to limit government power to restrict individual liberty. The Harm Principle is libertarian in the sense that it considers laws that are passed to prevent a person from harming themselves inappropriate—which means that paternalistic legislation such as laws requiring the wearing of seatbelts or motorcycle helmets or prohibiting the use of drugs would be considered inappropriate. The Harm Principle is also libertarian insofar as it considers moral regulatory policies (e.g., legislating morality) inappropriate use of government power.

The contract theory of government remains a strong influence on thinking about government. In *A Theory of Justice* (1971), the political philosopher John Rawls explains why it makes sense for individuals to give up their individual preferences (or personal freedom to do as they please) and agree to live under a government where they submit to the judgment, authority, or power of other members of the political community. Like Locke and Mill, Rawls believes that people create governments because they believe that life under government will more just, fairer, than life without government.

The idea of government based on a social contract has an especially strong appeal in the U.S. The enduring appeal is rooted in politics and economics. Its appeal can be traced to the fact that social contracts were part of both the colonial experience (e.g., the Mayflower Compact of 1620 and the Massachusetts Bay Charter of 1629) and the founding experience (e.g., the Constitution). Social contract theory remains politically appealing because it is based on the democratic idea of popular sovereignty, the belief that government power comes from the people and must be based the consent of the governed. The social contract theory of government is also influential because the U.S. is
a capitalist country with an economic system that is based on individuals entering into private contracts with one another to provide a broad range of goods and service. A people familiar with using contractual agreements to order private affairs are likely to consider social contracts a legitimate way to order public affairs.

1.3 | Modern Government

Despite today’s widespread and strong criticism of government, few people argue that government is unnecessary. Few people are anarchists. Anarchism is the political philosophy that believes government is unnecessary and that government power is illegitimate because it is based on force or compulsion. The term anarchism derives from a Greek word meaning without bosses. Anarchism is often considered chaos or extreme disorder. Anarchists do not advocate chaos, they simply believe that individuals can freely and voluntarily organize their lives to create social order and justice without being compelled or controlled by government. Anarchists have a positive or optimistic view of human nature. They believe that the human capacity for reason makes it possible for individuals to realize the benefits of voluntarily working together, and to voluntarily accept some controls on their behavior. Anarchists believe that the private sector can provide the goods and services, as well as the good public order that most people have come to expect from the government.

The widespread acceptance of government as necessary—or at least a necessary evil—does not mean there is consensus on the size and role of government. American politics includes lively debates about the right size of government and the appropriate role for government—what government should be doing. From the founding era, to the development of the American political system, and continuing today there have been debates about the size, scope, and purposes of government. Criticism of government is one of the familiar themes of American politics. We love to hate government because we think the government is doing things it should not be doing, or not doing things that we think it should be doing. Which raises the question, what should government do? What are the criteria for determining whether government provides a good or service rather than having it provided by the private sector?

1.3.1 | Market Failures

Governments everywhere are expected to maintain good public order, provide national security, maintain public safety, and provide material prosperity and economic stability. In the U.S., how do we decide what the government (federal, state, or local) should do and the private sector should? In a political system based on limited government, and an economic system based on a market economy, there is a preference for goods and services to be provided by the private sector. The Subsidiary Principle is that wherever possible decisions should be made by the private sector rather than the government, and wherever possible decisions should be made by the lower level of government (local) rather than the higher level of government. The Subsidiary Principle does not mean that all government action is inappropriate, but it indicates that government action should be
limited to situations where the private marketplace is unable to efficiently and equitably provide a good or service. One reason for government intervention in the market is when there is a market failure. The following aspects of market failures are discussed below: public goods, monopolies, externalities, information asymmetries, and equity.

A public good is one that, once provided, cannot be limited to those who have paid for it. Clean air, clean water, safe streets, and national security are often cited as examples of public goods. The government provides national security because it is hard to limit the benefits of being safe from foreign attacks or terrorism to those who have been willing to pay the costs of providing the benefits of national security. The government also acts to provide clean air (i.e., regulating air pollution) because it is hard to limit the breathing of clean air to those individuals who have voluntarily paid for the clean air. The fact that it is hard or even impossible to limit a good or a service to those who have paid for it raises the free rider problem: individuals have an economic incentive to enjoy the benefit without paying the cost. Clean air and national security are considered public goods because they are provided by the public (the government) through taxes or regulation.

A second market failure is externalities. In a perfect market, an economic transaction (the buying/selling of a good or service) will include the total cost of the good or service so there is no need for government intervention or regulation of a market transaction that does not affect parties other than the buyer and seller. Government intervention in the marketplace can be justified where market transactions have externalities. An externality occurs when a market transaction affects individuals who are not a party to the transaction. There are positive externalities and negative externalities. An example of a negative externality is the pollution that is caused by making or using a product but which is not reflected in its price. The price of a gallon of gasoline, for example, does not include the environmental degradation caused by using a gallon of gas to run a lawn mower or drive a car. The purchase price of a plastic toy or a steel car does not include the cost of the air pollution or water pollution that is caused by the manufacture or use of the toy or car because the factory may have been able to allow some of the cost of production to go downstream (if the plant is located along a river) or into the Jetstream (the high smokestacks at a steel plant can disperse air pollution into the atmosphere). The manufacturer and the consumer are not paying for all of the costs of production and consumption when water and air pollution are not included in the price of a good. Individuals who live downstream or downwind pay the price of dirtier air or dirtier water. These are negative externalities because the producer and consumer agree on a purchase price that negatively affects third parties to the market transaction.

Examples of positive externalities include education, vaccination, and crime control. Education can benefit an individual, and it could be limited to those who actually pay for it. But the benefits of education are not necessarily limited to the student (who pays the tuition and receives the education) and the school (which receives tuition). The third party benefits (the positive externalities) include employers who have a qualified workforce and society because democracy is presumed to require an educated citizenry. These have historically been arguments for public education.

Another example of a market failure is a monopoly. Free-market economic theory is based on competition. If a single business has a monopoly in a particular sector of the market, the lack of competition will result in market inefficiency or failure. In the
absence of competition, there is no incentive to set a fair price or otherwise provide consumers with good service. In a small town or an urban neighborhood with two independent grocery stores, competition will keep prices in check because neither store can greatly increase the price of flour without losing customers to the other store. However, if one of the stores closes, the remaining store can charge higher prices and provide lower services because customers have no choice but to pay the higher price and put up with the level of service. Congress passed the Sherman Antitrust Act in 1890, which prohibited monopolies (or restraints of trade), because the industrial revolution resulted in sugar, steel, and monopolies that limited competition. The Standard Oil Company, for example, controlled about 90% of the oil refining in the U.S. “Big” government was used to keep “big” business in check where monopolies emerged in various sectors of the industrial economy. More recently in the information-based economy, the federal government (and, in fact, the European Union) has challenged Microsoft’s domination of the software market.

A final market failure issue is equity. Markets are about economics. Politics can be about equity—the assurance that everyone in a society has fair access to certain goods and services that are available in the private market and public goods. Collective goods (or social goods) are those that could be delivered in the private sector based solely on a person’s ability to pay for the good or service, but which are often provided by the government or subsidized by taxes as a matter of public policy. Public utilities such as water and sewage and electricity and telephone service, for example, could be provided by the private sector solely on the basis of an individual’s ability to pay for them, but the political system considers these goods and services, including basic education and perhaps health care, social goods.

1.4 | Why Politics

Government obviously involves politics, and it is hard to talk about government without talking about politics, but government is not the same thing as politics. Politics exist wherever people interact with one another. Politics occurs in families, religious organizations, educational institutions, organized sports and entertainment, and the workplace. Political scientists focus on certain kinds of politics, the kinds that involve government and public policy, for example.

1.41 | What is Politics?

There are many different definitions of politics. The political scientist Harold Lasswell defined politics as the determination of “who gets what, when, how.” This definition focuses on politics as the authoritative allocation of scarce resources such as money, land, property, or wealth. David Easton defined politics as “the authoritative allocation of values for a society.” This definition of politics as the allocation of scarce resources is sometimes
thought to refer only to material values such as taxes or government benefits provided by education, health care, job training, veterans, or social welfare programs. However, politics is not limited to the authoritative allocation of scarce material valuelables. Politics is also about values. Politics includes authoritative statements about non-material or spiritual values, which is why politics is often about religion, morality, values, ethics, patriotism, civics, honor, and education.

Politics includes government actions or policies that subsidize certain behaviors or values that are considered desirable and worthy of support in order to promote them: for example, marriage, child rearing, education, work. Politics also includes government actions or policies that regulate certain values or behaviors that are considered undesirable in order to control them or to discourage them: idleness; smoking or other tobacco use; consumption of alcohol; and gambling (although the discouragement of gambling is diminishing as governments rely on taxes from gambling). Politics also includes government actions or policies that prohibit certain behaviors or values by making them illegal: for example, drug usage; prostitution; or hate crimes.

In addition to material and spiritual values, politics includes the processes by which decisions are made. Process politics includes campaigns and elections, interest groups lobbying, voting behavior of individual citizens, the decision making of government officials in the legislative and executive branches of government, and even the decision making of judges. The following provides basic definitions and explanations of some of the terms that are essential to understanding American government and politics.

1.42 | What is Political Science?

Political Science is the branch of the social sciences (e.g., economics, sociology) that systematically studies the theory and practice of government. It includes the description, analysis, and prediction of the political behavior of individuals and organizations (such as political parties and interest groups) as well as the workings of political systems. The discipline of political science has historical roots in moral philosophy, political philosophy, political economy, history, and other fields of study that traditionally examined normative (or value-based) beliefs about how individuals should live a good life in a good society. Modern political science is less normative and more “scientific” in the sense that it emphasizes the systematic study of government and politics. It examines empirical evidence or data on government and politics.

1.5 | Political Values

Politics and government are not limited to material values or valuables such as money, property, or other forms of wealth and possessions. Government and politics are also concerned with values. Some of the most important political values include individual rights such as freedom and equality, social order, public safety, ethics, and justice.

1.51 | Personal Liberty (Individual Freedom)

Freedom has become an especially important value in modern government and politics. Contemporary politics in the U.S. and elsewhere emphasizes individual liberty more than in the past when other values, such as maintaining good moral order, were
Individual liberty is generally considered an individual’s right to make decisions about his or her own life without government restrictions, limits, or interference. In this respect, individual liberty is an aspect of self-determination or personal autonomy where individuals are free to decide how to live their lives. There are, however, two broad concepts of liberty: a negative concept of liberty and a positive concept of liberty.

In *On Liberty*, John S. Mill differentiated between liberty as the freedom to act and liberty as the absence of coercion. Mill was describing the difference between negative liberty—the absence of constraints—and positive liberty, an individual’s freedom to live life as he or she wants. In this sense, *negative* means the absence of legal limits and *positive* means the opportunity (to do something). In *Two Concepts of Liberty*, Isaiah Berlin elaborated on this distinction between positive liberty and negative liberty. Negative liberty refers to the condition where an individual is protected from (usually) governmental restrictions. Positive liberty refers to having the means, the resources, or the opportunity to do what one wants or to become what one wants to become, rather than merely not facing governmental restraints. The negative concept of liberty is the dominant concept in the American political and legal tradition in the sense that individual liberty is generally considered the absence of government restraints. The negative concept of liberty is reflected in the language of the Bill of Rights. For example, the First Amendment provides that “Congress shall make no law” restricting freedom of religion, speech, or press. The civil liberties guaranteed in the Constitution do not, as a rule, give individuals a right, they place limits on the government’s power to limit individual freedom.

This distinction between negative and positive liberty is important. One reason why the U.S. Constitution has fallen out of favor as a model for other countries is because of the modern expectation that Constitutions guarantee positive rights and liberties. Section 2 of The *Canadian Charter of Rights and Freedoms* provides that everyone has fundamental freedoms of “thought, belief, opinion and expression, including freedom of the press and other media of communication.” *South Africa’s Constitution* provides that everyone has the right to “freedom of artistic expression,” human dignity, the right to life, and freedom from all forms of violence and torture. *Germany’s Constitution* guarantees everyone the right “to the free development of his personality” and “the right to life.” (Art.1(1)

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**Think About It!**

Should Constitutions guarantee positive liberty?

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Order is an important political value because one of the major responsibilities of government is to create and maintain good social order. The public expects government to fight crime, manage public demonstrations and protests, and prevent social unrest including civic disturbances, riots, or even domestic rebellions, and national security from foreign threats. The government’s role in providing these aspects of physical order or conditions is less controversial than its role in providing good social order as it relates
to standards of moral, ethical, or religious behavior. Moral regulatory policy can be very controversial because it involves values about which people may strongly disagree. The term culture wars refers to ideological battles over values related to public policies concerning issues such as abortion, gay rights, the definition of marriage, welfare, religion in public life, and patriotism.

1.53 | Justice

Justice is a basic concept that is central to most assessments of the legitimacy of a society. While it is hard to precisely define justice or a just society or political order, the concept of justice as fair treatment is a universal value shared by people everywhere. Justice means being treated fairly or getting one’s just deserts whether they are rewards for doing well or sanctions for inappropriate behavior or punishment for illegal behavior.

1.54 | Equality

Equality is an important value in democratic political systems. Equality is an essential element of democracy. However, equality is actually a complicated and controversial concept whose meaning and significance has been debated from the founding era until today. Equality does not mean that everyone must be treated the same, or that it would be a good thing if everyone were treated the same. The words of the Declaration of Independence assert that we are all created equal and endowed by our creator with certain unalienable rights. But this has never been understood to mean that everyone is the same (in terms of abilities, for example) and should be treated the same as everyone else (regardless of merit). The natural inequality of age and ability, for instance, are contrasted with the political equality that is expressed by references to egalitarian principles such as “one person one vote” or equality under the law. This concept of political and legal equality is expressed in the Fourteenth Amendment, which prohibits the state governments from denying to any person within their jurisdiction the “equal protection of the laws.” The Fourteenth Amendment was initially intended to prohibit racial discrimination, but its scope has been broadened to include prohibition against legal discrimination on the basis of gender or age. Government can treat people differently, but it cannot discriminate against individuals, which means inappropriately treating individuals differently.

1.55 | Political Power, Authority, and Legitimacy

Power, authority, and legitimacy are important concepts that are central to the study of politics and government.

**Power** can be defined as the ability to make another person to do what you want, to force others to do what you want. Power is using coercion or force to make someone comply with an order. Power is independent of whether it is proper or legitimate to demand that another person obey an order. A gunman has power to make a person
comply with an order or demand to give up a wallet, for example, but this power is not considered legitimate.

**Authority** can be defined as the right to make other people do what you want. A person is authorized to make another comply with their demands. The authorization could be based upon a person’s position as a duly elected or appointed government official. The word *authority* derives from the Latin word “uctoritas.” In modern usage, authority is a particular type of power, *power which is recognized as legitimate, justified, and proper.* The sociologist Max Weber identified three types of authority: traditional, charismatic, and rational-legal. Traditional authority is based on long-established customs, practices, and social structures and relationships. Tradition means the way things have always been done. Power that is passed from one generation to another is traditional authority. Traditional authority historically included the hereditary right to rule, the claim of hereditary monarchs that they had a right to rule by either blood-lines (a ruling family) or divine right. The concept of a ruling family is based on traditional authority. The rise of social contract theory, where government is based on the consent of the governed, has undermined traditional authority and challenged its legitimacy. Democracies generally require something more than a ruler’s claim that their family has, by tradition, ruled the people.

The second type of authority is charismatic authority. Charisma refers to special qualities, great personal magnetism, or the distinct ability to inspire loyalty or confidence in the ability to lead. Charismatic authority is therefore personal. In politics, charismatic authority is often based on a popular perception that an individual is a strong leader. The Spanish word caudillo refers to a dynamic political-military leader, a strong man. Charismatic leadership is sometimes associated with the cult of personality, where neither tradition nor laws determine power.

The third type of authority is rational (or legal) authority. Rational-legal authority depends on formal laws for its legitimacy. A constitution or other kind of law gives an individual or an institution power. A government official has power by virtue of being duly elected or appointed to office. Most modern societies rely upon this kind of legal-rational authority to determine whether power is legitimate. In the U.S., for example, the power of the presidency is vested in the office, not the individual who happens to be president.

**Legitimacy** refers to the appropriate ability to make others do what you want, the legal right to make others comply with demands. It is a normative or value-based word that indicates something is approved of. Political legitimacy is the foundation of governmental authority as based consent of the governed. The basis of government power is often subject to challenges to its legitimacy, the sense that the action is authorized and appropriate. Authority remains a contested concept because, while the conceptual difference between authority and power is clear, the practical differences may be hard to identify because of disagreements about whether a law is legitimate. In the U.S., the tradition of civil disobedience recognizes that individuals have some leeway to refuse to comply with a law that they consider illegitimate.

1.6 | Citizenship
A citizen is a member of the political community. Certain rights, duties, and obligations are attached to an individual’s status as a citizen. Citizenship can be bestowed in a variety of ways. In some societies, one becomes a citizen by being born on the territory of the country or via parents who are citizens. Such citizenship is automatic in the United States (also known as jus soli or the ‘right of soil’). There are also other forms of citizenship. You can choose to be a citizen, called naturalization, by learning about a political system, meeting some form of residency requirement, and taking an oath. In Germany – until the 1990s – citizenship was by blood (or ‘right of blood’). Your parents had to be ethnically German for you to receive citizenship. There was no method by which a non-German could become a citizen until the late 1990s, when the law on citizenship was changed to allow naturalization. Other countries require citizens to pass certain economic requirements to become citizens.

Citizens have responsibilities as active members of a polity. Citizens are expected to obey the laws, vote, pay taxes, and if required submit to military service. Citizens also have rights and freedoms. Subjects, those subjected to the rule of the few or the one, have neither rights nor freedoms and their sole responsibility is to do what they are told. The actions of governments are binding on all citizens. One reason why individuals worry about government power is because the government can use its criminal justice powers to take a person’s life or liberty (e.g., a sentence of death or imprisonment), and the government can use its civil justice powers to take a person’s property (e.g., fines and eminent domain). Citizen vigilance is necessary to guard against government abuse of its substantial powers.

1.7 | The Forms of Government

One subject of interest to political science is the different forms of government. A simple description of the different forms of government is that there is government of the one, the few, and the many. Each of these three forms of government has a good variation and a bad variation.

Table 1.7 The Forms of Government

<table>
<thead>
<tr>
<th>Form of Government</th>
<th>Good Variation</th>
<th>Bad Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>The One</td>
<td>Monarchy</td>
<td>Tyranny/Autocracy</td>
</tr>
<tr>
<td>The Few</td>
<td>Aristocracy</td>
<td>Oligarchy (rich or powerful)</td>
</tr>
<tr>
<td>The Many</td>
<td>Polity/Democracy</td>
<td>Democracy (tyranny of majority)</td>
</tr>
</tbody>
</table>

The three forms of government refer to the basic system of government, the government institutions that are established by a political community. The U.S. system of government was intended by its founders to be a mixed form of government because it includes elements of all three forms: monarchy (the presidency); aristocracy (the Senate, the Electoral College, and the Supreme Court); and democracy (the House of Representatives; elections). The founders created a mixed form of government as part of the institutional system of checks and balances.
The system of checks and balances was designed to create a political system where institutions and political organizations provided a measure of protection against corruption and abuse of power. The Founders thought that the mixed form of government was the best way to avoid what historical experience seemed to indicate was inevitable: the tendency of a political system to become corrupt. The Founders were acutely aware of the historical problem of corruption, and the tendency of governments to become corrupt over time. History provided many examples of power corrupting individuals and governments. The awareness of corruption caused the Founders to worry about centralized power. Their worries were succinctly expressed by the 19th Century Italian-British figure, Lord Acton (1834-1902), whose famous aphorism warned: “Power tends to corrupt; absolute power corrupts absolutely.”

The Founders believed the power problem of corruption could be avoided by dividing power so that no one person or institution had complete power. The Founders also realized that each form of government tended to become corrupt or decay over time. A monarchy (which might be a good form of government of one) was apt to turn into tyranny. An aristocracy (which might be a good form of government of the few best and brightest) was apt to turn into oligarchy (government of the rich or powerful). And a democracy (government of the many) was apt to decay into mobocracy, tyranny of the majority, or rule by King Numbers. So they created a mixed form of government.

The roots of American thinking about democracy can be traced to Classical (or ancient) Greece and the Roman Republic, the Age of Enlightenment, the Protestant Reformation, and colonial experiences under the British Empire. The ancient Greeks in the city-state Athens created the idea of the democratic government, practiced as a kind of democracy. The Romans developed the concept of the representative democracy, one where citizens elect representatives to act on their behalf.

The United States is a republic. A republic is a representative democracy. The diagram below describes the difference between direct and representative democracy.

In a republic, individuals do not directly govern themselves. Voters elect representatives who, as government officials, make laws for the people. This contrasts with a direct democracy, where voters choose public policies themselves. Today,
however, the term democracy is used generically to include direct and indirect democracy (or republican systems of government). The Constitution’s original design provided for only limited democracy in the way the national government worked. The members of the House of Representatives were directly elected by the people, but the members of the Senate were selected by state legislators, the president was chosen by the Electoral College (not by popular vote of the people), and federal judges were nominated by the president and confirmed by the Senate to serve life terms. And only a small percentage of citizens (white male property owners) were originally allowed to vote in elections. The Constitution provided only limited popular control over government because the Founders were skeptical of direct democracy. Over time, the Constitution, the government, and politics become more democratic with the development of political parties, the direct election of senators, and an expansion of the right to vote.

1.8 | Summary: Why government and politics?

Government and politics occur almost everywhere because they are one of the ways that individuals organize themselves to achieve individual goals such as wealth, public safety, and education. Government and politics also help achieve shared social goals such as a sense of belonging to a community, national security, and the establishment of a just society. These material and non-material goals can be provided by, or protected by government. But they can also be threatened by government or even taken by it. Government can, for instance, take a person’s life, liberty, or property. The fact that government can protect or threaten important values is one of the reasons why government and politics are almost continually debated and argued and sometimes even fought over. Individuals and groups have different ideas about government should be doing, and are willing to fight for control of government so that their ideas and beliefs can be acted upon or implemented in public policy.

1.9 | Other Resources

1.9.1 Internet


For more information on the political theory of Thomas Hobbes and John Locke: http://www.iep.utm.edu/hobmoral/ and http://www.iep.utm.edu/locke/

The Declaration of Independence: http://avalon.law.yale.edu/18th_century/declare.asp

The U.S. Constitution: http://avalon.law.yale.edu/18th_century/usconst.asp


The Center for Voting and Democracy has links to articles related to elections and
Chapter 1: Why Government? Why Politics?

1.0 Study Questions

1.) What are the basic questions to be asked about American (or any other) government?
2.) Why do governments exist everywhere if governments everywhere are widely criticized?
3.) What is politics?
4.) What is meant by power?
5.) What is political power?
6.) Explain the concepts authority, legitimacy, justice, and democracy.
7.) Distinguish among the three concepts of democracy mentioned in the chapter, explaining in which of these senses the textbook refers to American government as democratic.

1.92 In the Library


Key Terms

Public Good
Power
Authority
Legitimacy
Government
Politics
Citizen
Justice
Social Contract
Direct Democracy
Representative
Democracy
Oligarchy
Monarchy
Polity
Tyranny
Aristocracy
Personal Liberty