

Introduction: Political Science and the Constitution

When it comes to American politics, I am an amateur. I love America at its best, or even at its most characteristic: "only in America." Perhaps this kind of love ought to qualify me as a professional, because it requires one to learn what those two Americas are. But in practice, professionals—elected politicians, journalists, and professors of American politics—look down on amateurs. All would look askance at someone who thinks *amateur* means "lover" instead of "bumbler."

Nonetheless, though an amateur, I have listened to the professionals from an early age (my concern here is with the professional academics), and having become a political scientist of a different sort myself, I have watched things happen for more than forty years.

In that time I have seen two revolutions in political science, the behavioral revolution in the fifties, led by Robert A. Dahl's *A Preface to Democratic Theory* (1956), and the postbehavioral revolution of the late sixties exemplified in Theodore Lowi's *The End of Liberalism* (1969). In what follows I shall concentrate on these two revolutions, and not attempt to draw up a catalog of notable figures and varieties of opinion. The two revolutions were actual events; I am not speaking of ideal types or heuristic constructions. But I shall not cover all positions possible to take or actually taken by the professionals in American politics, and I mention only a few names. Thus I leave it to my colleagues to decide for themselves in the privacy of their consciences whether they have done justice to the American Constitution. There the worst sentence they can receive (as Edmund Burke once said) is a private whipping.

Each of these revolutions was designed to overthrow a reigning method of study that was regarded as stuffy and imprecise. Each wanted to replace what was seen as formalism with its own new realism. The behavioralists objected to putting the focus on institutions as their prede-

cessors had done. To study institutions is to accept the possibility that formal collectivities can determine how politicians act; such study requires one to believe that the purpose of the institution, for example, legislation in Congress, might actually be the motive of those involved in it. It is much more realistic and precise, the behavioralists said, to put aside that presumption, indeed any presumption as to motive, and turn the focus on actual behavior, which they understood as distinct from all the professions of politicians and their academic spokesmen.

The postbehavioralists, in turn, accused the behavioralists of scientific formalism. In constructing their value-free explanations the behavioralists had turned their backs on the reality of values in politics. They did so in a vain attempt to attain a certain scientific detachment from the object of their inquiry. But in effect they merely blinded themselves to the presence of values, a presence they could understand only in terms of *interests*. Interests are wants that anyone would have in a certain situation, as opposed to idiosyncratic excesses of chance individuals. With that understanding, or misunderstanding, they made solid what is merely contingent and thus gave unwarranted justification to the status quo. According to the postbehavioralists, scientific *detachment* is impossible; what poses as detachment is really a scientific *attitude*, reflecting a value and a dubious one too. The behavioralists not only misdescribe what they see in politics but also fail to understand themselves. Consciously or not, they conceal their values behind the formal mask of their science.

Each of the revolutions I have witnessed has been by and large successful. Apparently the appeal to realism in political science has considerable, perhaps cumulative, force. Soon after revolting the behavioralists captured control of most of the major departments of political science in American universities, most of the journals, and most high offices in the American Political Science Association. There were grumbling and occasional protest from the institutionalists, but little outright resistance. And again in the late sixties, the postbehavioralists had their way with the new orthodoxy, which hardly defended itself against the accusation of involvement in the American system and complicity in its work of political oppression. Some prominent behavioralists confessed their sins and joined the protest of their rebellious students, with the result that now, in the early nineties, the line between behavioralism and postbehavioralism has been obscured to the advantage of the latter. Behavioralists no longer disdain "normative" political science as they used to when they were young and virile; and politically, the whole political science profession has been pulled to the Left by postbehavioralism.

Perhaps with insight, or perhaps because of my incompetence in mathematics, I was never tempted by behavioralism. Therefore I never

felt the need for postbehavioralism. Both kinds of revolutionaries, though fighting on the side of realism, seemed to take pride in a wordiness that ill suited their claims to focus on behavior and action. The behavioralists introduced scientific jargon to the profession and thereby, not long after, to the political world. Instead of clarifying the language of politics, this mighty contribution has inflated the pretensions of outside commentators while demeaning the work of practitioners. For example, consider how the word *elite*, used to describe politicians, ignores what they do and gives them a taint of undeserved privilege. And the postbehavioralists, rightly rejecting the obscurantism of their opponents, have filled the air with hoopla over values and precious talk about the self. As an example of such puffery, consider further how the behavioral description of elites has been succeeded by the postbehavioral denunciation of elitists: what were factors in a scientific system have become characters in a political psychodrama. Neither *elite* nor *elitist* is close to the reality of *politician*, a person who accepts one's elevation over others as a matter of course, or of necessity, but wonders what to do with one's position and how to stay there.

It seemed to me, therefore, that the pursuit of realism has its own formalism, revealed in a peculiar style of talk that is at some distance from the language of politicians, although politicians in our day quickly pick up vogue expressions from universities. I began to think that the resort to formalization by those seeking to penetrate the formalities is no accident, that there is something necessary to formal expression in the study of American, or any, politics. Both behavioralists and postbehavioralists tried to find what is real by looking under the appearances or the formalities, taking for granted an opposition between the formal and the real. The formal, both parties supposed, does not represent anything real but merely covers it up; the point, then, is to unmask the formal. Could it be that this general strategy is mistaken? That the formal is, if not the whole of reality, a part—even the greater part?

In America, the forms and formalities of politics are stated in a written document that has the force and dignity of law—indeed, of fundamental law. Perhaps the common mistake of the realists is to focus on the extraconstitutional, rather than on the Constitution; or more accurately, to consider the extraconstitutional *as opposed to*, rather than *as a part of*, the constitutional. An argument had to be made on behalf of the Constitution—not only for its wisdom but even more for its explanatory power in the study of American politics. To provide the constitutional argument is the common purpose of the essays in this book.

To restore the constitutional, it is not enough to return to the "institutional" political scientists, much as I esteem them and prefer them to their

successors. For one thing, the institutionalists did not put up much of a fight against the behavioralists. They objected, and most of them refused to change their ways; but the objections usually took the form of grumbling in private or oblique allusions in print. One had the feeling—this was a point cultivated by the behavioralists—that they were merely set in their ways rather than possessed of a reasoned justification for a focus on institutions. Indeed, I do not know of any reasoned defense of the institutionalist point of view. No institutionalist responded at length in print to Robert Dahl's provocative book. What opposition there was to the behavioralists came from political theorists, not from the specialists in American politics who were most directly affected by the behavioral revolution. The theorists directed their fire on the moral obtuseness of behavioralism as well as, of course, on its relegation of the classics of political theory to an antiquated, irrelevant past. Theorists did not make the point that the political science of American politics was going to deteriorate. In any case, their debates made little sense to the institutionalists, and theoretical defenders who were fighting seemingly unnecessary battles were not much appreciated. In sum, the institutionalists had almost nothing to say for themselves, a fact their students noticed. Some of them joined the other side; others compromised as if there were no issue in play; some others held to—but the trouble was that there was not any faith, only a practice.

The deeper reason for the easy defeat of institutional political science was that it agreed with the antiformalism of the behavioralists (and the postbehavioralists too, when they came along). The name *institutionalists* was applied to them after the behavioral revolution, when something was needed to designate their stubborn reluctance to leave their home base in Congress, the executive, or the judiciary to venture forth on the high sea of "behavior." They had no definition, or even any definite ideas, of *institution* to cling to. When, for example, a generalized notion of *decision making* made its appearance in political science, denying the distinction among legislating, executing, and judging—thus threatening the noun *institution* through an attack on its supporting verbs—no instinct warned them to protest this deliberate destruction. Their desire for self-preservation was not equipped with a sense of danger, and, discounting public proclamations of revolution, they underestimated the ambition of the behavioralists. They thought they could rely on their own knowledge and good sense. They believed that the toleration they showed to the behavioralists would be reciprocated.

Although most of the institutions to which the institutionalists were attached were constitutional, they did not see them as inspired by the Constitution. Although they knew far more than most political scientists

today, they were not, as a rule, students of the making of the Constitution. They did not see the period of the making of the Constitution as a constituting or founding of the institutions they knew so well; indeed, the idea of *founding* was not familiar to them. In the books they wrote and in the courses they taught, they did not begin from the Constitution except to make a quick departure: "that's not the way things are done now."

Of course, specialists in constitutional law such as Herman Pritchett and Robert McCloskey studied the origins of judicial review in the founding period, and they were constitutionalists in a lively sense. But of all parts of political science, constitutional law suffered most from the behavioral revolution. The study of cases implied that argument and justification were important, perhaps a cause of "behavior"; and the focus on landmarks such as *Marbury v. Madison* suggested that singular instances of deliberate decision could be crucial. Both these elements of traditional constitutional law were regarded with hostility by behavioralism, which favors the nonverbal and seeks to quantify. For a time, constitutional law was hardly studied in graduate schools or published in political science journals. But if the behavioral revolution was most overwhelming in this sector, it was also the least productive. To quantify the working of the judiciary proved difficult or impossible. "Jurimetrics" died a quick death, and "judicial behavior" has been unable to free itself from the constraint of certain authoritative cases. And this least successful application of behavioralism was the most vulnerable to the postbehavioral revolution, which has restored constitutional law with a vengeance—but also with open disrespect for the Constitution.

Most institutionalists were, and remain, political Progressives. Although they were often perceptive and critical observers, they had a partisan stance that came immediately from Franklin Roosevelt's New Deal and more remotely from Theodore Roosevelt's and Woodrow Wilson's progressivism. The progressive source of opinion is diverse and not easily characterized; it spilled over partisan distinctions and nourished and influenced many whom it did not unite. One central tendency common to Progressives and New Dealers, however, is dissatisfaction with the working of the Constitution.

Woodrow Wilson, perhaps the most powerful intellect in the movement, was the first American president to criticize the Constitution. Theodore Roosevelt, though proclaiming himself "a steward of the people" eager to exploit the silences of the Constitution and to infuse it with an alien spirit of populism, nonetheless retained an appreciation of constitutional forms and was sensitive to the constitutional difficulty he had created. Wilson went further. His objection was not that the Constitution

was being perverted or that it worked badly because citizens and politicians were not living up to their duties under the Constitution. The Constitution itself was at fault in its original design; it was a Newtonian mechanism intended to work by action and counteraction, not meant to get anywhere, not meant to make progress. Though the Constitution did not need to be discarded, it required a new spirit of populist leadership to reanimate and redirect its obsolete structures. The formal constitutional structures, in this view, operate negatively to prevent action by government. The end of the Constitution—for which its forms are designed—is to produce an equilibrium among the separated powers, not to move the whole government toward the solution of problems, in the direction of progress. Left to itself, the Constitution brings stalemate or deadlock. One easily recognizes the Wilsonian inspiration behind James MacGregor Burns's *Deadlock of Democracy* (1963). Burns is a New Dealer, a biographer of Franklin Roosevelt, and a prominent institutionalist in political science.

Accompanying the progressive politicians were progressive historians, J. Allen Smith and Charles Beard (cited in note 2 of chapter 13) at their head, who offered the first debunking of the American founders in American historiography. They cut the founders down to size, arguing that the Constitution was the product of, and protection for, the founders' own selfish interests. Smith and Beard implied that there was no distinction between the politics of constitution making and ordinary politics, that no "founding" had taken place that is entitled to special respect. Their researches have not held up, their methods have been found to be lacking in science, and Beard's economic interpretation of the Constitution has been superseded by a more fashionable concern for ideology. The tone is not so critical now, but that is because the debunking has been accomplished. Not only the aura but also the idea of founding have been lost. Gordon Wood's influential book *The Creation of the American Republic, 1776–1787* (published in 1969) treats the Constitution as the work of an oligarchy, a product of the elitism of the "worthy," he says disapprovingly.

One should mention, besides the historians, the legal realists Oliver Wendell Holmes, Roscoe Pound, and Benjamin Cardozo, who helped fashion the notion of the *living Constitution*. The living Constitution is not one constituted as a whole and developing in accordance with its beginning but an artifice capable of many possibilities not determined by its founding that are disclosed as the Constitution lurches along, or "lives." And behind the politicians, the historians, and the legal theorists was the philosophy of pragmatism, above all opposed to anything smacking of formalism.

Pragmatism seeks a science of the emergent, the evolving, the developing as opposed to fixed conceptions defined by formal boundaries. It looks for the play of adjustment and compromise rather than statements of principle that may prove to be boastful or deceptive. Pragmatism is result-oriented in everything except with regard to itself; for any human contrivance may fail the pragmatic test but (it is thought) the test never fails. Thus progress as conceived by Progressives was not so much the motion of some fixed thing toward a better state as an evolution in which the institution changes by adjusting to its reception. The comparison necessary to a firm sense that progress has occurred becomes difficult because little or nothing remains of the original by which to judge its improvement. The Progressives surely regarded the democratization of the Constitution as an advance, but in their pragmatism they lost clear sight of the Constitution, which should have been more democratic in their view, and the comprehensive vision they denied to the founders had also to be withheld from reformers. The historical view of institutions adjusted to their context is strictly inconsistent with the progressive view that wants to criticize contexts, but the American pragmatists managed to retain their reforming optimism despite their kinship with German historicism. Indeed they thought that being in tune with the times made their progressivism more realistic, hence gave them greater reason for optimism. In fact, however, their distrust of formal institutions made it difficult for them to identify and measure progress, and thus to give credit for it either to politicians or the people. Was the American Constitution fated to be democratized, or was there any merit in the change?

Herbert Croly's *The Promise of American Life*, a progressive standard published in 1909, is no longer read, but it shows what informed the constitutional thinking of the earlier institutionalists. The Constitution, Croly asserts, is "on the whole an admirable system of law and an efficient organ of government" (p. 351). But with this praise he means to say that it is not in need of radical amendment now; he does not endorse, or attempt at length to understand, the principles of the Constitution. Instead, he claims that the attitude of the Federalists, representing the interest of well-to-do citizens in stability and property, was "distrust of the democratic principle"—by which he means their antagonism to it. Yet despite being tainted in its fundamental provisions, which cannot be modified, the Constitution is adaptable by amendment and interpretations, and capable of being transformed through specific changes. To sum up: although Croly thinks that the Constitution is fundamentally wrong, it should not be overthrown because it need not; and it need not be overthrown because it is adaptable and its adaptability is unrelated to its

principle. Croly is no revolutionary, for the institutions against which one might revolt do not have the power to prevent change that will occur by adaptation.

Croly's picture of the Constitution is not so different from the one to be found in the founding document of the behavioralists—the only book to attempt a comprehensive comparison of behaviorist theory with pre-behavioralist political science—Robert A. Dahl's *A Preface to Democratic Theory* (1956). Dahl, too, believes that the Constitution is fundamentally undemocratic, thus wrong; but his dislike does not reach the level of opposition, much less revolution, since he agrees that the formal provisions of the Constitution do not have much effect. He goes further than Croly in his concern for the extraconstitutional over the constitutional and in failing to give the founders credit even for making an adaptable constitution. Croly's political distrust of the founders' Constitution becomes Dahl's methodological suspicion of constitutions as such.

Thus the contrast between the institutionalists and the behavioralists in regard to the Constitution is far from complete.¹ In fact, Dahl compares his political science with Madison's—not Woodrow Wilson's, which was based on his own critique of Madison, not so different from Dahl's. To the extent, then, that institutional political scientists were Progressives or New Dealers—and most of them were—their concern for the Constitution that orders and animates institutions was compromised. The institutionalists were not in need of behavioralism to call their attention to the importance of the extraconstitutional. They had discovered and studied parties and pressure groups (a more lively and expressive name than “interest groups”), institutions not mentioned in the Constitution. If the institutionalists had been forced at the point of a gun to define *institution*, they would probably have tried to make their definition as formless as possible: an institution is a practice that emerges and grows without a principle to guide it that is necessary to its existence; it is “instituted” without a mindful beginning and proceeds toward a plurality of possible ends; it has a history rather than an essence. This would already be a behavioral definition. The behavioral and the historical have a kinship hidden beneath the scientific formalism that seems to keep them distinct.

Institutional political science needs to be made more aware of its constitutional basis. Institutionalists do have an inchoate sense of what a constitution means in their practice of adopting and defending the institution they study. Montesquieu spoke of the tendency in Britain, the country of his rational constitution, for citizens to advance their partisan causes behind the institutions of the constitution—the legislature or the executive—that were available to be captured and used. Naturally, citizens would change parties from one branch to the other as it became

convenient, just as in America Democrats and Republicans have exchanged their institutional loyalties between the presidency and Congress from Franklin Roosevelt to Ronald Reagan. But institutional political scientists, loyal to the subject of their study, maintain their integrity by remaining a defender of the president or of Congress despite a change in the party holding the institution. The possibility of such loyalty should help political scientists realize that an institution is a form with varying content, for example, Congress with various members and tendencies over the years, whose worth does not depend on any single immediate result. It should enable them to sense, further, that a form can be a cause of behavior, not always a mask behind which the real action takes place. Institutional loyalty implies a certain elevation above the immediate context as opposed to a *pragmatic* attitude that wants to exploit the institution as the means to an external end. But even the pragmatist, as I said, is not pragmatic about pragmatism; and the Progressives may have had an abstract love for progressive institutions such as primaries and referenda that would outlast their use for progressive ends. (Or would Progressives learn a lesson from the tax revolts of our time?)

If it is possible, then, to be an institutionalist, why is it not possible to be a constitutionalist? Why is it not *necessary*? If one sees in oneself a certain elevation above the bare, immediate result, one should extend the recognition to others, more gifted, who were in a situation in which it was necessary to look at the whole. When the institutionalist reflects on the staying power of institutions, he must admit the possibility that they were formed for a purpose. The purpose may indeed have been an immediate response to provocation, as happens frequently when legislators get the urge to pass a law; and afterward the institution acquires a “life of its own.” But what happens by accident can happen by intent: perhaps some wise superlegislators—call them founders—anticipate the need for a popular legislature to blow off steam by passing unwise measures. The possibility of constitutional design must be seriously investigated and not quickly dismissed or referred to another desk at which someone does political theory.

It is not common sense but something quite different—pragmatism—that systematically denigrates the importance of whatever is formal in politics and in life generally. Common sense knows that when people “dress up” or otherwise behave formally they conceal certain things. They do not publicly perform ablutions or other activities that are always done in private even though they are very necessary. But of course on formal occasions people do not even behave as they normally do when others see them. They cover over defects they are normally content to let appear; they try to look their best.

Despite accusations prevalent in the late sixties, there is nothing fake or phony in this behavior. The very lack of ease and stiltedness in those unused to formal occasions, as well as the polish in those who are accustomed, testify that formal behavior is meant to be obvious and recognizable as such. When we are formal, we are not confidence men trying to conceal where we come from and who we are. Quite to the contrary, we are trying to show who we are by actions that declare what we think is important. We dress up when we are attending church, going out on the town, seeing someone important, or passing a milestone in life. The things we conceal are concealed so as to reveal the things we desire to reveal. The formal is fundamentally a self-revelation, only secondarily a self-concealment; and the latter is instrumental to the former. The formal is a fact of human life, something to be explained, not explained away. If it is pragmatic to face facts, it is pragmatic to accept not only the existence but the sovereign importance of formal activities that people take trouble, nonpragmatically, to carry out. When we "do it right," we usually mean ceremonially, not efficiently. Indeed efficiency disappears into ceremony; an efficient wedding is either a correct one or none at all.

How, then, is the formal a fact of politics? In America the formal political principle is that all men are created equal. This is stated in the Declaration of Independence, one of our two founding documents (a document being paper reserved for formalities). The other document, the Constitution, is inspired by the principle while also introducing important formal qualifications to it necessary to make it serve a political purpose. For the equality of all men might seem at first (as in the state of nature in the philosophy of Hobbes and Locke) to foreclose the possibility of any political ordering enabling some to govern others. The principle of equality was announced so as to make clear that however widely Americans had held it, it was now formally adopted as their ruling principle. Revolutionaries, while busy changing things that matter the most to them, usually take the time to make it plain to all in some formal declaration that a new regime is in power. If they do not, it is because they are too weak to do so, or because they merely intend a change in personnel (but that change, too, is announced).

A pragmatist might respond, however: if revolutionaries want to waste their time in formalities, what is that to us living after the day of battle, when boastful cries seem out of place and no longer inspire action? The objection would apply also to the solemnities of constitution making which do not anticipate the jostle and friction in the actual working of institutions. In any case, the pragmatist might continue, Americans do not live up to the principle of equality, which in many aspects of our lives is a mere formality.

It is of course true that Americans are not all equal and that one would go very wrong to describe their politics as if they all lived in the same way. But the reason is not that formal principles are meaningless. It is partly that full equality is not intended and partly that it is impossible. The actual equality of living in the same way is precluded by the American belief in individual rights, which yield a society characterized by pluralism and diversity. These are two vogue words Americans use to dress up their inequalities, since one cannot have difference without inequality. Their use illustrates the power of the principle of equality, which consists in silencing contrary, competing principles. Inequalities cannot be simply suppressed if they are part of the truth about human beings, but they can be subordinated to the main truth according to Americans, which is equality. So we suppose that pluralism is the consequence of indulging equal rights rather than a forthright admission of the inevitability of inequality.

In this way of handling a truth uncomfortable to us we show that we do not mean full or actual equality as our principle. Our formal principle is one self-consciously adopted as such, intended to maintain a discrepancy between formal and actual equality. A *right* is a formal notion with varying context according to the choice of its holder. Equal rights, therefore, cannot but be a formal equality. Americans live up to their principle when they maintain equal rights as opposed to actual equality, and of course they do not always do so. But when they do not, they suffer the sort of shame and discomfort that was evident in the controversy over slavery in America even before it came to civil war.

Most important, in America one cannot confront the principle of equality in public. No one in politics, or even in the universities, can argue on behalf of inequality and expect to be more than barely tolerated, much less heard. In the sense that they will not listen to any other principle, Americans live by the principle of equality. In that sense they "live up to" it—a revealing phrase that makes a further point. The formal, while making manifest who actually rules and by what principle, states the rulers' aim or intention. The formal principle shows the rulers' behavior in the light of their intention; it is a standard to live up to, enabling the rulers and also outside observers to judge a society by the light it holds to itself. A political science, therefore, that looks to the form looks to the end, an *end* not in the Machiavellian sense of outcome but in the sense of intention. The ruling power in a society is not a mere accumulation of behaviors in which it has successfully contested inferior powers, as if it had no aim or any aim. That power, rather, is headed in a certain direction; it is a power *for some purpose*, not an abstract superiority. The form coincides with, or is identical to, the end in the sense that it is going there,

but not in the sense that it has arrived. In our example, America's formal principle of equality indicates the direction it wants to go, not that it has succeeded.

Thus, the form of a society is both the same and not the same as its end. That it is the same refutes the behaviorist belief that the informal, extraconstitutional powers behind the scenes are greater than the formal power. That it is not the same enables us to see how, contrary to behaviorism, the formal power can be a cause. For if the formal power cannot guarantee the result it wants, it can indicate the direction toward which it wants to go and thus become the cause of going if not getting there.

That is the sense in which the office of the presidency—a form—can be the cause of a president's behavior. Being in the office does not ensure that a president will act, as we say, "presidentially"; some presidents have been quite disappointing. But why were we disappointed? Because we had some better notion of the office derived in part from an understanding of the Constitution and in part from the formation of the office by the best presidents. The formal cause is an end that attracts, as distinguished from a motive that pushes. It is therefore somewhat different from what we call an *interest*. It would be the interest of a president to defend the powers and prerogatives of the presidency; this is a pushing motive that would operate almost unfailingly on any president, even a mediocre one. All presidents since 1973, for example, have refused or avoided compliance with the War Powers Act, which to them seems to curtail the president's emergency power. But is it in a president's "interest" to be a great president? Here the element of aspiration enters and seems to call for a name nobler than *interest*—perhaps *virtue*.² Whereas interest requires no uncommon exertion or imagination but comes automatically, as it were, with one's situation, virtue in the full sense is rare, risky, and difficult, and is at most prompted or suggested by the situation, not dependably assured. A political science that knows how to recognize a formal cause is open to the possibility of virtue; otherwise it is not. Behaviorism knows only the pushing causes that work unfailingly, or almost so, or with a calculable probability. Insisting on prediction, it sees only the predictable.

Of course, one must not despise the predictable. The American founders, as we shall see in chapter 10, were well aware of the distinction between virtue and interest but deliberately obscured it. With good reason they distrusted the formal principle of republicanism, which is hostile to strong government; and they wished to introduce a new republicanism having a better appreciation for the predictable, behavioral consequences of the principles of all previous republics. So they fashioned a government of separated powers that would work with part interest, part virtue—and

with the distinction between them covered up. At one point in *The Federalist* Alexander Hamilton implies that it is to the interest of a president to set risky and lofty goals for himself. He means that the office of the presidency encourages virtue, but he wants to call that virtue "interest" so as to keep it within the bounds of the republican principle and not suggest the idea of aristocracy or monarchy.

Such subtlety is beyond the ken of the behaviorists, and it is lost on the postbehavioralists. The latter accept the behaviorist view that the American regime is a system of interests arranged predictably to support the wealthy, but they deny any necessity to the system. They laugh at the ridiculous claim of the behaviorists to have discovered the nature of politics when in fact they have been seduced by a bad idea and are sleepwalking under the spell of the American Dream. Thus the postbehavioralists have the merit of reintroducing ideas as causes of political behavior. *Interests* are not really material—hence nonideological as they may appear to be; they derive from an idea, which in turn derives from a value.

What is a value? A *value* is a verbal noun named for its source in valuing, a mysterious activity that takes place at a level below rationality. A value comes dressed up in reason, or "rationalized," but its inner truth cannot be judged by reason because it is prior to reason. In this view (which has gained adherents on the Supreme Court) the American Constitution expresses "constitutional values" that are the cause—the pushing cause—of its provisions and principles. So the postbehavioralists turn out to agree with the behaviorists in reducing the formal principle to informal, private causes behind it. They merely substitute *values* for *interests*. If the merit of the postbehavioralists is to have rediscovered the importance of ideas, their demerit is to misinterpret ideas as values. Although they wish to recover some sense of the public or community in political science, they fail because values are intrinsically private and idiosyncratic. Values do not make claims on the attention of other human beings by appealing to some common ground. Values merely assert the feelings of the valuer, and it is up to others to bow or get out of the way. When the principle of a society is taken to be its values, the formal is once again reduced to the interests behind it. What is a value but an overstated interest distorted by affectation?

In this brief defense of the importance of the formal in political science I do not claim to have settled or even raised all the relevant issues. I have been addressing not the methodologists in the profession but rather practicing political scientists for whom methodologists are both bullies and parasites. Methodologists can always be dealt with by calling in toughs of a higher order. But perhaps practicing political scientists could learn to

defend themselves without depending on political philosophers to bail them out when in trouble.

Political scientists should recognize that political science has always been essential to American political life, and they should develop greater respect for the consequences of what they think. The new republicanism of the Constitution—a theme of this volume—was made possible by American improvements in political science. So says Publius, author of *The Federalist*. Changes were made in both republicanism and constitutionalism as previously understood so that they could be brought together for mutual aid in a new union of ideas and institutions.

Previous republicanism had maintained that republics needed to demand more of their peoples than other regimes, hence required virtue. To get virtue, it was necessary for republics to be small, strict, and homogeneous. The American founders gave that opinion a cold bath in reality. They saw that if their republic was to fare better than previous republics, it would have to be imperial in size, diverse in population, and commercial rather than martial. In modeling the government, the American republic would have to appeal to interest as well as virtue so as to be open to ambition. These changes had their origin in the liberal constitutionalism of Locke and Montesquieu. But those thinkers were not republicans and however democratic their political foundations may have been, their operative political principle was not the equality of all men. On the one hand, the American founders showed how constitutionalism could become popular, and on the other, they showed how republicanism could be made viable.

The achievement was recognized at the time, and even boasted of in *The Federalist*; but since the Progressives, it had been lost to sight. Ever anxious over the influence of the rich, the Progressives began to think of Publius as spokesman for powerful and sinister interests rather than as an author with a subtle and complicated analysis of interests. *The Federalist* fell out of favor and came to be despised as mere party propaganda—and for the antipopular party too. But in 1958, Martin Diamond wrote an article in the *American Political Science Review* entitled “Democracy and *The Federalist*” that challenged the Progressives’ presumption, showed with the necessary distinctions how *The Federalist* was indeed democratic, and rescued the work from neglect. Diamond pointed out that, to appreciate the argument of *The Federalist*, one must treat it as a whole and to begin with, therefore, take seriously its pseudonymous author Publius as an evident sign from three of the founders that in writing the papers they intended a community of thought.

Diamond was joined by Herbert Storing, Harry Jaffa, Ralph Lerner, Marvin Meyers, and others in the ambiance of Leo Strauss at the time,

who attempted to apply the notion of founding from the classical political science of Plato and Aristotle to the “founding fathers.” The classical notion describes in the best case a comprehensive work of deliberation, not beyond partisanship but beyond ordinary, shortsighted partisan advantage. It is in the light of the best case that one should assess lesser creations—most or all actual regimes—looking from the standpoint of what they might be so as to render justice to their best motives rather than squinting from underneath to spy and disclose what is ordinary, banal, deluded, or base. This current of thought has gathered momentum and spread its influence in recent decades, but it has not yet had its full impact on institutional political scientists, to whom I recommend it.

The institutional political science of our day, with its studies of constituted groups and accidental eddies of interaction in politics, is part of, and heir to, a grand movement in modern political science dating from Hobbes and Locke of which it is barely aware. That movement is both less and more than a comprehensive founding of the classical kind. It is less because it wants to establish a limited government that does not attempt to rule over economic and cultural life directly through laws on what can be said and done (though of course minimal and indirect regulation is necessary). Such political science can be called *liberal* because it is more concerned with liberty than with virtue, though it wants both. And it can be considered *institutional* because it believes it can achieve through institutions—in government either a sovereign power or separated powers—what previously was thought to be attainable only by inculcating virtue. Institutional political science is realistic since it does not try to “change human nature” but takes men as they are found, or even a little worse, preoccupied with self-preservation and self-interest; and then it uses incentives (as we say today) to channel those interests through institutions toward wholesome, or at any rate harmless, goals.

Yet with the realism of the new political science comes an ambition far beyond that of classical political science. Although the new program was for limited government, the new political scientists originally hoped by this means to put an end to revolutionary partisanship, which had been caused, according to the liberal analysis, by putting too much faith in virtue. The modern constitution, or system of institutions, would first moderate (if not altogether deny) the claim of virtue to rule and then balance the interests of society through representation so that none could feel so despised as to be disposed toward revolution. Though less comprehensive than a classical founding, the modern constitution is in principle permanent, having made allowance for changes arising from non-revolutionary parties and provision for constitutional amendment. Now since modern political science believes it has found a remedy for political

disease, it would be unnecessary and wrong to continue the calm, standoffish unconcern of classical political science toward active political life. A more capable political science should be more forward with advice, more ready to accept responsibility. The American Constitution was the product of a political science confident of its competence to introduce a new era of human liberty.

Since then confidence has fallen off, but not always because of better understanding. For the founders, a fair prospect for America's experiment in republican government depended on a distinction between democracy and republic to the advantage of the latter, clearly made in *Federalist* 10. It is true that they distrusted democracy, but not because they loved aristocracy. They distrusted democracy for the same reason that they rejected aristocracy—because they distrusted human nature. "Men are not angels." To make popular government work well, they thought it necessary to prevent a representative, constitutional republic from descending to the extremes of democracy, in which the people under the influence of demagogues make all decisions actively and immediately. Such degeneration, called "majority faction" by Publius, is very likely in a republic because it is easy to confuse the people's will with their judgment.

What prevents the confusion, and thus maintains republics as opposed to democracies (we say, *pure* democracies) is a certain constitutional space between the people and their government allowing the government a certain, limited independence so that it can develop a certain character and responsibility of its own. Constitutional space is provided by *institutions* (including federalism, which gives literal space a constitutional dimension), and institutions are forms giving a characteristic dignity, or plain stubbornness, to whomever their incumbents may be. As forms, institutions stand as obstacles to the immediate gratification of popular will, while at the same time facilitating and effecting the ultimate governance of the people. Only with a certain distance from the people does a government serve it well. The founders believed that the main business of a political scientist is to set up and defend the institutions defining constitutional space (this is my term).

Our political scientists, behavioral and postbehavioral, seem to believe to the contrary, that political science should knock down institutions and close any distance between people and government. They want more democracy, and yet more—up to a limit they do not know how to define; and the realism of their attack on constitutional formalities (from which I began this introduction) is designed to get it. One result is that political scientists no longer know how to identify demagogues. The behavioralist says that a demagogue is merely a statesman disliked and denies that it

is possible to "operationalize" the distinction. The postbehavioralist, disdaining methodology, sings in unison with the demagogue. But the demagogue is the death of democracy, and a political science that cannot identify a Huey Long or Joseph McCarthy needs to operationalize its operationalism. For the difference between demagogue and statesman is clearer and more important than a methodology, and the methodology should be judged by its capacity to distinguish them, not the reverse.

The more informality there is, the less time you have to wait for what you want—unless you want something reasonable. Political scientists have become rampant democratizers because they have lost faith in reason. But, lacking faith in reason, they ought to lose confidence in political science, in themselves. Yet they do not; they continue to behave as if they had a profession. And what is a profession but a formal institution? All I ask for is a little self-knowledge.