

Harpers/Atlantic Article

by Howard W. Hallman

I would like to put in a good word for the American political system. This may seem strange in a season of discontent. Yet, the very expression of this discontent is a signal of the system's strength. It shows that people care, that they want improvements.

Sure, there are lot's of things wrong, many flaws to correct, numerous tears to mend. Repair and correct them we will. We have the capacity to achieve significant reform and to avoid total collapse or revolution.

As a beginning let us reaffirming the truth that Abraham Lincoln expressed on the Gettysburg battlefield -- that we are a nation
conceived in liberty, and dedicated to the proposition
that all men [and women] are created equal.

Lincoln was referring to the affirmation of equality proclaimed in the Declaration of Independence. People are equal, the Declaration states, in respect to a set of inalienable rights, that among these are life, liberty, and the pursuit of happiness.

After putting forth this proposition the Declaration instructed our nation's founders, and teaches us today,

That to secure these rights,
Governments are instituted,
Deriving their just power
from the consent of the governed.

It's what Lincoln referred to as "government of the people, by the people, and for the people."

Consider the logic of the Declaration. If the powers of government are to be just, they must be derived from the consent of the governed.

"Consent of the governed" -- that's the key for opening the door of political reconstruction in the United States today. This may seem surprising, for many of you believe that what has been occurring has happened without your consent. You feel separated from decision makers. You are convinced that public policies and public administration don't accurately reflect your desires.

I won't quarrel with that conclusion. But instead of putting the blame on "those folks in

Washington", we would be better served to look within ourselves. After all, every voting member of Congress came from outside Washington. So did President Bush and virtually every member of his cabinet. We the people sent them to Washington to represent us. Their values were formed in our local communities. We usually reelect representatives and senators when they run again. We elected Ronald Reagan, reelected him, and chose his vice president, George Bush, to succeed him. They are ours. We consented to their election. We seemed to have delegated them the control of public policy. If we don't like what's going on, we can elect others to take their place.

Indeed, that is the mood of the country today. Anti-incumbancy is sweeping nation. The age-old American custom of "throwing the rascals out" is in ascendancy. (Though some districts and states voters will decide, sure he's [or maybe she's] a rascal, but he's [she's] our rascal and we'll keep him [her]. That's fine. That's democracy. That's why we have periodical elections. That's the consent of the governed in action.

Yet, consent is much more than that. Consent is not merely voting once or twice a year. Consent is not episodic. It is a continuous process. It goes on every day in the year through complex patterns of interchange between citizens and public officials, both elected and appointed. Elections are preceded by months of campaigning. Decisions to adopt laws and approve budgets come after lengthy deliberation involving interaction among decision makers and between them and outside interests.

Most interest groups understand the continuous nature of the consent process, though they are unlikely to write a political science treatise on the subject. That's why they make campaign contributions (often to more than one candidate for a particular office), send position papers to candidates, try to get their people on the campaign staff, recruit campaign volunteers, encourage certain segments of the electorate to vote, and let candidates know how they have supported them.

If successful, an interest group's campaign activities will yield office holders sympathetic to the group's concerns. With elected chief executives the interest group will be in a position to suggest nominees to fill appointive positions. With both executives and legislators the interest group will have "chits" that can be cashed when important policy decisions are being made.

In a similar manner effective interest groups know that it is necessary to follow the law-making process from its inception through enactment by the legislative body and approval by the chief executive.

Quickly let me make plain that interest groups come in many shapes and sizes. Some seek personal economic gain while others concentrate on a particular issue or pursue a cause. Rather than being nefarious conspirators -- the "special interests" politicians sometimes conjure to oppose -- interest groups are us in different manifestations. They are natural organizations in a democratic. Like the people who compose them, they combine pursuit of narrow self-interest and a broader concern for others. Like us they sometimes focus too narrowly...

"Aha," some of you say. "That's what's wrong with government to day. I didn't give my consent to what's going on today -- to the rape of the U.S. Treasury by the savings and loan profiteers, to the House Bank crisis, to failed presidential leadership in dealing with racism and social discontent, to the deadlock between the White House and Congress."

At the risk of offending you, I must reply, "Yes, you did. All that is occurring has come about with your consent. You either approved policies and practices that you now condemn or elected and reelected the public officials who produced them. Or perhaps it was a matter of your consent by neglect: failing to get involved, passively sitting around while the government went astray."

Yes, we have indeed consented to what's been going on. Now we can use the consent process to redirect and reform our government. To do so, we need a deeper understanding of "the consent of the governed." That's crucial, for this concept is the essence of representative democracy.

[History of concept.]

CONSENT OF THE GOVERNED
In democracy it's a continuous process

by Howard W. Hallman

[An article written for publication in December 1992.
With modification of opening could be used sooner.]

Now that we are through a tough election year, it's time to settle down and make American democracy work more effectively.

"Throw the rascals out" was the dominant theme this year. It's an age-old tradition. Of course, voters in many districts have kept many of the rascals in office because they are theirs, or don't perceive them as rascals. Yet anti-incumbency has been a dominant mood.

Rather than being an attack on our political system, the events of 1992 have revealed our strength. We are able to bring about changes in office holders by the ballot rather than through revolution. The American voter spoke and was heard.

Whether this will result in improvements in public life remains to be determined. It depends upon how persistently we follow through.

To illumine our way we should reexamine a fundamental tenet of American democracy: that if the powers of the government are to be just, they must be derived from the consent of the governed. So specified the Declaration of Independence. The powers of government, the Declaration insisted, are intended to secure equally for all the inalienable rights of life, liberty, and the pursuit of happiness.

What does "consent of the governed" mean?

As far as I can determine, Thomas Jefferson never expounded its meaning. It's not a term used in the U.S. Constitution. The clearest explanation of the founders' perception appeared in the 39th essay of *The Federalist*. There James Madison, the ascribed author, described the distinctive characteristics of the republican form of government. What he called a republic, today we usually refer to as representative democracy.

Madison wrote:ⁱ

we may refine a republic to be...a government which derives all its powers directly or

indirectly from the great body of the people.

Such a government, he continued,

is administered by persons holding their offices during pleasure, for a limited period, or during good behavior.

Then he insisted:

It is essential to such a government that it be derived from the general body of the society, not from an inconsiderable proportion, or a favored class of it.

*This was the ideal. In practice, though, the electorate in most of the thirteen original states was confined to white male property owners. Moreover, in the *Federalist No.10* Madison revealed that the founders really wanted government delegated to "enlightened statesmen" possessing "the most attractive merit and the most diffusive and established character."ⁱⁱⁱ The people would choose them periodically and let them run the government.*

The American people, however, didn't accept this limited perspective. Over the years suffrage was extended to a much larger population until now all sexes, races, and economic classes who are 18 years and older are eligible to vote. The number of elected offices has vastly expanded from a limited beginning: governors in just four of the original 13 states and only the House of Representatives among the federal office holders were elected directly by voters.

Nowadays political parties function as instruments of candidate selection. Legislative bodies conduct public hearings. Interest groups lobby. Advisory bodies interact with public officials. Local governments in particular have formal processes of citizen participation in project planning and program operations.

In the third century of American democracy the consent of the governed is a continuous process. Consent is not limited to episodic events, such as voting on election day and final legislative action on the budget or law. Instead consent occurs through elaborate patterns of interaction between the citizenry and public officials.

Interest groups understand this, for they are active day and night, yearlong as they interact with candidates for public office and with both elected and appointed officials. Ordinary citizens require a similar understanding, followed by much greater involvement, if they are to bring about the changes demanded in the 1992 election.

The continuous nature of the consent of the governed can be revealed through examination of

three key decision-making processes: elections, enacting laws, and adopting budgets. All three processes occur over an extended period of time. They tend to have demarcated stages with varying degrees of openness for citizen participation.

The time element of these process extends to past, present, and future. The past consists of tradition, established values, psychic memory, habitual attitudes, and past relationships among various actors. The present is "now", moving steadily ahead. The future looks toward of anticipated events and projects a vision of hoped-for outcome.

The electoral process is an all-seasons event for persons seeking public office and for elected officials desiring reelection. Citizens have ample opportunity to make an impact at all stages of the election cycle.

ⁱ *The Federalist*, No. 39. New York: The Modern Library, n.d. p. 243-244.

ⁱⁱ *The Federalist*, No. 10. pp.57, 60.

CONSENT OF THE GOVERNED
Reflections upon the American Experience

A proposal for a book
by Howard W. Hallman

Audience: *Especially persons in emerging democracies abroad but also useful for American readers.*

Length: *100 to 150 pages.*

Thesis

The consent of the governed is a continuous process. It is characterized by continuous interaction between citizens and public officials, both elected and appointed, and also between citizens and persons seeking public office.

As a continuous process, consent of the governed has a past, a present, and a future. The past consists of tradition, established values, psychic memory, habitual attitudes, and past relationships among various actors. The present is "now", moving steadily ahead. The future consists of anticipated events and vision of hoped-for outcome.

The continuity of time clearly applies to decision-making processes that have a regular calendar, such as elections, budget making, appropriations, and legislative bodies with a time limit. It also occurs in other processes that have a regular sequence, such as enacting laws, issuing regulations, making appointments, project planning and implementation, awarding contracts, and making grants.

Thus, consent of the government is not we-elect-them-and-that's-it but rather a very dynamic, ongoing process with complex patterns of interaction between the governed and those who govern.

Outline

- I. The participants (overview)
 - A. Individuals
 1. Eligible voters (historical perspective)

2. Civic participants
- B. Organizations
 1. Political parties
 2. Associations (national, state, local)
 3. Corporations and institutions
 - a. Profit
 - b. Nonprofit
 4. Governments
 - a. State and local dealing with federal
 - b. Local dealing with state

II. Selecting public officials

- A. Elections
 1. Nominations
 2. Balloting
 - a. Primary
 - b. General
 3. Political parties
 4. Campaigning
 5. Recall
- B. Appointment
 1. Who appoints, how
 2. Who confirms, how
 3. Citizen influence

III. Making policy decisions

- A. Types of decisions
 1. Basic framework
 - a. Constitution (federal, state)
 - b. Charter (city, county, town)
 - c. Home rule
 - d. Statutory options
 - e. Amendments
 2. Legislation
 - a. Enacting laws
 - b. Levying taxes
 - c. Appropriations
 - d. Capital projects
 3. Administrative
 - a. Regulations

- b. Other policies
 - B. Deciding through direct democracy
 - 1. Town meetings
 - 2. Referendums
 - 3. Initiatives
 - C. Interaction within representative democracy
 - 1. Public official outreach
 - a. Methods of elected officials
 - b. Methods of appointed officials
 - 2. Citizen advocacy
 - a. Types of citizen organizations
 - b. How they are organized
 - c. What they do
 - (1) Lobbying (legislative, administrative)
 - (2) Involvement in election process (reprise)
 - (3) Judicial proceedings
 - (4) Protest
 - 3. Structured citizen participation
 - a. Public hearings
 - b. Advisory committees
 - c. Budget process
 - d. Program planning, implementation, evaluation
 - e. Facilitating citizen participation
 - D. Withdrawal of consent
 - 1. Not abiding by laws
 - 2. Organized civil disobedience
 - 3. Changing form of government
- IV. Improving participation
 - A. Analysis of who participates
 - 1. Elections
 - 2. Lobbying
 - 3. Advocacy
 - 4. Structured citizen participation
 - B. Nonparticipants
 - 1. Who
 - 2. Why
 - C. Increasing participation
 - 1. Recognition of "representative" participation

2. Ways of broadening
3. Extension of citizen participation processes

April 8, 1992

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CONSENT OF THE GOVERNED IN A REPRESENTATIVE DEMOCRACY

We hold these truths to be self-evident, that all men are created equal, that they are endowed with certain inalienable rights, that among these are life, liberty, and the pursuit of happiness. -- That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

-- The American Declaration of Independence. July 4, 1776.

- I. Selecting public official
 - A. Elections
 1. Nominations
 2. Balloting
 - a. Primary
 - b. General
 3. Political parties
 4. Campaigning
 5. Recall
 - B. Appointment
 1. Who appoints, how
 2. Who confirms, how
 3. Citizen influence
- II. Interaction between citizens and public officials
 - A. Public official outreach
 1. Methods of elected officials
 2. Methods of appointed officials
 - B. Citizen advocacy
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 2. How they are organized
 3. What they do
 - a. Lobbying (legislative, executive, administrative)
 - b. Involvement in election process
 - c. Judicial proceedings
 - d. Protest
 - C. Structured citizen participation
 1. Public hearings
 2. Advisory committees
 3. Budget process
 4. Program planning, implementation, evaluation
 - D. Facilitating citizen participation

1. *By private organizations*
2. *By public agencies*

III. *Withdrawal of consent*

- A. *Not abiding by laws*
- B. *Organized civil disobedience*
- C. *Changing holders of public office*
- D. *Changing form of government*

Civic Action Institute, Bethesda, Maryland

April 1992

CONSENT OF THE GOVERNED
In democracy it's a continuous process

by Howard W. Hallman

*An article proposed for publication in December 1992
or January 1993, after the 1992 presidential election*

Introductory paragraphs (first draft)

Now that we are through a tough election year, it's time to settle down and make American democracy work more effectively.

"Throw the rascals out" was the dominant theme of 1992. It's an age-old tradition. As a result, the voters ousted the incumbent president (?), sent ___ new members to the U.S. House of Representatives, and elected ___ new U.S. senators.

Even so, ___ percent of the House was reelected and ___ out of ___ senators running for reelection were successful. Either voters concluded that they were well represented (often the case), or they felt that "even if he is a rascal, he's our rascal." (Or she.)

What was remarkable about the 1992 election campaign was the outpouring of new participants. Amateurs. We haven't seen anything like it since college students mobilized for Eugene McCarthy in the 1968 Democratic presidential primary.

Rather than being an attack to destroy our political system, the events of 1992 have revealed its strength. We are able to bring about changes in office holders by the ballot rather than through revolution. The American voter spoke and was heard.

Whether this will result in improvements in public life remains to be determined. It depends upon how persistently and how effectively newly activated citizens follow through, joining with long-time advocates of change.

*If citizens want to achieve positive long-term changes, they will need to learn what conscientious elected officials know and what effective interest groups understand but rarely articulate. **In American democracy, the consent of the governed is a continuous process.** Consent is not limited to episodic events, such as voting on election day and final legislative action on the budget or a new law. Instead consent occurs through elaborate patterns of interaction between the citizenry and public officials that goes on all year long.*

Elected officials grasp this, for almost before the ballots are tabulated they are in touch with voters as they look ahead to the next election. Legislators hold public hearings, send out questionnaires, appear at community meetings, receive constituents at their office, meet people informally in their district. Mayors, governors, the president and their appointed department heads form advisory committees, seek comments on draft reports and proposed regulations, attend community meetings, send out staff to meet with citizen groups, and read results of opinion polls and focus groups.

Effective interest groups understand that the final vote on a bill in the legislative body or a formal decision by an executive official is often the product of a months-long process. They keep in contact with decision makers throughout all stages. They develop proposals, present their ideas to legislators and bureaucrats, engage in direct and grassroots lobbying, seek media attention for their ideas, sometimes make campaign contributions and provide volunteers to candidates, and in many other ways press for acceptance of their viewpoints. Interest groups start early and stay involved persistently in formulation of governmental policies and determination of beneficiaries.

Ordinary citizens require a similar understanding of the ongoing nature of consent in American democracy. Knowing this, citizens can then achieve much greater involvement day in and day out. This they must do if they are to bring about the changes demanded in the 1992 election.

What can be done can be illustrated by examining three key decision-making processes: elections, enacting laws, and adopting budgets. All three processes occur over an extended period of time. They tend to have demarcated stages with varying degrees of openness for citizen participation. All three are processes where the governed have numerous opportunities to make their consent continuous not merely episodic.

In achieving the continuity of consent, the calendar is an important tool. Moreover, the time element extends to past, present, and future. The past consists of tradition, established values, psychic memory, habitual attitudes, and past relationships among various actors that affect today's situation. The present is "now", moving steadily ahead. The future looks toward anticipated events and projects a vision of hoped-for outcome.

This is clearly the case in the electoral process....[Then exposition of how the element of continuous consent of the governed occurs in elections.]

[This will be followed by discuss of the consent process in enacting laws and adopting budgets. Illustrations will be offered from local, state, and federal governmental practices.]

[An ending to encourage full, year-round citizen participation.]

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June 9, 1992

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June 9, 1992

Mr. Lewis H. Lapham, Editor
Harper's Magazine
666 Broadway, 11th Floor
New York, NY 10012

Dear Mr. Lapham:

I am submitting for your consideration an idea for an article entitled "Consent of the Governed: In democracy it's a continuous process." I envision it as timely for your December 1992 or January 1993 edition, following the presidential election in November.

I'm more optimistic about American democracy than you were when you wrote your article published in *Harper's* in November 1990. Although we don't yet know the outcome of this year's presidential election, there are many positive signs that the old system has lots of strengths, including the capacity to make major corrections. My article addresses the question: what next?

My impression is that you do not accept full manuscripts but rather prefer a synopsis. Therefore, I am sending you only the beginning paragraphs which lay out the theme and then an indication of what the rest of the article will cover. If you are interested, I will complete the article and send it to you. It would take me a couple of weeks after I hear favorably from you.

*Ideas in this article are drawn from a book I am working on, entitled **American Democracy and the Civic Spirit**. This book in turn is derived from my long experience as a practitioner, advocate, researcher, and writer, as described in the enclosed vita.*

I am beginning to apply my practical knowledge in assisting people in emerging democracies in Eastern Europe, especially in development of grassroots democracy. Recently I guided a delegation of Poles in a visit to the United States to study methods of citizen participation in local government. In the coming months I expect to perform some training and technical assistance in Poland and elsewhere in that region. I have written an article for the United States Information Agency on "How Grassroots Associations Undergird American Democracy." Undertaking these tasks has required me to look at American democracy from a viewpoint of what is applicable elsewhere. I find this helpful.

*If you would like to discuss my proposal, please call me at (301) 897-3668. If you conclude that my proposed article is unsuitable for *Harper's*, please return my material in the enclosed, self-addressed envelope.*

Sincerely yours,

Howard W. Hallman

CONSENT OF THE GOVERNED
Reflections upon the American Experience

*An outline of a presentation
as a lecture or a workshop series*

by Howard W. Hallman¹

Thesis

The American Declaration of Independence states that the just powers of government are derived from the consent of the governed. For its time this was an amazing idea. Through evolving experience during more than two centuries in the United States, consent of the governed has become a hallmark of American democracy. Throughout the globe today many peoples are freshly discovering this wondrous concept. It is a simple and straightforward idea, but its application is richly variegated.

Consent is the quintessence of representative democracy. The people, directly or through their representatives, ratify the basic framework of government as expressed in the constitution, and they approve all changes in this framework. The people also elect public officials for specified terms and entrust them with governmental authority.

*Yet consent is much more than periodically voting for candidates and voting on ballot issues, such as constitutional amendments and other referendums. The way American democracy has developed, **the consent of the governed is a continuous, interactive process.** Election campaigns are stretched out over weeks and months. Enactment of laws and adoption of budgets occur through schedules featuring considerable citizen involvement over a period of time. And the operation of government is characterized by ongoing interaction between citizens and public officials, both elected and appointed.*

As a continuous process, consent of the governed has a past, a present, and a future. The past consists of tradition, established values, psychic memory, habitual attitudes, and past relationships among various actors. The present is "now", moving steadily ahead. The future consists of anticipated events and vision of hoped-for outcome.

The continuity of time clearly applies to decision-making processes that follow a calendar schedule, such as elections, budget making, appropriations, and legislative bodies with time-limited sessions. It also occurs in other processes that have a regular sequence of events, such as enacting

¹ Howard W. Hallman is president of the Civic Action Institute, a private nonprofit corporation engaged in training, technical assistance, and research.

laws, adopting regulations, project planning and implementation, awarding contracts, making grants, and making appointments to boards and executive positions.

Thus, consent of the government is not *we-elect-them-and-that's-it* but rather a very dynamic, ongoing process with complex patterns of interaction between the governed and those who govern.

Exposition

The concept of consent of the governed as a continuous, interactive process can be illustrated by reviewing three sets of experience in American democracy, outlined as follows.

- I. In elections how candidate/voter interaction influences public policy
 - A. Candidates positioning themselves to run
 1. Office holders seeking re-election
 2. Persons wanting to replace incumbents
 - B. Nominating process
 - C. Election campaigns
 - D. Role of political parties
 - E. Balloting
 1. Primary
 2. General
- II. Interaction between citizens and public officials (elected and appointed)
 - A. Citizen advocacy
 1. Types of citizen organizations
 2. How they are organized
 3. What they do
 - a. Lobbying (legislative, administrative)
 - B. Involvement in election process (reprise)
 - C. Judicial proceedings
 - D. Protest
 - E. Public official outreach
 1. Methods of elected officials
 2. Methods of appointed officials
- III. Citizen participation in stages of governmental policy-making processes
 - A. Enacting laws
 1. Drafting legislation
 2. Committee consideration
 - a. Hearings
 - b. Mark up
 3. Floor consideration

4. *Conference committee (if bicameral)*
5. *Executive approval, veto, override*
- B. *Financing government*
 1. *Budget making*
 - a. *Preparation*
 - b. *Executive submission*
 - c. *Consideration by legislative body*
 2. *Authorization and appropriations*
 - a. *Executive submission*
 - b. *Consideration by legislative body*
 3. *Taxation*
 - a. *Adoption by legislative body*
 - b. *Referendums (state and local)*

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August 10, 1992

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Taking Exception

TERM LIMITS ARE ANTI-DEMOCRATIC

by Howard W. Hallman, President
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Once again your long-term columnist, George Will, misses the point in the term limit debate. He treats the issue as one of legislative efficiency while the heart of the matter is achievement of true democracy.

If we think of democracy as sovereignty of the people, applied district by district, it's clear that the term limit movement is anti-democratic. Term limit advocates display a deep distrust of the citizenry by wanting to restrict voters' right to choose their own representatives.

It's like a fellow of conservative persuasion said to me recently, "I wish I could vote in other districts." Of course, you can't do that legally. So if you don't like who voters in other districts are electing, what do you do? You try to limit their choice.

That's exactly what advocates of term limits are attempting to do these days. They are mostly outsiders wanting to limit the choice of voters in districts they can't control. They are joined by others who have backed losing candidates in their own districts and want to change the rules to nullify competition in future elections. They want to short-circuit the democratic process.

Furthermore, there is an element of racism, though mostly unspoken, in the desire to limit terms. Many long-term state legislators and U.S. representatives are African Americans and

Hispanics who have risen to top positions in state legislatures and Congress. They have power based upon seniority. Term limit advocates want them dislodged. It's another case of white anglos wanting to limit the opportunity of African Americans and Hispanics to choose their own representatives.

In democracy where the people are sovereign, it is up to the people of each legislative district, and they alone, to decide who they want to represent them. If they are dissatisfied with an incumbent, they can replace him or her at the end of the term. If they are satisfied, district voters should be entitled to reelect their representative as many times as they choose. The only limit should be length of term, not number of terms.

Limiting number of terms is like deciding during a baseball game, when the opposing pitcher hasn't allowed a hit, that no pitcher may pitch more than four innings. Or it's like saying that no player can play more than 100 consecutive games so that other players may have a chance. Tell that to Cal Ripken whose consecutive game streak will be over 1,750 games at the end of the 1992 baseball season.

It really makes no sense to arbitrarily displace an able performer solely on the basis of years served. Thus, the Los Angeles Lakers retained Kareem Abdul Jabbar for a long career, and the Lakers will have spot for Magic Johnson as long as he wants to play. Babe Ruth and Hank Aaron were hitting homeruns when most baseball players their age had retired, and Nolan Ryan is still pitching and throwing no-hitters in his forties. And notice how popular Arnold Palmer, Jack Nicklaus, and Lee Trevino are on the senior golf circuit. Ability to perform is the key, not

number of years of service. For the occasional representative who gets reelected while too frail to serve adequately or after being proven to be corrupt, there are thousands more whose long experience is a treasure for American democracy. By having limits on length of individual terms, but not on the total number, voters have a regular opportunity to determine how long elected officials will serve. The choice rests with the people in each district, not what some outsiders determine. That's the way it should be in a representative democracy.

To be sure, "throw the rascals out" is an ancient sentiment in American democracy. But in our own district, we often realize that the incumbent is "our rascal" and we like him or her. Our representative has helped us when we have had problems with the bureaucracy. The longer he or she has been in office, the more clout he or she has.

Moreover, over the years our representative has honed his or her policy positions to reflect majority opinion in the district. If he or she strays too far from district opinion, we'll replace him or her. This is consent of the governed in action. It's our consent to give or take away, not what some outsiders want. Every two years (four or six for some offices) we can terminate an incumbent's office-holding, or we can choose to continue his or her service for another term.

This is applied sovereignty of the people which these outsiders, the term limit advocates, want to take away. Let's stick with democracy!

October 1, 1992

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October 1, 1992

Ms. Meg Greenfield, Op-ed Editor
The Washington Post
1150 15th Street, NW
Washington, DC 20071

Dear Ms. Greenfield:

Once again you have given op-ed space to George Will's advocacy of term limits. So that a contrary view can be offered your readers, I am submitting a short "taking exception" article entitled "Term Limits Are Anti-Democratic".

My main point is that democracy is sovereignty of the people, achieved district by district. In contrast, term limit advocates want to restrict the choice of voters who are electing and reelecting representatives these outsiders don't like. It's like wanting to vote in other people's district, clearly not allowed.

I also note that there is an element of racism in wanting to limit terms, for it would displace a sizable number of long-term African American and Hispanic representatives who have gained legislative power and influence because of seniority.

If you decide not to use my article, please return it to me in the enclosed,

self-addressed envelope.

Sincerely yours,

Howard W. Hallman

CONSENT OF THE GOVERNED
The American Experience

A proposed book by
Howard W. Hallman

Mostly descriptive, drawn from numerous scholarly sources, plus some analysis and advocacy of possible improvements in functioning of the consent process.

Preface

Part One. Basic Concepts

- 1 *Historical Background*
- 2 *Evolution to Continuous Interaction*

Part Two. Direct Democracy

- 3 *Town Meetings*
- 4 *Adopting Constitutions and Charters*
- 5 *Ballot Issues*

Part Three. Selecting Public Officials

- 6 *Positioning*
- 7 *Nominating*
- 8 *Campaigning*
- 9 *Voting*
- 10 *Appointments*
- 11 *Electoral Reform*

Part Four. Citizen Advocacy

- 12 *Interest Groups and Individual Advocates*
- 13 *Lobbying*
- 14 *Electoral Involvement*
- 15 *Protest*
- 16 *Roles of Media*

Part Five. Responsive Public Officials

- 17 *Dealing with Constituents*
- 18 *Outreach*

- 19 *Determining Public Opinion*
- 20 *Leadership in Representative Democracy*

Part Six. Governmental Processes

- 21 *Decision-making (overview)*
- 22 *Providing Information*
- 23 *Enacting Laws*
- 24 *Participatory Budget Making*
- 25 *Community Planning*
- 26 *Natural Resource Development*
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- 28 *Structures for Participation*
- 29 *Costs and Benefits*

Part Seven. Withdrawal of Consent

- 30 *Recall and Impeachment*
- 31 *Changing Form of Government*
- 32 *Noncompliance, Civil Disobedience*

Part Eight. Concluding Observations

- 33 *Federalism*
- 34 *Broadening Participation*

May 5, 1993

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A James Reichley, *The Life of the Parties. A History of American Political Parties.* New York: Free Press, 1992.

"Parties

- [1] have provided voters with instruments for choosing between alternative policy directions in the conduct of government and
- [2] have enabled minority interests to participate in coalitions that taken together form majorities.

On the side of effectiveness, they

- [3] have given political leaders bases on which to build support among the general public and elected officeholders. and
- [4] have supplied channels for two-way communication between leaders and the electorate.

Parties

- [5] have helped maintain continuity in government policies over time and
- [6] have brokered compromises among social groups pursuing different goals within a common party coalition.

At their most effective, they

- [7] have mobilized voter participation in politics and elections,
- [8] stimulated the interest of citizens in public issues, and
- [9] acted as watchdogs against authoritarian tendencies in government."

pp.1-2

Among political scientists, two views:

"James Sundquist, from the programmatic party side, writes that parties are 'crucially necessary to formulate governmental programs, to enact and execute those programs, and to account for them to electorate afterward.' Larry Sabato, favors more pragmatic parties, regards them as 'vital umbrellalike, consensus-forming institutions that help counteract the powerful centrifugal forces in a country teeming with hundreds of racial, economic, religious, and political groups.'" p. 2

"Parties have brought with them some liabilities.

- [1] They develop institutional interests of their own that sometimes undermine both government efficiency and democratic values.
- [2] Party machines have often fostered political corruption.
- [3] When contending groups are arrayed in opposing parties, party competition sometimes make social conflict more heated.
- [4] During periods of divided party control of the executive and legislative branches of the federal government, as has existed during 26 of the 38 years between 1954 and 1992, party rivalry intensifies the natural tendency of the two branches to pull against each other, making action on serious governmental problems more difficult."

pp. 2-3

The Decline of Parties

"National and state campaigns are now for the most part managed by professional consultants who sell their services on a contract basis, usually within some partisan or ideological bounds, rather than by career politicians who have worked their way up through their party's structure. Thomas Edsall of the *Washington Post* writes: 'As the role of parties in mobilizing voters has declined, much of the control over both election strategy and issue selection -- key functions in deciding the national agenda -- has shifted to a small, often interlocking network of campaign specialists, fund-raisers, and lobbyists.'" ["The Changing Shape of Power: A Realignment in Public Policy" in *The Rise and Fall of the New Deal Order: 1930-1980*, ed. by Steve Fraser and Gary Gerstle (Princeton: Princeton U. Press, 1989), p. 270.] pp.7-8.

"Local party organizations are no longer able to dominate their own party primaries....Presidential nominations have usually been won since 1968 in state primaries, in which party organizations play little role." p. 8

"The advent of television in the 1950s and 1960s supplanted much of the communication function formerly performed by party workers." p. 8

"Election outcomes are now said to hinge on the effects of two or three crucially timed television advertisements. Most candidates therefore devote far more time to raising money to pay for these commercials than they do to rallying party troupes or personal campaigning. 'Politics,' Arthur M. Schlesinger, Jr., observes, 'once labor intensive,' has become 'capital intensive.'" [*The Cycles of American History*, Boston: Houghton Mifflin, 1986. p. 272] p. 8

Signs of Vitality

[1] "Party unity on roll-call votes in Congress during the 1980s actually rose." p. 8

[2] "Party organizations at the national level increased their resources and took on new functions. The two national party organizations, both now housed in imposing headquarters buildings on Capitol Hill, employ numerous campaign consultants, fundraisers, pollsters, computer specialists, and mass communications experts, many of whom shuttle back and forth between national headquarters and ongoing field operations." p. 8

[3] "A share of the funds raised at the national level is being pumped out to state and local parties...." pp.8-9

[4] "The state parties, and to some extent the larger city and county party organizations, have taken on some of the characteristics of regional or local franchises of large business corporations.

Increasingly, campaign managers and professional fundraisers at the state and local levels, and even directors of state party committees, are drawn from pools of political operators that gather around the national committees." p. 9

[5] Xandra Kayden argues that while the national parties have been losing influence in the selection of presidential candidates, they have been playing a growing role in the recruitment of candidates for congressional and state offices." ["Alive and Well and Living in Washington: The American Political Parties" in *Manipulating Public Opinion* edited by Michael Margolis and Cary Mauser, Pacific Grove, CA: Brooks/Cole, 1989. p. 71]

[6] "These developments have produced a degree of party organization that contrasts sharply with the traditional pattern of American politics, under which the national parties hardly existed institutionally between presidential campaigns." p. 9

[HWH: national and state parties as service organizations]

[7] "Some investigators have detected signs of revival in some state and local party organizations." p. 9 e.g. Cotter et al.

[8] Modern technology enables party organizations to reach more voters, even with reduced personnel." p. 9

A Negative Balance

"There are continued real strengths in national party organizations and party unity in Congress. But these are more than offset by evidence of falling support or concern for parties among the voters and declining electoral effectiveness of most grassroots party organizations." p. 10

"...the term *party* embraces at least three different formations within the political system: *parties in the electorate*, composed of all the voters who align themselves with one or another of the parties; *parties in government*, including elected public officials who have reached their posts by running on a party ticket or who join a party caucus in a legislative body; and *party organizations*, the formal structures that conduct election campaigns and perform other political functions in the party's name." p. 10

"Party organizations at the national level during the 1980s commanded substantial resources and seemed to become more active than ever; and parties in government, at least at the federal level, appeared to grow more unified. But parties in the electorate, and most state and local party organizations as electoral forces rather than bureaucratic structures, showed signs of continued decline." pp. 10-11

"It is hard to imagine American politics completely without parties. Some sort of party structure will no doubt survive to help organize power in some areas of political life. But parties are now in serious danger of losing influence and authority within government and the larger polity to mass communications media, elected officeholders and their staffs, free-lance professional campaign consultants, specialized movements and causes, and fund-raising political action committees (PACs) representing all kinds of interest groups." p. 11

CONSENT OF THE GOVERNED
Reflections on the American Experience

A proposed book
by Howard W. Hallman

Audience: Persons in emerging democracies who want to learn about the American experience.

Theme: Consent of the governed in the United States is a continuous, interactive process.

Preface

1. The Setting

Concept of consent emerges (1200-1776)...Constitutional framework established (1776-1787)...Instruments of consent created (1787-1800)...Evolution of American federalism

2. Selecting Public Officials

Variety of elected officials...Suffrage (who may vote)...Mechanics (registration, voting process, counting and certifying)...Nominating process ...Campaigning...Who votes... Appointments

3. Legislative Decision-Making

Variety of legislative bodies...Role of political parties...Influence of interest groups...Legislative-executive relationship...Legislative process...Legislators and constituents

4. Executive Decision-Making

Executive branch organization...Two-way communication with citizens... Structures for citizen participation...Budget-making...Planning processes...Program administration

5. Judicial and Regulatory Agencies

Selection of judges (elections, appointments and confirmation)...Public influence on judicial decisions...Selection of regulators...Public influence on regulatory decisions

6. Direct Democracy

Town meetings...adopting constitutions and charters...Ballot issues

7. Withdrawal of Consent

Recall and impeachment...Changing form of government...Protest and civil disobedience

8. Public Opinion and the Media

The communications media...Providing information, influencing opinion... Interactive

communication...Opinion polling

9. Conclusions

American strengths and weaknesses...Basic conditions for effective consent

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CONSENT OF THE GOVERNED
The American Experience

A proposed book by
Howard W. Hallman

Theme: Consent of the governed in American democracy is a continuous, interactive process.

Approach: Mostly descriptive and analytical, drawn from numerous scholarly sources and first-hand experience; some advocacy of possible improvements in functioning of the consent process.

Audience: Academic; serious-minded citizen activists, politicians, public officials

Preface

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- 2 *Consent in the New American Republic (1776-1800)*
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- 4 *Interest Groups*

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- 8 *General Election*
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- 9 *Who Votes*
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16 Impact of Next Election

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Part Eight. Concluding Observations

33 Pluralism and the Federal System

34 Broadening Participation

May 6, 1993

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CONSENT OF THE GOVERNED
What It Means, How to Apply It

by Howard W. Hallman

For the powers of government to be just, they must derive from the consent of the governed. This is the message of the American Declaration of Independence, adopted in Philadelphia and proclaimed on July 4, 1776.

The consent of the governed. What does it mean? How can it be applied? Especially in a new democracy.

Three Approaches

Consent of the governed can have three manifestations, three approaches, which are not mutually exclusive.

First, citizens approve the basic framework of government by voting on the state constitution or the city charter sets forth the powers of government and indicates who shall exercise these powers.

Second, citizens vote on who will hold office for specific terms. This occurs periodically. Thereafter, elected officials govern by enacting laws, adopting budgets, levying taxes, and administering governmental services within the constitutional framework.

Third, citizens and public officials continuously interact so that citizens participate in discussions and negotiations which precede policy decisions and public officials keep in touch with citizens and take their views into consideration.

The first two approaches happen through events occurring at specific times. Citizens vote on a state constitution or city charter which will be in effect for an indefinite period, but from time to time they may vote on amendments or on a substantial revision of the constitution or charter. To elect public officials, citizens vote at regular intervals, such as one, two, three, four, five, six years apart.

In the third approach the consent process occurs continuously through ongoing interaction between citizens and public officials.

A new democracy is likely to start with the first two approaches. Consent first takes the form of defining the powers and structure of government in the constitution or charter. Then

consent is expressed in the choice of persons who will exercise these powers. With this accomplished, a democratic system can design and implement measures that make consent a more continuous, interactive process. As this occurs, election campaigns themselves contribute to the continuity of consent.

American Experience

This reflects the American experience, spread over 200 years. First came the U.S. constitution and the constitutions of the states, originally 13, now grown to 50. Then came the election of public officials. As they took office and undertook their responsibilities, citizens found numerous ways to interact with them. Now American democracy features a complex pattern of continuous, interactive consent.

- Election campaigns are stretched out over weeks and months. Persons seeking office lay out policy positions and establish relationships with the electorate in a kind of anticipatory consent. Incumbents seeking reelection keep in touch with voters in ways that affect policy decisions they make between elections.
- Enactment of laws and adoption of budgets occur through processes involving considerable public participation over a period of time. Legislators hold public hearings, attend community meetings, read their mail and newspaper comments, appear on radio and television call-in shows.
- Elected officials and top appointed administrators use a variety of techniques to determine citizen views, such as opinion polls, focus groups, advisory committees, attendance at community meetings, and formalized processes of citizen participation in budget making and project planning that extend over many months.
- Citizens do not sit back, waiting to be asked their views. They organize advocacy groups. They lobby directly and through grassroots mobilization. They get their opinions into the media. Sometimes they organize demonstrations and undertake other forms of protest to gain attention to their views and feelings.

Decision-making Processes

Consent can occur as a continuous, interactive process because most public policy decision-making, except for dire emergencies, takes weeks, months, sometimes years to accomplish. Some decision-making processes follow a stated calendar schedule, such as elections, budget making and appropriations, and the work of legislative bodies with time-limited sessions. Other forms of decision-making have a regular sequence of events, such as enacting laws, adopting regulations, project planning and implementation, awarding contracts, making grants, and appointing persons to

serve on boards and in executive positions.

The steps and timing of specific decision-making processes determine how continuity of consent can be achieved. This can be illustrated in three governmental processes.

Planning. Take the matter of planning. Although there may be a distaste for governmental planning in nations where a command system has prevailed for many decades, democratic governments will have major responsibilities which necessitate careful planning. For instance, for transportation, construction of schools and other community facilities, housing construction, neighborhood rehabilitation, environmental improvements, and other kinds of projects. But it can be participatory planning.

For a neighborhood plan that is to be adopted by the city planning commission and city council, the process might be as follows:

DEVELOPING PLAN

Define problem ----> Set goals & objectives ----> Delineate land use & specify projects ----> Approval by planning director

GAINING APPROVAL

Planning board hearing -----> Planning board approval -----> Council hearing -----> Council approval

The final plan is greatly influenced by how the problem is defined and what objectives are established. Citizens who wait until the public hearing to offer their views may discover that options they preferred have already been precluded.

In contrast, where there are official arrangements for citizen participation, citizens can get involved in all the stages of community planning and work cooperatively with public officials. Where a unit of government is weak in citizen participation, citizens to be influential must assert themselves and offer their views at the early stages, long before the formal public hearing.

Legislation. In enacting legislation a unicameral legislative body is likely to take the following major steps :

Drafting -> Introduction -> Public Hearing -> Committee action -> Floor chief executive -> Approval by bill

In bicameral legislature a bill passed by one house goes to the other house for committee consideration and floor action. Then differences are resolved by a conference committee. The bill then goes back to the two houses for final action before going to the chief executive.

If citizens are to be influential, they must be involved in all stages. They can offer a draft bill or look over what legislators and administrative officials have drafted. They can help line up sponsors within the legislative body. They can testify at public hearings and confer with committee members. They can mobilize grassroots support or opposition. They can push for floor amendments. They can urge the chief executive to approve or veto the legislation.

Citizens concerned about a particular bill who do not become involved until legislation is ready for a floor vote are likely to discover that the fundamental shape of the legislation is already set and is very difficult to alter at this late stage.

Elections. In the electoral process election day is the culmination of months of positioning and campaigning that goes through several major stages. In the United States the process occurs in the following manner:

PRELIMINARIES

Positioning -----> Lining up support -----> Announcement of candidacy

SEEKING NOMINATION (several patterns)

For local & state offices and Congress in some states:

Primary campaigning -----> Primary election

For local & state offices and Congress in other states:

Party convention + option of -----> Challenge primary election

For U.S. president:

State primaries, caucuses, conventions -----> National convention

GENERAL ELECTION

Campaigning -----> Voting

Well before the deadline for filing nominating petitions, potential candidates obtain commitments for support, political leaders form alliances, and some potential candidates fall by the wayside. Interaction between candidates and the electorate begins during the positioning period. Promises made by potential candidates then and during the formal campaign will affect policy decisions made months later if they are elected to office. So even in elections a kind of continuity of consent occurs.

CONSENT OF THE GOVERNED
Reflections on the American Experience

A Book Proposed by
Howard W. Hallman

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. The book traces the development of theory and practice of consent and describes the many ways it occurs in selecting public officials and in governing.

Author's perspective. I write from a perspective of applied political science. As a separate vita indicates, after university education in political science I have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a fellow of the National Academy of Public Administration. I have written numerous articles and reports and have authored nine books, mostly published by social science and university presses (listed in vita). Of these, *Neighborhoods: Their Place in Urban Life* (Sage Publications, 1984) demonstrates my capacity for taking a comprehensive approach to a subject and incorporating ideas from numerous sources into a fresh synthesis.

No comparable book. When new democracies began to emerge in Eastern Europe, I began to look at American democracy with fresh eyes to see what lessons we have learned through 200 years of arduous experience that might be applicable in these new democracies. In doing so I picked up a phrase that I had used now and then in writing and training on citizen

participation practices: "consent of the governed is a continuous process."

I delved into American political science literature, which I hadn't looked at for a long time, to discover what academic political science had to say about consent of the governed. I could find no comprehensive treatment. Widely used textbooks on American government scarcely mention the idea of consent, much less systematically describe how it is manifested. There is a rich literature on elections and political parties (provision of initial consent), quite a bit on interest groups (part of continuing consent), but not much on a wide range of citizen participation processes (continuous interaction between citizens and public officials). Nowhere are all elements of the consent process pulled together. No other book is now on the market like the book I propose.

Market. The market for the book would be fivefold: (1) College and university students, supplementing basic textbooks in courses on American government, politics, political parties, and interest groups; or used as a non-traditional primary text with supplemental material on government structure and administration. (2) Scholars who would value the insight that consent of the governed in American democracy is continuous and interactive and who might be inspired to delve into this concept in greater depth in specialized fields. (3) Public, college, and university libraries. (4) Politically active citizens, including persons newly activated by Ross Perot and other independents. (4) Persons in emerging democracies abroad. For the latter there are opportunities for producing translations through the United States Information Service and foundations.

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September 1, 1993

BUILDING DEMOCRACY WITH WIDESPREAD CITIZEN PARTICIPATION
Lessons from American Experience

*by Howard W. Hallman, President
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Democracy is emerging in many nations around the world. Each nation will want to craft the structure and processes of its democracy to suit its own historical and cultural setting. However, there may be benefits in studying the lessons of American democracy and drawing on this experience in the design of new democratic systems of government.

Democracy is based upon sovereignty of the people. Therefore, it may be particularly useful to examine how people can fully participate and how democracy can be built from the bottom up.

Consent of the Governed

The American Declaration of Independence proclaims that the just powers of government are derived from the consent of the governed. Just how do the governed -- the people -- give their consent?

Voting

Nations and most political subdivisions, such as cities and townships, are too large to have direct democracy in the form of assemblies in which every adult may participate. Instead the people elect persons to legislative, executive, and sometimes judicial offices to achieve representative democracy. Citizens also vote on particular issues appearing on the ballot, such as adoption of constitution or city charter (and amendments),

authorization of taxes and bonds, approval of specific laws, and recall of elected officials.

Therefore, voting is a fundamental action of democracy. This requires laws and regulations specifying who is eligible to vote, registration for voting, method of voting (paper ballots, voting machines, etc.), counting votes, and certifying results. Freedom of speech and assembly are essential to achieve fair elections.

Political parties form to bring together persons with common interests and shared views on particular issues. In the United States the electorate usually divides into two major parties with occasional minor parties seeking support. In many other democracies multiple parties are found. Whatever the pattern political parties are significant instruments of democracy, both in offering candidates for office and in providing a basis for organizing legislative bodies and the executive branch.

Voting is more than an event occurring on election day. It is the culmination of months of campaigning, which is preceded by a period in which individuals position themselves to run for office.

This process can be visualized as an election roadway with gatekeepers along the way. Individuals pursue their own pathways to position themselves to get past the first gatekeepers, which may be a selection committee of a political party, delegates of a nominating convention, or voters in a primary election. Once nominated candidates must gain approval of a majority, or at least a plurality, of the gatekeepers in the general election, that is, the voters.

As potential and actual candidates move along this roadway, they seek ways to appeal to the next set of gatekeepers. It is here that the consent

of the governed begins, not consent of the entire electorate but rather consent of a majority of participants in that particular stage of the electoral process. Promises of candidates during the election campaign affect policy decisions they will make if elected.

Legislators seeking reelection think about how votes on particular bills will affect their chance. Executive officials also consider how their policy decisions will affect their chance for reelection.

Accordingly, the electoral process in the broadest sense goes on all year long in a democracy. Candidates and officeholders continuously interact with the electorate as they campaign and govern. This makes consent of the governed through voting not merely what happens on election day but instead takes expression as a continuous, interactive process. Citizens need to understand this and to remain involved between elections in order to influence candidates and officeholders.

Public Policy Decision-Making

Continuous, interactive consent also occurs in making public policy decisions. Except for response to occasional dire emergencies, such as destruction by earthquake, hurricane, flood or attack by an enemy, most policy decisions are the product of a regular sequence of steps occurring over a period of time.

This is readily apparent in the adoption of legislation. A typical American legislative body (Congress, state legislatures, city councils) follows this sequence: drafting of bill, introduction, referral to committee, public hearings by committee, consideration and often amendments by committee, report to full body, floor debate and possible amendments, and passage. In bicameral legislatures (Congress, 49 of the 50 state

legislatures), this process is repeated in a second chamber. The differences between the two houses are reconciled by a conference committee, and each house votes on the conference report. The bill as adopted by the legislative body then goes to the chief executive (president, governor, or mayor) for approval or veto. If the latter occurs, the legislative body has an opportunity to override the veto. Many jurisdictions require three-fifths or two-thirds approval by the legislative body to override a veto.

By constitution and statute this legislative process is the responsibility of elected representatives of the people. By practice citizens seek to influence legislators and executive officials at each stage of the process. Often they are organized into interest groups, which lobby directly and mobilize their members to approach legislators through grassroots lobbying.

In this manner, they try to influence the language of a draft bill, testify at public hearings, offer suggested amendments to committee members, try to influence committee action, put pressure on all members as the bill comes up for floor consideration, seek to influence the conference committee, and urge the chief executive to sign or veto the legislation. This is another manifestation of continuous, interactive consent.

In a similar manner executive decisions are usually the product of a sequence of steps. For instance, a typical public project, such as a highway, new school, park development, water supply facility, is planned and built through a process that begins with determining need, setting goals and objectives, studying alternative sites and designs, coming up with a concrete proposal, gaining approval of planning board and the legislative body, obtaining financing, completing detailed design, site acquisition, and finally construction.

This process might be handled mostly internally by expert technicians except where legislative approval is required, but more often in a

democracy segments of the public are consulted or force themselves into the process along the way. This can occur deliberately through citizen advisory committees and community meetings, beginning with the early stages, or it can happen more acrimoniously as affected interests oppose project proposals at later stages. Citizens are not satisfied merely to elect executive officials and let them make all decisions without further consultation. Participation in executive decision-making is continuous and interactive.

Roles of Citizen Associations

In American democracy associations organized by citizens make important contributions to community life. Most of them are organized not for political purposes but rather to accomplish various tasks: neighborhood improvement, crime prevention, recreation for children and youth, help for the needy, social activities, self-help to overcome personal problems (alcoholism, mental health, etc.), service projects, environmental protection, gardening, music, and many more. In this manner associations mobilize volunteers to perform millions of hours of community service by carrying out tasks which otherwise might be undertaken by governmental workers or employees of private nonprofit service agencies, or more often would go undone.

As a byproduct of their concerns, some service-oriented associations take positions on public policy issues and lobby legislators and executive officials. Other associations are organized almost exclusively for public policy advocacy. They represent many different interests: economic (business, labor, trades, professions), environmentalists, racial, ethnic, social reform, and numerous other causes. They lobby, mobilize grassroots members, make political campaign contributions, and work for election of specific candidates.

Some associations combine service and advocacy. This is the case with many neighborhood associations, community development committees, rural district associations, and other geographic-based organizations. Local elected officials organize to deal with state and national government. State officials combine to lobby the national government.

Most associations are run by elected officers and function in a democratic manner. Persons participating in associations therefore gain considerable experience in democratic operations. This prepares them for participation in public affairs. It is a training ground for individuals who later run for public office and hold governmental positions. Furthermore, some potential candidates use their association activities to position themselves to become a candidate for election.

Citizen associations are so commonplace in American life that they are taken for granted. Over the years they have become an essential ingredient of American democracy.¹

¹ For further observations, see separate paper on "How Grassroots Associations Undergird American Democracy."

Citizen Participation Processes

Associations and other interest groups frequently lobby public officials on various policy issues. At the same time many governmental jurisdictions in the United States have established processes for reaching out to citizens to gain their participation in policy formulation.

Legislators organize their offices to receive and respond to citizen views. They send out newsletters and questionnaires. They attend community meetings and appear on radio and television call-in shows. Legislative committees conduct public hearings and invite expert witnesses and interested citizens to testify.

Elected executives and operating agencies set up advisory committees and task forces, publish information on public proposals, ask for views and comments, send representatives to community meetings, receive citizens at their office, conduct polls, and seek other ways to determine public opinion. They initiate participatory processes that enable citizens to be involved systematically in program and project planning from beginning to end.

There is considerable variation among governmental units in the United States in how much citizen participation they foster. But none are without some degree of citizen involvement, if not government originated then citizen initiated.

Participatory Democracy

Any nation or semi-autonomous territory that wishes to establish democratic government should pay ample attention to the grassroots association. Citizen associations of numerous variety should be encouraged and assisted, both for what they can accomplish through tasks perform and

also for the practical democratic experience they provide.

Legislators can organize their operations to reach out to the public and to open the legislative process to interested citizens. Elected chief executive and operating agencies can put in place structures and processes for citizen participation.

Persons providing leadership in emerging democracies would be well advised give considerable attention to nourishing the grassroots of democracy and to assuring that there is ample citizen participation in public policy formulation and adoption. They can design governmental structures and processes to bring this about. They can encourage the formation of citizen associations for numerous purposes. And they can make arrangements for training citizens and public officials on matters of participatory democracy.²

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² For a further outline of topics, see "The Grassroots Foundation of Democracy: Topics for Conferences, Seminars, Discussion Groups, Training Workshops, and Technical Assistance."

Theses on Democracy

1. *Governmental decisions occur through processes that extend through time. This is true for:*
 - Choice of those who govern*
 - Enactment of laws and regulations*
 - Executive policy decisions*
2. *In a democracy -- a system of government based on the sovereignty of the people -- these decisions occur with the consent of the governed.*
3. *As decision-making is continuous so also consent should be continuous and interactive.*
4. *In American democracy consent is indeed continuous and interactive.*
 - a. *Participation is continuous for political activists: elected officials, candidates for office, political party officials, interest group representatives, and certain individuals*
 - b. *For others participation tends to be intermittent through such acts as supporting candidates for office, voting, expressing views to public officials, participating in official processes (such as public hearings, advisory committees), and protest activities.*
5. *The challenge to a democracy is to*
 - a. *keep all decision-making processes -- elections, legislation, executive policy making -- fully free and open and*
 - b. *achieve broad and continuous participation of the citizenry.*

November 27, 1993, transcribed November 29, 1993

CONSENT OF THE GOVERNED BEYOND ELECTIONS

by Howard W. Hallman¹

Draft Introduction and Outline of an Essay

Introduction

During a crucial transition period in world history, the United Nations General Assembly in 1948 adopted the Universal Declaration of Human Rights. Among its provisions Article 21 stated:

The will of the people shall be the basis of the authority of government; this shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

This Article also indicated:

Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

In 1966 the United Nations General Assembly reaffirmed this commitment in Article 25 of the International Covenant on Civil and Political Rights. This Article repeated most of the above language but eliminated the phrase "equivalent free voting procedures" and insisted that elections "shall be held by secret ballot, guaranteeing the free expression of the will of the electors."

Nearly 200 years earlier the American Declaration of Independence of 1776 also articulated the principle of sovereignty of the people. The signers proclaimed that to secure the inalienable rights of life, liberty, and the pursuit of happiness

governments are instituted among men²,

¹ Howard W. Hallman is president of the Civic Action Institute, Bethesda, Maryland. He is author of nine books on neighborhoods, metropolitan governance, and employment and training programs. He is currently writing a book entitled *Consent of the Governed: Reflections on the American Experience*.

² For the signers "men" was a generic term for "humankind". Today to assure an intent of gender inclusiveness we would say "men and women".

*deriving their just powers
from the consent of the governed.*

The founders of the American Union referred to government based upon consent as a "republic." In the ratification debate for the Constitution of the United States, James Madison defined a republic as:

a government which derives all its powers directly or indirectly from the great body of the people, and is administered by persons holding their offices during pleasure, for a limited period, or during good behavior.³

Today we refer to this form of government as representative democracy. Over the course of 200 years consent of the governed has developed extensively and has become a continuous, interactive process, going far beyond elections.

Now in another transitional period there is a renewed commitment to democracy around the globe. As part of this resurgence the Organization of American States (OAS) in 1985 amended its Charter to indicate that its member states were

Convinced that representative democracy is an indispensable condition for the stability, peace and development of the region.

Therefore one of the essential purposes of OAS would be

To promote and consolidate representative democracy, with due respect for the principle of nonintervention.

In response to emergence of democracy in Eastern Europe, the Commission on Security and Cooperation in Europe (CSCE) at a meeting in Copenhagen in 1990 declared that

pluralistic democracy and the rule of law are essential for ensuring respect for all human rights and fundamental freedoms.

The Copenhagen document further stated that

the will of the people, freely and fairly expressed through periodic and genuine elections, is the basis of the authority and legitimacy of all governments.

³ James Madison, *The Federalist No. 39*. New York: Modern Library, 1937. pp. 243-4.

Thus, in many parts of the globe today there is a strong consensus that

- (a) The authority of government should be based upon "the will of the people" and the powers of government should be derived from the "consent of the governed."
- (b) The will of the people should be expressed periodically in free elections, conducted by secret ballot.
- (c) Representative government should function under the rule of law in order to assure human rights and fundamental freedom.

To assist emerging democracies put these principles into practice, considerable attention is now being given to the conduct of free and fair elections and the development of political parties to compete in these elections. This is absolutely essential.

Yet, it is not enough. Elections, occurring periodically, should be seen as only the beginning of consent, not the end. Governmental policy-making occurs continuously. Participation of citizens in policy formulation and adoption should likewise be continuous.

Decision Pathways

In governmental policy-making time is a vital factor. Enactment of legislation is almost always preceded by a lengthy period of deliberation. Executive decisions are usually the product of extended consideration, except for response to dire emergencies. Often these processes follow a regular sequence of steps, such as in enacting legislation, adopting budgets, project planning, and formulating executive policies.

Segments of the population -- citizens individually, political parties, and interest groups -- become involved in different stages of elections and policy formulation. Accordingly, the time element affects public participation.

The breadth and depth of consent-giving, extended through time, takes expression along sets of pathways traversed on the way to enacting legislation and making executive policies. In their journey along these pathways, legislators and executive officials are joined by citizens, political party officials, and interest group representatives. Sometimes the path is crowded with persons who want to influence policy decisions. But sometimes only a few are involved, especially in the early stages.

At the end of the journey a majority of the legislature enacts laws and duly elected executives make policy decisions. But what has occurred along the pathway is strongly determinative of the final outcome. That is why public participation is needed during all stages. In this manner consent

of the governed achieves continuity and goes beyond intermittent involvement in periodic elections.

Effective citizen participation in the decision-making pathways of representative democracy requires citizens who are competent and well organized and public officials who are open to working harmoniously with citizens.

To be added: Further discussion of legislative and executive decision-making pathways, who participates, where and how citizens can enter in.

Then: extensive discussion of techniques, outlined as follows.

HOW PUBLIC OFFICIALS CAN WORK EFFECTIVELY WITH CITIZENS

Public Officials Carrying Out Two-way Communication with Citizens

Legislators

*Modes: "delegate" (closely following expressed wishes of constituents),
"trustee" (greater discretion in seeking common good),
or combination.*

Organizing office to receive and respond to citizen views

Constituent services

*Citizen roles in legislative process (drafting bills, public hearings,
during committee and amendatory stages)*

*Outreach techniques (newsletters, news release, community meetings,
radio and television appearances, advisory committees, polls, focus groups)*

Chief executives

Elected (mayor, governor) or appointed (manager, chief administrator)

Office of information and complaints

Community relations staff

Advisory committees, task forces

*Outreach techniques (direct, using techniques similar to legislators,
or through departments)*

Operating agencies

*Information unit (official notices, news releases, publications,
responses to citizen requests, hot line, media appearances)*

Public liaison unit (handling relationships with citizen organizations)

Outreach techniques (similar to chief executive)

Processes for continuous citizen involvement (see below)

Achieving Citizen Participation in Ongoing Processes of Government

Structures

Citizen advisory committees, task forces, representation on policy-making bodies, citizen review boards, neighborhood planning councils, priority-setting committees

Obtaining views and comments

Requests for comments on proposals, public hearings, community meetings, media-based balloting, radio and television call-in shows, opinion surveys, focus groups

Budget process

Citizen input to departments during preparatory stage, feedback on agency requests, discussion with budget office and chief executive on priorities and how to balance revenues and expenditures, legislative hearings

Planning (such as land use, transportation, community facilities)

Stages (defining problem, setting goals and objectives, formulating strategies, designing projects and programs, gaining approval)

Techniques (citizen surveys, ongoing meetings of advisory committees and task forces, charrette, game simulation, interactive television)

Staffing (public agency, citizen organization, consultant)

Program implementation

Advise on policy choices and program changes

Feedback on progress

Citizen evaluation of agency performance

Supportive activities by citizen organizations

Modes of Municipal and Metropolitan Decentralization

Field offices of operating agencies

Staffing, location, relationships with citizens

Multi-purpose centers

Services, staffing, coordination, citizen relationships

Little city halls

Representative of chief executive, services, citizen roles

Neighborhood advisory committees (appointed)

Who selects, functions, staff support

Neighborhood councils (elected by citizens)

Who votes, functions, staffing

HOW CITIZENS CAN ORGANIZE AND FUNCTION

Organizing Citizen Associations

Varieties

Geographic-based associations (neighborhood, homeowners, condominium,

rural districts; councils of civic associations)

Public interest (women voters, service clubs, rural groups, etc.)

Cause-oriented (peace, justice, environment, taxation, many more)

Economic interests (business, labor, professions, etc.)

Service providers (with volunteers, paid staff)

What they do (not all undertake every task)

Services to members

Community service

Public policy advocacy

Electoral involvement

How they are organized

Who organizes them: volunteer initiators, professional organizers

Styles of organizing: adversarial or partnership orientation

Participation

Regular membership

Open-ended

Governance

Town-meeting style

Representative body

Options: assembly, council or board of directors, executive committee

Who selects, selection process, terms of office

Democratic processes of governing body

Leadership

Styles

Recruitment sources

Training

Volunteers

Recruitment, training

Assignments

Dealing with burnout

Citizen Relationships with Government

Citizen advocacy (techniques)

Lobbying

Involvement in elections

Judicial proceedings

Involvement in citizen participation processes (cross-reference to above)

Official advisory committees, neighborhood councils (roles, methods)

Contracting to perform services
Partnership arrangements (such as joint operations)

Citizen Self-help Activities

Housing rehabilitation, recreation for children, crime watch, assistance to elderly, environmental cleanup, and many more
How to organize and carry out

Citizens Associations' Contribution to Democracy

Hands-on experience with democratic decision-making
Leadership development

December 4, 1993

6508 Wilmett Road, Bethesda, MD 20817
Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817
(301) 897-3668

September 4, 1993

Ms. Christina Coffin
Managing Editor, Trade Division
Houghton Mifflin Company
222 Berkeley Street
Boston, MA 02116-3764

Dear Ms. Coffin:

This week I talked with your colleague, Ms. Jean L. Woy, at the American Political Science Association annual conference in Washington about a book I am writing entitled, *Consent of the Governed: Reflections on the American Experience*. She felt that it wasn't right for Houghton Mifflin's College Division but that conceivable it might be suitable for the Trade Division. Therefore, I am submitting for your consideration a synopsis of the book and a draft of the first four chapters to illustrate my approach and writing style. This sample covers the historical setting and today's institutional framework for consent. The remaining four-fifths of the book will offer full description and analysis of contemporary practices.

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. The book traces the development of theory and practice of consent and describes the

many ways it occurs in selecting public officials and in governing.

My perspective. I write from a perspective of applied political science. As a separate vita indicates, after university education in political science I have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a fellow of the National Academy of Public Administration. I have written numerous articles and reports and have authored nine books, mostly published by social science and university presses (listed in vita). Of these, *Neighborhoods: Their Place in Urban Life* (Sage Publications, 1984) demonstrates my capacity for taking a comprehensive approach to a subject and incorporating ideas from numerous sources into a fresh synthesis.

When new democracies began to emerge in Eastern Europe, I began to look at American democracy with fresh eyes to see what lessons we have learned through 200 years of arduous experience that might be applicable in these new democracies. In doing so I picked up a phrase that I had used now and then in writing and training on citizen participation practices: "consent of the governed is a continuous process."

Nothing comparable. I delved into American political science literature, which I hadn't looked at for a long time, to discover what academic political science had to say about consent of the governed. I could find no comprehensive treatment. Ms. Christina Coffin

September 4, 1993

Page two

Widely used textbooks on American government scarcely mention the idea of consent, much less systematically describe how it is manifested. There is

a rich literature on elections and political parties (provision of initial consent), quite a bit on interest groups (part of continuing consent), but not much on a wide range of citizen participation processes (continuous interaction between citizens and public officials). Nowhere are all elements of the consent process pulled together. No other book is now on the market like the book I propose, a finding I confirmed by visiting numerous publishers' booths at the APSA conference.

Market. The market for the book would be fivefold: (1) Politically active citizens, including persons newly activated by Ross Perot and other independents. (2) College and university students, supplementing basic textbooks in courses on American government, politics, political parties, and interest groups; or used as a non-traditional primary text with supplemental material on government structure and administration. (3) Scholars who would value the insight that consent of the governed in American democracy is continuous and interactive and who might be inspired to delve into this concept in greater depth in specialized fields. (4) Public, college, and university libraries. (5) Persons in emerging democracies abroad. For the latter there are opportunities for producing translations through the United States Information Service and foundations.

I have portions of the "applied" chapters in draft form if you would like a fuller sample of my ideas. If so, please let me know. But if you conclude that *Consent of the Governed* is unsuitable for Houghton Mifflin, please return my draft chapters in the enclosed stamped envelope.

Sincerely yours,

Howard W. Hallman

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817
(301) 897-3668

September 4, 1993

Mr. Dan Lundy
Academic Marketing Manager
Penguin USA
375 Hudson Street
New York, NY 10014

Dear Mr. Lundy:

This week I talked with your colleague, Peter Smith, at the American Political Science Association annual conference in Washington about a book I am writing entitled, *Consent of the Governed: Reflections on the American Experience*. He suggested that I write to you to inquire whether Penguin USA might be interested in publishing this book. Therefore, I am submitting a synopsis of the book and a draft of the first four chapters to illustrate my approach and writing style. This sample covers the historical setting and today's institutional framework for consent. The remaining four-fifths of the book will offer full description and analysis of contemporary practices. I would appreciate your referring this material to an appropriate person in the editorial department.

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. The book

traces the development of theory and practice of consent and describes the many ways it occurs in selecting public officials and in governing.

My perspective. I write from a perspective of applied political science. As a separate vita indicates, after university education in political science I have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a fellow of the National Academy of Public Administration. I have written numerous articles and reports and have authored nine books, mostly published by social science and university presses (listed in vita). Of these, *Neighborhoods: Their Place in Urban Life* (Sage Publications, 1984) demonstrates my capacity for taking a comprehensive approach to a subject and incorporating ideas from numerous sources into a fresh synthesis.

When new democracies began to emerge in Eastern Europe, I began to look at American democracy with fresh eyes to see what lessons we have learned through 200 years of arduous experience that might be applicable in these new democracies. In doing so I picked up a phrase that I had used now and then in writing and training on citizen participation practices: "consent of the governed is a continuous process."

Nothing comparable. I delved into American political science literature, which I hadn't looked at for a long time, to discover what academic political science had to say about consent of the governed. I could find no comprehensive treatment. Mr. Dan Lundy

September 4, 1993

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Market. The market for the book would be fivefold: (1) Politically active citizens, including persons newly activated by Ross Perot and other independents. (2) College and university students, supplementing basic textbooks in courses on American government, politics, political parties, and interest groups; or used as a non-traditional primary text with supplemental material on government structure and administration. (3) Scholars who would value the insight that consent of the governed in American democracy is continuous and interactive and who might be inspired to delve into this concept in greater depth in specialized fields. (4) Public, college, and university libraries. (5) Persons in emerging democracies abroad. For the latter there are opportunities for producing translations through the United States Information Service and foundations.

I have portions of the "applied" chapters in draft form if you would like a fuller sample of my ideas. If so, please let me know. But if you conclude that *Consent of the Governed* is unsuitable for Penguin USA, please return my draft chapters in the enclosed stamped envelope.

Sincerely yours,

Howard W. Hallman

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

September 4, 1993

Ms. Alice Mayhew, Editor
Simon & Schuster
1239 Avenue of the Americas
New York, NY 10020

Dear Ms. Mayhew:

When I visited the Simon & Schuster exhibit this week at the American Political Science Association annual conference in Washington, your name was suggested as a person I might contact about a book I am writing entitled, *Consent of the Governed: Reflections on the American Experience*. Therefore, I am submitting for your consideration a synopsis of the book and a draft of the first four chapters to illustrate my approach and writing style. This sample covers the historical setting and today's institutional framework for consent. The remaining four-fifths of the book will offer full description and analysis of contemporary practices.

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. The book traces the development of theory and practice of consent and describes the many ways it occurs in selecting public officials and in governing.

My perspective. I write from a perspective of applied political science. As a separate vita indicates, after university education in political science I have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a fellow of the National Academy of Public Administration. I have written numerous articles and reports and have authored nine books, mostly published by social science and university presses (listed in vita). Of these, *Neighborhoods: Their Place in Urban Life* (Sage Publications, 1984) demonstrates my capacity for taking a comprehensive approach to a subject and incorporating ideas from numerous sources into a fresh synthesis.

When new democracies began to emerge in Eastern Europe, I began to look at American democracy with fresh eyes to see what lessons we have learned through 200 years of arduous experience that might be applicable in these new democracies. In doing so I picked up a phrase that I had used now and then in writing and training on citizen participation practices: "consent of the governed is a continuous process."

Nothing comparable. I delved into American political science literature, which I hadn't looked at for a long time, to discover what academic political science had to say about consent of the governed. I could find no comprehensive treatment.

Ms. Alice Mayhew

September 4, 1993

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I have portions of the "applied" chapters in draft form if you would like a fuller sample of my ideas. If so, please let me know. But if you conclude that *Consent of the Governed* is unsuitable for Simon & Schuster, please return my draft chapters in the enclosed stamped envelope.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

September 4, 1993

Acquisition Department
Random House, Inc.
201 East 50th Street
New York, NY 10022

Dear Friends:

I am submitting a synopsis of a book I am writing entitled, *Consent of the Governed: Reflections on the American Experience* and also a draft of the first four chapters. I request that you direct it to appropriate editors in different divisions of Random House to ascertain their interest in this book. I write you for this purpose at the suggestion of personnel at the Random House exhibit at the American Political Science Association annual conference meeting this week in Washington.

The sample chapters deal with the historical setting and today's institutional framework for consent. The remaining four-fifths of the book will offer full description and analysis of contemporary practices. I have portions of these chapters in draft form if you would like a fuller sample of my ideas.

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for

political participation exists for those who want to be involved. The book traces the development of theory and practice of consent and describes the many ways it occurs in selecting public officials and in governing.

My perspective. I write from a perspective of applied political science. As a separate vita indicates, after university education in political science I have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a fellow of the National Academy of Public Administration. I have written numerous articles and reports and have authored nine books, mostly published by social science and university presses (listed in vita). Of these, *Neighborhoods: Their Place in Urban Life* (Sage Publications, 1984) demonstrates my capacity for taking a comprehensive approach to a subject and incorporating ideas from numerous sources into a fresh synthesis.

When new democracies began to emerge in Eastern Europe, I began to look at American democracy with fresh eyes to see what lessons we have learned through 200 years of arduous experience that might be applicable in these new democracies. In doing so I picked up a phrase that I had used now and then in writing and training on citizen participation practices: "consent of the governed is a continuous process."

Nothing comparable. I delved into American political science literature, which I hadn't looked at for a long time, to discover what academic political science had

Acquisition Department

Random House, Inc.

September 4, 1993

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Market. The market for the book would be fivefold: (1) Politically active citizens, including persons newly activated by Ross Perot and other independents. (2) College and university students, supplementing basic textbooks in courses on American government, politics, political parties, and interest groups; or used as a non-traditional primary text with supplemental material on government structure and administration. (3) Scholars who would value the insight that consent of the governed in American democracy is continuous and interactive and who might be inspired to delve into this concept in greater depth in specialized fields. (4) Public, college, and university libraries. (5) Persons in emerging democracies abroad. For the latter there are opportunities for producing translations through the United States Information Service and foundations.

If you conclude that *Consent of the Governed* is unsuitable for any of Random House's divisions, please return my draft chapters in the enclosed stamped envelope.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

September 4, 1993

Mr. Kermit Hummel
President & Publisher
Basic Books
10 East 53rd Street
New York, NY 10022-5299

Dear Mr. Hummel:

This past week at the annual meeting of the American Political Science Association I gave a synoptic outline of a book entitled *Consent of the Governed: Reflections on the American Experience* to the representative of Basic Books. She said that she would hand it on to you. I have also available a draft of the first four chapters if you are interested in learning more about my approach and my literary style.

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. The book traces the development of theory and practice of consent and describes the many ways it occurs in selecting public officials and in governing.

Author's perspective. I write from a perspective of applied political science. As a separate vita indicates, after university education in political science I

have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a fellow of the National Academy of Public Administration. I have written numerous articles and reports and have authored nine books, mostly published by social science and university presses (listed in vita). Of these, *Neighborhoods: Their Place in Urban Life* (Sage Publications, 1984) demonstrates my capacity for taking a comprehensive approach to a subject and incorporating ideas from numerous sources into a fresh synthesis.

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September 4, 1993

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If you would like to see the draft chapters or want any other information, please let me know.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

September 4, 1993

Mr. Don Reisman, Executive Editor
College Department
St. Martin's Press
175 5th Avenue
New York, NY 10010

Dear Mr. Reisman:

I was glad for the opportunity to talk to you this past week at the annual meeting of the American Political Science Association and to give you a synoptic outline of a book entitled *Consent of the Governed: Reflections on the American Experience*. I have available four draft chapters if you are interested in reviewing them.

The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. The book traces the development of theory and practice of consent and describes the many ways it occurs in selecting public officials and in governing.

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A copy of my vita is enclosed. The second page contains a listing of my nine previously published books, most of them published by social science and university presses.

Please let me know if you would like to receive the sample chapters or need any other information.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

September 4, 1993

Mr. Charles Hanson
The Free Press
866 Third Avenue
New York, NY 10022

Dear Mr. Hanson:

I was glad for the opportunity to talk to you this past week at the annual meeting of the American Political Science Association and to give you a synoptic outline of a book entitled *Consent of the Governed: Reflections on the American Experience*. You said that you will hand it on to an appropriate editor, which I appreciate. I have four draft chapters available for review and can send them if requested.

The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. The book traces the development of theory and practice of consent and describes the many ways it occurs in selecting public officials and in governing.

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Please let me know if you would like to receive the sample chapters or need any other information.

Sincerely yours,

Howard W. Hallman

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HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

September 4, 1993

Mr. Fred Woodward
University Press of Kansas
2501 West 15th Street
Lawrence, KS 66049

Dear Mr. Woodward:

I was glad for the opportunity to talk to you this past week at the annual meeting of the American Political Science Association and to give you a synoptic outline of a book entitled *Consent of the Governed: Reflections on the American Experience*. Beyond the synopsis I have four draft chapters available for review and can send them if requested. I was also interested to hear about the Hill and learn more about the emergence of the University Press of Kansas, which is nothing like the tiny operation it was when I was at KU (but that was 40 years ago!).

The theme of my book is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. The book traces the development of theory and practice of consent and describes the many ways it occurs in selecting public officials and in governing.

The market for the book would be fivefold: (1) Politically active citizens, including persons newly activated by Ross Perot and other independents.

(2) College and university students, supplementing basic textbooks in courses on American government, politics, political parties, and interest groups; or used as a non-traditional primary text with supplemental material on government structure and administration. (3) Scholars who would value the insight that consent of the governed in American democracy is continuous and interactive and who might be inspired to delve into this concept in greater depth in specialized fields. (4) Public, college, and university libraries. (5) Persons in emerging democracies abroad. For the latter there are opportunities for producing translations through the United States Information Service and foundations.

A copy of my vita is enclosed. The second page contains a listing of my nine previously published books, most of them published by social science and university presses.

Please let me know if you would like to receive the sample chapters or need any other information.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

September 4, 1993

Mr. John P. Kelly
W.W. Norton & Company
912 North Wayne Street, Apt. 201
Arlington, VA 22201

Dear Mr. Kelly:

I was glad for the opportunity to talk to you this past week at the annual meeting of the American Political Science Association and to give you a synoptic outline and four sample chapter of my book entitled *Consent of the Governed: Reflections on the American Experience*. These chapters are from the beginning and emphasize the historical setting and the institutional structure of consent. The rest of the book will deal with the practical application of consent in selecting public officials and governing. I have partial drafts of some of those chapters if you or your reviewers would like to see them to learn more about my ideas.

The theme of my book is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. The book traces the development of theory and practice of consent and describes the many ways it occurs in selecting public officials and in governing.

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Please let me know if you need any further information. If you decide that *Consent of the Governed* is unsuitable for W.W. Norton, please return the sample chapters in the stamped, self-addressed envelope I gave you.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

September 4, 1993

Mr. David Tatom
Harcourt Brace College Publishers
7555 Calwell Avenue
Chicago, IL 60714

Dear Mr. Tatom:

I was glad for the opportunity to talk to you this past week at the annual meeting of the American Political Science Association and to give you a synoptic outline of a book entitled *Consent of the Governed: Reflections on the American Experience*. I have available four draft chapters if you are interested in reviewing them.

The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. The book traces the development of theory and practice of consent and describes the many ways it occurs in selecting public officials and in governing.

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A copy of my vita is enclosed. The second page contains a listing of my nine previously published books, most of them published by social science and university presses.

Please let me know if you would like to receive the sample chapters or need any other information.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

October 16, 1993

Ms. Christina Coffin
Managing Editor, Trade Division
Houghton Mifflin Company
222 Berkeley Street
Boston, MA 02116-3764

Dear Ms. Coffin:

On September 4, 1993 I sent you a proposal for a book I am writing entitled *Consent of the Governed: Reflections on the American Experience*. I want to inquire where you stand in the review of my proposal and to update you on my work on this project.

I continue to write and revise. Being an inductive thinker, I immerse myself in topics and see where it carries me. Sometimes I am led to revise and even discard previously written drafts. And so it is with *Consent of the Governed*.

At the risk of confusing you and your reviewers, I am sending a revised Synopsis. It reduces the historical treatment of federalism (which I sent you previously), enhances the treatment of recall, impeachment, ballot issues, and town meetings (assembled and electronic), and adds chapters on ward republics (neighborhood-based dealings) and term limits. It enlarges consideration of public opinion and consent.

If you want to see more of my writing, I have decent drafts of chapters on

"Set of Decision-Making Processes" and "Positioning to Run for Office and Reelection" and portions of other chapters.

*I remain convinced that I have fresh approach to consent of the governed.
I hope that Houghton Mifflin will consider it a worthy book to publish.*

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

October 16, 1993

Mr. John P. Kelly
W.W. Norton & Company
912 North Wayne Street, Apt. 201
Arlington, VA 22201

Dear Mr. Kelly:

At the annual meeting of the American Political Science Association I gave you a synoptic outline and four sample chapter of my book entitled *Consent of the Governed: Reflections on the American Experience*. I want to inquire where you stand in the review of my proposal and to update you on my work on this project.

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Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

November 16, 1993

Ms. Christina Coffin
Managing Editor, Trade Division
Houghton Mifflin Company
222 Berkeley Street
Boston, MA 02116-3764

Dear Ms. Coffin:

On September 4, 1993 I sent you a proposal for a book I am writing entitled *Consent of the Governed: Reflections on the American Experience*. On October 16 I sent a revised chapter outline and synopsis. I have continued to write and revise. I have further revised the chapter outline, as shown in an enclosure. More importantly I have written a new chapter 3 on "Pathways of Consent" (enclosed) to provide a better introduction to contemporary consent processes. It follows the the first two chapters that present the historical setting.

My latest clarification is pointing out that continuous, interactive consent occurs along pathways traversed in electing public officials, enacting legislation, and making executive policies. Candidates for public office, elected officials, interest group representatives, and political party officials participate continuously along these pathways. In contrast, most of the population participates only intermittently through voting and contacts with public officials but can enter onto the pathways at any time, and do so when issues of concern arise. It is important that they do because many aspects of legislation and executive decisions are shaped by what occurs in

the early stages. And in elections, of course, "you can't beat somebody with nobody". The rest of the book will examine various aspects of the consent process, including various ways of influencing public opinion beyond specific legislation and elections.

If I can provide you more information, please let me know. If you decide that my book is not appropriate for Houghton Mifflin, please return the enclosed draft chapter and the ones sent earlier in the self-addressed envelope I supplied with my original submission.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

November 16, 1993

Mr. John P. Kelly
W.W. Norton & Company
912 North Wayne Street, Apt. 201
Arlington, VA 22201

Dear Mr. Kelly:

At the annual meeting of the American Political Science Association I gave you a synoptic outline and four sample chapter of my book entitled *Consent of the Governed: Reflections on the American Experience*. On October 16 I sent a revised chapter outline and synopsis.

I have continued to write and revise. I have further revised the chapter outline, as shown in an enclosure. More importantly I have written a new chapter 3 on "Pathways of Consent" (enclosed) to provide a better introduction to contemporary consent processes. It follows the first two chapters that present the historical setting.

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aspects of legislation and executive decisions are shaped by what occurs in the early stages. And in elections, of course, "you can't beat somebody with nobody". The rest of the book will examine various aspects of the consent process, including various ways of influencing public opinion beyond specific legislation and elections.

If I can provide you more information, please let me know. If the decision-makers at W.W. Norton decide my book is not appropriate for their list, please return the enclosed draft chapter and the ones sent earlier in the self-addressed envelope I supplied with my original submission.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

January 22, 1994

Mr. Henry Y.K. Tom, Executive Editor
The Johns Hopkins University Press
701 W. 40th Street, Suite 275
Baltimore, MD 21211-2190

Dear Mr. Tom:

I am submitting for your consideration a proposal for a book entitled *Consent of the Governed: Reflections on the American Experience*. Enclosed are the table of contents, a synopsis, and several sample chapters, some complete with scholarly references, others in a first-stage draft of laying out basic ideas. Would the Johns Hopkins University Press be interested in publishing this book?

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved.

For a quick read on my ideas, you might want to look at Chapter 1 -- "Thesis" and Chapter 3 - "Pathways of Consent". The latter emphasizes that the consent process in American democracy occurs along sets of pathways traversed on the way to electing public officials, enacting legislation, and making executive policies. Many people take this journey with candidates, legislators, and executive decision-makers, interacting with them along the way. What occurs along the pathways is as important as

the final outcome in achieving the consent of the governed.

My perspective. I write from a perspective of applied political science. As my enclosed vita indicates, after university education in political science I have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a fellow of the National Academy of Public Administration.

I have written over 250 articles and reports and have authored nine books, including *Community-based Employment Programs*, published by the Johns Hopkins University Press in 1980 in your Policy Studies in Employment and Welfare series. Of my other books, *Neighborhoods: Their Place in Urban Life* (Sage Publications, 1984) most clearly demonstrates my capacity for taking a comprehensive approach to a subject and incorporating ideas from numerous sources into a creative synthesis.

No comparable book. As you look at the table of contents, you will notice that I am dealing with many topics common to political science. In doing so I offer the fresh perspective that consent is a continuous, interactive process. As I have delved into American political science literature, I have found that widely used textbooks on American government scarcely mention the idea of consent, much less systematically describe how it is manifested. There is, of course, a rich literature on elections and political parties (provision of initial consent), quite a bit on interest groups (part of continuing consent), but not much on a wide

Mr. Henry Y.K. Tom

January 22, 1994

Page two.

range of citizen participation processes (continuous interaction between citizens and public officials). Nowhere are all elements of the consent process pulled together. No other book is now on the market like the book I propose.

Market. The market for the book would be fivefold: (1) College and university students, supplementing basic textbooks in courses on American government, politics, political parties, and interest groups; or used as a non-traditional primary text with supplemental material on government structure and administration. (2) Scholars who would value the insight that consent of the governed in American democracy is continuous and interactive and who might be inspired to delve into this concept in greater depth in specialized fields. (3) Public, college, and university libraries. (4) Politically active citizens, including persons newly activated by Ross Perot and other independents. (5) Persons in emerging democracies abroad. For the latter there may be opportunities for producing translations through the United States Information Service and foundations.

If you would like to meet with me personally to discuss my ideas, I would welcome the opportunity. But if you decide that *Consent of the Governed* is unsuitable for the Johns Hopkins University Press, please return my manuscript in the enclosed, self-addressed envelope.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

January 22, 1994

Mr. John Tryneski
University of Chicago Press
5801 Ellis Avenue
Chicago, IL 60637

Dear Mr. Tryneski:

I am submitting for your consideration a proposal for a book entitled *Consent of the Governed: Reflections on the American Experience*. Enclosed are the table of contents, a synopsis, and several sample chapters, some complete with scholarly references, others in a first-stage draft of laying out basic ideas. Would the University of Chicago Press be interested in publishing this book?

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved.

For a quick read on my ideas, you might want to look at Chapter 1 -- "Thesis" and Chapter 3 - "Pathways of Consent". The latter emphasizes that the consent process in American democracy occurs along sets of pathways traversed on the way to electing public officials, enacting legislation, and making executive policies. Many people take this journey with candidates, legislators, and executive decision-makers, interacting with them along the way. What occurs along the pathways is as important as

the final outcome in achieving the consent of the governed.

My perspective. I write from a perspective of applied political science. As my enclosed vita indicates, after university education in political science I have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a fellow of the National Academy of Public Administration.

I have written over 250 articles and reports and have authored nine books, mostly published by social science and university presses (listed in the vita). Of these, *Neighborhoods: Their Place in Urban Life* (Sage Publications, 1984) most clearly demonstrates my capacity for taking a comprehensive approach to a subject and incorporating ideas from numerous sources into a creative synthesis.

No comparable book. As you look at the table of contents, you will notice that I am dealing with many topics common to political science. In doing so I offer the fresh perspective that consent is a continuous, interactive process. As I have delved into American political science literature, I have found that widely used textbooks on American government scarcely mention the idea of consent, much less systematically describe how it is manifested. There is, of course, a rich literature on elections and political parties (provision of initial consent), quite a bit on interest groups (part of continuing consent), but not much on a wide range of citizen participation processes (continuous interaction between citizens

Mr. John Tryneski

January 22, 1994

Page two.

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Market. The market for the book would be fivefold: (1) College and university students, supplementing basic textbooks in courses on American government, politics, political parties, and interest groups; or used as a non-traditional primary text with supplemental material on government structure and administration. (2) Scholars who would value the insight that consent of the governed in American democracy is continuous and interactive and who might be inspired to delve into this concept in greater depth in specialized fields. (3) Public, college, and university libraries. (4) Politically active citizens, including persons newly activated by Ross Perot and other independents. (5) Persons in emerging democracies abroad. For the latter there may be opportunities for producing translations through the United States Information Service and foundations.

If you have any questions about my book, please give me a call. If you decide that *Consent of the Governed* is unsuitable for the University of Chicago Press, please return my manuscript in the enclosed, self-addressed envelope.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

January 24, 1994

Ms. Carie Mullen
Sage Publications
2455 Teller Road
Thousand Oaks, CA 91320

Dear Ms. Mullen:

As I mentioned on the phone, I am working on a book entitled *Consent of the Governed: Reflections on the American Experience*. Sage Publications previously published three books of mine (*Neighborhood Government*, 1974; *Small and Large Together*, 1977; and *Neighborhoods*, 1984). Would you be interested in publishing *Consent of the Governed*?

Enclosed are the table of contents, a synopsis, and several sample chapters. Some are complete with scholarly references while others are in a first-stage draft of laying out basic ideas. Together they provide a fair sample of my approach and writing style.

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved.

For a quick read on my ideas, you might want to look at Chapter 1 -- "Thesis" and Chapter 3 - "Pathways of Consent". The latter emphasizes that the consent process in American democracy occurs along sets of

pathways traversed on the way to electing public officials, enacting legislation, and making executive policies. Many people take this journey with candidates, legislators, and executive decision-makers, interacting with them along the way. What occurs along the pathways is as important as the final outcome in achieving the consent of the governed.

My perspective. I write from a perspective of applied political science. As my enclosed vita indicates, after university education in political science I have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a fellow of the National Academy of Public Administration.

I have written over 250 articles and reports and have authored nine books, mostly published by social science and university presses (listed in the vita). Of these, *Neighborhoods: Their Place in Urban Life*, which Sage published, best demonstrates my capacity for taking a comprehensive approach to a subject and incorporating ideas from numerous sources into a creative synthesis.

No comparable book. As you look at the table of contents, you will notice that I am dealing with many topics common to political science. In doing so I offer the fresh perspective that consent is a continuous, interactive process. As I have delved into American political science literature, I have found that widely used textbooks on American government scarcely mention the idea of consent, much

Ms. Carie Mullen

January 24, 1994

Page two.

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Market. The market for the book would be fivefold: (1) College and university students, supplementing basic textbooks in courses on American government, politics, political parties, and interest groups; or used as a non-traditional primary text with supplemental material on government structure and administration. (2) Scholars who would value the insight that consent of the governed in American democracy is continuous and interactive and who might be inspired to delve into this concept in greater depth in specialized fields. (3) Public, college, and university libraries. (4) Politically active citizens, including persons newly activated by Ross Perot and other independents. (5) Persons in emerging democracies abroad. For the latter there may be opportunities for producing translations through the United States Information Service and foundations.

I believe that *Consent of the Governed* will have a considerably larger market than *Neighborhoods*, which Sage reprinted two or more times and kept on the active list for about eight years.

If you have any questions about my book, please give me a call. If you decide that *Consent of the Governed* is unsuitable for Sage Publications,

please return my manuscript in the enclosed, self-addressed envelope.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

April 6, 1994

Ms. Myrna Reagons
Editorial Assistant
Sage Publications
2455 Teller Road
Thousand Oaks, CA 91320

Dear Ms. Reagons:

As you requested I am sending a list of possible reviewers for my proposed book, *Consent of the Governed: Reflections on the American Experience*. Most of them are from the applied side of political science, including public administration and urban affairs, rather than the theoretical. In reviewing political science literature of the last 10-15 years, I find that most scholars writing about democracy tend to be deductive and don't appreciate the depth of interaction that occurs in the consent process. Exceptions are Jeffrey Berry and Jane Mansbridge, who has immersed themselves in people's actual experience before writing about democracy.

I believe that there would be a sizable market for *Consent of the Governed* on college campuses because my book will go much deeper into the subject in a practical manner than the typical textbook, which often deals more with structure than the processes of consent-giving.

Because you have had my proposal over two months, am I right in assuming that you have completed your in-house review and are now entering the peer review stage?

If you need further information, please let me know.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

*Possible reviewers for **Consent of the Governed: Reflections on the American Experience**, a book proposed by Howard W. Hallman.*

Enid Beaumont, Director 202 434-4850
Academy for State and Local Government
444 North Capitol Street, NW, Suite 345
Washington, DC 20001

Jeffrey M. Berry
Professor of Political Science
Tufts University
Medford, MA 02155

James V. Cunningham 412 624-6331
Professor of Social Work
2301 Cathedral of Learning
University of Pittsburgh
Pittsburgh, PA 15260

John J. Kirlin 707 224-7127
USC School of Public Administration
1804 Soscol Avenue, Suite 200
Napa, CA 94559

Jane J. Mansbridge 708 491-8726
Center for Urban Affairs
Northwestern University
2440 Sheridan Road
Evanston, IL 60208

Arthur Naparstek
Mandel School of Applied Social Science

Case Western University
10900 Euclid Avenue
Cleveland, OH 44106

Hans Spiegel
Urban Affairs, Hunter College
187 Leonia Avenue
Leonias, NJ 07605

212 772-5515

Carl W. Stenberg, Director
Center for Public Service
918 Emmet Street North, Suite 300
Charlottesville, VA 22903

804 982-5541

April 6, 1994

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

July 11, 1994

Ms. Myrna Reagons
Editorial Assistant
Sage Publications
2455 Teller Road
Thousand Oaks, CA 91320

Dear Ms. Reagons:

Here is a copy of the letter I sent on April 6, 1994, suggesting reviewers for my proposal for a book entitled *Consent of the Governed: Reflections on the American Experience*. I'm sorry you didn't receive it. I was hoping for a favorable response by now because July and August would be a good time for me to do a lot of writing.

Please call me when you receive this letter so that I will know it has arrived.

If I haven't heard from you in a week, I'll call you. I hope that you can expedite review.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

July 15, 1994

Ms. Myrna Reagons
Editorial Assistant
Sage Publications
2455 Teller Road
Thousand Oaks, CA 91320

Dear Ms. Reagons:

As I indicated on the phone the other day, I looked over the manuscript material on *Consent of the Governed: Reflections on the American Experience*, which I sent to Sage Publications in January 1994. I decided that I wanted to revise it by eliminating some of the projected chapters and working over the ones I had written earlier. I have done so and am sending you the revisions. It is a tighter approach that gets to the heart of the matter sooner.

Please discard all the manuscript chapters I sent previously except the two appendices. I suggest that you send at least the new material to reviewers. Appendix A and Appendix B deal with the historical foundation and might be considered optional for inclusion in the book, depending on how long a book Sage would want to publish. But feel free to send them to reviewers, too.

I would appreciate knowing that you have received this new material and have sent it to reviewers. I would also like to have your estimate of how long before Sage will be making a decision.

*If Sage Publications decides not to publish *Consent of the Governed*, please return the manuscript in the enclosed, self-addressed envelope.*

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

July 18, 1994

A. S. Mehta, Editor-in-chief
Alfred A. Knopf
201 E. 50th Street
New York, NY 10022

Dear A. S. Mehta:

I am submitting for your consideration a proposal for a book entitled *Consent of the Governed: Reflections on the American Experience*. Enclosed are the table of contents, a synopsis, and several sample chapters. Would Alfred A. Knopf be interested in publishing this book? This would be my tenth books, the previous ones having been published by university and social science presses (list enclosed).

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. This thesis is laid out in the first chapter.

Later chapters describe how the consent process in American democracy occurs along roadways traversed on the way to electing public officials, enacting legislation, and making executive policies. Many people take this journey with candidates, legislators, and executive decision-makers, interacting with them along the way. What occurs along the roadways is as important as the final outcome in achieving the consent of the governed.

My perspective. I write from a perspective of applied political science. As my enclosed vita indicates, after university education in political science I have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a senior fellow of the National Academy of Public Administration. In writing this book I draw heavily upon my practical experience in politics and public administration but also take scholarly literature into consideration.

No comparable book. As you look at the table of contents, you will notice that I am dealing with many topics common to political science. In doing so I offer the fresh perspective that consent is a continuous, interactive process. As I have delved into American political science literature, I have found that widely used textbooks on American government scarcely mention the idea of consent, much less systematically describe how it is manifested. There is, of course, a rich literature on elections and political parties (provision of initial consent), quite a bit on interest groups (part of continuing consent), but not much on the wide range of citizen participation processes (continuous interaction between citizens and public officials). Nowhere are all elements of the consent process pulled together. No other book is now on the market like the book I propose.

Market. The market for the book would be fivefold: (1) College and university students, supplementing basic textbooks in courses on American government, politics, political parties, and interest groups. (2) Scholars who would value the A. S. Mehta

July 18, 1994

Page two.

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*I have available drafts of several other chapters in addition to the ones I have sent you. Please let me know if you would like to receive them or need other information. However, if you decide that *Consent of the Governed* is unsuitable for Alfred A. Knopf, please return the draft chapters in the enclosed, self-addressed envelope.*

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

July 18, 1994

Ms. Cecilia Cancellaro
Editor, History and Politics
Routledge Publishing Co.
29 W. 35th Street
New York, NY 10001-2299

Dear Ms. Cancellaro:

I am submitting for your consideration a proposal for a book entitled *Consent of the Governed: Reflections on the American Experience*. Enclosed are the table of contents, a synopsis, and several sample chapters. Would Routledge be interested in publishing this book? This would be my tenth books, the previous ones having been published by university and social science presses (list enclosed).

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. This thesis is laid out in the first chapter.

Later chapters describe how the consent process in American democracy occurs along roadways traversed on the way to electing public officials, enacting legislation, and making executive policies. Many people take this journey with candidates, legislators, and executive decision-makers,

interacting with them along the way. What occurs along the roadways is as important as the final outcome in achieving the consent of the governed.

***My perspective.** I write from a perspective of applied political science. As my enclosed vita indicates, after university education in political science I have served as community organizer, local government administrator, consultant to community action agencies, U.S. Senate staff, researcher, trainer, provider of technical assistance to local governments and neighborhood organizations, and policy advocate in Washington. I am president of the Civic Action Institute and a senior fellow of the National Academy of Public Administration. In writing this book I draw heavily upon my practical experience in politics and public administration but also take scholarly literature into consideration.*

***No comparable book.** As you look at the table of contents, you will notice that I am dealing with many topics common to political science. In doing so I offer the fresh perspective that consent is a continuous, interactive process. As I have delved into American political science literature, I have found that widely used textbooks on American government scarcely mention the idea of consent, much less systematically describe how it is manifested. There is, of course, a rich literature on elections and political parties (provision of initial consent), quite a bit on interest groups (part of continuing consent), but not much on the wide range of citizen participation processes (continuous interaction between citizens and public officials). Nowhere are all elements of the consent process pulled together. No other book is now on the market like the book I propose.*

Ms. Cecilia Cancellaro

July 18, 1994

Page two.

Market. The market for the book would be fivefold: (1) College and university students, supplementing basic textbooks in courses on American government, politics, political parties, and interest groups. (2) Scholars who would value the insight that consent of the governed in American democracy is continuous and interactive and who might be inspired to delve into this concept in greater depth in specialized fields. (3) Public, college, and university libraries. (4) Politically active citizens, including persons newly activated by Ross Perot and other independents. (5) Persons in emerging democracies abroad. For the latter there may be opportunities for producing translations through the United States Information Service and foundations.

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HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

July 18, 1994

Mr. William D. Phillips
Editor-in-chief, Trade Division
Little, Brown & Company
34 Beacon Street
Boston, MA 02108

Dear Mr. Phillips:

I am submitting for your consideration a proposal for a book entitled *Consent of the Governed: Reflections on the American Experience*. Enclosed are the table of contents, a synopsis, and several sample chapters. Would Little, Brown & Company be interested in publishing this book? This would be my tenth books, the previous ones having been published by university and social science presses (list enclosed).

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Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

July 18, 1994

Mr. Ronald D. Chambers, General Manager
Praeger Publishers
88 Post Road West
Westport, CT 06881

Dear Mr. Chambers:

I am submitting for your consideration a proposal for a book entitled *Consent of the Governed: Reflections on the American Experience*. Enclosed are the table of contents, a synopsis, and several sample chapters. Would Praeger be interested in publishing this book? This would be my tenth books, the previous ones having been published by university and social science presses, including two by Praeger (see enclosed list).

Theme. The book's theme is that consent of the governed in American democracy is a continuous, interactive process, not merely we-vote-and-that's-it. We have representative government in a participatory mode. It's incomplete, but widespread opportunity for political participation exists for those who want to be involved. This thesis is laid out in the first chapter.

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Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

HOWARD W. HALLMAN
6508 Wilmett Road
Bethesda, MD 20817

October 12, 1994

Mr. Ronald D. Chambers, General Manager
Praeger Publishers
88 Post Road West
Westport, CT 06881

Dear Mr. Chambers:

On July 18, 1994 I sent you a proposal for a book entitled *Consent of the Governed: Reflections on the American Experience*. I submitted the table of contents, a synopsis, several sample chapters, and a self-addressed return envelope.

I am wondering if you received this material, and, if so, where you are in your review. In the 1970s Praeger published two of my books, and I would welcome an opportunity to renew this association.

I have available drafts of several other chapters in addition to the ones I submitted you and can send them to you on your request. But if you decide that *Consent of the Governed* is not right for Praeger, please return the draft chapters in the self-addressed envelope I sent earlier.

Sincerely yours,

Howard W. Hallman

Telephone -- Mon-Thurs: (301) 694-2859; Fri-Sat: (301) 897-3668

Clinton Rossiter, *Seedtime of the Republic: The Origin of the American Tradition of Political Liberty*. New York: Harcourt, Brace & World, Inc. 1953.

Contents -- copied

Part 1. The Circumstances

Chapter One. Colonial Government and the Rise of Liberty

Except for short terms, in isolated localities, and among small groups of pioneers, there was very little political democracy in the colonial period.... Yet for the most part government in the colonies was simply a less corrupt and oppressive, more popular and / easy-going version of government at home, and thus was characterized by limited suffrage, aristocratic leadership, and both deference and indifference among the mass of men. The governments of the continental colonies were a stage in the development of American democracy rather than democracy itself. pp.12-13

The Pattern of Government

Constitutions of the Colonies

Royal: Virginia, New York, New Hampshire, Massachusetts, New Jersey, North Carolina, South Carolina, and Georgia

Proprietary: Pennsylvania, Delaware (same as Pa.), and Maryland

Corporate: Connecticut and Rhode Island

Governors, assemblies, councils -- copied

Courts, local government, instruments of imperial supervision , colonial agents

Popular Participation in Politics

Copied p.19, 21

The Factors of Freedom: I

Assembly and governor

By 1760 the assemblies were dominant in almost every colony in continental America.

The royal power of disallowance was potent enough to prevent a complete overriding of the governor and other imperial officials, but shrewd observers were beginning to realize that only the full power of Parliament was now equal to the centrifugal practices of the assemblies. p. 23

Local government. copied 24-27

The Factors of Freedom: II

The rise of political liberty; freedom of the press.

Written constitutions and standing law.

Part 3. The Heritage

Introduction

The American colonies, 1765-1776

The ancient struggle between royal governor and popular assembly took on new vigor. p. 315

Etc.

The chain of political events, 1765-1776

Until the end of the decade the purpose of all but the most radical Americans was to restore the happy days of virtual home rule and untidy imperial supervision. p. 318
Events enumerated.

Two declarations copied: Stamp Act Congress & Massachusetts Assembly

Chapter 12. American Political Writing, 1765-1776

The American spokesmen and their agencies of communication

The men

The pamphlet. Perhaps most influential: James Otis, *Rights of the British Colonies*; John Adams, *Thoughts on Government*; Alexander Hamilton, *The Former Refuted*; Thomas Jefferson, *Summary View*; and Thomas Paine, *Common Sense*.

The newspaper article; the broadside; the almanac; the sermon; the oration; the letter; the official paper.

The problem of the American spokesman

Seven solutions proposed for problem of imperial organization:

1. Complete subjection and virtual representation
2. Representation in Parliament
3. Internal and external taxation
4. Taxation for revenue and taxation for regulation of trade
5. Denial of taxation; home rule
6. A dominion theory of the British Empire
7. Independence

The characteristics of political writing

Occasionalism; propaganda; legalism; facts; conservatism

The recourse to first principles; the American consensus (copied)

The sources of American political theory (copied)

Chapter Thirteen. American Political Thought, 1765-1776: The Rights of Man

The state of nature

The state of nature -- the state of "men living together according to reason without a common superior on earth, with authority to judge between them" -- was the point of reference around which Revolutionary thinkers grouped the principles of their political theory. p. 363. Quote is from Locke, *Civil Government*, II. Chap. 3, Sec. 19.

The law of nature

Copied p. 366,

"Locke's great message: that government must respect the commands of natural law or release men from obedience." p. 369

"Finally and most important, natural law was the source of natural rights. p. 369

The nature of man

In short, the contract in Revolutionary thought was governmental, not social. p. 371

The natural character of man was an alloy of virtue and vice; his natural state was pure freedom and equality. "All men are, by nature, equal and free," wrote James Wilson; "no one has a right to any authority over another without his consent." p. 374. quote from *Works*, III, 205.

It is important to note these two aspects of the doctrine of natural equality to which most Revolutionists subscribed: that equality among men existed within a limited sphere, but that within this sphere all men were created absolutely equal. Each had an equal claim to be free of any earthly power, each could be governed only with his consent. p. 374

The natural rights of man

The doctrine of natural rights was therefore the hard core of Revolutionary political theory. Like almost all other exponents of higher law, Americans gave this law a content and meaning that suited their practical purpose. p. 375

What were these rights which man possessed as man and could never surrender?...But in works that were more political theory than propaganda we find these rights singled out as the legitimate possession of all men everywhere: life, liberty, property, conscience, and happiness. p.377

Although Locke had several times used the word "property" in the broad sense of everything a man is or has, colonists limited their definition to ownership of things tangible or at least convertible to money. p. 379

Only two other rights -- the right of conscience and the right of happiness -- were ever placed by more than one or two authors at the same level of sanctity and universality with life, liberty, and property. p.380

Jefferson was more than a felicitous penman when he proclaimed the "pursuit of happiness: to be a natural right of man, for by the time of the Declaration of Independence most

thinkers agreed with him on this point. He was, however, something of a nonconformist in substituting this right for that of property. He alone flirted seriously with the advanced view that property was a social rather than a natural right. p.380

The right of conscience, the right of each individual to reach out for God without interference or even assistance from other men, was naturally of prime interest to a people well on the way to full religious liberty. p. 380

The civil rights of the colonists

View of colonial theorists: "The constitution and laws of every free state must recognize and protect man's natural rights. Whatever restrictions government places upon the free exercise of these rights must result from freely given consent." p. 383 [five natural rights referenced above]

Colonial pamphleteers proclaimed at least seven other civil rights in addition to those believed to be natural and unalienable: the freedoms of speech, assembly, and petition; civil supremacy; representation and free elections; jury trial and its attendant safeguards. p.384

Representation: copied pp.388-91

The right of resistance

The American theorists, constitutionalists all, placed special emphasis on the broken contract as justification for community resistance. p.393

The General Court of Massachusetts tied together the contract and resistance in its proclamation of January 23, 1776:

As the happiness of the people is the sole end of government, so the consent of the people is the only foundation of it, in reason, morality, and the natural fitness of things. And therefore every act of government, every exercise of sovereignty, against, or without, the consent of the people, is injustice, usurpation, and tyranny.... p.393

Conclusion: Congress and Virginia proclaim the rights of man

Copied pp. 398-401

Chapter Fourteen. American Political Thought, 1765-1776: The Pattern of Government

The origin of government

The consent of the contract or compact is nearly as old as political theory itself, and we have already noted the universality of its appeal to early Americans. p. 403

Paine's account [in *Common Sense*] is especially important for its careful distinction between society and government. p. 404

Copied pp.404-9

The purpose and nature of government

The form of government: I

Agreement on fundamentals:

[1] Whatever the form of government -- and there is no one plan good for all men at all times -- it should be designed to preserve the maximum of liberty and equality of the persons under it. p.416

[2] Government should always be a "plain, simple, intelligible thing... quite comprehensible by common sense." p.417 quote from John Adams, *Works*, III, 454

[3] Government should be kept as near to the people as possible, chiefly through frequent elections and rotation-in-office. p.418

Frequent elections meant, of course, annual elections, and all but one new state constitution made some provision for this method of preserving liberty and equality. Roughly half of them forbade indefinite re-eligibility to the most important executive offices. p.418

[4] The concept of rulers as servants of the people must be central to all planning for constitutional government.

[5] Government must be constitutional, an empire of laws and not of men: The discretion and whim of all men in power must be reduced to the lowest level consistent with effective operation of the political machinery. p.419

on writing constitutions: copied pp.420-1

The form of government: II

[1] No written constitution can be considered complete unless it embodies a specific declaration of rights. p. 422

Locke, II, 142 on legislative bodies: "They must not raise taxes on property without the consent of the people given by themselves or their deputies."

The framers of several of the first state constitutions inserted provisions in their bill of rights and legislative articles to remind the assembly of these limits so essential to the conduct of government by consent. p. 423

[2] A representative legislature is essential to free government, but so, too, are the twin doctrines of separation of powers and checks and balances. p. 423

[3] Re suffrage. Copied p.425-6

Supporters of unicameralism achieved their own constitutional success in Pennsylvania, Georgia, and Vermont, and many of them lived to regret it. p.428

The moral basis of government

"A stumbling-block to...tyranny and oppression"

Re political originality:

The Revolutionists would appear to have done their share by providing theoretical justification of written constitutions and bills of rights. Through these noble instruments they converted the contract into a working principle of constructive statesmanship. p. 418

Notes taken July 14, 1993