

## How Americans Have Become Civic – And To What Ends

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I want you to look at the 2000 California voter's information guide,<sup>1</sup> the reductio ad absurdum of the ideal of the informed citizen in a mass democracy. It is not as bad as Oregon's voter pamphlet which ran to two volumes. Volume One is nearly 400 pages and concerns only the propositions on the ballot. Volume Two, with statements from candidates for office, is 36 pages. These artifacts of contemporary democracy realize one particular notion of democracy, a notion the American Founding Fathers would have found entirely foreign and that most other democracies in the world today would find equally bizarre. American democracy is strange. American electoral practices are wild. And once you see present American practices in a broader context, I think you will also find that American concerns about declining civic participation, although not entirely misplaced, are badly misframed.

As I call attention to the peculiarities of the American voting ritual, I want to explain where these peculiarities come from and I want to offer some ideas about how understanding them might advance and enlarge our understanding of citizenship. If I had my way, no grade school and no high school and no college course in U.S. history would remain untouched. We have miscommunicated the American heritage for decades.

To begin with, let me take you back two centuries. Imagine yourself a voter in the world of colonial Virginia where George Washington, Patrick Henry, and Thomas Jefferson learned their politics. As a matter of law, you must be a white male owning at least a modest amount of property. Of this group, turnout was 40 to 50 percent in the 1780s. Voting was required by law and there were substantial fines for not voting, but the law was rarely enforced. Your journey to vote may take several hours since there is probably only one polling place in the county. You might spend the night at the county seat – if this was George Washington's district, there might be supper and a ball at the Washington's, with spirits flowing freely (during an election in 1758, it is estimated that George provided a quart and a half of liquor per voter). As you approach the courthouse, you see the sheriff, supervising the election, flanked by the candidates for office.

You go up to the sheriff, announce your vote in a loud voice, audible to all those around you, and then you go over to the candidate for whom you have voted and shake hands in a ritual of social solidarity. Your vote has been an act of assent, restating and reaffirming the social hierarchy of a community where no one but a local notable would

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<sup>1</sup> Unless otherwise noted, all the historical evidence in this paper is more fully discussed in Michael Schudson, The Good Citizen: A History of American Civic Life (New York: Free Press, 1998).

think of standing for office, where voting is conducted entirely in public view, and where voters are ritually rewarded by the gentlemen they favor.

In such a world, what information did a voter require? Colonial education aimed to instill religious virtue, not to encourage competent citizenship. Schooling and reading were understood to be instruments of inducting citizens more firmly into the established order. This is important to have straight at the outset: a concept of an “informed citizen” was simply not a leading idea for the founders. The whole of the citizens' informational obligation was to turn back the ambitious and self-seeking at the polls. But the citizens were not supposed to evaluate public issues themselves. That was what representatives were for.

One example: when George Washington looked at the “Democratic-Republican clubs,” political discussion societies that sprang up in 1793 and 1794, he saw a genuine threat to civil order. The clubs were, to him, “self-created societies” that presumed, irresponsibly and dangerously, to make claims upon the government, to offer suggestions to the government about what it should decide – when they had not been elected by the people nor sat in the chambers of the Congress to hear the viewpoints of all. What de Tocqueville would one day praise, Washington excoriated. He asked, in a letter to a friend, if anything could be more absurd, more arrogant, or more pernicious to the peace of Society than for self created bodies, forming themselves into permanent Censors, and under the shade of Night in a Conclave resolving that acts of Congress, which have undergone the most deliberate and solemn discussion by the Representatives of the people, chosen for the express purpose and bringing with them from the different parts of the Union the sense of their Constituents, endeavoring as far as the nature of the thing will admit to form that will into laws for the government of the whole; I say, under these circumstances, for a self created permanent body (for no one denies the right of the people to meet occasionally to petition for, or remonstrate against, any Act of the legislature etc.) to declare that this act is unconstitutional and that act is pregnant of mischief, and that all, who vote contrary to their dogmas are actuated by selfish motives, or under foreign influence; nay, in plain terms are Traitors to their Country, is such a stretch of arrogant presumption to be reconciled with laudable motives: especially when we see the same set of men endeavoring to destroy all confidence in the Administration, by arraigning all its acts, without knowing on what ground or with what information it proceeds and this without regard to decency or truth.

The Founders did not support broad publicity for governmental proceedings, they did not provide for general public education, and they discouraged informal public participation in governmental affairs. They viewed elections as affairs in which local citizens would vote for esteemed leaders of sound character and good family, deferring to a candidate's social pedigree more than siding with his policy preferences. It may be worth recalling Landon Carter's difficulties in 1776 in trying to convince his fellow citizens of Virginia that the fate of Boston, then occupied by a British force, was the fate of all America. His friends explained to him that the common people felt Boston was

none of their business because, after all, they in Virginia didn't drink tea.<sup>2</sup> Working people up into a political lather has never been a simple job.

Now picture a second scene of voting. It is the mid-nineteenth century, as mass political parties cultivate a new democratic order. Now there is much more bustle around the polling place. The area is crowded with clumps of activists from rival parties. On election day, the parties hire tens of thousands of workers to get out the vote and to stand near the polling place to hand out the "tickets" they have printed. The voter approaches the polling place, takes a ticket from one of these "ticket peddlers" he knows to be of his own party and goes up to the voting station and deposits his ticket in the ballot box. He need not look at it. He need not mark it in any way. Clearly, he need not be literate. He may cast his ballot free of charge, but it would not be surprising if he received payment for his effort. In New Jersey, as many as one third of the electorate in the 1880s expected payment for voting on election day, usually in an amount between \$1 and \$3. Outside the south, 75-80% turnout was typical.

What did a vote express? To answer that, you have to understand what politics was about in that era, and for this the best place to start is with James Bryce's American Commonwealth. The British scholar and later ambassador to the United States, wrote this important work 1888. In it, he asked of the leading political parties of the day, "What are their principles, their distinctive tenets, their tendencies? Which of them is for free trade, for civil service reform, for a spirited foreign policy?..." And he answered:

This is what a European is always asking of intelligent Republicans and intelligent Democrats. He is always asking because he never gets an answer. The replies leave him in deeper perplexity. After some months the truth begins to dawn upon him. Neither party has anything definite to say on these issues; neither party has any principles, any distinctive tenets.<sup>3</sup>

Modern historians tend to agree with Bryce. Political historian Paula Baker writes, "Party politics in this period may be considered only marginally political, in the sense that it lacked a direct connection with government or policies."

This is the large, uncomfortable fact of late nineteenth century politics to couple with the exceptional record of voter participation. The question of who votes cannot be separated ultimately from the question of what voting means. We may be impressed that, in the North, 80 percent of eligible voters typically went to the polls in presidential elections in the late nineteenth century, but again, what did a vote express? Not a strong conviction that the party offered better public policies; parties tended to be more devoted to distributing offices than to advocating policies. Party was related more to comradeship than to policy, it was more an attachment than a choice, something like a contemporary loyalty to a high school or college and its teams. Voting was not a matter of assent but a statement of affiliation. Drink, dollars, and drama brought people to the polls, and, more than that, social connection, rarely anything more elevated.

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<sup>2</sup> Rhys Isaac, "Dramatizing the ideology of Revolution," William and Mary Quarterly 33 (1976) p. 369.

<sup>3</sup>vol. 2, p. 20.

Now we come to modern times. A group of self-styled reformers known variously as liberals, Independents, or, after their defection from the Republican Party to support Cleveland in 1884, “Mugwumps,” led an attack on parties that included an attack on enthusiastic campaigning. Predominantly white, Anglo-Saxon, Northeastern urban Protestant males from business and the professions, the reformers had a genteel cast and suitably genteel objectives.

And the reformers had their way. There were still political parades in 1900 and 1904 but they were dying fast and by 1908 the occasional parade was described as “simply a curiosity, a pale reminder of an earlier time.” Banner-raising and pole-raising fell off. The parties stopped hiring glee clubs and brass bands for rallies. As parties invested less in rallying their own loyal followers and moved toward persuading uncommitted voters or “floaters,” there came to be an incentive for policy-oriented moral entrepreneurship. If party loyalty could be sustained by Fourth of July rhetoric, tradition, the promise of jobs, and social pressure on election day, party victories in the new era of “merchandising” rather than “military” campaigns had to rely on something new – a party program that promised good policies more than good jobs. The changes the reformers helped initiate in the campaign process, in other words, forced parties to redefine their own identities and to reconceive political substance and the very purpose of the state. Reform of campaign practice was one of a family of reforms and social changes that altered political communication profoundly. One of the most symbolically loaded was ballot reform. Adopted almost everywhere in a few short years, supported by labor as well as by the genteel reformers, the “Australian ballot” deserves special attention.

The Australian ballot represented a shift from party-provided to state-provided ballots. It represented a change from a system in which citizens made their voting choices (by accepting a ticket from a party’s ticket peddler) in full public view to one in which they marked a ballot in privacy. The center of political gravity moved from party to voter. Not incidentally, this demanded of voters for the first time some degree of literacy to play their role in the election drama. Voting changed from a social and public duty to a private right, from a social obligation to party enforceable by social pressure to a civic obligation or abstract loyalty, enforceable only by private conscience.

The cognitive demands on the American voter grew as social support for voting declined. In fact, a reform emerged to correct reform: the “short ballot.” Political scientist William Munro, who supported “short ballot” reform, cited ballots containing 300 to 400 names and one whopper in a New York state assembly district listing 835 candidates! “There is something wrong with an electoral system which requires from every man a service that not one in ten thousand is willing to give.”

Reformers at the end of the 19th century gave us the ideal of the informed citizen, not the founding fathers. The ideal citizen in American practice moved from the deferential citizen, of the founders to the loyal partisan citizen of the 19<sup>th</sup> century to the informed citizen of the Progressive Era. The “informed citizen” ideal imposed more challenging cognitive tasks on prospective voters than ever before. It constituted the language by which we still measure our politics. With “the informed citizenry” newly enshrined, there

was a new mechanism – literacy tests – for disenfranchising African-Americans and immigrants, and there was a new rationale for an enduring tradition of hand-wringing over popular political ignorance.

In the end, reformers faced the curse of getting what they wished for – the elevation of the individual, educated, rational voter as the model citizen. The result was that political participation drastically fell. The large voting public of the late nineteenth century with voter turnout routinely at 70 percent or more became the vanishing public of the 1920s with turn-out under 50 percent. Even in 1932 – 1932! – turnout was the same (53%) as it would be in 1980 and lower than it was in 1992. They now had to register to vote. Election fraud became more difficult. Bribery declined. People did not get bribed. They did not parade. They got voter information guides by the 1920s in many states, including California.

On November 2, in one 24-hour period, 100 million people will break from their daily routine and vote. It is not a trivial exercise. In California, in 2000, there were about 100,000 volunteers spending 15 hour days manning the polling places. In San Diego County, running the election cost \$3.5 million in taxpayer dollars to produce 552 separate ballots and 552 separate voter information guides mailed out to citizens to prepare them to vote as informed citizens. There were 100 training sessions for 6,000 poll workers at 1,500 polling places, 300 of which had special provision for Spanish-speaking voters and all of which were designed to be accessible for the disabled. This is an astonishingly massive activity.

It is an extraordinary amoebic process, where we united by dividing and divide finally only as we come together. It has that kind of organic quality to it, that combination of eros and civilization. That is powerful cause to care about turnout, to want full participation in the democratic moment of creation and recreation – and cause for alarm when people refuse this mystic union.

For all of the continued importance and vitality of voting, voting is not as fully the leading act of civic participation as it used to be. Citizenship has changed again, this time, opening a second front of action for the man or woman in the street, who now can and should think of suing, as well as voting, as an avenue of civic engagement.

In 1935 the U.S. Supreme Court considered questions of civil liberties or civil rights in two of 160 opinions; in 1989 it was sixty-six of 132. The Supreme Court and American constitutionalism in general shifted from an emphasis in the nineteenth century on “powers,” concerned with the relative authority of the state and federal governments, to an emphasis on rights and the obligations of government and law to the claims of individuals. Until the late 1930s at the earliest, the courts as makers of policy were not on the map of citizenship. Now, a new avenue of national citizen power and a new model for political action emerged.

The new model citizenship added the courtroom to the voting booth as a locus of civic participation. Political movements and political organizations that, in the past, had only

legislative points of access to political power, now found that the judicial system offered an alternative route to their goals. The lever of change, if you had to single out just one, was the NAACP. The civil rights movement opened the door to a widening web of both Constitutionally-guaranteed citizen rights and statutory acts based on an expanded understanding of citizens' entitlements, state obligations, and the character of due process. This affected not only the civil and political rights of African-Americans but the rights of women and of the poor and, increasingly, of minority groups of all sorts. This helped stimulate a broad federalization of American politics.

In the course of a decade, 1963-73, the federal government put more regulatory laws on the books than it had in the country's entire prior history. In schools and in universities, in families, in the professions, in private places of employment, in human relations with the environment, and not least of all in political institutions themselves, including the political parties, the rights revolution brought federal power or national norms of equality to bear on local practices. In each of these domains, the outreach of the Constitutional order spread ideals of equality, due process, and rights.

The gospel of rights has been carried from one field of human endeavor to another, transporting rights across the cultural border of public and private. Rights for women, gays and lesbians, children, prisoners, the disabled, students and children, employees and others have all been greatly expanded, actively litigated, prominently generating an organizational infrastructure both inside institutions like schools and businesses and outside them in advocacy groups. A “due process” revolution “has revolutionized the inner life of private institutions as well as public ones.”<sup>4</sup>

Accordingly, I think we have to revise our civic education and re-assess where the heart of our democratic body lies. We certainly should pay as much attention to the rights-conscious citizen as to the informed citizen. And we do harm to ignore those earlier models of citizenship – to ignore the continuing importance of trust, of deference, and of the ways representation works. We have to give more credit to parties and partisanship. We have, in fact, four rich models of civic engagement and we do ourselves and our students and our children an injustice to belabor only one of them.

John Dewey, America's greatest philosopher of education, once outlined his vision of Utopia. And it had one very unusual feature, coming from him: it had no schools. No schools at all. What was needed, he wrote, was not schooling but “a faith in the capacity of the environment to support worthwhile activities.”<sup>5</sup> It is vitally important to improve civic education in our schools, but civic education should not, of course, be confined to the schools. That's why we should encourage more use of high school and college students as paid election clerks on Election Day. That is why we should encourage efforts to make Election Day a holiday – not because it will increase turnout but because it could increase the capacity of the society to invest some public effort in civic education. That is why we should make a more vigorous effort to educate jurors and potential jurors about

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<sup>4</sup>Lawrence Friedman, *Total Justice* (Boston: Beacon Press, 1985) p. 88.

<sup>5</sup> John Dewey, *Later Works*, vol. 9, “Dewey Outlines Utopian Schools,” p. 140. Originally in *New York Times*, Apr. 23, 1933, Education Section, p. 7.

the process they too often go through by rote. In San Diego County, more than 400 citizens a day appear for jury duty and, if they are not actually assigned to a trial, get little more than a two-minute welcome from a judge who trots down to the jury room and perhaps a ten minute video on the virtues of the jury system. There is no real effort at public education, even when there is an all but captive audience of people with not much to do as they wait, sometimes for hours, for assignment to a courtroom. How can we make our environment one that supports more worthwhile activities? That, I think, is the question John Dewey would have wanted us to ask.

We are educated more than we know about civics by the civic practices we engage in. Voting remains chief among these. But we have little sense of just what the act of voting teaches, just what concepts of politics it incorporates and inculcates, just how it enters into our political unconscious. I hope these remarks have taken a step toward making the meaning of voting – and its changing meaning over the course of American history – more clear.

My purpose has not to demean or dismiss voting, but it is important to separate our assessment of voting from uncritical moral approval of the voter. Some people vote because they are paid to. In many places in mid-nineteenth century America, this was more the rule than the exception. Some people get informed because they enjoy political gossip more than sports or celebrity gossip. Some people join groups because, like the Hugh Grant character in “About a Boy,” it seems like a good way to meet women. Let’s not confuse voting, being informed, or joining civic organizations with personal virtue or public spirit.

Voting matters. Being informed matters. The strength of community organizations matters. As new forms of civic life emerge, older forms retain much of their importance. Even so, I am convinced we do ourselves and our children a disservice if we suggest that there was a Golden Age of civic engagement that, by comparison to today, puts us to shame. I think we need to build an environment that supports worthwhile activities and I personally have faith that we can do so as well or better than any past generations. But we have to see the task in a large compass, one of building environments, of building institutions, not of bludgeoning people to the polling place or to the newspaper columns by the force of civic sermonizing.