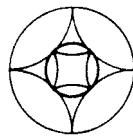


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CONSTITUTIONAL LEVEL OF ANALYSIS:
PROBLEMS AND PROSPECTS
by
Vincent Ostrom

This paper was prepared for presentation at the Western Political
Science Association meeting in Portland, Oregon, on March 22-24, 1979.

WORKSHOP
IN
POLITICAL THEORY
AND
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In the application of scientific methods to the study of political phenomena, it was perhaps inevitable that political scientists should look to overt patterns of behavior as their primary focus of attention. For political scientists this has meant a concern for voting, elections, coalition formation, who wins and who loses, the nature of policy and expenditure decisions, political leadership, power structures, political elites and masses, etc. In short, the primary concern is with "who gets what, when, and how," to use a phrase that Harold Lasswell coined to characterize politics as a field of study (Lasswell, 1958). Where one is concerned with who gets what, when, and how, the primary preoccupation of inquiry is with the play of the political game within a given set of rules. We might characterize this level of analysis as an operational level.

There is, however, another level of analysis where one is concerned with alternative sets of rules used to structure different games or variations in a game and the effects that can be expected to flow from the different ways of ordering human activities. This second level of analysis might be referred to as the constitutional level. It is constitutive in the sense that the choice of the rules of a game is a crucial variable in determining the nature of a game.

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Decision makers functioning at the constitutional level are concerned with the choice of a set of decision rules that will apply to the taking of operational decisions. Choice at the constitutional level focuses upon alternative sets of rules or institutional arrangements. Such choices may occur in a variety of political arenas so long as the choice is among a set of rules that apply to the taking of future operational decisions. Constitutional choices if they are to be informed, depend upon a body of knowledge where it is possible to use alternative rule structures as intervening variables and infer the consequences that can be expected to follow as dependent variables. Such a body of knowledge presumably would have substantial relevance for a political science.

Over the course of the last century, reference to constitutions and constitutional level of analysis have usually been rejected as a preoccupation with the most sterile formalism in the realm of political science. Nineteenth century efforts on the part of European, Latin American, and other nation-states to rely upon constitutional forms inherent in British parliamentary institutions or the American constitutional system were viewed as failures. The formal constitutional structures simply did not yield the consequences that they were presumed to evoke in their British and North American circumstances. Constitutions were rejected as having little or no relevance for the scientific analysis of political behavior.

However, after several decades, the efforts of behavioral scientists to apply the methods of the natural sciences to the study of political behavior have not resulted in a noticeable improvement in the quality of generalizations that can be made about political phenomena. The ancient controversy over whether structures make a difference in the way that

people are governed and live their lives is no closer to resolution than in the time of Alexander Pope and David Hume (Aiken, 1948: 295-306). In a recent book on Policy Analysis, Thomas Dye, for example, places strong emphasis upon his conclusion that structure makes little or no difference on policy outcomes (Dye, 1976).

But to determine whether variations in structural characteristics can be expected to have an effect upon policy outcomes would require that we shift the focus of theoretical inquiry to the constitutional level of analysis where we might address the question of what implications can be expected to follow from actions based upon one set of structural conditions as against some other set of structural conditions. The nature of one's hypotheses should be derived from a reasoned analysis of the implications that flow from alternative structures rather than an ad hoc arraying of a miscellaneous set of independent variables with another miscellaneous set of dependent variables.

If we are to formulate hypotheses about alternative sets of institutional arrangements we need to array the types of arguments that would inform choice at the constitutional level of analysis. Conversely, to test the performance of alternative structures requires that empirical research be conducted at the operational level of analysis. But the hypotheses being tested would derive from theoretical arguments advanced at the constitutional level of analysis and the research design needs to be conceptualized so that relevant structural variants are operable in the systems being compared. All research that seeks to clarify the effect of alternative structural variables needs to be comparative in nature and grounded in the level of theoretical argumentation that would inform constitutional choice. If these conjectures are correct, many of the

shortcomings of inquiry associated with the behavioral revolution are apt to result from failure to give credence to the constitutional level of analysis.

In pursuing this inquiry into the constitutional level of analysis, I shall first consider the question of whether there is an effective choice among alternative political institutions or whether all structures move toward a uniform or standard solution. If all structures move toward a standard or uniform solution, one would reject the contention that structure makes a difference. Second, I shall proceed with the question that if choice is possible at the constitutional level, what implications follow from the circumstances that political institutions might be viewed as human creations or human artifacts. Third, I shall then proceed to the question that if institutions are human creations or artifacts, what implications follow with regards to the artisanship required to design and use institutions as tools of collective action. I shall then conclude with a brief observation about the implication of the constitutional level of analysis for the study of political behavior.

Question I: Is There an Effective Choice Among Alternative
Political Institutions or Do All Structures Move
Toward a Uniform or Standard Solution?

The conjecture that all political structures move toward a uniform or standard solution has a great deal of support. Robert Michels' formulation of the "iron law of oligarchy" is perhaps the best expression of this conjecture (Michels, 1962). Michels' thesis is that organization implies hierarchy and oligarchy: the few will exercise dominance over

the many. Michels viewed political history as a tragic cycle between and the struggle of democratic forces against an oligarchic tyranny. He closes his Political Parties with the observation that, "It is probable that this cruel game will continue without end" (371).

We find a comparable thesis in Max Weber's work where the organized dominance entailed in a monopoly over the legitimate exercise of organized force is considered to be the defining characteristic of political systems. Modern states are characterized as monocratic structures of authority (Gerth and Mill, 1958).

Thomas Hobbes would also have largely supported the conjecture that all different political structures imply a uniform or standard solution. He recognized different forms of government inherent in democracy, aristocracy, and democracy. But Hobbes viewed these differences as being of relatively minor importance when compared to the general principles of absolute sovereignty that applied to all forms of government in Hobbes's formulation.

In discussing the office of sovereign representative, Hobbes contends that subjects are to be taught "not to be in love with any form of government they see in their neighbour nations, more than with their own, nor, whatsoever present prosperity they behold in nations that are otherwise governed then they, to desire change" (Hobbes, 1962: 249-250). Hobbes contends that "the prosperity of a people" derives not from their form of government, but from "the obedience and concord of the subjects" (Hobbes, 1962: 250):

take away in any kind of state, the obedience and consequently the concord of the people, and they shall not only not flourish but in short time be dissolved. And they that go about by disobedience, to do no more than reform the commonwealth, shall find they do thereby destroy it (Hobbes, 1962: 250).

In Tocqueville's Old Regime and the French Revolution we also find some support for the conjecture that political institutions move toward standard solutions. His central thesis, in that study, was that the French Republic maintained the integrity of the French bureaucracy, and that the bureaucracy continued to dominate the French political system. The differences between the monarchy in the Old Regime and representative institutions of the National Assembly were of rather minor importance. A narrow oligarchy in both arrangements maintained a general tutelage over the French people. The new forms in the French republic were not significantly different than those in the French monarchy.

In Democracy in America, however, we find Tocqueville arguing that structure or form can make a significant difference in the way that people govern themselves and live their lives. The American republics in contrast to the French republic had developed quite a different system of institutions that offered the prospect of maintaining liberty under the conditions of social and economic equality that increasingly characterized modern societies. Tocqueville anticipated the possibility that an egalitarian envy might lead to the centralization of authority in the American political system and drive it toward the standard solution of unlimited despotic rule. He contended that centralization is the "natural government." By contrast "individual independence and local liberties will ever be the products of arts" (Tocqueville, 1966: II, 296). People in a democratic society, however, might foreclose natural tendencies toward centralization of authority, Tocqueville contended, by having recourse to a "science of association," taking advantage of the "utility of form," and designing self-governing institutions so as to maintain freedom under a condition of equality.

Men living in a democratic age do not readily comprehend the utility of form: they feel an instinctive contempt for them. . . . Forms excite their contempt and often their hatred; as they commonly aspire to none but easy and present gratification, they rush on to the object of their desires and the slightest delay exasperates them. This same temper, carried with them in political life, renders them hostile to forms, which retard and arrest them in some of their projects.

Yet this objection which the men of democracies make to forms is the very thing which renders forms so useful to freedom: for their chief merit is to serve as a barrier between the strong and the weak, the rulers and the people, to retard the one and give the other time to look about him. Forms become more necessary as the government becomes more active and more powerful, while private persons are becoming more indolent and more feeble. Thus democratic nations stand more in need of forms than other nations and they naturally respect them less. This deserves most serious attention (Tocqueville, 1966: II, 325,326).

This is why Tocqueville contended that a new political science was needed for the modern age.

The American Revolution and the experiments in constitutional choice that accompanied that revolution were conducted on the assumption that the form or structure of government does make a difference. The Declaration of Independence had declared that "it is the Right of the People to alter and to abolish" any form of government that is destructive of their unalienable rights and "to institute new Government, laying its foundation on such principles and organizing its power in such form, as to them shall seem most likely to effect their Safety and Happiness." Numerous state constitutions and the Articles of Confederation were formulated as an effort to articulate the right of the people to "institute new Government."

The failure of government created under the Articles of Confederation raised the question again whether people could institute governments of their own choosing. Alexander Hamilton in the opening paragraph of "Federalist

No 1" presented the basic issue when he made the following observation:

It has been frequently remarked that it seems to have been reserved to the people of this country, by their conduct and example, to decide the important question, whether societies of men are really capable or not of establishing good government from reflection and choice, or whether they are forever destined to depend for their political constitutions upon accident and force. If there be any truth in the remark, the crisis at which we are arrived may with propriety be regarded as the era in which that decision is to be made; and a wrong election of the part we shall act may, in this view, deserve to be considered as the general misfortune of mankind (Hamilton, Jay, and Madison, n.d.: 3).

The Federalist was written to articulate the reflections that had informed the choices inherent in the design of the U.S. Constitution and the new concept of federalism that was entailed in the concurrent authority of at least two different sets of government established to govern the American people.

The conceptions inherent in the American experiments in constitutional choice involved quite different conceptions than had been developed in Hobbes's theory of sovereignty. Constitutions were viewed as fundamental law that derived from the authority of people to establish their own institutions of government. That fundamental law was viewed as placing limits upon the exercise of governmental authority, as being alterable only by the collective action of the people, and as not being alterable by governmental officials acting upon their own authority. Madison conceptualized a constitution as being "established by the people and unalterable by the government," and a law as being "established by the government and alterable by the government" (Hamilton, Jay, and Madison, n.d.: 348). Hobbes by contrast had argued that those who are the source of law are above the law and cannot themselves be held accountable to law.

The American constitutions contained provisions for the distribution

of authority so that all exercises of authority are subject to limits and no one can exercise unlimited authority. Typically these constitutions provided for the fundamental rights of persons and citizens to exercise public prerogatives to which each was entitled and placed correlative limitations upon the authority of governmental instrumentalities. In turn, the authority of governmental instrumentalities was limited by allocating authority for making law, enforcing law, or determining the application of law among different decision structures so that each set of governmental decision makers exercised only limited authority and collective action required concurrent action by diverse sets of decision makers. Finally, many of the American constitutions provided for the indirect or direct participation of citizens in the legislative, executive, and judicial decision-making processes of government.

Simply formulating an appropriate constitutional provision for a system of government that is limited by constitutional rule is however insufficient to maintain such a system. The limits must be enforceable if they are to be effective. A system of checks and balances as such are insufficient to enforce such limits. As Tocqueville has observed:

Not only is a democratic people led by its own tastes to centralize the government, but the passions of all the men by whom it is governed constantly urge it in the same direction. It may easily be seen that almost all the able and ambitious members of a democratic community will labor unceasingly to extend the powers of government, because they all hope at some time or other to wield those powers themselves. It would be a waste of time to attempt to prove to them that extreme centralization may be injurious to the state, since they are centralizing it for their own benefit (Tocqueville, 1966: II, 367-368).

The standard solution of dominance by a narrow ruling class or autocracy can be avoided in a democracy only if the larger community of citizens

acts with self-conscious awareness of the importance of maintaining the limits of constitutional rule. The people in a democratic society should, as Heraclitus has said, "fight for the Law as if for the city walls" (quoted in Greene, 1978: 128). This implies that the citizens share a common understanding of the theoretical and philosophical principles inherent in constitutional rule and act with self-conscious awareness of those principles rather than blindly adhering to their passions of pride and envy in making decisions and choices pertaining both to the governance of their own individual affairs and to the governance of collective concerns in the society.

In the final analysis, the enforcement of limits upon public officials depends upon the willingness of citizens to resist official usurpation of constitutional authority by engaging in civil disobedience and to undertake the appropriate reform of governmental institutions so as to maintain constitutional limits whenever coalitions of officials find ways and means to override constitutional limitations and exercise governmental prerogatives without constraints. The appropriateness of constraints is to be determined by reasoned considerations inherent in a theory of constitutional choice.

If citizens are informed by an adequate theory of constitutional choice and use that theory as the source of criteria for determining the proper limits of governmental action, we can contemplate the possibility that governments need not be confined to theory of absolute sovereignty. Political societies need not be confined only to nation-states where governments exercise monopolies over the legitimate use of force. We can instead imagine the circumstance where governments are limited by a rule of law and governments can exercise concurrent jurisdiction in making

collective decisions for overlapping communities sharing diverse interests. In short, structures informed by appropriate conceptions and shared understanding can make a difference in the way that people are governed and live their lives. There is a possibility that people might fashion a system of government from "reflection and choice" even though most people have had to endure governments created by "accident and force.'" There is a possibility for variance from Michels' "iron law." Political structures need not conform to a uniform or standard solution.

Question II: What Implications Follow From the Circumstance
that Political Institutions Might be Viewed as
Human Creations or Human Artifacts?

If alternative forms of governmental institutions are subject to design through reflection and choice, then we need to treat such institutions as artifacts rather than natural phenomena. The methods of the natural sciences may not be fully appropriate to the study of artifactual phenomena.

When we refer to artifacts we refer to something that is created by human beings. Artifacts draw upon elements that form a part of the universe that is the subject of the natural sciences. But the elements of nature are selected and proportioned by human beings to serve human values and purposes. As such artifacts always represent a union of fact and value. Elements of nature and elements of human consciousness are entailed in the transformation that is inherent in the creation of any-artifact. The possibility of a political science, then, depends upon considering both the conditions of reflection and the conditions of choice that are inherent in constitutional choice.

The design of any artifact entails a knowledge of means-ends calculations

in which artisans should be able to specify which conditions can be expected to yield what consequences in the creation of an artifact. In the case of political artisanship we might anticipate that those who are concerned with the design of political institutions should be able to indicate how specifiable sets of conditions can be expected to yield specifiable consequences for alternative sets of institutional arrangements. It is such a specification of conditions and consequences that serves as a basis for deriving hypotheses from arguments being advanced in a constitutional level of analysis. Conditions can be translated into independent and intervening variables, and consequences can be translated into dependent variables. Theoretical arguments advanced at the constitutional level of analysis provide the relevant theoretical conjectures for deriving researchable hypotheses that might now be tested at the operational level of analysis.

It is entirely possible, of course, for theoretical arguments advanced at the constitutional level to be based upon fundamentally erroneous conceptions. Milovan Djilas, in commenting upon the Soviet experiment in constitutional choice, has made the following observation:

Everything happened differently in the U.S.S.R. and other communist countries from what the leaders -- even such prominent ones as Lenin, Stalin, Trotsky, and Bukharin -- anticipated. They expected that the state would rapidly wither away, that democracy would be strengthened. The reverse happened (my emphasis). They expected a rapid improvement in the standard of living -- there has scarcely been any change in this respect and in the subjugated East European countries, the standard has even declined. In every instance, the standard of living has failed to rise in proportion to the rate of industrialization, which was much more rapid. It was believed that the difference between cities and villages, between intellectual and physical labor, would slowly disappear; instead these differences have increased. Communist anticipations in other areas -- including their expectation for developments in the

non-Communist world -- have also failed to materialize.

The greatest illusion was that industrialization and collectivization in the U.S.S.R., and destruction of capitalist ownership would result in a classless society. . . . the capitalist and other classes of ancient origin had in fact been destroyed, but a new class, previously unknown to history, had been formed (Djilas, 1957: 37-38).

Djilas' analysis raised profound doubts about the empirical warrantability of the theory of constitutional choice which Lenin expounded in What Is To Be Done? and State and Revolution. Presumably it is the function of the scientific method to test theoretical conjectures and ascertain their warrantability. If the scientific method is to perform its critical function, theoretical conjecture with little or no empirical warrantability should be recognized for what they are.

The nature of the elements used in the design of institutional arrangements can be expected to have a significant bearing upon the transformations that occur in the ordering of human relationships. Among these elements that need to be considered are: rules, symbols, the nature of the goods involved in human relationships, and the evaluative criteria that are taken into account in the making of choices.

The design of political artifacts relies upon rules as among the primary ingredients for creating political institutions. Any set of rule-ordered relationships involve a peculiar set of constraints. They exist as a matter of human choice and human determination. As such they might be viewed as relatively soft constraints. Behavior at variance with rules is clearly possible. The maintenance of rules as constraints for ordering human relationships depends upon choice and purposive action. Yet, this is the very nature of the phenomena that political scientists have to work with. He can still concern ourselves with the effect that soft

constraints have in ordering human relationships knowing full well that behavior at variance with those constraints is possible. Finding instances of conduct at variance with rules will not be sufficient to reject a proposition that asserts that a rule will have an anticipated tendency in ordering human relationships. Rather, we would expect soft constraints only to affect the probability of occurrences.

Rule-ordered relationships are also word-ordered relationships. Rules are formulated in the symbolic structure of human languages. Words as symbols are distinct from the events or relationships that are symbolized. Except in the case of proper names, words always involve gross simplifications since words stand for a class of events or relationships that are being named rather than for discrete events or relationships. The application of rules to behavior always involves conceptual ambiguities inherent in the coding of events in relation to some system of classification. A science of rule-ordered relationships is subject to misplaced specificity if one assumes that inferences can be derived about the fortunes or misfortunes of named individuals in a study of who gets what, when, and how. Rather, inferences can be derived only in relation to general tendencies. Furthermore, the tendencies cannot be effectively assessed by making comparisons between inference at the constitutional level of analysis and events occurring at the operational level of analysis in unique cases. Rather, inferences derived at the constitutional level of analysis need to be assessed by an-explicit comparison of events occurring in different cases where the research design controls for relevant variables. Under such circumstances tendencies toward magnitudes of more or less might be ascertained. Only in the case where the opposite happens can one draw an

inference, as Milovan Djilas did, about the unwarrantability of the theory used at the constitutional level of analysis.

Another factor that might be taken into account in the design of institutional arrangements is the nature of the goods and services that are subject to human use or consumption. Principles applicable to the organization of collective use and consumption, where goods are not readily subject to exclusion and are nonsubtractible in their use or consumption, are quite different than those that might apply to readily packageable goods subject to exclusion and subtractible in consumption. Contemporary work in the theory of public goods and common-pool resources have substantial implications for the constitutional level of analysis.

In addition, basic consideration of value or evaluative criteria obviously enter into any process of reflection and choice. Alternatives must be weighed in relation to some criteria of choice. If we can assume as Hobbes did that there is a "similitude of the thoughts and passions" among human beings, even though the objects of passions and the objects of thought are subject to radical variability, then it should be possible to comprehend the way that human beings proceed in establishing criteria for distinguishing right and wrong in ordering their relationships with one another (Hobbes, 1962: 20). As Vernon Greene has emphasized in his study of The Metaphysical Foundations of Constitutional Order (1978), that which is common to human beings is universal among human beings. Self-discovery is achieved when human beings realize what is common among them. The moral foundations of a constitutional order is grounded upon that which is common among individuals and is a product of human consciousness that seeks to relate individual self-awareness to the organization of human communities. It is the underlying commonality of thought and passions

that enable human beings to develop an understanding of one another even though the things thought and the things preferred vary radically among human beings. These underlying commonalities provide for an understanding of evaluative criteria that apply to choices and enable human beings to fashion the foundations of common understanding that permit both order and freedom to coexist in human societies.

In turn, political scientists as human beings should be able to comprehend the evaluative criteria used by people in ordering their relationships with one another and to use these criteria in an assessment of performance of different institutional arrangements that are subject to consideration at the constitutional level of analysis. Where particular sets of institutions are used as the basis for organizing human social relationships, empirical inquiries conducted at the operational level can be used to compare different institutional arrangements with reference to measures that are inherent in evaluative criteria. Experiments in constitutional choice should reveal the harvest of consequences that are yielded by alternative institutional arrangements.

Question III. What Implications Follow with Regard to the
Artisanship Inherent in the Design and Use
for Institutions as Tools for Collective Action?

In his introduction to Leviathan, Hobbes has contended that human beings are both the "matter" and the "artificers" of commonwealths. In his chapter on "those things that weaken, or tend to the dissolution of a commonwealth," Hobbes goes on to observe:

Though nothing can be immortal which mortals make; yet, if men had the use of reason that they pretend to, their commonwealths might be secured, at least from perishing by internal diseases I , , . Therefore when they come to be dissolved, not by external violence, but intestine disorder, the fault is not in men, as they are the matter; but as they are the makers, and orderers of them (Hobbes, 1962: 237, Hobbes's emphasis).

The pathologies of human societies, if I understand Hobbes correctly, turn upon the failure of human beings to design and make proper use of an appropriate set of institutions rather than in the defects of the character of human beings as the basic elements comprising human institutions.

Institutions are in a sense artifacts that contain their own artisans (this point is emphasized in Vernon Greene's, The Metaphysical Foundations of Constitutional Order (1978)). The design of an artifact has reference to human consciousness and purpose and reflects conceptions and knowledge that an artisan uses to guide his design. An artifact that serves as a tool, in turn, depends upon an artisan having a knowledge of how the tool can be used as an instrument to fashion or create other artifacts.

If we view political institutions as artifacts that are subject to human design and creation, we might assume that some designers were informed by certain conceptions and knowledge as they undertook the tasks of reflection and choice that are inherent in the design and creation of such an artifact. In turn, if political institutions can be used by artisans as tools or instruments for the creation of other artifacts we might presume that the conceptions and knowledge that is inherent in a theory or logic of a particular tool will be shared by those who are both the designers and users of political institutions. The conceptions and knowledge that are appropriate to both the design and use of political institutions presumably would be a part of the common understanding that is shared by members of human societies that are capable of shaping their own destiny. This is what we presumably mean when we refer to self-governing societies.

The fashioning of political institutions might then be viewed as experiments in constitutional choice where those who participate in the design and creation of political institutions are using certain conceptions and knowledge to create a specific set of political institutions to serve as instruments for the creation of particular types of consequences or outcomes. The experiment that follows should serve as a test of the empirical warrantability of the conceptions being acted upon. If the reverse happens, as Djilas alleges, considerable doubt is cast upon the empirical warrantability of the conceptions that Lenin, for example, used in fashioning the Soviet experiment in constitutional choice. A careful examination of Lenin's argument in What Is To Be Done? might lead one to conjecture that his solution is the equivalent to Hobbes's solution in the Leviathan. Such a conjecture might lead us to advance competing hypotheses regarding the Soviet experiment. The question then becomes one of whether the harvest of consequences that have been yielded in the 60 years of the Soviet experiment are better explained by Hobbes's theory or by Lenin's theory and its explicit use of Marxian theory.

If we view political behavior in a democratic self-governing society as experiments in constitutional choice then we might infer that citizenry in such a society are properly viewed as the experimenters who are conducting the experiment. In such circumstances the significance of the experiment will turn upon the conceptions and operations used in the conduct of the experiment. Whether or not we refer to such conceptions as ideologies is of little importance. What is important is their bearing upon the design and conduct of political experiments.

Students of comparative politics who have emphasized the importance of political culture to an understanding of patterns of political behavior

in a society are making an important point. If we can develop a sharper analytical focus for characterizing those aspects of culture that are of special importance to political conduct, we might make better use of the concept. I would argue that those conceptions and knowledge, which are relevant to constitutional choice, are of essential importance.

The implications that follow from viewing institutions as artifacts that contain their own artisans for both a political science and political education in a democratic society are substantial. When we view political institutions as artifacts that contain their own artisans, important normative implications also follow if one raises questions about the conditions that are most conducive to the conduct of political artisanship. While there may be some elements of poetic justice when political artifacts serve as instruments for destroying their own artisans, such circumstances might be viewed as the tragic blundering of unskilled and uninformed artisans. Presumably the conditions that are conducive to skilled and informed artisanship are the ones that are appropriate to the use of human reason and intelligence.

Where citizens are viewed as artisans contained within artifacts of their own design and those artifacts serve as tools for their own use, we might also anticipate that their own character and personality will, in part, be fashioned by their own experience in dealing with these creations. Such effects would also occur where political institutions are fashioned to serve as instruments of dominance over a subject population. We might thus anticipate relationships between political structures and character development in different societies.

Conclusions

These conjectures might be pursued at much greater length. The problems and prospects inherent in using the constitutional level of analysis to inform political inquiry are sufficiently great that they deserve careful consideration in laying the theoretical foundations for empirical investigations of political behavior and policy analyses. The theoretical analysis occurs at the constitutional level where inquiry is oriented to a consideration of alternative institutional arrangements. The conduct of empirical investigation occurs at the operational level within the constraints of given institutional structures. If empirical inquiry is to be informed by an appropriate theoretical analysis we need to proceed at both the constitutional and the operational levels of analysis. If we do so we may discover important links between political theory, political practice, and political science. We would then be in a position to test propositions about whether political structures do make a difference in the way that people are governed and live their lives in human societies.

Considering the nature of human artisanship we need to come to terms with conceptions of political structures as entailing more than words on paper. No one would expect a chemical formula to work by itself. Political institutions entail political artisans as well as political formulas. When we learn how to treat artisans, and the conceptions they use, as informing conduct in relation to structures we may be in a position to determine the relationship of the structure of institutional arrangements to the consequences that flow for human societies. This requires more than the study of behavior per se. The constitutional level of analysis must accompany the operational level of analysis in the study of political phenomena not as natural phenomena, but as artifactual phenomena.