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Introduction to

Political Science

Introduction to Political Science

SENIOR CONTRIBUTING AUTHORS
Mark Carl Rom, Georgetown University
Masaki Hidaka, American University
Rachel Bzostek Walker, Collin College



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OpenStax
Rice University
6100 Main Street MS-375
Houston, Texas 77005

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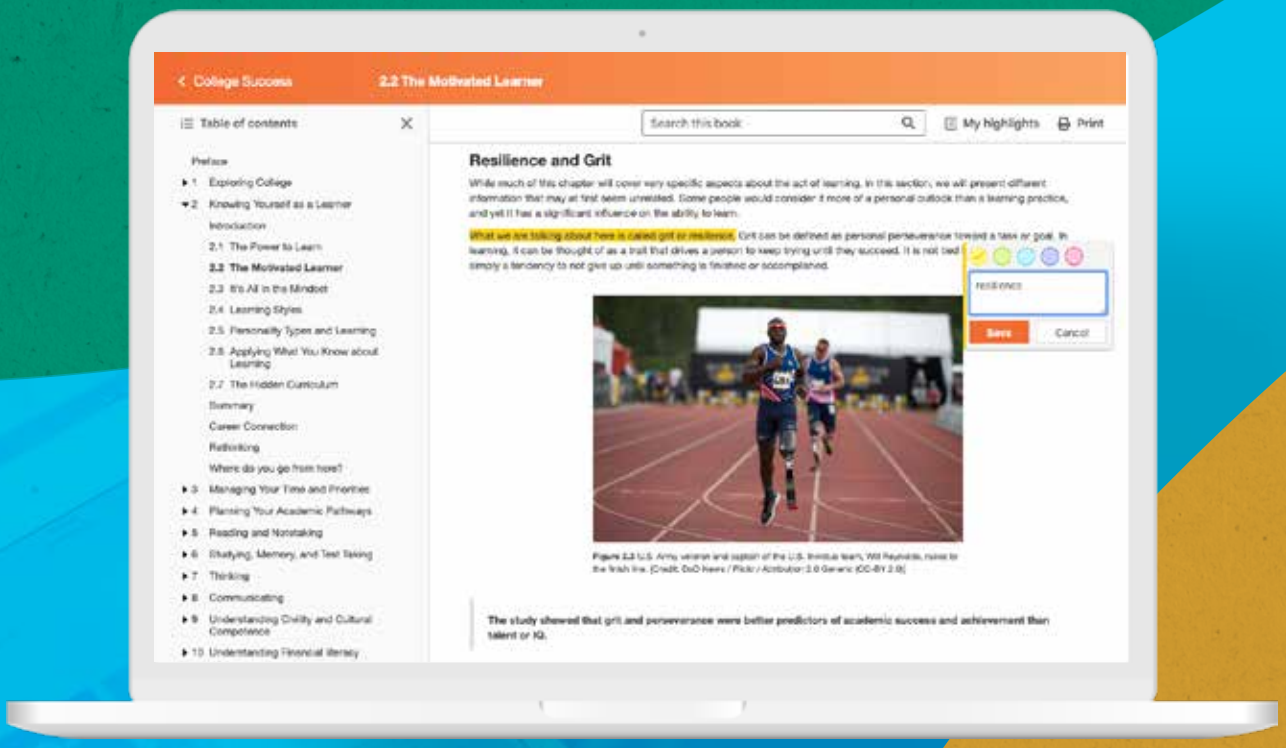
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Preface

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Format

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About *Introduction to Political Science*

Introduction to Political Science introduces the broad scope of the political science discipline in a holistic manner via logically connected conceptual building blocks. Rather than discussing theory, comparative politics, and international relations in a purely siloed manner, *Introduction to Political Science* incorporates major themes from the various subfields of the discipline in a more inclusive fashion. The text focuses on actors, beginning with an examination of individual political actors and then moving on to discuss the actions

and interactions of political groups, institutions, and states and international relations. *Introduction to Political Science* focuses on *how* and *why* political realities unfold, from the beliefs and behaviors of individuals to the policies and practices of states.

Introduction to Political Science is designed so that students will see themselves as a part of the world of politics and political science, emphasizing the role that politics and government play in students' lives and how students can further contribute to civil society. Rather than focusing exclusively on the United States, text chapters discuss politics and government within the United States as a part of a discussion of larger concepts that apply around the world. The text uses a diverse range of international examples to illustrate these concepts. It seeks to include a variety of perspectives and scholarship, including both widely accepted foundational ideas and prominent views from underrepresented, oppressed, and dissenting voices. The Changing Political Landscape features discuss topics such as the growing numbers of women in legislatures and on high courts around the world, changing family structures, and United Nations efforts to involve young people in the fight against racism. In addition to providing thorough explorations of traditional Western perspectives, *Introduction to Political Science* introduces students to feminism, indigenism, conservative populism, fusionism, and critical race and gender theory. Diversity concerns are inherent in much of the discussion, as the ways in which majorities and minorities interact are central to political decision-making and public policy.

Because not all students who take an introduction to political science course will go on to major in political science, *Introduction to Political Science* makes connections to broad concepts that transcend course boundaries and emphasizes how the skills students build when learning about political science apply in other fields, in the workforce, and throughout life.

Pedagogical Foundation

Learning Outcomes

Every module begins with a set of clear and concise learning outcomes that can guide instructors and students and that they can use to measure understanding. After completing the module, students should be able to demonstrate mastery of the learning outcomes.

Key Features

- The Changing Political Landscape highlights and illustrates how changing demographics affect politics and political science.
- Where Can I Engage? provides specific ideas and connections to organizations involved in civic engagement.
- What Can I Do? outlines political science skills and "soft skills" connected to chapter material that are in demand in today's job market, both within and outside the field of government and politics.
- Show Me the Data presents and dissects data visualizations to help students develop their data interpretation skills as well as their substantive knowledge of politics.
- Connecting Courses links chapter content and concepts to other courses in the general curriculum as well as to common electives.
- Meet a Professional introduces students to a diverse variety of professionals working in fields related to politics and political science.

Section Summaries

End-of-chapter summaries, broken down by chapter sections, distill the information in each chapter.

Key Terms

Key terms appear in bold and are followed by a definition in context. Key terms are also listed, with definitions, at the end of the chapter.

Review Questions

Multiple-choice review questions at the end of each chapter provide opportunities for students to apply and test the information they learn.

Suggested Reading

These curated suggestions offer students classic and contemporary resources for further learning.

About the Authors

The authors wish to express their deep gratitude to Terri Wise for her skillful editing and gracious shepherding of this manuscript.

Senior Contributing Authors



FIGURE 1

Mark Carl Rom, Georgetown University

Dr. Mark Carl Rom is an associate professor of government and public policy at the McCourt School of Public Policy and the Department of Government. His recent research has focused on assessing student participation, improving grading accuracy, reducing grading bias, and improving data visualizations. Previously, Rom has explored critiques and conversations within the realm of political science through symposia on academic conferences, ideology in the classroom, and ideology within the discipline. He continues to fuel his commitment to educational equity by serving on the AP Higher Education Advisory Committee, the executive board of the Political Science Education section (ASPA), and the editorial board of the *Journal of Political Science Education*. Prior to joining McCourt, Rom served as a legislative assistant to the Honorable John Paul Hammerschmidt of the US House of Representatives, a research fellow at the Brookings Institution, a senior evaluator at the US General Accounting Office, and a Robert Wood Johnson Scholar in Health Policy Research at the University of California, Berkeley. His dissertation, "The Thrift Tragedy: Are Politicians and Bureaucrats to Blame?," was the cowinner of the 1993 Harold Lasswell Award from the American Political Science Association for best dissertation in the public policy field. Rom received his BA from the University of Arkansas and his MA and PhD in political science from the University of Wisconsin-Madison in 1992.



FIGURE 2

Masaki Hidaka, American University

Masaki Hidaka has a master of public policy from the Kennedy School of Government at Harvard University, where she wrote her thesis on media coverage of gaming ventures on Native American tribal lands. She completed her PhD at the Annenberg School for Communication at the University of Pennsylvania, where her dissertation examined the relationship between issue publics and the Internet. She is currently a professorial lecturer at the School of Public Affairs at the American University in Washington, DC, but has taught in numerous institutions, including the National University of Singapore, University College London, and Syracuse University in London. She also worked as a press aide for former San Francisco mayor Willie L. Brown Jr. (and she definitely left her heart in San Francisco).



FIGURE 3

Rachel Bzostek Walker, Collin College

A native of Fort Worth, Rachel Bzostek Walker is the associate dean of academic affairs at Collin College Technical Campus in Allen, Texas. She earned her PhD in political science from Louisiana State University and has a master's in Israeli politics from the Hebrew University of Jerusalem. Her dissertation focused on the preemptive or preventive use of force, and she continues to research in this area as well as exploring the use of active learning in the classroom. She taught full-time for over 15 years at colleges and universities in Missouri, California, and Texas, teaching a wide variety of classes on subjects including international relations, American foreign policy, and Middle Eastern politics, as well as introductory classes in American and Texas government.

Contributing Authors

Emilia B. Carvalho, Lone Star College (Chapter 16)

Rebecca Eissler, San Francisco State University (Chapter 9)

Terri Susan Fine, University of Central Florida (Chapter 7)

Cassandra Khatri, Lone Star College (Chapter 14)

Timothy Lim, California State University, Los Angeles (General Contributor)

Brenda Norton, Angelo State University (Chapter 11)

Robert Postic, University of Findlay (Chapter 10)

Joseph Prud'homme, Washington College (Chapters 3 and 13)

Shyam Krishnan Sriram, Gonzaga University (Chapter 7)

Victoria Williams, Alvernia University (Chapter 15)

Reviewers

Danny M. Adkinson, Oklahoma State University

Maneesh Arora, Wellesley College

Brittany Arsiniega, Furman University

R. R. Asaadi, Portland State University

Brian Blanchard, Collin College

Shawna M. Brandle, City University of New York

Mark D. Brewer, University of Maine

Sharon Deubreau, Rhodes State College

Brian Dille, Mesa Community College

Kyle Estes, Occidental College

Terri Susan Fine, University of Central Florida

Leah Graham, University of North Alabama

Margaret Hanson, Arizona State University

Bill Joseph, Wellesley College

Jared Larson, Texas A&M University-San Antonio

Daniella Mascarenhas, Xavier University of Louisiana

Jeffrey Moyer, visiting lecturer, Northeastern University

Carolyn Myers, Southwestern Illinois College

Todd R. Patterson, Northampton Community College

Robert Postic, University of Findlay

Jessica Roisen, St. Ambrose University

Jacob Shively, University of West Florida

Shyam Krishnan Sriram, Gonzaga University

Joseph Stewart, Clemson University

Harvey Strum, Russell Sage College

Rosalinda Valenzuela, Collin College

Francesca Vassallo, University of Southern Maine

Answers to Questions in the Book

The end-of-chapter Review Questions are intended for homework assignments or classroom discussion; thus, student-facing answers are not provided. The Instructor Manual includes answers to the Review Questions, questions within activities and for classroom discussion, which instructors may use with students at their discretion. The answers to these questions are typically open-ended and depend upon how the activities are used; for these questions, standard responses are not available.

Additional Resources

Student and Instructor Resources

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Comprehensive instructor's manual. Each component of the instructor's manual is designed to provide maximum guidance for delivering the content in an interesting and dynamic manner. For each chapter, the instructor's manual includes

- a chapter overview
- ideas for classroom activities with criteria for student success
- links to data resources and informational video clips
- discussion/recap questions

Authored by Jeffrey Moyer, visiting lecturer, Northeastern University.

Test bank. The 400 multiple choice and true/false questions in our test bank are correlated to the six levels of Bloom's Taxonomy, allowing instructors to customize tests to support a variety of course objectives. The test bank is available in Word format. Authored by Shyam Krishnan Sriram, Gonzaga University.

PowerPoint lecture slides. Using images, key terms, and examples, the PowerPoint slides outline the main points of each chapter, providing a starting place for instructors to build their lectures. Authored by Jeffrey Moyer, visiting lecturer, Northeastern University.

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What Is Politics and What Is Political Science?

1



FIGURE 1.1 Students attend a pro-EU rally in Kiev. (credit: "Students are shouting out for the EU" by Ivan Bandura/ Flickr, CC BY 2.0)

CHAPTER OUTLINE

1.1 Defining Politics: Who Gets What, When, Where, How, and Why?
1.2 Public Policy, Public Interest, and Power
1.3 Political Science: The Systematic Study of Politics
1.4 Normative Political Science
1.5 Empirical Political Science
1.6 Individuals, Groups, Institutions, and International Relations

INTRODUCTION If you own a smartphone, you are involved with politics and it's involved with you. Wherever you live, the political decisions your government makes are likely to affect what is on your phone and how you can use it. China has banned apps like Facebook and Google. Before the 2021 Ugandan election, the government simply shut down the internet entirely.[1] In India, the government distributes benefits directly to citizens through their phones.[2] In the United States, government regulations—one type of rules that are created through political action—touch virtually every aspect of your phone's production, sale, and communications.[3]

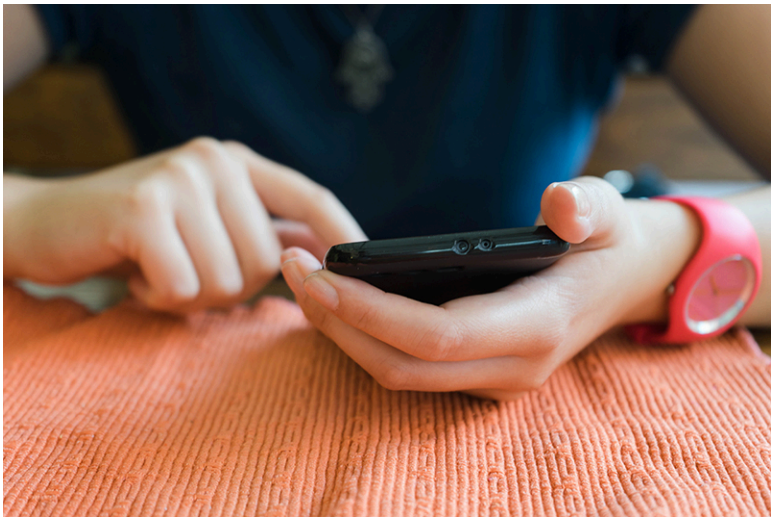


FIGURE 1.2 You can engage in politics through your phone, and politics can influence how your phone is designed and operated. (credit: "Mobile Phone" by Marco Verch Professional Photographer/Flickr, CC BY 2.0)

Your phone also enables you to engage in political action. You can use your phone to talk about politics or to call your local representative to express your views. You can organize a campaign through WhatsApp, share videos of police brutality or of peaceful protest, or Venmo contributions to your favorite political cause.[4] You can use your phone to learn about politics, political engagement, and what politicians are doing at home and around the world.

The political decisions of local and national governments and international organizations can affect the water you drink, the food you eat, the clothes you wear, and the dwelling you call home. Politics and policy can play a role in the most intimate details of your life, including your reproductive rights, marriage rights, and even how your body will be treated after you die.

Politics is everywhere. Whether or not you care about politics, politics has an interest in you.

When you develop a competent understanding of politics and political science, you are a better-prepared citizen, political actor, and job seeker.

With a more sophisticated understanding of politics and political science, you can better understand questions of who gets what, when, how, and perhaps most important, why. The quality of our politics depends to a large degree on the quality of citizen engagement. Want a better government, with politicians who possess greater integrity and policies that more closely reflect the public interest? These things will not happen automatically or on their own. They will happen if informed citizens work together to make them happen.

When you think like a political scientist, you seek evidence and carefully scrutinize that evidence—in politics as well as in other areas of your life. Doing so helps to inoculate you from misinformation and manipulation. When you are asked "Why did [this political event] happen?" or "What do you think will happen?" you are able to respond "The evidence suggests . . ." or "Research indicates . . ." or even "I do not know. But in similar circumstances. . . ." Scientific thinking enables you to navigate the complex political world.

This chapter will introduce you to the world of politics and the systematic study of political science. You will learn some of the fundamental principles of politics as well as core concepts.

1.1 Defining Politics: Who Gets What, When, Where, How, and Why?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define and describe politics from various perspectives.
- Identify what makes a behavior political.
- Identify and discuss the three core elements of any political event: rules, reality, and choices.
- Define and discuss varieties of constitutions.

Politics has existed as long as humans have faced scarcity, have had different beliefs and preferences, and have had to resolve these differences while allocating scarce resources. It will continue to exist so long as these human conditions persist—that is, forever. Politics are fundamental to the human condition.

Politics means different things to different people. *Politics*, and related terms like *political* and *politician*, can have both positive and negative connotations. The Greek philosopher Aristotle argued that humans were "political animals" in that only by engaging in **politics** could humans reach their highest potential.[5] Yet often, the terms *political* and *politician* can be used in disparaging ways to refer to individuals using trickery or manipulation to obtain or preserve their status or authority. More formally, a politician is someone running for elective office or serving in it or as a person who is using the skills of a politician in other social interaction. A political actor is anyone who is engaged in political activity. Politics involves all the actions of government and all the people who work for, serve, or challenge it.

This book takes the broadest view, adopting the guidance of political scientist Harold Lasswell, who defined politics as "who gets what, when, how."[6] Politics exists wherever people interact with one another to make decisions that affect them collectively. Politics exists within families. When parents decide where the family will live: politics. The family (who) gets a place to live (what) at the point of decision (when) based on the parents' choice (how). When your school decides what tuition to charge: politics. When the government imposes taxes or funds education: politics. Most generally, politics is any interaction among individuals, groups, or institutions that seek to arrive at a decision about how to make a collective choice, or to solve some collective problem. Political science focuses primarily on these interactions as they involve governments.[7]

Every political event is different. The mass protests in Hong Kong in 2020, inspired by those seeking to protect their political rights, were not exactly the same as the Black Lives Matter protests in the United States or the climate change actions animated by Swedish environmental activist Greta Thunberg. Yet as varied as political situations can be, there are commonalities across these events and over all political activities. Whenever you seek to understand a political event—whether an election in Tanzania, a protest in Estonia, or a public health program in Indonesia—it is useful to focus on the following:

What are the most important **rules**? What is the **reality** of the existing event or environment? What choices do the participants make? Political outcomes—for example, which candidate wins an election—are based on the interaction of these rules, realities, and choices.

Rules

The importance of rules in politics or in life cannot be overstated. In virtually every human endeavor, the most successful individuals are likely to have a keen knowledge of the rules and how to use (or break) the rules to the advantage of their cause. Ignorance of the rules makes accomplishing your goals more difficult.

Rules can be highly precise or open to interpretation. In chess, for example, the rules are completely known to all players: each piece can move in certain directions but in no other ones. Each player takes a turn; that's the rule. Although chess is highly complex, each player's options at any given time are known. Chess champions—in fact, all champions—know how to use the rules to their advantage.

College campuses have their own sets of formal and informal rules, and not all of them are as precise as those in chess. The *de jure* rules are the rules as they are written, the formal rules. The *de facto* rules are the ones

actually practiced or enforced, the informal rules. For example: a sign might state that the (*de jure*) speed limit is 55 miles per hour, but if police do not give tickets to drivers unless they are driving 65 miles per hour, then that is the *de facto* rule. To thrive at college, it is useful to understand not only the formal rules but also the informal rules, which have been called "the hidden curriculum."[8]



FIGURE 1.3 The *de jure* speed limit is on the sign, but the *de facto* speed limit is the speed at which the police are likely to pull you over. (credit: "Signage 55 speed limit" by David Lofink/Flickr, CC BY 2.0)

The rules in any political environment affect who has power and how they can use it. Consider the rules that determine who can vote and how. These rules can be permissive or strict, making voting either easier or harder to do. The harder it is to vote, the fewer people will actually cast their ballots and vice versa. Voting rules influence who shows up to vote. Politicians who believe they have a better chance of success under permissive voting rules are likely to advocate for such rules, while politicians who believe they are more likely to prevail under restrictive voting rules will advocate for them instead.

Rules might appear to be neutral—that is, they may seem fair and not designed to favor one group over another—but this is not entirely true. Until recently, to become a pilot in the US Air Force, a person had to be no shorter than 5 feet 4 inches and no taller than 6 feet 5 inches: the short and the tall were excluded from this opportunity. The rule might be in place for a good reason—in this case, to ensure that pilots can fit properly into their seats—but rules like these allocate opportunities and resources to some while withholding them from others. Because this rule excluded over 40 percent of American women from becoming pilots, it has been modified.[9]

Rules are everywhere in politics. Your family has rules—even if the main rule is "no rules"—as does your school. Rules, such as *Robert's Rules of Order,*[10] govern legislatures, and the criminal justice system, the tax system, and the national immigration systems are all based, at least in principle, on rules.

Rules and **institutions** are closely related. The institution of marriage or the institution of the family, for example, are the sets of rules (rights, roles, and responsibilities) by which those within the marriage or family live. Alternatively, institutions can be organizations, which are groups of people working together for a common purpose whose actions are governed by rules.

Perhaps the most important set of rules for any institution or organization is its **constitution**. The constitution affirms the most basic legal principles of a country or a state. These principles typically include the structure of the government, its duties, and the rights of the people. Constitutions can be quite general or extremely detailed. The Constitution of Monaco has fewer than 4,000 words, while the Constitution of India has nearly 150,000 words.[11] Unlike the United States, some countries, including Canada, New Zealand, and the United Kingdom, do not have a single document they call the constitution but instead rely on other written and even

unwritten sources. In most countries the constitution is called just that—the constitution—although Germany, Oman, Saudi Arabia, and a few other countries call their constitutions the basic law.[12]

VIDEO

What Is a Constitution?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/1-1-defining-politics-who-gets-what-when-where-how-and-why)

Constitutions define the relationship between people and their government. They give powers to and place limits upon the government and serve as the basis for any other laws or government activities.

Constitutions are *perhaps* the most important set of rules in a country because, after all, they are just pieces of paper. The true importance of a country's constitution depends on the politics of that country. In the United States, the Constitution is venerated almost as if it were a religious document. Most of the biggest conflicts throughout US history have involved disputes over what the Constitution requires, allows, or prohibits. When the US Supreme Court rules that a political action is unconstitutional, the violator—whether it be the president, the Congress, or any other group or individual in society—is expected to comply with the ruling and stop the action.[13] But this is not always the case everywhere. Politicians in any country may be tempted to ignore their constitutions, especially when it comes to the rights they ostensibly guarantee, and whether those politicians prevail depends on whether other political actors are willing and able to uphold the constitution.

Because rules affect the allocation of power and other scarce resources, political actors spend substantial time and effort fighting over them. In general, political actors seek to establish rules that benefit them and their allies.



FIGURE 1.4 Rules are powerful, and those who set them have power. (credit: "Follow the Rules" by pocketcultures/Flickr, CC BY 2.0)

Reality

Rules guide and constrain behavior, but the reality on the ground at any specific time also impacts political outcomes. Reality—facts—is not a matter of opinion, although people can dispute the nature of reality. Something is a **fact**, for example, when there is compelling evidence that an event has happened or a condition exists. The sun rises in the East: reality. The United Nations is an international organization: fact (reality).[14] Has the United Nations made the world a better place? That is a matter of opinion, although those who say "yes" or "no" can provide facts that support their views about reality.[15]

How candidates can raise and spend money on their electoral campaigns may be limited by campaign finance

laws, but if one candidate raises twice as much money as the other candidate, that is an important fact. If one candidate is the incumbent—a politician already serving in office and running for reelection—and the other is not, that is an important fact. These are important facts because whether or not a candidate is an incumbent and how much campaign money they raise may affect their chances of winning the election. In US elections, for example, incumbents generally have a better chance of being elected (although the strength of this relationship has varied over time), while the impact of fundraising on electoral success is open to question.[16]

In chess, the rules are constant, never changing during the game. The reality changes as play proceeds—at any moment each player has a specific number of pieces in particular places on the board. What happens then depends on the choices the players make. This is as true for politics as for any other game. A key difference between chess and politics is that, in politics, the players themselves can change the rules of the game while they are playing.



FIGURE 1.5 Politics has many of the characteristics of a game. (credit: "Risk Board Game" by Rob Bertholf/Flickr, CC BY 2.0)

Politics can be thought of as having the characteristics of a game. The players—anyone involved in political action—make strategic choices, given the rules and the current conditions, in an attempt to "win" the game by obtaining their goals.

Choices

Rules provide constraints and opportunities. Reality presents resources and challenges. The choices participants make in the face of rules and reality determine political outcomes. Choice exists whenever political actors face options, which they always do. If there are two candidates in an election for a single position, the voter has to choose between them, not being able to vote for both. Even if there is only one candidate, the voter still has an option: to vote for the candidate or to abstain.

In a **democracy**, the winning candidate wins because more voters chose to vote, and vote for that candidate, than for other options. The very definition of democracy is that it is a form of government in which the people have the ability to choose their leaders or, in some cases, the policies that they will adopt.[17]

Political outcomes are always contingent; they cannot be predicted with certainty in advance. That does not mean, however, that outcomes are completely unpredictable. By accounting for the rules, how human behavior works, and existing realities, it is possible to reasonably predict what is likely to happen and explain what does happen.

1.2 Public Policy, Public Interest, and Power

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define public policy, public interest, and power.
- Define sovereignty.
- Distinguish among the terms country, state, nation, and nation-state.
- Define political conflict.
- Define the status quo.
- Identify three bargaining outcomes.

Public policy is one of the main products of politics. Public policy includes all the decisions governments make to influence behavior. When a legislature enacts legislation, an executive issues an order, or a court announces a ruling, they are all making **public policy**.

In making public policy, political actors typically invoke the **public interest** (also called the common good or the general welfare). The public interest is an amorphous concept, although it is generally defined as the well-being of the public.[18] It is invisible to our senses, and it is possible to maintain that it does not exist because there is no interest (or good or welfare) beyond what individuals want for themselves.

Those who claim to seek the public interest typically believe that it is not just what people want, however, but what they *should* want. It would not be in the public interest, in this view, to create a society in which those in **power** can exploit others or one that legitimizes cruelty, even if a majority of the population wanted these things. It is in the public interest to create a good society, one with social justice, in which the government serves the people. Such a society would provide for the common good and promote the general welfare.

Power, a fundamentally important term in the study of politics, can be defined as the ability to compel someone to do something that they would not otherwise choose to do.[19] Those with power are the ones who get to make public policy. Power cannot be counted, weighed, or photographed. Though it is invisible, the accoutrements of power—for example, being addressed as president of the United States or having people salute you—can often be seen. Some people have a lot of power, while others have very little. Power is not a constant force, as politicians sometimes increase their power, while at other times their power slips away. Power is, in part, a matter of belief: if you believe someone has power over you, they do, at least to the extent that you do what they want.



FIGURE 1.6 Upon his arrival in Israel, Brazilian President Jair Bolsonaro was greeted with many accoutrements of power, including military presence, flags, and a red carpet. (credit: "31/03/2019 Cerimônia Oficial de chegada" by Palácio do Planalto/Flickr, CC BY 2.0)

The highest form of power is called **sovereign** power. If no other entity (person or institution) has authority over a state, that state is said to have sovereignty, and the supreme authority in that state is called the sovereign.[20] In many countries, the sovereign is the highest-ranking individual leader, such as the queen or king. In the United States and in other democracies, the people are sovereign, not their elected officials. The people elect their leaders, and the people can unseat them either by selecting others in the next election or by removing them—for example, through impeachment, a legal process for removing elected officials from their posts for misconduct.

The power of any governmental institution depends on the *de jure* and *de facto* rules of the country. In Saudi Arabia, for example, the Consultative Assembly has neither the power to pass nor to enforce laws. Its members are appointed by the king, who is an absolute monarch (the sovereign), and he can remove them at his pleasure.[21] In the United States, as discussed in Chapter 9: Legislatures, the Congress has substantial powers: only it can approve the spending of governmental money or declare war. The president can veto legislation approved by Congress, but Congress has the power to override a president's veto.

Government and the Legitimate Use of Power

The **government** is the most important institution in any discussion of politics because it is the only one with legal, legitimate authority to use coercive power to compel behavior within a defined geographic area.

The government of a place typically exercises its powers over individuals who live within its borders or who are otherwise subject to its laws (for example, a citizen of the country who is currently living abroad). If you break your family's rules, your family can punish you, but only your government can imprison you for breaking government laws. Your church may ask you to contribute money, but only the government can compel you to pay taxes. Your business can encourage you to uphold their rules and fight for their interests, but only the government can require you to serve in the military and sit on juries.

A government is one of the four elements that, along with territory, population, and sovereignty, make up a state (or its synonym, country). The United States is a state, and so are the individual territories, from Alabama to Wyoming, within it. Afghanistan and Zimbabwe are states too, as are all the other 190 some countries between them alphabetically.[22] *State* has other meanings that are also relevant to politics and political science. For example, a country might be called a police state. In a police state, the government uses force, often imposed by the military or the secret police, to repress dissent and maintain order. In a welfare state, the government provides extensive social benefits like child care, education, housing, and pensions. Countries are

more or less police and welfare states, as all countries use a police force to maintain order and all countries offer their citizens some social benefits.

North Korea, where the government monitors virtually every aspect of life and imprisons or executes those who oppose its leaders, is perhaps the most extreme example of a police state. Nordic countries, including Denmark, Finland, Norway, Iceland, and Sweden, are generally considered to be the most generous welfare states.

The terms *country*, *state*, *nation*, and *nation-state* are sometimes used synonymously, but they are not at all identical. A **country** is a defined geographic territory with a sovereign government. The term **state** is often used to refer to a smaller area within a country, as in the case of the individual American states, which all together make up the United States of America, the country. The term *state* can also be used to refer to an entire country. For example, India is a state. A **nation**, in contrast, refers to a population connected by history, culture, and beliefs that generally lives in a specific area, such as Kurdistan in the Middle East, where the Kurdish are the dominant ethnic group even though they do not have a country to call their own.[23] A nation that also is a country is sometimes called a *nation-state*. The United States, France, Pakistan, China, and many others are generally considered simultaneously to be countries, states, nations, and nation-states.

A government has **authority** when those subject to its power recognize that power. In a class, you accept your teacher's power to give assignments and assign grades—or, at least, your school recognizes these powers. Authority is generally limited to specific circumstances and places where the authority is said to have jurisdiction. As a condition for passing this course, your teacher can require you to read this book but not to do their laundry. Your government can require you to pay your taxes—it has this authority—but it cannot require you to do things that are unlawful.[24]

When authority is used in ways that are consistent with the duties or rules of the institution, that authority is said to be **legitimate**. If a police officer pulls your car over because you are speeding, that is a legitimate use of authority; if that officer pulls you over because you are "driving while black," that would be an illegitimate use.[25]

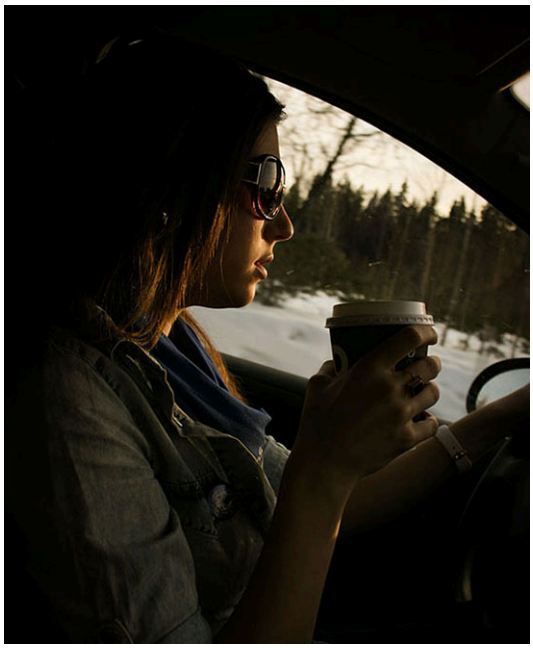


FIGURE 1.7 Pulling over drivers because of their skin color is an illegitimate use of governmental authority. (credit: "Ride" by Krista Baltroka/Flickr, CC BY 2.0)

In politics, there is a continual struggle over which uses of authority are legitimate and which are not, and, as discussed in Chapter 13: Governing Regimes, governments resolve these conflicts in different ways depending

on how democratic they are. What can a government compel you to do, allow you to do, or prohibit you from doing? One possible answer is that if a government enacts a policy in accordance with its own rules, then that policy is legitimate. In this view, individuals could enslave others so long as governmental policy allowed this practice, as some countries have. Another answer is that some policies, such as slavery, are fundamentally illegitimate, even if they are lawfully enacted.

Conflict and Bargaining

Disagreement—that is, **conflict**—is fundamental to politics for two primary reasons. As long as there is desire and people want things they do not have, there will be conflict. Millions of people lack clean air, access to potable water, and even basic necessities such as food and shelter. Scarcity is not limited to human needs. Even if every family in the world was wealthy enough to buy as big a mansion as (they thought) they wanted, differences would still exist that would make some people want what others have—say a better view, a bigger lot, or proximity to certain amenities.

In addition to desire, conflict will always exist because people have differing beliefs and preferences—that is, differing values. Should abortion be legal? A spectrum of passionate views on the subject exists, and there is no way one political decision will satisfy all individuals at every point along that spectrum. Should governments spend taxpayer money on bike trails, mass transportation, or roads? The answer might not be a matter of deep belief, but it still elicits differing preferences. Again, no one political action is likely to satisfy everyone.

Throughout history, the resolution of conflicts has often involved brute force. Violence can resolve conflicts, at least temporarily, with the strong getting what they want through brutality.

Politics is the process for resolving conflicts over scarce resources and differing values without resorting to violence. When violence is used to solve disputes, it represents the failure of politics, or at least the deep frustration of those whose aspirations are thwarted by politics. Politics can determine how scarce resources will be allocated and which values will prevail. Through political processes, a country can decide whether abortions will be allowed in all cases, some cases, or no cases. This does not mean that everyone will now agree on whether the policy is good or not; politics can resolve issues, but it cannot eliminate the underlying conflicts that cause them.

In recent decades the world has gotten richer and more peaceful.[26] That does not mean conflict is disappearing; several countries are experiencing open military conflict, and many other countries are experiencing high levels of violence. Even in countries without open, violent conflict, political polarization is increasing.[27] Political polarization occurs when groups—political parties as well as ethnic or religious groups—become divided ("polarized") in ways that increase cohesion within the groups and also increase suspicion and distrust across the groups. The United States today is more polarized than it has been in many years.[28] The greater the polarization, the greater the difficulty of resolving conflicts: polarization is a risk to peaceful politics.

How does politics resolve conflicts? Most often, through **bargaining**. When parties involved in a conflict engage in negotiations concerning the **status quo**—that is, the existing set of circumstances involved in the conflict—they are bargaining. Political bargaining determines whether existing rules and reality will be changed.



FIGURE 1.8 Bargaining at the market is like bargaining in politics: each participant wants a solution that benefits themselves. (credit: "Learning to Haggle at the Nubian Market" by Bonnie Ann Cain-Wood/Flickr, CC BY 2.0)

In political bargaining, there are three likely outcomes. The first is that those bargaining simply cannot come to any agreement. When this happens, and it often does, the status quo prevails. Negotiations are almost certain to collapse when those bargaining are unwilling to give an inch because they have diametrically opposed goals. If one side seeks to raise taxes, for example, and the other to lower them, then there is no deal that would be acceptable to both sides. In this situation, those who favor the status quo are the winners, so those who favor the status quo have reason to prevent the negotiations from succeeding.

This point bears repeating. Although you might see a world full of problems that obviously need to be fixed, you should always assume that there are those who benefit from the current circumstances who will work to thwart change. This bias in favor of the status quo is one of the reasons political change is often so difficult to achieve. Think of it this way: bargaining seeks to change the rules, and there are almost certainly those who benefit from those rules and want to keep them.

VIDEO

The Importance of Political Compromise

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/1-2-public-policy-public-interest-and-power)

Compromise requires the ability to see gray areas and possible points of connection or overlap. It requires a willingness to accept partial progress toward a desired goal. Increasingly, everyday public discourse has moved in the direction of extremes and oversimplification (think of Twitter, Facebook, TikTok, and short online articles), exacerbating political polarization and making compromise increasingly difficult, both for individuals and for their representatives in government.

A second possibility involves **compromise**, in which the various participants in a conflict give ground on what they seek in order to arrive at an agreement. Compromise is most likely to occur when those bargaining generally agree on the goals but have disagreements on the specific details. If some countries seek to reduce greenhouse gas emissions to limit global climate change while other countries seek faster economic growth that increases their emissions, the participants are seeking different goals and compromise is unlikely. However, if all countries want to reduce greenhouse gas emissions, they are in general agreement about their goals. In this case, compromise is more likely. If no country has the power unilaterally to set emission limits, the countries may have motivation to split the difference. If your country wants to lower emissions by 10 percent and my country wants to lower them by 5 percent, the two countries might make a deal and lower them by 7.5 percent. Each country gets part, but not all, of what they want.

A third outcome results from what is called logrolling. If you have something I want and I have something you want, we each have something with which to bargain. For example, suppose you have a peach and an apple, as do I. We each like both fruits and want more of both—there is scarcity. But you really like apples and I really like peaches. Through logrolling, I give you my apple, and in exchange you give me your peach. This is not a perfect solution, as we both wanted more apples *and* more peaches. But in the end we each are better off than we were before the bargaining.

The outcome of political negotiations depends again on the core principles of politics discussed earlier—the rules governing the negotiation, the reality at the time of the negotiation, and the strategic choices those involved in the negotiation make.

Political negotiations are often a combination of high-minded principles and skullduggery. Negotiators will seek to persuade others and, if persuasion does not work, sometimes to bully or buy them. If any participants in a negotiation have the power to force the others to give ground, they very likely will use it.

If the status quo prevails, those participants who sought change may be seen as weak and be blamed for their failure. If compromises are achieved, participants may be criticized for "selling out"—for compromising not only their policies but also their principles. Logrolling can create the impression of impropriety, of corrupt dealmaking, or of unseemly quid pro quo, as in "you scratch my back and I'll scratch yours."

Yet each outcome has an alternative explanation. If the status quo prevails, those who defended it will laud their accomplishments. When compromises succeed, each side can claim that "it is better to get half a loaf of bread than no loaf at all." After a successful logroll, the negotiators can say, "We got what we valued most." Negotiations can produce winners and losers, but they can also produce outcomes that leave the participants at least relatively satisfied with the outcomes.

If all political power were concentrated in a single person, with the government proceeding by *fiat*, or command, and the supreme leader giving the orders, bargaining might seem unnecessary. Yet even in totalitarian countries the supreme leader will have advisors, and those advisors will negotiate among themselves and the ruler as they seek to influence how power is used.

1.3 Political Science: The Systematic Study of Politics

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define political science.
- Describe the scientific study of politics.

The systematic study of the process of who gets what, when, and how—**political science**—investigates the reasons behind the decisions governments make. For example, political scientists investigate the degree of control governments choose to exercise over various forms of communication, like your smartphone. Political scientists examine both the ways individuals and groups seek to influence governmental action and the ways governmental decisions in turn affect individuals and groups.

Political scientists may not have lab coats or electron microscopes, but like other types of scientists, they use theory, logic, and evidence in an attempt to answer questions, to make predictions, or to arrive at conclusions. Some political scientists strive to understand the fundamental laws of politics in much the same way theoretical physicists seek to comprehend the cosmos for pure knowledge. These political scientists try to uncover the universal principles of how humans and their institutions aim to prevail in political conflicts. But most political scientists accept that human behavior is not entirely deterministic (that is, perfectly predictable), so they instead look for patterns that may enable them to predict in general how humans and their institutions interact.

VIDEO

What Logic Brings Palestinian and Israeli Women Together to March for Peace?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/1-3-political-science-the-systematic-study-of-politics)

When women on both sides of the conflict in Israel grew weary of its human consequences, they decided to take matters into their own hands in 2017. In human societies, there are many sources of and paths to political conflict and its resolution.

Other political scientists are more like chemists, who may use their knowledge to develop and improve medicines or create more deadly toxins. These political scientists aspire to improve the institutions or processes of government.

Some uses of political science are not so benign. Motivated actors can and have used political science knowledge to manipulate voters and suppress vulnerable populations. When people understand how political science works, they are less susceptible to such manipulation and suppression.

So what is scientific about politics?

One way to think about whether politics is "scientific" is to focus on the content of politics. Does political behavior follow general laws—that is, does it align with universal statements about nature, based on empirical observations? Does politics have the equivalent of Isaac Newton's laws of motion (for example, Newton's second law is "force is equal to mass multiplied by acceleration," and his third law is "to every action there is an equal and opposite reaction")? Not precisely, although political scientists have at times claimed that such laws exist.

The sticking point is the word "universal." Force *always* equals mass multiplied by acceleration. To every action there is *always* an equal and opposite reaction. In politics, it seems, virtually nothing is *always* the case. If one defines science as a body of universal laws about an unchanging universe, then politics is not and cannot be a science. Politics is not the same as physics. Empirical political science seeks to identify regularities—what is likely to happen given certain conditions.

Political science is probabilistic rather than deterministic. An event is deterministic if it is possible to say, "If this happens, that will happen." Events are probabilistic if one can say only, "If this happens, that is likely to happen." The sun coming up in the east? Deterministic. Will it rain in the morning? Probabilistic. Will incumbents win their next bid for reelection? Political science gives us the ability to estimate the probability that they will win (again, given the rules, the reality, and the choices those incumbents make).

So science does not require universal laws that explain an unchanging universe. What science does require is a way to learn about the world around us: this way is the **scientific method**. The scientific method seeks to understand the world by testing hypotheses (for example "The world is round") by systematically collecting data sufficient to test that **hypothesis** and by making these hypotheses and data available to others so that your work can be challenged or verified. Political science uses the scientific method to understand the political world; political science carefully and methodically uses logic and evidence to find the answers to political questions.

A hypothesis is a tentative statement about reality that can be tested to determine whether it is true or false—or, in practice, supported or unsupported based on the evidence. "A candidate's ethnicity influences the likelihood that they will be elected" is an example of a hypothesis: ethnicity either does or does not influence election outcomes. An important task of the political scientist is to determine whether the evidence supports the hypothesis that they test.

VIDEO

Neil Degrasse Tyson: Analogy for the Scientific Method

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/1-3-political-science-the-systematic-study-of-politics)

In this video clip, astrophysicist and author Neil Degrasse Tyson relates a humorous anecdote about an everyday experience in a coffee shop that illustrates the basic principles of the scientific method.

The answers scientists find are always tentative, or uncertain. A hypothesis is supported rather than true or unsupported rather than false. Additional research may yield different answers as theories or methods improve or better data emerges, but also because political behavior itself can change in response to what people learn about it. The knowledge, for example, that politicians are likely to act in a certain way given certain circumstances might lead politicians to change their behavior if they believe that doing so will gain them an advantage. The specific knowledge ("politicians in this situation will behave in that way") may become obsolete even if a broader general principle ("politicians will act strategically to advance their goals") still appears to be true.

There are two main, interrelated types of political science: **normative political science** (also called political philosophy or political theory) and **empirical political science**.

1.4 Normative Political Science

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Identify what normative political science seeks to do.
- Discuss the primary methods political philosophers use to answer their questions.
- List the three main ways normative political scientists have tried to answer questions like "What is a good citizen?"

In politics, what is good and what is right? How should power be used? What is the public interest? These are tricky questions with multiple answers. One might think of the "good" as that which is beneficial or helpful and "right" as what is true or just. Power should be used to promote the public interest so that those in power use it to benefit the people. Normative political science seeks to understand the meaning, purposes, and goals of politics. It seeks to define how individuals should behave or how institutions should be constituted. Those who study these issues are referred to as political philosophers and share common interests with the broader discipline of philosophy.

Normative political science considers an endless array of questions. What is a good citizen? Do human rights exist and, if so, what are they? Who should rule? What purpose should governments serve? Is there an ideal constitution and, if so, what is it? What is social justice?

These questions cannot be answered by presenting evidence alone: there is no test that would prove beyond a reasonable doubt what a good citizen is or that any constitution is in fact ideal. So normative political science typically proceeds primarily by appealing to logic and reason. Consider the question "What is a good citizen?" Evidence alone cannot tell us what constitutes a good citizen. Is a good citizen the one who always obeys the laws or the one who challenges the laws they see as unjust? Reasonable people can—and do—disagree on this and almost all other questions in political theory. But in order to determine through logic and reason what it means to be a good citizen, evidence can guide judgments of whether citizens are good (for example, if citizens are observed doing bad things, they would not be good citizens).

Normative theorists have tried to answer questions like "What is a good citizen?" in three main ways: focusing on the consequences of behavior, moral rules, or virtue.



FIGURE 1.9 These new American citizens are being sworn in at a naturalization ceremony. What is a good citizen? (credit: "'Celebrate Citizenship, Celebrate America' Naturalization Ceremony at College of DuPage 2015 48" by COD Newsroom/Flickr, CC BY 2.0)

One definition of a good citizen is someone who acts in ways that benefit society; that is, the benefits are a consequence of the citizen's actions. A good citizen votes and pays taxes, for example, because both actions help to create stable and prosperous societies. In contrast, a bad citizen is one who breaks the law, to the extent that breaking the law harms other people. In this view, someone who speeds would be a bad citizen because speeding increases the likelihood of causing a crash and harming others, but someone who commits a "victimless crime," such as smoking marijuana, would not be a bad citizen because they would not be harming anyone else. According to normative political science, a person should behave in ways that benefit society and do not harm it, and individuals should strive to be good citizens. A good ruler is one who helps the ruled rather than harming them. According to Aristotle, constitutions that "aim at the common advantage are correct and just . . . whereas those which aim only at the advantage of the rulers are deviant and unjust, because they involve despotic rule which is inappropriate for a community of free persons."[29]

VIDEO

Philippines: What It Takes to Be a Good Citizen

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/1-4-normative-political-science)

In this clip from the World Bank, Filipinos attending a conference answer the question "What does it take to be a good citizen?"

Two challenges are central to this type of theorizing. What actions produce more benefit than harm, and what evidence supports these claims? For example, speeding is a risk to the driver and to others, but it may bring pleasure to the driver and enables them to get where they are going faster. Do the costs outweigh the benefits? Moreover, what counts as a benefit or a harm? Is it beneficial or harmful for citizens to monitor one another's behavior for potential lawbreaking, for example?

Philosophers, and not just political philosophers, attempt to identify a set of moral principles that good citizens should adopt.[30] Similarly, they have attempted to identify principles governments should adhere to because those principles are moral. For example, a good citizen would treat others as they themselves would want to be treated (the so-called Golden Rule). A good citizen would not lie because lying is wrong. In practice, it has proven hard to identify rules that are universally consistent or accepted. Is it always wrong to lie? What if a government decides it must lie to an adversary in order to protect its own citizens? Does a good government not, as a rule, have an obligation to do just that? But does this then create a slippery slope in which

governments believe they are justified in lying as a matter of course?

Some normative political scientists seek to identify and understand character traits that are admirable in their own right. Rather than arguing that good citizens should tell the truth because lying harms the public interest or violates a universal moral principle, they argue that good citizens should tell the truth because a good person does not lie. According to this line of thinking, a government protects its citizens because doing so improves their lives and because it fulfills the duties of government, but also because doing so is what makes a good government. That is what good governments do.

Political philosophers studying virtue seek to identify and define the virtues, as well as to discover their limits.[31] For example, traits like bravery, integrity, humility, and kindness have been identified as possible sources of virtue. A good person, and a good citizen, is brave enough to stand up for the right, in opposition to the wrong. To do otherwise would be a sign of cowardice. But can a person be too brave, becoming foolhardy or rash, when standing up for what is right?

These three types of normative reasoning—emphasizing consequences, rules, and virtue—overlap, but they represent distinctly different ways of thinking about politics and what ideal politics would be like. Although the questions they raise have been studied since ancient times, they remain relevant for us today and are still worthy of careful reflection.

1.5 Empirical Political Science

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Distinguish empirical political science from normative political science.
- Explain what facts are and why they may be disputed.
- Define generalization and discuss when generalizations can be helpful.

Unlike normative political science, **empirical political science** is based not on what should be, but on what is. It seeks to describe the real world of politics, distinguishing between what is predictable and what is idiosyncratic. Empirical political science attempts to explain and predict.[32]

Empirical political science assumes that facts exist: actual, genuine, verifiable facts. Empirical questions are ones that can be answered by factual evidence. The number of votes a candidate receives is an empirical matter: votes can be counted. Counting votes accurately so that each candidate receives the actual number of votes that were cast for them can be difficult. Different ways of counting can lead to slightly different counts, but a correct number actually exists.

CONNECTING COURSES

Empirical political science, as described here, is not different from other applications of the scientific method, whether one is examining rocks in geology, birds in botany, or the human mind in psychology. In every science-based course you take, you will observe systematic efforts to develop knowledge by using data to test hypotheses.

OpenStax Biology, a text generally assigned in introductory college biology courses, begins with a description of science and the scientific method, noting that "one of the most important aspects of this method is the testing of hypotheses . . . by means of repeatable experiments"[33] Until recently, few political science theories could be tested through repeated experiments, so instead political scientists had to rely on repeated observations. Congressional elections in the United States are held every two years, for example, and they generate substantial data that can be used to test hypotheses. In recent years, however, political scientists have conducted more and more true experiments.[34] Political science is connected to biology, and all other courses in science, through the

use of the scientific method.

A fact may be disputed. There may be genuine uncertainty as to what the facts really are—what the evidence really shows. Sometimes it is extremely difficult to gather the facts. Do space aliens exist? That is an empirical question. Either space aliens exist, or they do not. Some researchers claim to have evidence that space aliens are real, but their evidence is not universally, or even broadly, accepted. One side of this argument is correct, however, and the other is not. Evidence has not yet conclusively determined which is correct.[35]

Does the Russian government seek to interfere with American elections, and if so, does its interference affect the outcome? The first part of the question is difficult (but not impossible) to answer because when a country interferes in another country's domestic affairs it tries to do so in secret. It is difficult to uncover secrets.[36] But the second part of the question, does the interference affect the outcome, is almost impossible to answer. Because so many factors influence election outcomes, it is extremely challenging to determine which individual factors made any consequential difference.[37]

There are thus empirical debates in which people of good faith disagree about what the facts are. In many cases, however, people do not want to acknowledge what the evidence shows, and because they do not want to believe what the facts demonstrate, they insist the evidence cannot be true. Humans often use motivated reasoning, first deciding what is true—for example, "Gun control makes us safer" or "Gun control makes us less safe"—and then finding evidence that supports this belief while rejecting data that contradicts it.[38]

VIDEO

Motivated Reasoning in Politics: Are Your Political Opinions as Rational as You Think?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/1-5-empirical-political-science)

Social psychologist Peter Ditto contrasts motivated reasoning with science, where scientists build conclusions based on evidence, and those employing motivated reasoning seek evidence that will support their pre-determined conclusions.

In other cases, individuals and interests may actually know what the facts are, but they are motivated by reasons of self-interest to deny them. The evidence is clear, for example, that nicotine is addictive and harmful to human health. The evidence is also clear that Big Tobacco, the largest cigarette companies, denied these facts for years because to admit them would have put their profits at risk.[39]

Former President Donald Trump, along with many of his supporters, claims that he won the 2020 presidential election and that President Joe Biden was declared the victor only because of massive voter fraud. All attempts to prove that fraud led to Biden's victory have failed: no evidence has been found to support Trump's claims.[40] That these claims continue can be attributed to the fact that some individuals are simply unwilling to accept the evidence, while others benefit from denying the validity of it.[41]

Empirical political science might find—based on the available evidence—that individuals with more education or more income are more likely to vote. Empirical political science would not consider whether this is good or bad; that would be a normative judgement. Empirical political scientists might explain the link between education, income, and voting by positing that better educated, more prosperous individuals are more likely to believe that their views matter and that because of that belief they are more likely to express those views at the ballot box. These political scientists might also use their findings to make a prediction: an individual with more education or higher income is more likely to vote than an individual with less education or lower income.[42]

Based on this finding, empirical political scientists make no claims as to who should participate in politics. Questions about "should" are the domain of normative political science. Moral judgments cannot be made

strictly on the basis of empirical statements. That members of one group vote at higher rates than another group, for example, tells us nothing about whether they deserve to vote at higher rates or whether government policies should be based more on their views as compared to those who vote at lower rates.

From this finding, however, empirical political scientists may infer a generalization. Generalizations are based on typical cases, average results, and general findings. Younger adults, for instance, typically vote less often than older adults. This does not mean that any specific young adult does not vote or that any specific older adult does, but that these statements are generally true.[43]



FIGURE 1.10 Empirical political scientists may study the impact of age, sex, ethnicity, education, and other factors on the likelihood that citizens will vote. (credit: "Super Duper Tuesday" by Josh Thompson/Flickr, CC BY 2.0)

Generalizations can be helpful in describing, explaining, or predicting, but there is a downside to generalizations: stereotyping. If the evidence shows that political conservatives in the United States are opposed to higher levels of immigration, this means neither that every conservative holds this belief nor that one must hold this belief to be conservative. If data suggests supporters of abortion rights tend to be women, it is not possible to infer from the evidence that all women seek more permissive abortion laws or that no men do. In using generalizations, it is important to remember that they are descriptive of groups, not individuals. These are empirical statements, not normative ones: they cannot by themselves be used to assign blame or credit.

Empirical political science can be used to make predictions, but predictions are prone to error. Can political science knowledge be useful for predicting the outcome of elections, for example? Yes. Given a set of rules about who is eligible to vote, how votes can be cast, and what different categories of voters believe about the candidates or policy options on the ballot, political science knowledge can be useful in predicting the outcome of the election. Our predictions might be wrong. Maybe people did not tell the truth about who they were planning to vote for. Maybe the people who said they were going to vote did not.

In 2016, most political polls predicted that Hillary Clinton would be elected president of the United States.[44] Clinton did indeed win the popular vote, as the pollsters anticipated, but Donald Trump won the electoral vote, against the pollsters' expectations. Political science is imperfect, but it seeks to learn from and correct its mistakes. You will learn more about public opinion polling in Chapter 5: Political Participation and Public Opinion.

Many of the terms in this book, like *incumbent*, are relevant mainly for the study of politics. Other terms, like *ceteris paribus*, are useful across a broad range of studies that use the scientific method. *Ceteris paribus* can be translated as "all other things being equal." If the ethnicity of a political candidate does not influence their probability of getting elected to office, *ceteris paribus*, if there are only two candidates and if they are alike in

every relevant aspect (e.g., age, experience, ability to raise campaign funding) except their ethnicity, then the candidate's ethnicity *by itself* does not affect the outcome of the election.

In real life, however, "all other things" are almost never equal. To the extent that our societies have inequalities of wealth, health, education, and other resources, the inequalities tend to be correlated—that is, mutually related—to each other. For example, wealth and health are correlated with each other in that wealthier people tend to have better health and poorer individuals tend to have poorer health. In the United States, Whites tend on average to have more wealth, health, education, and other social resources than do persons of color.[45] This does not mean that every White person is wealthier and healthier, but that on average, in general, they tend to be.

Empirical political science and political philosophy (or normative political science) are distinct modes of inquiry. But this is not to say that they are conflicting, that one is better than the other, or that political scientists do not use both in their research. If empirical research discovers that certain groups are systematically disadvantaged in the political process, the researchers may also argue that these disadvantages are harmful or wrong and make a moral argument that the disadvantages should be reduced or eliminated. Empirical research is often inspired by normative concerns. Those who believe that human rights should be better protected may undertake research to understand the political factors that limit the protection of rights.

THE CHANGING POLITICAL LANDSCAPE

A Slim Majority

The 2020 election in the United States resulted in a 50-50 split in the US Senate.[46] Until the election, the Republicans, whose 53 seats gave them a 6-seat advantage over the Democrats, were able to call the shots. With the Senate split 50-50, the US Constitution gives the vice president the power to break tie votes. Vice President Kamala Harris is a Democrat, so the Senate makeup became effectively 51-50. That one vote enormously increased the powers of the Senate Democrats. When you are in the minority, it can be difficult to move the political system in the direction you want. Once you gain the majority, getting what you want tends to be easier, at least in a democracy.



FIGURE 1.11 US Vice President Kamala Harris is the first woman and the first person of color to hold this office. (credit: "59th Presidential Inauguration [Image 17 of 20]" by DoD/US Air Force Senior Airman Kevin Tanenbaum/ Defense Visual Information Distribution Service, Public Domain)

The 2020 election not only changed the balance of power in the US Senate, but it did so in an unprecedented way. The tie-breaking vote was held, for the first time in US history, by a woman and a person of color. Harris's mother immigrated to the United States from India, and her father from Jamaica.

Political power is not a constant; the political landscape is constantly changing.

1.6 Individuals, Groups, Institutions, and International Relations

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain why it makes sense to begin learning about political science with a study of individual behavior.
- Discuss what human motivations, political ideologies, and public opinion have in common.
- Distinguish between civil liberties and civil rights, and explain why the former are examined in the section on individuals and the latter in the section on groups.
- Identify the key types of groups and institutions involved in politics.
- Identify the central themes in international relations and globalization.

To develop your understanding of the key concepts and content in politics and political science, this book begins with the micro, focusing on the smallest political unit, the individual, in Part II. Part III turns to individuals acting collectively through groups. When groups become formalized by establishing rules and developing common practices, they become institutions, the focus of Part IV. Finally, Part V examines how clusters of institutions, whether within the government of a single country or across countries through international organizations, comprise a macro-level view of politics.

All politics is based on human behavior—on how individuals interact with each other—so that is where our political exploration begins. Chapter 2: Political Behavior Is Human Behavior considers questions in political philosophy, such as "What are human rights?" and "What is social justice?" The chapter then examines empirically how individuals generally make decisions, whether in political action or in any other context. Two ideas stand out. First, humans act instrumentally, or strategically or "rationally," as they pursue their goals. Second, much of human behavior serves expressive and emotional ends.

Chapter 3 explores **political ideology**. Ideology is a set of beliefs—a systematic set of concepts—that helps individuals make sense of the world and their place in it. Ideologies help guide an individual's decisions regarding what is right and wrong, good and bad, and appropriate and inappropriate. Your political ideology determines, in part, how you see the proper roles of citizens and their governments. Although ideology is individual—only you can determine your political ideology—it connects you to many others in the same way that those with similar religious beliefs gather together. Ideology is both an individual and a group phenomenon.

The essential freedoms and rights to which all humans are entitled, **human rights**, can be divided into two categories. Chapter 4 examines the first category, **civil liberties**, which involve individual freedoms to think and act without government interference. Later, Chapter 7 considers the civil rights groups have to do certain things, like voting or gaining access to public buildings. Citizens around the world ask their governments to protect and defend their human rights, both as groups—their civil rights—and as individuals—their civil liberties. Yet the boundaries of these human rights are disputed, and they are frequently under attack.

VIDEO

What Is a Human Right?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/1-6-individuals-groups-institutions-and-international-relations)

This United Nations video introduces a basic definition of human rights and how governments and the UN work to promote and protect them.

The last chapter in Part II explores political participation and public opinion. Political participation includes all the various ways you and others can engage in the political process. In democracies, voting may be the most

important and most common form of political participation, but there are countless other ways to participate. Even watching or reading political information is a form of participation, although, as Tufts University professor Eitan Hersh warns, if people only consume political news rather than acting on it, they are hobbyists rather than engaged citizens.[47]

Individuals also have their own political opinions (typically, a political poll will ask questions like "Do *you* believe . . ."), but these opinions are aggregated into group categories and reported as **public opinion**. Chapter 5 examines how polls are constructed and how they convert individual views into valid measures of public opinion.

Political participation and public opinion bridge individual and group behavior. When individuals vote as Republicans or Democrats, contact public officials on behalf of the Sierra Club or the NRA, or march in support of Black Lives Matter or the Right to Life, they are also participating as members of a political party, interest group, or social movement. A political pollster asks questions of individuals, but their answers are reported by group affiliations like "A majority of Republicans believe . . ." or "Supporters of BLM generally favor. . . ."

Political action invariably involves groups, and Part III examines different aspects of group behavior, rights, and forms of political action.

Chapter 6: The Fundamentals of Group Political Activity, should remind you of Chapter 2: Political Behavior Is Human Behavior. Both chapters consider two aspects of human behavior— the "irrational," expressive, and symbolic elements, as well as the rational, instrumental, and strategic components. The first part of the chapter examines political socialization and political culture. Political socialization is the gradual process by which individuals develop their political personality over time, and this personality is heavily influenced by others in their environment—their family and friends, people in their schools and places of worship, and more broadly, people in their social networks. Political culture is the common set of political attitudes, beliefs, and behaviors characterizing a group, whether the group is a country or a community of any sort. The second part of the chapter introduces the concept of **collective dilemmas**, the logic underlying our difficulty in overcoming them, and potential ways to resolve these dilemmas. Collective dilemmas occur whenever multiple individuals interact with one another to make a group decision. Problems arise when they disagree on what the solutions should be or even how to decide what to do. A special form of collective dilemmas—**collective action problems**—exists when individuals have incentives not to cooperate with others even though cooperation would benefit the group as a whole.

Chapter 7 focuses on **civil rights**. Governments must take action for these rights to exist in practice, and governments typically extend these rights to certain groups. Consider the right to vote. For this right to be exercised, the government must provide places to vote, ballots, and ballot counters. When voting rights are extended—or withdrawn—they are extended to or withdrawn from specific groups. Voting rights were extended to African Americans in 1870 in the United States and to women in Switzerland in 1971; in Ethiopia, Nicaragua, and Scotland, 16-year-olds have the right to vote. Because governments must take action for civil rights to be realized, they are matters of intense political debate.

Contests over civil rights—in fact, political battles over every issue—usually involve group conflict, competition, and cooperation. Chapter 8 focuses on interest groups, political parties, and elections. Interest groups are organizations of individuals united by common identities and goals who seek to obtain their objectives through political action. Political parties are organizations that try to gain political power, most often in democracies by running their candidates for office. The main goal of interest groups is to influence public policy, including by supporting political parties as they try to win elections. Political parties seek to win elections in order to set public policy as their candidates enter office. Interest groups, political parties, and elections are inextricably linked.

WHAT CAN I DO?

Communication Skills and Political Science



FIGURE 1.12 Secretary of Agriculture Tom Vilsack (right) talks with the editor-in-chief of Native News Network.com Levi Rickert (left) at the National Congress of American Indians Tribal Nations Legislative Summit in 2012. (credit: "20120307-OSEC-LSC-0144" by US Department of Agriculture/Flickr, Public Domain)

Political science is fundamentally about interactions between different actors. When we study political science, we learn how to explain and describe those interactions. We can also think about political science as the study of how various conflicts (both actual and metaphorical) are resolved. In both conceptualizations, effective communication plays a fundamental role. We cannot understand how relationships work if we cannot effectively describe those relationships, and we cannot truly understand the conflict process without being able to analyze the communication between adversaries. Communication skills, therefore, become an essential part of the political scientist's toolbox. These communication skills are among the most widely desired by employers and utilized in the workforce, regardless of field. While you may learn how to write a detailed analysis of a particular policy or situation in a political science class, you may end up applying that skill as a city manager or journalist. In political science, you may also learn how to translate large, often complex, amounts of data into understandable conclusions or findings. This form of communication is applicable to multiple different professions outside of political science—you are learning to translate data into something meaningful for non-experts.

Part III moves to yet a higher level of complexity: political institutions. An institution is an organization with a set of rules and practices that inform its members about their relationships with one another and how they should interact. Institutions may be formal, with written rules, or they may be informal. Your family is an institution, and if you belong to a religious faith, it is an institution too. Gangs are institutions, as are businesses. Our main interest in this book is institutions that are part of the political system either because they are part of the government or they seek to influence it. The first three chapters in Part IV introduce you to three types of institutions likely to exist within any government: a legislature, an executive branch, and a judiciary.

As discussed in Chapter 9: Legislatures, a **legislature** is an institution composed of individuals who have the power to propose, deliberate on, adopt, and alter the laws of a state. Parliaments, congresses, and national assemblies are all examples of legislatures. In democracies, legislators are elected. In nondemocratic states, they may be appointed by a supreme authority. The United States, like about 40 percent of the world's democracies, has a bicameral, or two-chamber, legislature; the other democracies have unicameral, or one-

chamber, legislatures.

Chapter 10 turns to **executives** and the executive branch, which includes cabinets and bureaucracies. The chief executive of a country goes by various titles, such as president, premier, or prime minister, and their responsibilities vary from country to country. This person may be the head of the government, with the powers of a chief executive officer; the head of state, with ceremonial powers; or both. A chief executive's cabinet, composed of the leaders of the various governmental ministries (sometimes called departments) such as defense, treasury, or interior affairs, supports the chief executive. The bureaucracy executes most of the functions of a government, from defending the country to delivering its mail, serving under the direction of the chief executive and their cabinet.

The **courts** are institutions established to interpret and apply a country's laws regarding criminal, civil, and in some cases constitutional disputes. They can be either appointed or elected. The courts and the judges or justices are more powerful when they are politically independent. This means they can decide cases and issue rulings without facing retribution from the voters or the legislative and executive branches. In the United States, for example, the Supreme Court can void laws and policies of the legislative and executive branches that it deems unconstitutional. In other countries, the courts largely serve at the direction of other politicians. Chapter 11: Courts and Law describes what courts do, the different types of legal systems, and questions regarding their power and its limits.

Chapter 12 introduces the news media and its role in politics. The news media—often called the fourth branch of government—is itself an institution. The news media, whether owned or controlled by a government or commercial businesses, is evolving rapidly. Thirty years ago, the news media could be defined as including television, radio, newspapers, and magazines. Today, with the rise of social media platforms that allow users to share and stream videos, images, and text, the news media is almost literally anyone with a smartphone and internet access. And although misinformation and disinformation have always been part of the political world, social media's speed and scope for spreading "fake news" is unprecedented. Democracies require a free press—one that operates without government interference—but they also require a press that reports real, not fake, news.

Legislatures, executives, and courts are the institutions that together compose the three formal branches of a country's government, with the media as the fourth branch serving to keep the other three branches honest by reporting on their activities. Part V moves beyond individual institutions to explore the politics of countries and the relations between them.

Chapter 13 looks within individual countries, or states, to describe the different types of governing regimes, or systems of government, that exist around the world. The chapter highlights two main regime characteristics: how concentrated or distributed governmental power is, and how the government is structured. The broader the distribution of government power, the more democratic the country. The more concentrated the distribution, the more authoritarian the regime. Structurally, governing regimes can be unitary, where all legal authority resides with the national government, or they can be federal, like the United States, where national and state governments each have their own legitimate sources of power.

Big questions concerning the relations among countries are at the heart of Chapter 14: International Relations. The chapter begins by discussing the different ways political actors wield power in the international system. The structure of the system and the different actors within it are then examined. Political scientists have different perspectives on how to interpret the motivations and behavior of countries in their relationships with each other, and the most prominent of these perspectives, including realism, liberalism, and constructivism, as well as critical theories that challenge traditional viewpoints, are outlined.

As the countries of the world have interacted with each other, they have developed institutions to help overcome their collective dilemmas. Chapter 15: International Law and International Organizations introduces the purposes and work of the most important international organizations, such as the United Nations (UN), the

European Union (EU), and the Association of Southeast Asian Nations (ASEAN). The chapter goes on to examine military alliances like NATO (the North Atlantic Treaty Organization). These organizations all have countries as members, but the international political environment also contains important "non-state" actors, including legal ones, such as multinational corporations and financial institutions, and non-legal ones like drug cartels and terrorist groups. The chapter concludes with a discussion of the threats to the international order posed by terrorism and revolution.

The final chapter focuses on the international political economy. International political economy concerns itself with the impact of political actions on domestic and international economies. If politics is about who gets what, when, where, how, and why, IPE tells us who the winners (who got) and losers (who didn't get) are, how they got that way, and analyzes the tactics they may employ to maintain or improve their position. Winners and losers may be governments, private interests, or social classes, among many others, and the chapter concludes with a discussion of current widespread crises confronting winners and losers with stark choices regarding poverty, inequality, and environmental degradation.

MEET A PROFESSIONAL

Mark Carl Rom, Associate Professor of Government and Public Policy at the McCourt School of Public Policy and the Department of Government, Georgetown University

Please explain what you do for your organization.

I teach courses in US politics, public policy, data visualizations, and the role ethics and values play in politics. I have conducted research and published books and articles on many different topics: sex education, same-sex marriage, financial regulation, and welfare reform, among others. Some of my current research focuses on the college classroom as a political environment.

What did you study in school?

I majored in political science at the University of Arkansas. Before becoming a political scientist, I worked as a janitor, a field hand, a waiter, a ticket taker, a library clerk, a gas station attendant, an assembly-line laborer, and a backpacking guide, among other odd jobs.

What did you learn as an undergraduate that helps you in this position?

Classrooms raise questions regarding power, legitimacy, and consent. The allocation of grades depends on the classroom's rules, its reality, and the choices that teachers and students make. How should grades be allocated, and how are they allocated? I want to find the answer to those questions.

Summary

1.1 Defining Politics: Who Gets What, When, Where, How, and Why?

Politics involves the activities of individuals who are cooperating or competing with others to resolve disagreements over scarce resources or different preferences. Politics is the means by which societies decide who gets what, when, and how. Anyone engaged in political activity is a political actor, while politicians are those running for elective office or serving in one. To understand political activity and outcomes, it is useful to focus on the rules that determine what the actors can and cannot do, the reality of the political environment, and the choices that the political actors make.

1.2 Public Policy, Public Interest, and Power

Public policy—all the actions that governments take that are designed to influence individual, group, institutional, or national behavior—is one of the main products of politics. Those seeking to make public policy typically invoke the public interest, claiming that the policies they seek will benefit the broader society (rather than merely their own self-interest). Policies are made by those with power.

Power is fundamental to the study of politics, although it is impossible to accurately measure or observe. Power is the ability of one political actor to get other actors to do things they would not otherwise choose to do or not to take actions they otherwise would. The highest form of power is sovereign power, which means that the actor with sovereign power is ruled by no one else. Sovereign power is usually associated with a single person (an emperor), a national government, or in democracies, with the citizens themselves. A political actor has authority if they have the power to enforce rules, and that authority is seen as legitimate if the power is used in ways consistent with those rules.

Disagreements over resource allocation and values are fundamental to politics. Bargaining is the attempt to resolve these conflicts.

1.3 Political Science: The Systematic Study of Politics

Political scientists systematically study political phenomena—the actions of individuals, groups, institutions, and countries as they seek to obtain their goals or express their identities. That those who study politics are scientific does necessarily not mean that they can identify universal laws, although many have tried. What is important is that political scientists use the scientific method to understand the political world. In the scientific method, researchers try to develop accurate depictions of the world through logic, reason, and evidence while making their techniques and data open to scrutiny and verification by other researchers. In their research, political scientists must always be tentative about their conclusions: further study might indicate that their conclusions need to be revised in the light of new evidence or techniques.

1.4 Normative Political Science

Normative political science, also called political philosophy, seeks to answer questions regarding the meaning, purposes, and goals of politics, such as “What is a good citizen?” or “What purposes should governments serve?” The answers to these questions cannot come from examining evidence alone; instead, political philosophers rely on reason and logic. Three common approaches to normative political science involve a focus on consequences (for example, the purpose of government is to provide benefits to its citizens), rules (for example, the purpose of government is to protect rights), or virtue (so that the purpose of government is to produce virtuous citizens). Some of the main questions in normative theory are rooted in antiquity, but they remain relevant today.

1.5 Empirical Political Science

Empirical political science, in contrast to political philosophy, attempts to answer questions (or test hypotheses) on the basis of evidence. Unlike political philosophers, empirical political scientists are curious to learn about how the political world actually works rather than how it should work and about how politicians

actually behave rather than how they should behave. Empirical political science is based on facts—that which can be counted or measured and verified to be true. It is not always easy to determine what the facts are, in part because political action can be so complex and difficult to observe.

A key outcome of empirical research is generalizations—that is, statements about political behavior that are typically true or are correct in general even if not for every individual or each event. Generalizations are probabilistic rather than deterministic. Generalizations are helpful because they allow us to describe, explain, and predict.

1.6 Individuals, Groups, Institutions, and International Relations

This text examines politics using a "micro (individuals) to macro (relations between countries)" framework. It begins by focusing on individuals, the building blocks of all political action: nothing happens in politics unless individuals are engaged in political activity. While all political behavior is ultimately individual behavior, in politics individuals typically band together with others to form political parties, interest groups, or even social movements. When groups are formalized—with set rules and practices, for example—they become institutions. The text examines the most important governmental institutions—legislatures, executives and executive agencies, courts, and bureaucracies. These are the institutions present in every government in the world. The news media is the most important nongovernmental institution. International relations involves the interactions among countries on matters of war and peace, as well the international political economy and globalization.

Key Terms

authority the entity (person or institution) holding legitimate power in a specific realm
bargaining the process of negotiating with the goal of reaching agreement
civil liberties human freedoms with which the government may not interfere
civil rights opportunities to which all humans are entitled that governments must act to protect
collective action problem a collective dilemma in which the group would benefit if its members cooperated, but they have incentives not to do so, and these incentives ultimately harm not only the group but the individuals themselves
collective dilemmas problems that arise when multiple individuals interact with one another to make a group decision
compromise in bargaining over a single issue, each participant agrees to move in the direction of those they are bargaining with (for example, the car seller lowers the price and the car buyer increases what they are willing to pay)
conflict disagreements between individuals, groups, institutions, or states regarding the allocation of resources or the determination of values
constitution a collection of the most basic principles of a country (or state)
country a populated geographic area with a sovereign government
courts an institution for resolving disputes
democracy a system of government in which citizens elect their leaders
empirical political science the systematic study of political behavior, generally based on developing hypotheses and testing whether these hypotheses are supported based on the evidence
executives the persons responsible for leading an institution
fact something that is true because it can be verified by evidence
government the set of institutions that make and implement decisions for a political collective, most often for a specific geographic area
human rights liberties and opportunities that humans have by virtue of their humanity
hypothesis a tentative explanation for a reality that can be tested
institutions organizations with a set of rules and practices that inform their members about their relationships with one another and how they should interact

legislature an institution composed of individuals who have the power to propose, deliberate, adopt, and alter the laws of a state
legitimate authority used in ways that are true to the rules
nation a population connected by history, culture, and beliefs that generally lives in a specific area
normative political science the systematic study of ideal goals, principles, and behaviors in politics; also called political philosophy
political ideology a set of beliefs (or a systematic set of concepts) that helps individuals determine how they see the proper roles of citizens and their governments
political science the systematic study of political phenomena using empirical or philosophical methods
politics "who gets what, where, when, and how"—the process for resolving disputes and allocating scarce resources
power the ability to compel someone to do something they would not otherwise choose to do
public interest that which benefits a state and those who reside there
public opinion in empirical political science, the sum of individual opinions on the question being asked
public policy any decision by a government, such as a law, regulation, or ruling, that attempts to guide human behavior
reality the world as it is, as verified by observations and measurements
rules instructions regarding what behaviors are required, forbidden, or allowed
scientific method the processes used to conduct empirical research
sovereign the entity (person or institution) that holds supreme authority over a domain
state a defined geographic area with unified political authority
status quo the existing state of affairs

Review Questions

1. Politics can be defined as _____.
   a. how things happen now
   b. who gets what, when, and how
   c. when what happens, and why
   d. what should be

2. The *de facto* rule is the rule _____.
   a. as it is in practice
   b. as it is written
   c. as it is designed
   d. as it is in intention

3. Political events involve _____.
   a. guidelines, reality, and prerogatives
   b. procedures, educated guesses, and rules
   c. rules, reality, and choices
   d. directions, procedures, and choices

4. Perhaps the most important set of rules for any institution is _____.
   a. its code of conduct
   b. its constitution
   c. its judicial guide
   d. *Robert's Rules of Order*

5. What is a fact?

a. Something I believe to be true
b. Something that an authority says is true
c. Something that can be verified by compelling evidence
d. Something that appears on a website that I trust

6. What is not an example of public policy?
a. A law
b. A court ruling
c. An executive order
d. A papal edict

7. One of the main sources of political conflict is _____.
a. plentiful opportunities
b. scarce resources
c. complex systems
d. multiple groups

8. Power is _____.
a. measurable
b. observable
c. visible
d. real

9. Which term is most closely associated with “country”?
a. Nation
b. Nation-state
c. State
d. Community

10. The status quo is _____.
a. the current state of affairs
b. the person who is most respected
c. the future state of affairs
d. the emperor or king

11. What is the highest form of political power?
a. The president
b. Authority
c. The sovereign
d. Legitimacy

12. What is one likely outcome of bargaining?
a. Compromise
b. Concurrence
c. Contempt
d. Catharsis

13. The study of politics can be scientific only if _____.
a. politics has universal laws
b. political phenomena can be precisely measured

c. the researcher uses certain methods
d. the researcher uses quantitative analysis

14. Political science is usually _____.
a. probabilistic
b. statistical
c. deterministic
d. random

15. Hypotheses are _____.
a. statements of research methods
b. principles that guide research
c. tentative statements about reality
d. statements that are proven to be true

16. Normative political science seeks to understand political _____.
a. meanings, purposes, and goals
b. attributes, inferences, and consequences
c. beliefs, attitudes, and preferences
d. heroes, villains, and enablers

17. Questions in normative political science can be answered by _____.
a. facts and figures
b. data and analysis
c. logic and reason
d. power and authority

18. Three types of normative reasoning emphasize _____.
a. countries, states, and nations
b. consequences, rules, and virtue
c. legislatures, executives, and judiciaries
d. sovereigns, citizens, and refugees

19. Empirical political science seeks to _____.
a. analyze and postulate
b. experiment and inoculate
c. hypothesize and extrapolate
d. explain and predict

20. Facts _____.
a. tell us what is right and wrong
b. exist but may be disputed
c. are determined by those in power
d. are based on political ideology

21. Generalizations _____.
a. are always true
b. are never right
c. can be useful if frequently true
d. are always harmful

22. All political behavior is based on _____.
a. national behavior
b. party behavior
c. group behavior
d. individual behavior

23. The "fourth branch" of government is _____.
a. the media
b. ASEAN
c. the judiciary
d. parliament

24. Which perspective is not a theory used to understand international relations?
a. Feminism
b. Constructivism
c. Realism
d. Socialism

Suggested Readings

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Political Behavior Is Human Behavior

2



FIGURE 2.1 What do people seek, and how do they behave? (credit: "Woman Exploring" by Matt Bango/stocksnap, CC0 1.0)

CHAPTER OUTLINE

2.1 What Goals Should We Seek in Politics?
2.2 Why Do Humans Make the Political Choices That They Do?
2.3 Human Behavior Is Partially Predictable
2.4 The Importance of Context for Political Decisions

INTRODUCTION Tensions are growing in the South China Sea. China, seeking to expand its sphere of influence, is building up its military capacity and presence. Taiwan considers itself an independent country; China considers Taiwan a breakaway Chinese province. The United States watches warily: it has been the dominant military and economic power in the region since World War II, it is a major trade partner with China, and it has a special relationship with Taiwan.[1] Will conflict lead to war, or can peaceful relations prevail?

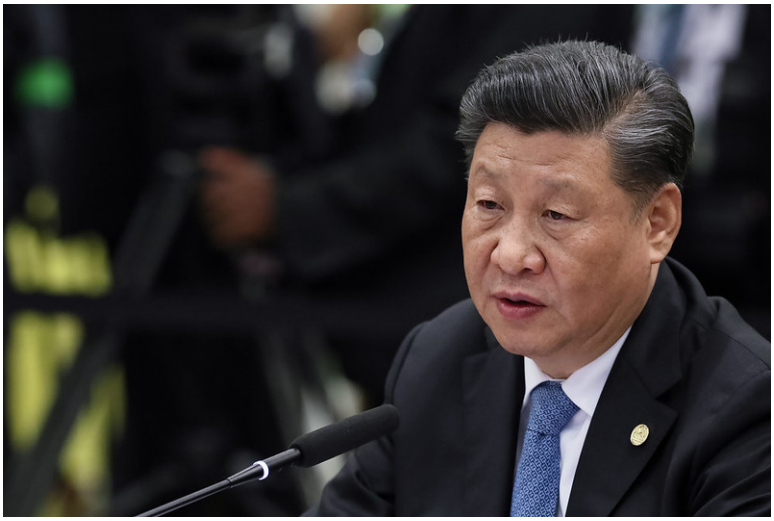


FIGURE 2.2 Chinese President Xi Jinping speaks. (credit: "14/11/2019 Sessão Plenária da XI Cúpula de Líderes do BRICS" by Palácio do Planalto/Flickr, CC BY 2.0)

The grandest conflicts in international relations are ultimately based on the behavior of individual humans: political leaders, the citizens who support (or oppose) them, the decisions they make, and the actions they take. To understand politics—to understand who is doing what, when, and how—it is necessary to understand humans.[2]

Understanding humans requires more than simply observing how they behave, however; it is also useful to attempt to discern their moral aspirations—to learn what they believe to be their higher goals. In this view, however China, Taiwan, and the United States choose to act, their actions will be about more than merely defending their material interests. These countries' leaders are also pursuing their ideas of how the world should be structured, of what principles they espouse, and of what they believe political rules and goals ideally should be.

This chapter will consider matters both normative and empirical, both philosophical and practical. Politics involves both lofty dreams and down-and-dirty actions. First the chapter considers aspirations, and then it turns to behavior.

2.1 What Goals Should We Seek in Politics?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Identify four major questions in political philosophy.
- Define key terms in political philosophy.
- List major conceptions of social justice.
- Distinguish between political philosophies in principle and their application in practice.

Humans seek a wide variety of goals through political action. Many of these goals are based on self-interest, including the pursuit of power. But is pursuing self-interest the highest and best goal for political action? Or is it possible to identify goals that go beyond "give me more of what I want"? Efforts to define these goals take us into the realm of normative political theory—political philosophy, which was introduced in Chapter 1: What Is Politics and What Is Political Science?. As it is not possible to demonstrate empirically what people should seek, normative political theory relies on logic and persuasion. Normative political theorists are less interested in describing who people are and what they do, and more concerned with who people could be and what they should do.

The distinction between how the world is and how it should be is not always clear. For the big questions posed

below, some have argued that answers exist, and that it is the human task to find them. Others contend that humans create the answers to our biggest questions. A nonpolitical analogy is the question "Does mathematics exist independently of human minds so that humans discover it, or do humans actually create it themselves?" This question cannot be answered by evidence—there is no proof regarding the origin of mathematical proofs—so advocates of each position appeal to our moral intuitions and our ability to reason.

What Are Human Rights?

Which rights should be called **human rights** is a core question in political theory. Human rights can be thought of in three main ways. One is that human rights exist; although unobservable, they are real, just as gravity is real. It may not be possible to know their source, but various philosophers have contended that they exist through God, nature, or human reason. From this perspective, people do not create human rights, nor must they earn them. Human rights are **inalienable**: they cannot be denied, taken away, or transferred to anyone else.[3]

The United Nations (UN) takes this position, describing human rights as "rights we have simply because we exist as human beings—they are not granted by any state. These universal rights are inherent to us all, regardless of nationality, sex, national or ethnic origin, color, religion, language, or any other status. They range from the most fundamental—the right to life—to those that make life worth living, such as the rights to food, education, work, health, and liberty."[4]

Alternately, human rights can be seen as a human invention—a social construction or a creation. In this view, unlike gravity, which exerts its force whether or not humans recognize it, political action is necessary to create and protect human rights. The basis for this view comes from observing the world around us. If you look around you will see poverty, homelessness, discrimination, and violence. Billions of individuals can attest to the fact that they do not themselves have access to the human rights that are often called inalienable. From this perspective, human rights are created through political action: they are what people define them to be.

There is yet a third possibility: that human rights (like gravity) are inherent, but too often ignored. Human rights are not created, but discovered. One of the tasks of political theory is to discern what these rights are, and one of the obligations of political actors is to bring these rights into practice. That countries have often failed to protect these rights reveals the flaws of political action, not the absence of the rights themselves.

Human rights are so important to politics that this book examines them in multiple places. Chapter 4 focuses on **civil liberties**—freedoms of conscience, worship, and speech, as well as the rights to privacy, among others. Civil liberties involve the freedoms that humans have (or, alternately, should have) to live their lives according to their own directions and purposes, without governmental interference. Chapter 7: Civil Rights examines **civil rights**, another form of human rights that are most often considered rights that are affirmed to specific groups that have previously been denied their rights, such as for example when African Americans in the United States were guaranteed the right to vote through the 15th Amendment to the US Constitution and when the 19th Amendment extended voting rights to women.



FIGURE 2.3 Freedom of expression is a human right. (credit: "2018 Freedom of Expression Awards" by Index on Censorship/Flickr, CC BY 2.0)

Consideration of human rights is central to international law, organizations, and treaties, so the book again turns to these rights in Chapter 15: International Law and International Organizations. The United Nations has been a leading voice advocating for human rights, especially through its Universal Declaration of Human Rights (UDHR), although many other national and international organizations have also made the definition and promotion of human rights central to their activities.[5]

What Is Social Justice?

As with human rights, it is worth asking whether such a thing as **social justice** actually exists, or whether, in the words of the philosopher Friedrich Hayek, social justice is a "mirage."[6] Rather than engaging in the debate as to whether social justice is a human invention or an eternal verity, this chapter instead explores the most important, often competing, definitions of social justice that have been proposed.

There are as many different definitions of social justice as there are differing conceptions of justice itself. The common element across the various perspectives is that social justice is achieved when the distribution of opportunities, resources, and rights is equitable, or in simpler terms, fair. A brief, general outline of some of the most prominent conceptions of social justice in the Western tradition is helpful before turning to critiques and alternative views.

Utilitarianism

Utilitarianism is the belief that there is one measure of worth in society: "utility" (hence the name **utilitarianism**), or what one might call happiness or well-being.[7] In the utilitarian view, the goal of society is to maximize human happiness and human welfare. This is sometimes summarized as calling for "the greatest happiness for the greatest number," but that description is not quite complete. Utilitarians also want to *avoid* unhappiness if possible. What matters is net happiness, that is, the sum of all happiness minus the sum of all unhappiness, so increasing happiness and reducing unhappiness are both valuable social goals. A just society maximizes human happiness. This implies that a good government is one that chooses policies that maximize "utility."

A central challenge to utilitarianism is how to measure human happiness.[8] Like power, happiness cannot be measured directly. Imagine that a country—say, Kenya—is deciding whether to create a new national park with a diverse ecosystem and magnificent vistas, preserving these in perpetuity.[9] Creating this park will also prevent economic development on those lands and, unfortunately, displace those who live there. Will creating the park increase net human happiness? Depending on how the calculations are done, the answer could be either yes or no, so it is not always possible to know which answer is correct.

Utilitarianism has had a profound impact on public policies around the world. Governments use cost-benefit analysis, which is based on utilitarian principles, to analyze their policies and policy proposals.[10] As the name implies, cost-benefit analysis tries to identify all the various costs (e.g., financial, environmental, and social) and benefits of a policy. If total benefits exceed total costs, the policy is seen as enhancing utility and so should be adopted.

Libertarianism

Libertarianism rejects the idea that maximizing net happiness produces a just society.[11] Libertarians claim that individual rights should not be violated, even if doing so increases net social utility. Social justice, in the eyes of libertarians, results when individual liberties (hence the name **libertarianism**) are most fully protected from the state and from others.[12]

Here is a simple example. If a Robin Hood steals the belongings of one rich person and gives them to the poor, society as a whole may be happier because those who received the goods are now much happier ("higher utility"), and only the one rich person is now unhappy.[13] In its simplest form, utilitarianism might approve of Robin Hoods, to the extent that their actions increase net happiness. Libertarians reject this, arguing that the rights of the rich person were violated, and that this is impermissible even if it makes society in general happier.



FIGURE 2.4 Is social justice served when Robin Hood steals from the rich and gives to the poor? (credit: "Robin Hood" by It's No Game/Flickr, CC BY 2.0)

Our instant reaction might be that, of course, thievery is wrong. A libertarian would respond that almost any action by governments or individuals that deprives us of our liberty or property is thievery. Taxes? The government is stealing my money. Environmental regulations? The government is robbing me of my rights to use my property as I wish. Speed limits and gun regulations? The government is depriving me of my liberty to drive as I wish or use guns as I please so long as my driving or gun use does not directly threaten others.[14]

As a result, libertarians claim that social justice is created through a political system that maximizes individual liberty and protects individual rights, with a government dedicated to securing those goals with minimal rules

at minimal cost. A libertarian country would require military and police forces because these are necessary to protect rights and preserve order, and citizens must be taxed to pay for these protections. According to the most ardent libertarians, virtually all other government functions (such as education, health care, and welfare programs) are illegitimate if they require taxes to pay for them because taxes are seen as theft. Rather than the government providing these goods and services, individuals should have the freedom to purchase them through the open market.[15]

Marxism

"From each according to his abilities, to each according to his needs."[16] This is the essence of the social justice views of **Marxism**, an ideology associated with the political and economic theories of Karl Marx and Friedrich Engels. Although these theories are wide ranging and complex, the core element of Marxism that relates to social justice concerns how material resources should be produced and distributed. According to Marxists, a society is just when both economic and labor contributions and needed resources are distributed properly, without discrimination.

In his writings, Marx explicitly rejected **capitalism**. Capitalism is an economic system in which the "means of production" (raw materials, facilities, machinery, tools, and so forth) are privately owned, and individuals are assumed to be motivated primarily by acquisitiveness. The production of goods and services is based on supply and demand, with the vast majority of the population selling their labor to the capitalists in return for wages. Marx considered capitalism to be fundamentally coercive and unjust, with the working class exploited.

Under capitalism, government and politics serve only the interests of the capitalists, as "the State is nothing more than a machine for the oppression of one class [that is, labor] by another [the capitalists]."[17] According to Marx, political systems do not create economic systems. Instead, the "economic structure of society [is] the real foundation on which rise moral, legal and political superstructures,"[18] and "the modern state, no matter what its form, is essentially a capitalist machine."[19]

The creation of a just society, according to Marx, thus calls for a radical reordering of society, a revolution. Class distinctions, and hence the conflict between workers and capitalists, must be eliminated. In a just society, government would no longer be needed, as the only real purpose of government is to protect the interests of the capitalists. In such a society, **communism**, in which all people share equally in the creation and allocation of goods, and within which all people are truly free because they are no longer subject to class repression, would prevail.

Today there are only five countries—China, Cuba, Laos, North Korea, and Vietnam—that label themselves as communist.[20] In none of these countries do all residents share goods equally, as political elites (discussed in Chapter 6: The Fundamentals of Group Political Activity) ultimately control the allocation of resources. Yet the principles that motivate advocates of Marxism have had a profound impact on countries around the world, especially through well-established political parties (variously named some permutation of socialist, social democratic, or labor) in many countries as well as prominent advocates such as Senator Bernie Sanders in the United States.[21]

Rawls's Theory of Justice

One of the most influential political philosophers of the 20th century was John Rawls, who offered a comprehensive theory of justice.[22] To understand Rawls's ideas, imagine that you (or any other rational person) could design the allocation of rights and resources for all the citizens of the world, and that you would then be placed in this world. However, while designing this world you would not know who you would actually be in the world you created; in designing it, you would be operating from behind a "veil of ignorance."

What kind of world would the rational person create? Not one with great poverty or other large inequalities, because it is possible that the designer could be poor or the victim of those inequalities. As a result, any rational person would design a world using two basic principles. First, not knowing who you would be in this

world, you would give everyone the same basic liberties and rights (you wouldn't want to design a world in which you would be deprived of your rights, would you?). Second, as a rational person you would distribute resources (income, wealth, responsibility, power, respect, etc.) so that inequalities would be allowed only to the extent that they would benefit the least well off. For example, an inventor could earn a higher-than-average income if the invention served to improve the lives of those with less income.

These ideas give us a tool to evaluate the policies and practices of countries. Would a just society allow racial or ethnic discrimination? No, because the person designing the society from behind the veil of ignorance would not know which racial or ethnic group they would be in once placed in the world: as a result, the rational designer would ensure that no such discrimination existed. Rawls's theory of justice implies that anyone acting rationally behind the veil of ignorance would create a just world. Rawls makes a logical case for adopting his principles, and they are closely related to the "Golden Rule" ("do unto others as you would have them do unto you"), elements of which have been a common feature of the world's religions since antiquity.

African Americans and Social Justice

Countless African Americans devoted their lives to advancing the cause of social justice, but the ideas and activism of four African Americans—Booker T. Washington, Ida Wells, W. E. B. Du Bois, and Martin Luther King Jr.—merit special attention regarding social justice.[23] Anyone thinking and writing about social justice will be influenced by their own specific experiences, and these four individuals came of age in a country that proclaimed a view of the good society ("with liberty and justice for all") that was denied to them because of their race. These thinkers were also activists; they were less concerned with how to define social justice than with how to obtain it. In their focus on social justice, these individuals recognized that institutional reform was essential, as justice could not prevail unless the branches of government supported it.



FIGURE 2.5 Martin Luther King Jr. (center left) and Malcolm X (right) both sought social justice, though they differed regarding what that required. (credit: "Martin Luther King and Malcolm X after King's press conference at the US Capitol about the Senate debate on the Civil Rights Act of 1964" by Marion S. Trikosko/US News & World Report Magazine Photograph Collection/Library of Congress, Public Domain)

Booker T. Washington (1856–1915), who was born into enslavement but advanced to become perhaps the most politically influential African American of his period, called for Black empowerment through education and entrepreneurship.[24] In Washington's eyes, "political activity alone cannot make a man free . . . he must have property, industry, skill, economy, intelligence, and character."[25] W.E.B. Du Bois (1868–1963), an early leader in the struggle for racial equality in the United States, advocated for a social justice that would recognize

universal human rights while also incorporating a special concern for those groups who had been oppressed and marginalized.[26] As one of the founders of the NAACP, Du Bois conducted path-breaking research on Black communities and wrote *The Study of the Negro Problem*, *Souls of Black Folks*, *Black Reconstruction in America*, and many other books. He insisted that full civil rights and political representation for African Americans were preconditions of justice.

Ida Wells (1862–1931) was also born into enslavement. As a freed adult, she was a journalist and an advocate for rights for African Americans and women, as she helped establish the NAACP as well as other organizations supporting women's rights.[27] She was best known for documenting the lynching of African Americans and the use of lynching as a tool of racial oppression, and for inspiring the anti-lynching movement.[28] One of her many legacies is the Ida B. Wells Society for Investigative Reporting, which encourages journalists to expose governmental injustices and to defend the vulnerable.[29]

The Reverend Martin Luther King Jr. (1929–1968) was a radical advocate for social justice. He said of the uprisings in the late 1960s: "The black revolution is much more than a struggle for the rights of Negroes. It is forcing America to face all its interrelated flaws—racism, poverty, militarism, and materialism. It is exposing evils that are rooted deeply in the whole structure of our society. It reveals systemic rather than superficial flaws and suggests that radical reconstruction of society itself is the real issue to be faced."[30] Social justice required societies to simultaneously address all their social ills, to actively work to end all forms of discrimination. Still, King was hopeful that "we will be able to . . . achieve the ideal, the goal of the new age, the age of social justice."[31]

Gandhi's Philosophy

Influential political ethicist Mohandas Gandhi (whose first name came to be changed by his many supporters to "Mahatma," a term used in Indian culture to describe a person widely admired and respected) (1869–1948) led the nonviolent struggle in India against British rule. Although he never wrote explicitly about social justice, his writings—a "mixture of political science, spirituality, religion, and ethics"—frame his understanding of what a just society would look like.[32] Like Western political philosophers, Gandhi emphasized the dignity of the individual and a respect for human rights. Unlike most Western writers, however, Gandhi's vision focused not just on rights but also on duties: "Civilization is that mode of conduct that points out to man the path of duty." Similar to Marx, Gandhi called for resources to be allocated so that "each man shall have the wherewithal to supply his needs and no more." Seeing the state as a source of violence against its people, he favored a minimalist government, with the long-term goal of harmonious local rule. But political freedom would mean little without social and economic freedom. For Gandhi, a just society would arise not through an armed revolution, but only through a nonviolent one.

Non-Western and Feminist Critiques

The astute reader will note that these conceptions of social justice have all been proposed by men from Europe and the United States (with the exception of Gandhi, who nonetheless received a Western education, but remember also that Malcolm X embraced Islamic principles). They seek to make universal claims applicable to all people in all places at all times. These ideas have had broad, deep, and lasting impacts on politics around the world. Principles of utilitarianism and libertarianism have become embedded in the constitutions and policies of virtually every country. Marxism has influenced revolutions in Africa, Asia, and Latin America. Although not as influential worldwide (at least not yet), the Rawlsian conception of justice has had a broad impact on policy in the United States, including policies addressing racism and economic inequality. Western theories of social justice generally begin with the individual, so, for example, social justice is obtained when individual happiness or personal liberty is maximized.

These Western and male conceptions of social justice hardly exhaust the possibilities—maximizing happiness or liberty are not the only goals of social justice—and non-Western voices have been marginalized or ignored.[33] Westerners have been accused of exporting to Africa their notions of social justice that were "out of

tune with the local context [and] based on an individualized view of justice." True social justice, in contrast to Western philosophy, would recognize "the primacy of the community over the individual—[with an] emphasis on diversity and the rights of cultural communities (defined in terms of traditions and languages), as well as respect for human rights within each community."[34] As University of Cape Town professor Vivien Taylor puts it, "The values of competitiveness, individualism, survival of the fittest, and overconsumption . . . are at odds with the values of social justice. These values . . . are based on social solidarity, communitarianism, social and economic inclusion, and subsidiarity."[35] University of Chicago professor Martha Nussbaum expands this vision of social justice to argue that humans have a collective obligation to care for each other, to provide the essential needs required for humans to have lives of dignity, and to live cooperatively with others.[36] Moreover, excluding or marginalizing people from the process of determining the principles of social justice is itself an injustice.[37]

In alignment with African scholars, Islamic principles of justice, which emphasize altruism and helping others, also reject the Western preoccupation with individualism. According to Islamic scholars, Western theories of social justice are incomplete because they fail to identify the ultimate source of what is right and wrong. These scholars argue that Allah, who knows what is best for all humans, provides. "Human beings are created for the sole purpose of worshipping the One God through the engagement of good things and avoidance from engaging in wrong things."[38] Social justice is obtained when humans abide by Allah's words.

Feminist scholars have criticized the ideas of Western thinkers Hobbes and Locke as relying on "arguments of social convenience and men's superior strength to justify the continued subordination of women."[39] Feminist academics have used Marxist ideas to analyze the oppression of women under capitalism, although other scholars have argued that Marxism is based on a male viewpoint that ignores the reality women experience.[40] Feminist political philosopher Susan Moller Okin has argued that, if Rawls were to be taken seriously, for example, the inequities women face in society and within the family would be considered unjust.[41] In short, male views of social justice do not necessarily represent female perspectives, and there is a diverse literature by feminist scholars.[42]

What Is the Purpose of Government?

There is no unanimity on the question of the proper purpose of government, as different individuals have proposed different answers at different times. In the mid-1600s, the political philosopher Thomas Hobbes argued that if governments didn't exist—that is, if individuals lived in a "state of nature"—then the lives of humans would be "solitary, poor, nasty, brutish and short."[43] For Hobbes, then, the principal purpose of government would be to remove the people from the state of nature and to promote their security.



FIGURE 2.6 The European Parliament building is located in Strasbourg, France. The European Union is an attempt to bring multiple countries together to govern themselves. (credit: "Outside the building of the European Parliament

in Strasbourg" by European the building of the European Parliament in Strasbourg" by European Parliament/Flickr, CC BY 2.0)

But how would a government arise? Hobbes's answer was that governments would be established through what is called a **social contract**. A business contract is an agreement between two or more parties regarding the specific rights and obligations of each party. You likely signed such a contract for your phone: you agreed to provide a set amount of money to receive a specific package of phone services. A social contract, in contrast, is not an actual contract but a metaphorical one. It contains two main elements. First, the individuals involved decide to collectively give up some of the freedoms they had in the state of nature, such as the freedom to commit violence against each other. Second, they delegate the authority and power to enforce this contract to a person (such as a king) or assembly of people (say, a parliament)—that is, to the state.

English philosopher John Locke had a more benign view of human nature. He believed that in the state of nature, humans would have complete liberty to live their life as they saw fit, without interference from others.[44] In Locke's view, all God's children are forbidden to deprive each other of "life, health, liberty, or possessions." Disputes could nonetheless arise, leading to violence, which would become self-perpetuating unless there was an entity—the state, again created through a social contract—to prevent wars from breaking out and to end them when they do. Because conflicts could arise over life, health, liberty, and possessions, the social contract would need to protect them.

In the 1700s, Scottish philosopher David Hume reasoned that the primary purpose of government was to provide **public goods**. A public good is a resource that a) benefits everyone, because it cannot be withheld from anyone and b) is not used up when individuals benefit from it. Streetlights, clean air, and national defense are examples of public goods. Everyone using streets benefits from streets that are well lit, and the light cannot be withheld from anyone traveling down that street. Because streetlights (and other public goods) can be expensive, no one has a personal incentive to put them up. Unless some collective entity (such as a government) provides public goods, they will not be produced in sufficient quantities. To provide public goods, governments impose taxes, issue threats, or provide incentives. For Hume, the social contract expanded its purpose to include the governmental provision of public goods, with governments having the power to impose and collect taxes on the public to pay for these goods.

Purpose in Principle

If Hobbes, Locke, and Hume are correct, one might conclude that the two most fundamental purposes of government are to protect individuals from one another and to provide public goods (taken together, to promote the general welfare). Through the social contract, citizens agree to give up some of their liberties and their resources in return for protection and public goods. This raises the social contract question: How much liberty should people give up, and how much government (protection and public goods) do they need? If there were no law enforcement, people might have near-total freedom (I can do anything I want without fear of arrest!) but presumably very little order. If there were law enforcement officers at every corner, there might be lots of order but at the cost of highly restricted liberties. What is the right balance? There is no simple answer. This tension between liberty and order, which Hume identified in his essay on the "Origin of Government,"[45] remains one of the most important challenges to designing governments and choosing public policies and the major point of disagreement between those wanting freer societies and those wanting more orderly ones.

One of the most eloquent statements regarding the purposes of government can be found in the preamble to the United States Constitution:

> *We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.*

According to the preamble, the government's purpose is to serve the people, provide for peace and prosperity,

protect liberty, and promote justice. Has the American government succeeded in providing all of these things to all of its citizens? Certainly it did not initially; when the Constitution was written, women and Native Americans were not protected by its provisions, and Black people were considered property, without any citizenship rights. Even today there is heated debate as to whether the US government has fulfilled its fundamental purposes.

Purpose in Practice

Did you know that the powerful concepts embedded in the US Constitution also formed the preamble to the Constitution of the Confederate States of America, the enslaving states that broke away from the United States prior to the American Civil War?[46] Just as no country completely fulfills the goals of the Universal Declaration of Human Rights (UDHR), there is no guarantee that the high aspirations and purposes incorporated into a nation's foundational documents will be put into practice or even that people will agree on what these foundational documents truly say.

Constitutions are not written by angels: they are written and implemented by groups of individuals who have their own self-interests and biases as well as their own view of the common good. Regarding the US Constitution, evidence suggests that the economic interests of the founders were certainly important—the framers had their own class interests to protect—but that other factors, such as their ideological beliefs, the opinions of their constituents, and their view of what was best (in the public interest) for their state were equally important.[47]

History is replete with evidence that the actual purposes of those serving in government align most with preserving or expanding their power, even though they may claim they are acting in the public interest. Consider Turkish President Recep Erdoğan. Ostensibly to protect the country from perceived external and internal threats, Erdoğan has dramatically consolidated his power and the power of his inner circle, leading the formerly democratic country in the direction of **authoritarianism**. Around the world, numerous countries have used the pretense of the COVID-19 pandemic to become more authoritarian, emphasizing obedience to rulers at the expense of the rights of the citizens.

Individuals are often willing to sacrifice some liberty if doing so helps protect them from real or perceived danger (think about increased screening at airports with the stated goal of preventing terrorist attacks), and governments can take good-faith steps to protect their citizens. Still, it is likely that governments expand their powers primarily for their benefit, not for the benefit of their citizens.

VIDEO

Erdoğan Moves to Consolidate Power After Failed Military Coup

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/2-1-what-goals-should-we-seek-in-politics)

Questions regarding the unsuccessful July 15, 2016 attempted military coup in Turkey suggest that Turkish president Recep Erdoğan may have had some role in arranging the coup to provide a pretext for his efforts to consolidate his political power.

Who Should Rule?

If governments exist to protect their citizens and those citizens' rights, who should rule the government?[48] The possibilities range from a single person with sole and supreme power, to all citizens, with each participating with equal importance in making decisions. In ancient Egypt, the pharaohs ruled for thousands of years under the accepted belief that they were gods. To early Greek philosophers, the rulers should be those best fit to rule: the virtuous philosopher-kings. Today, those countries ruled by a single person—countries such as North Korea, Saudi Arabia, Syria, and Turkmenistan—justify this on the basis of divinity, virtue, or both.

Many countries—China, Cuba, and North Vietnam, for example—are constituted on the belief that one party

should rule because only that party can represent the true will of the people. The Chinese Communist Party believes that it is the sole legitimate source of political power in that country and thus should make all political decisions.

The view that "we, the people" should rule is at the heart of democratic political theory. Most countries in the world today proclaim that they are democracies. But labeling a country a democracy does not answer three main questions each country must ask about who should rule.

Who comprises the "we"? All countries limit their "we" to certain groups. The United States did not grant the vote—the ability to participate in making ruling decisions—to African Americans or to women for much of its history, and even today many states are trying to make it harder to vote. Most countries only allow citizens to vote; some countries expand this right to noncitizens.

How much power should citizens have? In a pure **direct democracy**, all political decisions are made collectively by all voters. No country today practices pure direct democracy, for both practical and philosophical reasons. Practically speaking, how do you get millions of people together to discuss and vote on every issue? Philosophically, many believe it is reasonable to ask whether voters are wise and knowledgeable enough to make all of a country's political decisions and still have time and room in their lives to do all the other things that make a society. Instead, most democratic countries are **representative democracies**, in which voters elect individuals to represent their interests within a legislature.

Is democracy better than other forms of government? This is debatable. Former Prime Minister of the United Kingdom Winston Churchill is famously quoted as saying that "democracy is the worst form of Government except for all those other forms."[49] Since antiquity, political philosophers and practitioners have worried that democracy will inevitably become mob rule, with citizens who—rather than make wise decisions in the public interest—seek to exploit minorities, rob the wealthy, and otherwise favor policies and leaders who are nasty and brutish, as Hobbes feared regarding the absence of government. According to some, rather than expanding the right of the people to rule, "ignorant and incompetent" voters—that is, most of them—should be excluded from political decision-making.[50]

Political philosophy seeks to comprehend the answers to questions concerning the nature of human rights, social justice, and the purpose of government. Political philosophy is not automatically translated into political practice. In practice, human rights, social justice, and governmental purposes are determined by real people in real situations. As a result, it is necessary to turn to the actual behavior of actual humans.

CONNECTING COURSES

As you will learn if you take a course in psychology, social science has four main goals: to describe, explain, predict, and (sometimes) change behavior in general. To the extent that political science seeks to do the same things in the more limited realm of political behavior, it both relies on psychological principles and contributes to them. Political psychology is the subfield of political science that focuses on the mental processes that determine how individuals behave when they engage in or withdraw from political activity.

One of the most influential studies in **political psychology** (cited over 20,000 times by other scholars), written in 1950 but especially relevant today, is *The Authoritarian Personality.*[51] It tries to answer questions like "What makes a fascist? Are there character traits that make someone more likely to vote for the far right?" The authors answer their question by claiming that a fascist is a person with certain character traits developed in childhood (such as aggressiveness, destructiveness, and cynicism, among many others) and that people with these traits will be more likely to vote for candidates who are ultranationalist, authoritarian, and nativist. This book unleashed a massive amount of research on whether there are political personalities, how to define them, and what impacts they have on political behavior. Should you take a course in psychology, you will learn more about human personality.

2.2 Why Do Humans Make the Political Choices That They Do?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Identify the principal forms of human decision-making.
- Distinguish between instrumental, or strategic, and noninstrumental, or expressive, elements of human behavior.
- Identify the two main interests people have in their political decisions.

Human behavior is incredibly complex and not entirely understood, and it varies from person to person. Like fingerprints, each person is unique. No description of human behavior can possibly encompass the total behaviors of every individual. In order to describe human behavior, it is necessary to simplify. In simplifying, it is not possible to explain everything about human behavior, but it is possible to highlight its main features.

Humans Make Decisions in Two Main Ways

Empirical political science tries to understand two main elements of human political behavior: the directly observable and the indirectly observable. Behaviors themselves are directly observable. Understanding why individuals act as they do when they engage in political action or when they refrain from participating requires an inquiry into mental and psychological processes, which, in the absence of brain scans, are not directly observable. In the real world of politics, it may not be possible to say why individuals do what they do, but it is usually possible to see what they do.

Humans make decisions in two main ways, what psychologist Daniel Kahneman characterizes as "thinking fast" and "thinking slow."[52] Thinking fast is intuitive; when thinking fast, people don't realize they are doing it. Thinking slow takes cognitive energy, as when you solve a complex math problem. When politicians craft their speeches, they think slow; when they ad-lib parts of their speeches during delivery, they think fast. When you compare the policy proposals of different political parties in trying to decide how to vote: slow. If you reflexively vote for "your" party: fast.



FIGURE 2.7 Humans think fast, and they think slow. (credit: "Ephemera, The Hare and the Tortoise" by Frederick

Stuart Church/Smithsonian Design Museum, Public Domain)

Thinking slow is more difficult than thinking fast. It requires focus and takes time and cognitive energy. Not surprisingly, humans often avoid the hard work of thinking slowly and rely heavily on snap judgments, which are especially prone to all sorts of biases and errors. What is true for human behavior is also true for political behavior, which involves a combination of snap and reflective decisions.

Rationality and Thinking Slow

Political and other social scientists use the terms **rational** and **irrational** in specific ways that may differ from the ways you hear these terms used in conversation. In political science, *rational* does not simply mean reasonable, and *irrational* does not simply mean rash or lacking in good judgement. Instead, in political science a rational person is self-interested and strategic. The rational person makes decisions in pursuit of self-serving goals and is calculating in their assessment of which actions are most likely to obtain those goals. The rational person is defined as one who seeks to maximize their own well-being, however they define it.

In contrast, in political science an irrational person is one who is neither selfish, nor strategic, nor calculating. An irrational person is not necessarily unpredictable: on the contrary, in many ways such a person can be predictably irrational.[53] Even when people know that they should take better care of their health, save more for the future, or study sooner rather than later, they tend not to do these things. Why not? Because humans often do not act in their own best interest.

Consider voting decisions. One might think that a rational voter would study the candidates, compare them against each other, and then vote for the one most likely to maximize that voter's happiness (or welfare or satisfaction). Research indicates that most voters don't act this way, instead relying on "factors that enable them to make choices relatively quickly and easily."[54] People tend to use **heuristics** in making decisions. A heuristic is a cognitive shortcut for making decisions, in which someone substitutes simple, practical rules for more complex methods. What's the best thing to order off the menu? You could carefully scrutinize every option or say, "I'll have the daily special." That's using a heuristic. In deciding for whom to vote, individuals could examine the records of all the candidates or decide "I'll vote for the candidate from my party."

Humans are not always, or perhaps even generally, rational. But if you wish to understand political behavior, and especially if you want to become actively involved in politics, it is helpful to assume that the most skillful political actors tend to be rational: they make strategic decisions, as discussed in Chapter 1: What Is Politics and What Is Political Science?, given the rules and the reality, to maximize their chances of obtaining their goals. Skillful political actors—a political actor is anyone engaging in political activity—will also know the value of exploiting the human propensity for noncognitive decision-making.

Intuitive Decision-Making (Thinking Fast)

Think about something you do that, at times, you can do automatically, without thinking, but that at other times requires cognitive effort. Maybe for you that is commuting to school or work or doing the laundry. On the first day of your commute, you were almost certainly thinking slowly, reading bus schedules or street signs, paying close attention to finding the right exits, and so forth. If you have been commuting to and from the same place for a while, however, you may know what it's like to commute on "autopilot," thinking fast. On the one hand, it's amazing that you accomplish the complex tasks of navigating without deep concentration; on the other, you've got this.

Thinking fast simplifies the world for us, but it leaves us prone to many risks. Political actors who are skilled in the psychology of persuasion can—and often do—seek to take advantage of the human biases and prejudices associated with thinking fast to further their aims. Conspiracy theories and misinformation seem to spread faster than the truth because determining truth can require careful analysis, while succumbing to **fake news** requires only the suspension of critical faculties. (For more discussion of fake news, see Chapter 12: The Media.) Politicians, seeking your support, are less likely to appeal to your head than to your (metaphorical)

heart.

Humans Behave in Two Main Ways: Strategic and Expressive

People often do things to get things. They go to the store to buy food. They study in order to learn or to get higher grades. In other words, they take action in order to achieve their goals. In an ideal world, people would act in ways best suited to obtaining their objectives. If their goal is to earn a high grade, they would devise an approach to studying—or perhaps something else, like cheating—that is most likely to produce the grade they want. If their goal is to win an election, they would presumably make decisions that they deem most likely to win votes. Note that acting strategically does not necessarily imply acting morally. Acting strategically is quite simply choosing the most effective means to achieve a specific end.

Even when people try to act strategically, several factors may temper their success. In the first case, even apparently simple goals may have multiple or unclear dimensions. Say your goal is to win an election. Should you spend your time, money, and effort trying to persuade individuals to vote for you? To mobilize those already deemed to be supportive?[55] To discourage voters likely to support your opponent? Some combination of all of these? Once you clarify your goal—say, to mobilize those who already support you—you have to figure out what is the best way to do this. If you send your supporters frequent text messages, will you excite them or turn them off? Finally, calculations may simply be inaccurate: people might believe that certain actions will mobilize their supporters when in fact those actions do not. Now, multiply the complexities of getting any individual to vote for you to the challenges of getting millions of voters to support you. Acting strategically would be easy if there were a single goal, complete information, and perfect judgement. In the real world, people often have multiple goals, highly imperfect information, and biased or otherwise inaccurate assessments. Still, the political actor with the superior strategy is likely to prevail over an opponent with a weaker strategy, all other things being equal.

"All other things being equal" (scholars often write this phrase as "*ceteris paribus*") is an important phrase in political (and all social) science. In the example above, the candidate with the superior strategy might not win if their opponent has superior resources or support. The phrase all other things being equal means that if two candidates have equal resources and equal support—that is, if the two candidates are equal in other important ways—the one with the superior strategy is likely to win.

Those in politics as a vocation have strong incentives to act strategically. When politicians run for office, they ask, "What is the best way for me to get elected?" and then act on their answers to that question. When interest groups consider how to get the policies they want, they try to use their resources most effectively in these efforts. Given the multiple potential actions they could take, their uncertainty regarding the effectiveness of their actions, and the biases they have about which activities are likely to be effective, no actors' strategies are ever perfect.

Think back to the chess example in Chapter 1. You might expect both players to act strategically, understanding that they both have one single, clear goal: to win the game. There are too many possible ways to do this, and they cannot know them all; they have imperfect information. Beyond that, there is another, more strategic complication at play: the success of one player's strategies depends in large part on the strategic actions of the other player. In plotting a strategy, then, each player must consider the strategy of their opponent. So it is in politics. Strategic actions do not occur in a vacuum. To successfully achieve political goals, individuals must factor in their opponents' anticipated strategic actions when devising their own.

Acting strategically does not necessarily mean acting ethically. Politics is full of stories of politicians engaging in dirty tricks, employing intimidation and violence, or otherwise engaging in corrupt activities when they believe that doing so will be to their advantage. Political candidates in Bolivia, Brazil, Colombia, Ecuador, Honduras, and Mexico have all been accused of engaging in dishonest social media campaigns—and that's just in Latin America. (And, of course, dishonesty in social media is not unique to any one part of the globe.) [56] No country is immune, and the savvy political observer understands that political actors around the world face

temptations to engage in corrupt acts and that the quality of a political system might be judged in part by how much it does to prevent such deception.[57]



FIGURE 2.8 Chess players use strategic thinking. (credit: "Playing chess" by Slava Myronov/Flickr, CC BY 2.0)

The complexity of human action goes far beyond the strategic. Sometimes people act not to get things, but to express emotions. If you have ever sung karaoke, looked up at the stars, played in the snow, or engaged in any of the countless activities that bring joy, demonstrate anger, or simply show you being you, you have engaged in expressive activities. Expressive activities are not done to accomplish anything in particular, but just because you feel like doing them. An alternate view is that all human behavior is goal oriented, and that the goal of expressive behavior is to express emotion, as compared to strategic behavior, which has goals separate from the behavior itself.

Expressive behavior sends out signals about the kind of person you are or want others to believe you are (e.g., the kind of person who sings karaoke). Humans are social beings who usually care about how they are perceived by others. Those around us may not actually know us, but they can form perceptions of us based on our expressive behaviors (see: Instagram).

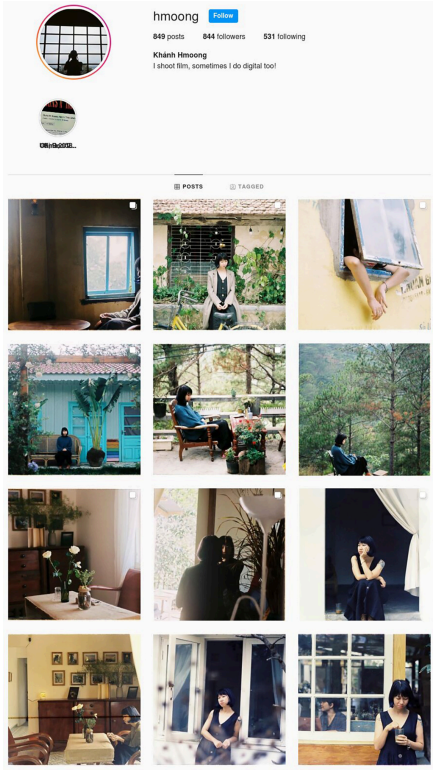


FIGURE 2.9 Expressive behavior can show how people want to be perceived. (credit: "I moved to Instagram @hmoong" by Khánh Hmoong/Flickr, CC BY 2.0)

Expressive behaviors are important in politics for a couple of reasons. Much behavior is predicated on how people want to appear, not just (or mainly) what they want to accomplish, and this is as true in politics as it is on Instagram. It is not always possible to say what strategic goals individuals hope to accomplish when they attend political rallies, but it is clear that they wish to express their identities as supporters of a candidate, a party, or a cause.[58] What is called a person's party ID, shorthand for the political party with which that person identifies, is more closely associated with expressive choices than with strategic ones.[59]

Strategic and expressive behaviors can overlap, and at times they are difficult to distinguish. Consider, for example, why people vote. Voting might be a strategic behavior that aims to help elect a particular candidate, but voting is also a way to demonstrate to others what kind of person you are. Individuals' decisions on whether to vote or for whom to vote are also context dependent. In most democracies, voting is optional, but in Argentina, Australia, and Austria, citizens are required to vote.

At times, what appears to be expressive behavior is deliberately strategic. Political candidates choose their attire to send messages about who they are as well as why people should support them.



FIGURE 2.10 Peru's President Pedro Castillo always campaigns in a traditional Andean straw hat. (credit: "28/07/2021 Cerimônia de posse do Presidente da República do Peru, Pedro Castillo" by Vice-Presidência da República/Flickr, CC BY 2.0)

Humans Seek Two Different Interests: Self-Interest and the Interests of Others

In simple terms, humans apply intuitive and cognitive thinking and strategic and expressive actions to seek two different types of interests: self-interests and public-spirited or altruistic interests.[60]

At a basic level, humans are selfish (but not only selfish: humans are also naturally cooperative and compassionate, with individuals varying as to how selfish or cooperative they are).[61] This is not a moral judgment; it's an empirical statement. People are selfish in both the narrow biological sense (for example, if they are hungry, they seek food, and if they are tired, they seek rest) and in a broader social way. Although people might seek different things in life, they tend to want more, rather than less, of the things they desire. These desires may be for material goods (money, property) or relational ones (power, fame).

In the political world, individuals typically prefer to support the kinds of politicians and policies that they believe will benefit them personally. The benefits can be tangible: better services, safer communities, improved schools, lower taxes, and so forth. The benefits may also be intangible, as, for example, when voters favor politicians who pledge to enhance the social prestige of their supporters or to make their country more respected around the world. Candidate Donald Trump did not campaign primarily on a platform of tax cuts (or any other policies): he campaigned on the promise to "Make America Great Again." Chinese President Xi Jinping vows not just to make China prosperous: he pledges to make it respected.[62] As Evo Morales, the first Indigenous president of Bolivia, put it, "In Bolivia, Indigenous people govern completely differently. It is something historic, unprecedented—[with] pride."[63]

Yet many political behaviors are difficult to square with the idea that political actors are solely acting in their own personal self-interest.[64] Those seeking government protection for endangered species are unlikely to personally benefit if those species are saved from extinction. Those who want to prohibit flag burning are not materially better off if that policy is adopted. Some of the most intense political debates occur not over the distribution of material resources but instead over symbolic or cultural issues. The contest is less about who gets what and more about what kind of country people want to live in.

WHAT CAN I DO?

Political Behavior: Developing Communication Skills

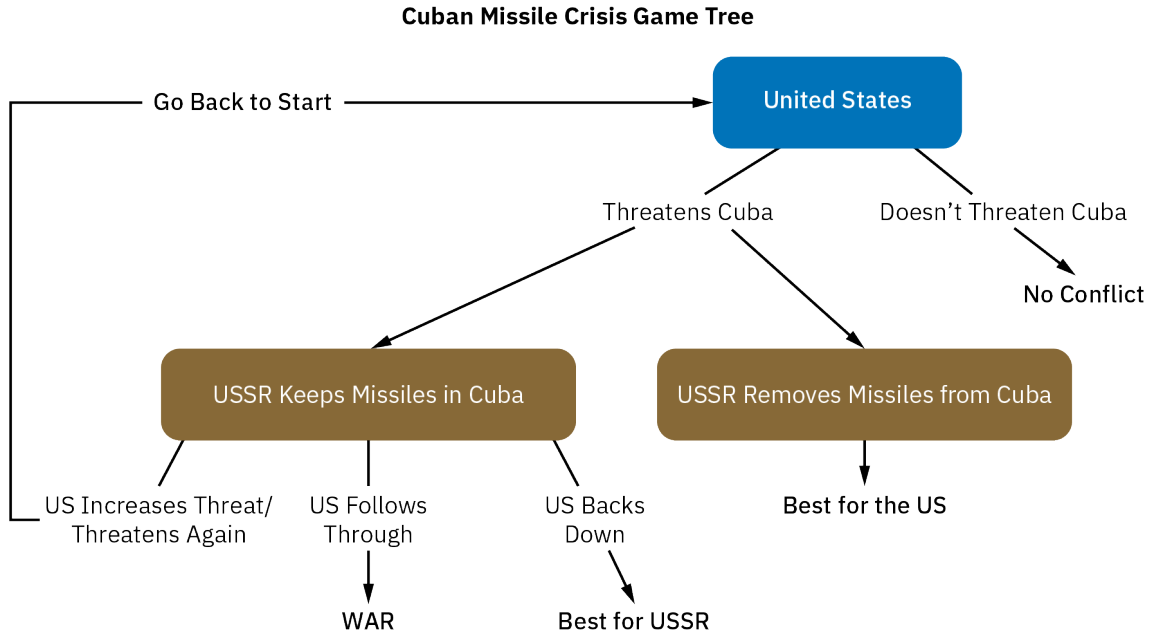


FIGURE 2.11 Throughout the Cuban Missile Crisis, both the United States and the USSR considered many possible outcomes of their actions. This game tree models how the two actors would have considered their decisions. It is broken down into a simple form for basic understanding. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

The study of political behavior involves interpretation. While we may know *whom* an individual voted for, we may never really know *why* they voted for that person. We can look to exit polls for clues, or we can look to socioeconomic or demographic characteristics to make predictions about voting behavior, but in the end, this is just our interpretation of their behavior.

Consider the tense communications involved in the most high stakes situations, like the Cuban Missile Crisis. It was essential that President Kennedy and his advisors were able to communicate with each other the substance of and reasoning behind potential strategies, as well as what specifically they hoped each strategy would achieve. They based their strategies on all the information available to them about the situation and about the Soviets and their perceived values, goals, and ways of thinking. The need for clear communication between the United States and the Soviet Union during the crisis, and the importance of being able to interpret those communications, could not have been greater. A misunderstanding in that situation could have resulted in nuclear conflict.

Being able to effectively communicate and being able to effectively interpret the behavior of others are skills that can be beneficial in multiple settings. Regardless of industry, trade, or career path, being able to utilize relevant information to be able to communicate an understanding of a particular topic is a skill that is highly prized and sought after.

In some parts of your life you might usefully assume that self-interest dominates our decision-making. If you are ordering a slice of pizza that only you will eat, there is no need for you to consider the welfare of others when you place your order: "Yes, please, put jalapenos on my pizza!" When you are ordering an entire pizza to split with your friends, you might think only of yourself ("I want jalapenos, and I don't care if you don't like them") or only of others ("Order whatever you want, and I'll eat it"), or you might take into account some combination of your self interest and the interests of others ("We all like cheese, so extra cheese for the entire

pizza, but put jalapenos only on one half and pepperoni on the other half").

Of course, it is not possible to directly observe whether individuals care only about their own personal interests, the interests of others, or some combination of the two. It is not possible to see—at least not yet—exactly what is going on in anyone's mind regarding the factors that influence their behavioral choices,[65] nor is it possible to necessarily infer from a behavior the motivations behind it. If you order jalapenos on the pizza because you believe that others also like them, your decision might be a public-spirited one, even if the decision itself is misguided. Or you might just be thinking of your own interests. Or both. People are pretty good at fooling themselves regarding their own motives.[66] Did you really think your friends liked jalapenos, or did you just tell yourself that so you could feel good about your desire to order them?

Self-interest or public spirit are more likely to dominate in different areas. When you purchase most consumer items (say, shoes or a phone), there may be little reason for you to consider the interests of others. When you engage in communal activities (with your family or a religious, social, or political organization), you likely put these interests ahead of your own, at least from time to time.

While it is generally helpful to ask "What is the self-interested reason why that person or group might be doing that?" it is unwise to assume that all political behavior is purely self-interested. When Black people join in a Black Lives Matter (BLM) protest, they are saying at least in part that MY life matters. When non-Black people join in a BLM protest, it is possible but unlikely that they do so because they believe themselves to be the main beneficiaries of the protest (although it is certainly possible that they will indirectly benefit from living in a safer and more equitable society). More likely, BLM allies—or the supporters of any social movement, whether conservative or liberal, democratic or authoritarian—join because they support the cause that the movement represents (a strategic reason) and because they want to show that they are the kind of person that supports this movement (an expressive reason).

2.3 Human Behavior Is Partially Predictable

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe human predictability.
- Explain why human behavior can be predicted in general but not in specific cases.
- Define motivated reasoning.

Even though each person is unique, people often act in predictable ways. Given a certain set of rules and a specific set of conditions, it is possible to make pretty good guesses (that is, predictions) about how people will behave. This does not mean that all people act in exactly the same way every time. But it does mean that behavior is not entirely random.

What Does It Mean to Be Predictable?

Predictability means that it is possible to guess, with some accuracy, how people will behave in certain situations. In the commercial world, this predictability is what allows, say, Netflix to recommend movies. In short, every time you watch a show, Netflix collects data about what you like and then combines that data with information collected from everyone else using Netflix. If you like the same dozen films as a large number of other people and those people have seen and liked a 13th movie, Netflix predicts that there's a pretty good chance you'll enjoy the 13th movie as well.

VIDEO

Why Netflix's Algorithm Is So Binge-Worthy | Mach | NBC News
Access multimedia content (http://openstax.org/books/introduction-political-science/pages/2-3-human-behavior-is-partially-predictable)

Political scientists use data to make predictions about political behavior in much the same way that Netflix uses data about its users' past viewing habits to make predictions about their future viewing behavior.

Knowledge about human behavior makes it possible to predict how politicians, public officials, and citizens will respond in various political settings. Political scientists can use knowledge of certain characteristics—for example, an individual's age, education, and ideology, among many other attributes—to predict how likely it is that they will vote and which party they will vote for. It is possible to predict that politicians will typically seek to increase their political power because they have been observed doing so time and again. One of the central goals of empirical political science is to study how people behave politically in order to make more accurate predictions about how they are likely to behave in the future.

SHOW ME THE DATA

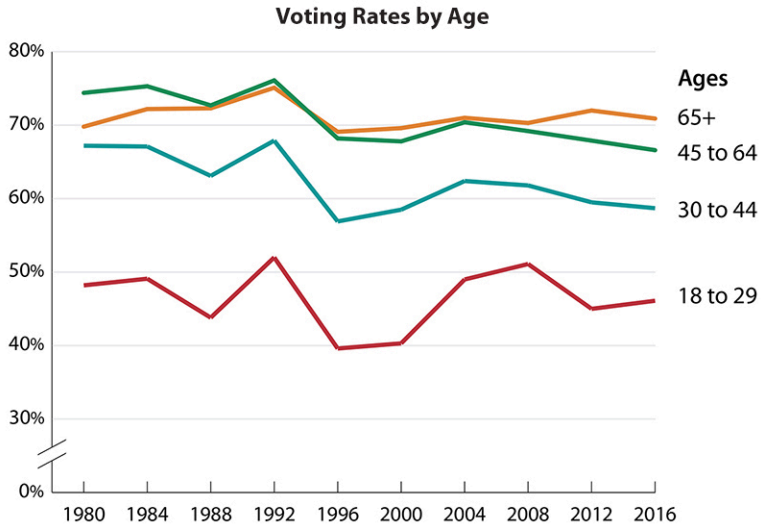


FIGURE 2.12 This figure shows voting rates by age group in United States elections between 1980 and 2016. (credit: United States Census Bureau, Public Domain)

Political analysts collect data on individuals and groups to understand how, for example, voters have behaved in the past and how they are likely to behave in the future. In the United States, voters' ages are linked to voter turnout rates (the turnout rate is the proportion of eligible voters that actually cast their votes).

This graphic shows turnout rates for four voter age categories in presidential elections between 1980 and 2016. During this time, voter turnout rates were highest for voters age 65 and over and lowest for voters age 18 to 29.

What does this mean? If we know nothing about a voter but their age, we could make a prediction about their likelihood of turning out to cast a vote. Political candidates and their campaigns might use this knowledge as they strategize how best to allocate their resources.

Which Human Behavior Is Predictable, and Which Is Unpredictable?

The more information political scientists have about how people have behaved in the past, the better they are able to predict how people will behave in the future—but only within limits, a few of which bear mentioning. When making predictions about what people will do, the typical prediction is usually in the form of "individuals with characteristics like these are likely to do a certain thing," which is quite different from saying "this individual will do that." One might predict, for instance, that young, environmentally motivated activists around the world are likely to affiliate with the Green Party of their country. This does not mean that it is possible to accurately predict that Greta Thunberg, perhaps the most famous environmental advocate, is a

member of Sweden's Green Party.[67]

Why is it possible to predict political behavior in general but not necessarily in individual cases? One answer is that more and better information results in better predictions: imperfect information leads to imperfect predictions. Just as weather forecasts can be wrong because meteorological relationships are complex and not fully understood, behavior predictions can also be wrong. Moreover, what seems to be the sheer randomness of human behavior should not be discounted.[68] An event is random when it cannot be predicted. Consider this: although it is possible to predict the outcomes of a coin flip in general (there is a 50 percent chance of getting heads and a 50 percent chance of getting tails), even the most powerful supercomputers cannot accurately predict the outcome of a single coin flip. Whether a single flip comes up heads or tails is random. If you predict the outcome correctly, you just got lucky.

In 1962, US intelligence discovered evidence that the Soviet Union was placing nuclear missiles in Cuba—only some 100 miles from American soil. Tensions simmered, and at the peak of what is called the Cuban Missile Crisis, the world was on the brink of nuclear war. US President John F. Kennedy and Soviet Premier Nikita Kruschev had a fateful decision to make: With the fate of the world in their hands, should each side escalate the conflict or pull back? No amount of data would have allowed anyone to predict with certainty what their decisions would be: they could have gone either way. Fortunately, they both chose to de-escalate, and the crisis was resolved. What explains this outcome? As the US Secretary of Defense put it, it was "luck. Luck was a factor. . . . It was just luck that [Kennedy and Kruschev] finally acted before they lost control, and before East and West were involved in nuclear war that would have led to destruction of nations. It was that close."[69]

Despite efforts to better predict political outcomes, political polling, which will be discussed further in Chapter 5: Political Participation and Public Opinion, remains fallible. Poll-based predictions about the outcomes of presidential elections in the United States were substantially off in both 2016 and, though they accurately predicted the eventual winner, in 2020.[70] Why? Because the polls ask, "Who are you likely to vote for?" but they cannot precisely measure who will actually show up to vote or how they will actually vote.



MEET A PROFESSIONAL

Dennis Quinn, data scientist, writer, researcher, and master's degree candidate in Yale University's Public Policy program at the Jackson Institute for Global Affairs

Please explain what you do for your organization.

At the moment I'm a graduate student at Yale, where I build data streams to address the humanitarian and national security impacts of climate change. But before this I was on the Pew Research Center's data science team for about five years. During that time I managed research projects involving data mining, machine learning, or other computational methodologies. The job also required a lot of communication, writing, and public speaking as well.

How did you get involved in your position?

In my most recent (paying) job, I joined Pew in 2015 in a pretty standard entry-level position, which I'm pretty sure I was offered because I had skills in Python and R, and they knew they would be expanding into the area soon. That expansion allowed me to build out a role for myself in the new research area—and that's a big lesson I took from that experience: don't look for the perfect job. Get the skills you want to use, find a thing you care about, and join an organization that does that thing. Then, try to get them to make a job that you want. It might not work every time, but it's a solid strategy.

What advice would you give students who are interested in your line of work?

A good rule of thumb is that opinions are cheap, data is valuable, and facts are even better—and this is a problem in political science because undergraduate education teaches you to argue really well but not to create original

knowledge. And this is an area where you can really differentiate yourself as you get into the working world: learn how to create and communicate useful knowledge in the area you care about. In today's world this often means using data, but it doesn't have to. It definitely means learning what the questions are, though, and that's where political science can do really well. But make sure you take that extra leap into knowledge generation—this can mean a (spoken) language, programming, or certain disciplinary focuses like econometrics. All together, this creates a really strong position for you: knowing where the questions are and having the tools to answer them.

Consider an extreme example regarding the uncertainty of making predictions and the importance of making accurate ones. During times of war, military leaders have to ask, "Will my soldiers fight, or will they run?" The rational soldier might be tempted to run: What fate could be worse than likely death at the hands of the enemy?[71] The expressive soldier might stay to demonstrate his loyalty and bravery. But it is not possible to predict with certainty which soldiers will fight and which will flee. The wise military strategist will adopt the strategies believed to increase the probability—the predictability—that the soldier will remain faithful to their side.



FIGURE 2.13 Will they fight, or will they flee? (credit: "Photograph of US Soldiers Crouching in Position in the First Wave of Helicopter Combat Assault" by Department of Defense/National Archives, Public Domain)

How does the strategic political leader increase the odds that individuals will faithfully follow them? By increasing the incentives—the instrumental reasons—for doing so: by raising the costs of defection and the rewards for fidelity, and by raising the importance of expressive values like solidarity, loyalty, and patriotism.

It may be tempting to believe that those participating in the political causes you support are seeking the right things or doing so for public-spirited reasons—that they are the good ones—and that those who you see as your political opponents are purely self-interested, if not greedy or corrupt. This can be explained by **motivated reasoning**, the human tendency to embrace those ideas one wants to believe while rejecting evidence that challenges those beliefs.[72] In the United States, for example, a large majority of both Republicans and Democrats believe that the other party is closed-minded, and substantial proportions of both parties believe that members of the other party are lazier or less intelligent, moral, or patriotic than the general public.[73]

Individuals participate in politics for all sorts of reasons, and there is little justification for the belief that the motivations of those on "our side" are much different from the motivations of those on "their side." On each side, individuals are likely to have a mix of self-interest and public spirit.

2.4 The Importance of Context for Political Decisions

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain why political scientists use games.
- Describe the ultimatum game.
- Discuss what the ultimatum game reveals about human nature.
- Identify ways in which context matters in political decision-making.

How individuals behave politically depends on a wide variety of factors. These factors, considered together, constitute the context in which the decisions take place. This section will bring these various elements together by examining the ultimatum game.

Rules

Political scientists often use games to interpret and predict human behavior. A **game** is a set of rules, a set of choices, and a set of decisions. The rules establish what a player is allowed to do. The choices are what the player can do at any turn. The decisions are what the player actually chooses to do. Political scientists examine both hypothetical games, seeking to understand what are the best moves given a set of rules and a specific situation, and real games in which they can observe the decisions that players actually make under various circumstances.

The ultimatum game is one way to explore the various dimensions of human decision-making. The game involves two players, Player A and Player B. Player A is given a sum of money—say, $10—and has to decide whether and how much of this money to offer to Player B. Player A can offer none of the money, some of it, or all of it. Player B can accept the offer or reject it; hence, the offer is a "take it or leave it" ultimatum. If Player B accepts, both players keep their share of the money. If Player B rejects the offer, neither player keeps any money. As an example, if Player A offers Player B $4 and Player B accepts, Player A keeps $6 and Player B keeps $4. If Player B rejects the offer, neither player takes home anything.

Scholars can use these rules and choices to make predictions about what players might do and why they might make these choices. As it turns out, this game has actually been played in a wide variety of settings, and so there is evidence of how humans actually behave.

Situations

What do you think Player A and Player B are likely to do? How would you play the ultimatum game? You may have a quick-thinking intuitive sense of how much you would offer if you were Player A or of the smallest amount you would demand if you were Player B. Further slow reasoning might lead you to change your mind.

Let's consider some possibilities. It is possible, but highly unlikely, that Player A would offer the entire $10 to Player B, as few people are entirely altruistic. In contrast, Player A could offer Player B nothing, but this is also unlikely because Player B would almost certainly reject that offer, leaving each player with nothing.

It is most likely that Player A will offer an amount that falls somewhere between $0 and $10. But what amount? If both players were entirely rational—that is, if they were entirely strategic and self-interested, Player A would make a very small offer, maybe $1, calculating that Player B would reluctantly accept the offer. Player A might think that Player B would of course want a larger offer but that Player B would accept this small offer because getting even $1 is better than getting nothing. In a perfectly rational world, players would make and accept highly uneven offers. In a perfectly cooperative world, in contrast, players would offer and accept 50-50 splits.

VIDEO

The Ultimatum Game

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/2-4-the-importance-of-context-for-political-decisions)

Experiments in which people played the ultimatum game have shown the complexity and variations in, and therefore the difficulties in predicting, human behavior.

Experimental data demonstrates that in reality players are not entirely self-interested.[74] Players routinely reject offers that deviate substantially from a 50-50 split. The split need not be 50-50 for Player B to consider it fair, however; players commonly offer and accept $6-4 or even $7-3 splits. Political scientists suggest a variety of reasons why Player B might be willing to reject unfair offers, to voluntarily sacrifice any financial gain. One key explanation is that players seek not only to maximize their own selfish interests, but also to ensure basic fairness. For these players, those who violate fairness must be punished.

There are other strategic reasons to make fair offers or to reject unfair ones. Player A will likely be uncertain of the minimal offer that Player B will accept: given this uncertainty, it makes sense for Player A to make offers that are pretty fair. If they play multiple times in the same roles, it would be sensible for Player B to reject an unfair offer because, once an unfair offer is accepted, it is possible to predict that unfair offers will continue to be made. If I learn that Player B will accept $2, why would I offer B more? Offers are more likely to be fair—closer to a 50-50 split—if players already know each other and the game is played face-to-face, as compared to strangers playing the game remotely on computers.

The total amount of the prize also surely matters. Player B is likely to be more willing to refuse $1 in a $10 game than to refuse $100,000 in a $1,000,000 game, even though the fairness of the offers are mathematically the same. What if the rules changed so that Player B got to keep their share of the pot when they reject the offer, with only Player A losing their portion? This rule change would shift power to Player B, and Player A would almost certainly make more generous offers.

The ultimatum game is a simplified illustration of interactions involving bargaining strategies, but it offers abundant lessons for politics, whether one is looking inside parliamentary institutions, considering the relations between politicians and their constituents, or studying mass movements. In many political situations, there is some resource—tangible or intangible—that one set of actors has and another one wants, and the players have to decide how to share that resource. The real game of politics is much more complicated. Usually there are many players, and those players may seek to change the rules while they are playing. The size and nature of the resource under negotiation may not be set in stone, and the players are not limited to making, accepting, or rejecting offers, but may also use threats and deception. The more complex a negotiation, the more difficult it is to predict how it will play out.

CONNECTING COURSES

Game Theory

The ultimatum game is one of many strategic games that examine human decision-making given varied rules and contexts. To learn more about them, you can explore courses in game theory. These courses can be highly abstract and technical, or they can be more applied; they are often offered within economics departments. In a game theory course you will have the chance to learn about the best (or optimal) strategies for winning a game. The games studied in this course are all political: they involve two or more players seeking to obtain their goals

(to win the game) given a set of rules and a specific situation. What is the best strategy, the one most likely to win the game? In some games, at some points, the best strategy might be to be generous to your opponent; at other times, you might want to be vengeful.

Summary

2.1 What Goals Should We Seek in Politics?

What are human rights? What is social justice? What is the purpose of government? Who should rule? Political philosophers focus on questions like these. Various answers have been suggested. None of the answers are universally accepted, in part because any answers are based at least in part on the context in which they are offered.

Social justice, for example, has been defined in terms of maximizing social welfare ("utility") or individual liberty. Marxists define social justice as a system in which all people share equally in the creation and allocation of goods and within which all people are truly free because they are no longer subject to class repression. Rawls's theory of social justice is based on the concept of the choices rational beings would make behind the "veil of ignorance." Non-Western thinkers, feminist scholars, and Black philosopher/activists have developed perspectives that challenge the dominant, Western, male definitions of social justice.

Real people engaging in political action—not philosophical conceptions of human rights, social justice, the purpose of government, and just rule—determine how these concepts play out in practice. Those who rule a country ultimately determine what the actual purposes of the government will be, what kinds of justice the country will embrace, and what rights will be protected for those living there.

2.2 Why Do Humans Make the Political Choices That They Do?

Humans make decisions in two main ways: by thinking fast or thinking slow. People think fast when their decisions seem almost automatic. On the other hand, there are times when people focus to make a thoughtful decision: they think slow. Thinking slow is hard, so humans more often rely on their quick judgments about what to do, whether in politics or in other areas of life.

When humans act, they may do so for strategic (or instrumental) or expressive (or emotional) reasons. When people act strategically, they take actions designed to obtain their objectives. When people act expressively, they do so not to achieve a goal but to reveal who they are (or who they want to be perceived to be). Often, behavior can have both elements: people may vote so that their candidate has a better chance of winning, but also to show their peer group that they are the kind of person who votes.

Whether people act strategically or expressively, they can do so either because they are acting in their own self-interest or in the interest of a broader community, with an eye to accomplishing broader public purposes. These motives can overlap. Often, what political actors believe to be good for the public also coincides with what they see as beneficial for themselves. A candidate for office may understandably think that working on behalf of their constituents—the public interest—will also benefit the candidate's electoral interests.

2.3 Human Behavior Is Partially Predictable

Humans are all, literally, unique: not even identical twins are exactly alike, as they will be exposed to differing environments over their lifetimes. Still, human behavior is partially predictable. This means that, with enough information about certain characteristics of persons, it is possible to make predictions about what similar individuals will do in similar circumstances.

Predictions might be wrong for any specific person. They can be wrong because individuals often, but not always, act like other similar individuals. More generally, predictions might be wrong because of bad data (for example, when people lie to pollsters) or because people don't act in the future as they have in the past.

The concept of motivated reasoning can explain why individuals can make incorrect judgments in politics, as well as in other areas. Motivated reasoning is a form of bias that leads individuals to arrive at conclusions that they want to believe in rather than to scrutinize the evidence neutrally.

2.4 The Importance of Context for Political Decisions

Political scientists use games to make predictions about how humans will behave in politics because political action has many of the characteristics of a game, with the players making decisions under a certain set of rules and a given set of circumstances. These predictions can be logical, based on what political scientists consider to be rational behavior, or empirical, based on how individuals actually do behave. The ultimatum game is one example of this. The rules allow players to make choices about how to share a resource, and the choices they make determine the allocation. The choices they make depend largely on the context—for example, whether they have a relationship with the other player, or if they will play again, or how large the prize is. Studying such games can provide valuable insights into human behavior.

Key Terms

authoritarianism a nondemocratic form of government with centralized power and limited civil rights and liberties

capitalism an economic system in which the means of producing and distributing goods are privately owned and individuals are assumed to be motivated by acquisitiveness

civil liberties individual freedoms, such as free speech or freedom of religion, that are protected from governmental interference

civil rights rights that governments must act to protect for individuals in certain groups (such as ethnic groups or sexual identities); for example, for voting rights to exist, the government must provide ballots in a language that the voter can understand

communism an economic system in which property is collectively owned and assumed to be used for the common good

direct democracy a system of government in which all decisions are made, usually by voting, through the participation of all citizens

fake news stories masquerading as actual news that lack any basis in fact

game a competition between participants who make strategic choices, under known rules, aiming to win

heuristics a cognitive shortcut for making decisions in which simple, practical rules are substituted for more complex methods

human rights the fundamental, inalienable rights individuals have by virtue of being persons

inalienable that which cannot be taken, transferred, or withdrawn from a person

irrational human behavior that is not devoted to maximizing individual self-interest

libertarianism the political philosophy that holds that individual rights or liberties should not be restricted unless an individual's behavior causes direct harm to others

Marxism the term that is used to label the political philosophy of Karl Marx and Friedrich Engels, which holds that a society is just when both economic and labor contributions and needed resources are distributed properly, without discrimination

motivated reasoning the human tendency to embrace ideas that we want to believe while rejecting evidence that challenges those beliefs

public goods resources that benefit everyone because they cannot be withheld from anyone and are not used up when individuals benefit from them

rational behavior that strategically seeks to maximize an individual's own well-being, however the individual defines it

representative democracy a system of government in which citizens elect individuals to represent their interests within a legislature

social contract a hypothetical contract in which individuals collectively give up some of their freedoms in return for receiving protection

social justice the equitable distribution of opportunities, resources, and rights within a community

utilitarianism the political philosophy holding that the goal of society is to maximize human happiness

Review Questions

1. Human rights are _____.
   a. easy to discern
   b. possible to measure
   c. protected universally
   d. open to debate

2. A common element in the differing conceptions of social justice is that _____.
   a. each society should define social justice in its own way
   b. opportunities, resources, and rights should be distributed equitably
   c. those in power should produce it
   d. rights should be allocated according to group membership

3. The social contract involves _____.
   a. freedom and authority
   b. obligations and transfers
   c. inheritances and patriarchy
   d. entitlements and emoluments

4. Which conception of social justice invokes the "veil of ignorance"?
   a. Marxism
   b. Libertarianism
   c. Rawls's theory
   d. Utilitarianism

5. When humans think slowly, they _____.
   a. use heuristics to solve complex problems
   b. act altruistically to benefit others
   c. use cognitive skills to make decisions
   d. rely on rules of thumb to guide them

6. In politics, rational actors _____.
   a. carefully consider all possible options
   b. act strategically to obtain their goals
   c. vote their sincere preferences
   d. identify cross-cutting issues

7. In making decisions, humans _____.
   a. think only about their own interests
   b. exclusively consider only their community or tribe
   c. focus solely on the impacts of their decisions
   d. often consider the interests of themselves and others

8. When we make predictions about human behavior, we are stating _____.
   a. what an individual is certain to do
   b. what a group is certain to do
   c. what an individual is likely to do
   d. what an individual will consider doing

9. A central goal of empirical political research is to _____.

a. identify universal rules
b. make predictions about human behavior
c. develop better constitutions
d. explain the nature of political systems

10. Political scientists are better able to make predictions if _____.
a. they are smart
b. they have lots of data
c. they have the latest technology
d. the events are random

11. Motivated reasoning is _____.
a. the discipline of studying motivations
b. the reason why individuals are motivated
c. the tendency to reject inconvenient evidence
d. the ability to discern credible evidence

12. A game is a _____.
a. set of rules, choices, and decisions
b. set of players, tokens, and wagers
c. set of customs, heuristics, and decisions
d. set of controllers, players, and scenarios

13. In the ultimatum game, the most important rule involves _____.
a. the quantity of money at stake
b. the formula for distributing the money
c. the establishment of the offer
d. the procedure for establishing the offer

14. In any game, one would expect that decisions will vary _____.
a. as the situation varies
b. as the year varies
c. as the location of the game varies
d. as the day of the week varies

Suggested Readings

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Political Ideology 3



FIGURE 3.1 Demonstrators in Venezuela protest shortages of basic goods. (credit: "Caracas Shortage Protest 23 January 2015" by Carlos Díaz/Wikimedia Commons, CC BY 2.0)

CHAPTER OUTLINE

3.1 The Classical Origins of Western Political Ideologies
3.2 The Laws of Nature and the Social Contract
3.3 The Development of Varieties of Liberalism
3.4 Nationalism, Communism, Fascism, and Authoritarianism
3.5 Contemporary Democratic Liberalism
3.6 Contemporary Ideologies Further to the Political Left
3.7 Contemporary Ideologies Further to the Political Right
3.8 Political Ideologies That Reject Political Ideology: Scientific Socialism, Burkeanism, and Religious Extremism

INTRODUCTION In 2021, Venezuela was a country in crisis. According to Human Rights Watch, millions of Venezuelans lacked adequate nutrition. The absence of accessible health care and safe drinking water contributed to the spread of COVID-19. The UN Human Rights Council cited Venezuelan president Nicolás Maduro's administration for crimes against humanity, including extrajudicial executions, police brutality, and torture. The crisis led an estimated 5.5 million Venezuelans—more than 15 percent of Venezuela's total population—to flee the country.[1]

Venezuela's troubles stem from decades of efforts to make the most of the country's economy. These efforts have been couched in differing **political ideologies**—that is, consciously held ideas about both how political life is structured and how it *should* be structured. Venezuela is rich in oil reserves. In 1913, the Venezuelan government contracted with the Royal Dutch Shell Group to extract those reserves. By the 1950s, Venezuela

was a leading oil exporter, and its gross national income—the total value of the goods and services in its economy—was the highest in Latin America.[2] However, the distribution of wealth left a sizable percentage of Venezuelans in abject poverty. In 1998, Hugo Chávez was elected president of Venezuela on a platform rooted in socialist ideology, which he promised would improve the condition of the lower classes. Chávez placed the oil industry under the control of the state and embarked on a program of significant wealth redistribution. Chávez's successor, Nicolás Maduro, has kept these policies in place. While the policies substantially improved the living conditions of the poorest Venezuelans,[3] and poverty rates declined in the early 2000s,[4] from 2007 to 2017 the gross national product of Venezuela declined sharply, and the inflation rate spiked.[5] Since 2019, unemployment rates have increased considerably.[6] In addition, Chávez and Maduro have been accused of suppressing political opposition and manipulating the political process to ensure their continued rule. Defenders of the Maduro regime argue that sanctions imposed by nations hostile to Venezuela's socialist ideology have been the major driver of economic decline and that human rights abuses have been exaggerated. Opponents of the regime, both inside and outside Venezuela, allege that the problems—both economic and political—result from socialist ideology itself. Will opponents of the socialist regime emerge triumphant? If so, will the political ideologies of liberalism and neoliberalism espoused in opposition to Chávez and Maduro eventually prevail? The future of Venezuela remains uncertain.

So far, the 21st century has been marked by increasing tensions among rival political ideologies around the world. Will the conservative populist ideology in contemporary Brazil continue to eclipse the center-left ideology that has marked so much of Latin American politics in the past few decades?[7] On the other side of the globe, will the government of Afghanistan, which in the summer of 2021 fell once again into the hands of the Taliban, survive as a governing regime based on religious extremism? In many parts of the world, ideological flux defines political life, with contests between and among socialism, liberalism and neoliberalism, the center left, conservative populism, religious extremism, and a range of other ideological visions.

The political ideologies at the center of current conflicts have evolved throughout history. This chapter begins with a brief review of some of the core thinkers and central concepts in Western political thought that developed from the classical period of the fifth and fourth centuries BCE to the present.

3.1 The Classical Origins of Western Political Ideologies

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Discuss the key political concepts developed by Socrates, Plato, and Aristotle.
- Identify common themes in the ideas of Socrates, Plato, and Aristotle.
- Illustrate how the ideas of Socrates, Plato, and Aristotle contribute to contemporary political thought.

How should people organize their lives together in society? What rules should direct individual and collective behavior? This chapter begins in Athens, a city often seen as the apex of the Western classical world.

Socrates and Plato

In the fifth century BCE, Athenian philosopher Socrates maintained that people should seek the answers to the most fundamental of life's questions through reason, accepting as true only ideas that have withstood criticism and can be stated clearly and precisely.

Socrates's legacy is preserved mostly through the writings of one of his pupils, Plato (428–348 BCE). In *The Republic*, Plato develops a detailed, reasoned argument that political power should be vested in individuals of exceptional skill who possess knowledge about the true nature of the world and a genuine love of wisdom. Plato believed that philosophers best fit this bill and should hold unrestricted political power. Such rulers would be free from temptations to corruption and would understand what is best for the communities over which they rule. Such a government, Plato argued, would secure true justice.



FIGURE 3.2 Plato argued for wise and benevolent rulers who would be guided by reason. (credit: "Plato. Line Engraving by L. Vorsterman after Sir P. P. Rubens," Wellcome Collection, Public Domain)

Aristotle

Plato's student Aristotle (384–322 BCE) agreed that either rule by a supremely wise and virtuous ruler who attends to the good of the community, which he called a monarchy, or rule by a group of such virtuous rulers, which he called an aristocracy, would be the ideal political condition. However, both Aristotle and Plato worried that a system in which rule was given to one man might turn into a tyranny, with one person ruling only for their own good. Similarly, if rule was vested in a small group, that group may become an oligarchy, defined as rule by a few in service of their own advantage. Given these possibilities, Aristotle asked if political rule could safely be lodged in the majority of citizens in the form of a democracy. Aristotle suspected that this, again, might result in a form of rule that would neglect the good of the whole in favor of the interests of the majority.[8] Even today, monarchs and authoritarian rulers often justify their rule based on skepticism about the ability of the majority to pursue the interests of the whole of society.

Aristotle believed that the best hope that a majority of citizens could hold political power *and* rule with the goal of securing the public good would be if the majority of citizens were what is now called the middle class. Ideally, for Aristotle, political offices would reflect the wealth disparities that exist, with both those with more wealth and those with less becoming political leaders,[9] and the society would have great respect for the rule of law.[10] He called such a form of government a *Politeia*.

In a *Politeia*, the government would serve the public good, and society would be able to move toward fulfilling the true human potential of its citizens. Aristotle argued that this would be so because only by exercising the distinctly human capacity for rational debate, discussion, and judgment on matters that involve the good of a community can people take advantage of the full human potential. Because political participation can involve these kinds of activities, to reach one's full potential as a human, one must participate in the exercise of political power that is structured around debate and deliberation concerning the common good of society.[11]

Inspired by Aristotle, contemporary thinkers such as Stanford University professor James Fishkin have argued that by expanding the number of citizens engaged in political debate and decisions, a society can both

assemble perspectives in a way that advances the public good and enable citizens to realize their full potential. Modern technology, Fishkin argues, makes this possible to achieve on a large scale.[12]

	...Rules on Behalf of...	
	Self	**All**
Individual	Tyranny	Monarchy
Few	Oligarchy	Aristocracy
Majority	Democracy	Politeia

TABLE 3.1 A Summary of Aristotle's Categories of Political Regimes

Other contemporary thinkers agree with Aristotle's assessment that income inequalities that divide the populace into groups at both ends of the socioeconomic spectrum serve to undermine the common good. Traces of Aristotle's thought appear in frequent political messaging, in the United States and elsewhere, that the middle class is the backbone of the nation and deserves government support and protection.[13]

Aristotle held that a properly governed regime must encourage its citizens to cultivate certain virtues, such as wisdom, courage, moderation, and justice. In order to achieve these virtues, individuals need the government, Aristotle maintained, because government has the authority to regulate family life, school, media, the arts, and the prevailing behaviors in the broader culture. Inspired in part by Aristotle, a number of contemporary educational reform advocates have argued for a heightened role for character education in public schools to instill what they consider to be the appropriate virtues.[14]

3.2 The Laws of Nature and the Social Contract

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain the central political concepts developed by Hobbes, Locke, Smith, and Rousseau.
- Identify common themes in the ideas of Hobbes, Locke, Smith, and Rousseau.
- Illustrate the ways in which the ideas of Hobbes, Locke, Smith, and Rousseau have contributed to the development of political thought.

Early Christian thinkers conceived of government as a tool for advancing and securing the Christian faith. Ultimately, many Christians concluded that the structure and function of government should be based primarily not on what human reason suggests but rather on the Bible. One early Christian thinker, Tertullian (155–220 CE), argued that the revelations of God should supersede human insights and should serve as the true foundation of political order. Human reason, according to Tertullian, must always be secondary to the Christian approach to life disclosed in scripture. In general, Tertullian's ideas would cast a large shadow over Western political thought until the early 17th century, when thinkers such as English philosopher Thomas Hobbes once again championed greater reliance on human reason.

Thomas Hobbes

Most of the systems that emerged across Europe after the fall of the western half of the Roman Empire in the fifth century CE were monarchies that promoted and defended Christianity to justify their rule. In the mid-1600s, Thomas Hobbes (1588–1679) argued that political systems should be judged based not on their adherence to and glorification of a particular religion but only on their role in securing social peace.

Hobbes argued that humans can advance what he called **laws of nature**, or rules based on human reason that, if all people followed them, would achieve peace and safety. However, some overarching earthly authority is needed to enforce these laws. In the absence of any political authority—what Hobbes called the **state of nature**—following the laws of nature would make a person vulnerable to attacks from those who did not follow them. Therefore, it would be to each individual's advantage to authorize what Hobbes called a Leviathan—an enormously powerful governmental entity—to impose on all people a symmetrical fear of punishment if they break the laws of nature. Based on this thought experiment, Hobbes argued that individuals should embrace a **social contract**, agreeing among themselves to give their loyalty to a political ruler who could uphold the laws of nature with unrestricted power.[15]

John Locke

English philosopher and physician John Locke (1632–1704) seized on Hobbes's concepts of the state of nature and a social contract among people, but his conception of natural laws was very different. Locke saw natural laws as a set of moral rules, discoverable by reason and based ultimately on the rationally provable existence of God, that are equally applicable to all. Unlike Hobbes, Locke saw the natural laws, and related **natural rights**, as placing obligations on everyone, whether or not a government imposes uniform penalties for breaking them. The natural law establishes natural rights and associated duties to others and to oneself. For Locke, one has, for example, a natural right to life, and as a result, all others have a natural duty to respect this natural right. Individuals have a duty to themselves not to commit suicide or let their own natural talents go to waste. Each individual has a duty to respect the natural rights of all other humans.

VIDEO

John Locke, Natural Rights

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-2-the-laws-of-nature-and-the-social-contract)

Enlightenment thinker John Locke profoundly influenced early American government.

Locke used the thought experiment of the state of nature[16] to determine what individuals who are rational but not subject to government would do. He imagined that in the state of nature each person would have the right to punish those who violated anyone's natural rights. Locke argued that individuals in the state of nature would be entitled to own land only if they mixed it with what they inherently owned—their bodies and their bodies' labor. However, individuals could acquire land only if doing so did not harm the ability of those who did not own land to live and prosper.[17]

Locke believed that in the state of nature a society would emerge in which some owned more land than others without harming them. He argued that individuals would only put the work into owning large amounts of land if they thought they could use that land to derive a profit by developing it to produce things that others value. So, for Locke, the result of unequal land ownership would be a society in which a great number of the things people want are produced.

In the state of nature, individuals would eventually agree to create money as a means of exchange. Owners could then contract individuals to work their land in return for wages paid in money and focus even more on producing items on which people would be willing to spend their wages. Even if landowners acquired all previously unowned land, a commercial society would emerge based on the free exchange of goods and services. The net result, Locke argued, would be a high standard of living for all, one much higher than in the early stages of the state of nature. On this basis, Locke maintained that no one would be harmed by the emergence of an economic system based on private property, even if it resulted in substantial inequality.

While Locke believed that if individuals in the state of nature focused on the natural law and on the benefits of private property there would be peace and prosperity, he argued that it is rational to predict that tensions would likely emerge. Some would become jealous of those with more wealth, and the ability of each person to

punish violations of the natural law would eventually lead to chaos. Therefore, rational individuals in a state of nature would agree among themselves to enter into a social contract that would preserve the rights to private property and personal freedom while transferring the power to enforce natural rights to a government whose sole purpose would be to uphold those natural rights.[18]

In the state of nature, individuals would have the flexibility to determine the exact form the government should take to execute these tasks. One way to limit the possibility that the government might abuse the people's natural rights would be through some limited degree of landowner representation in government. This would be a safeguard against abusive property taxation—a forerunner of the principle, popularized in the American colonies, that there should be no taxation without some measure of popular representation.[19]



FIGURE 3.3 Though residents of Washington, DC, must abide by all federal laws, they have no dedicated, voting representatives in Congress. In a small act of protest, Washington, DC, license plates read "Taxation without Representation." (credit: "Taxation without Representation" by Owen Byrne/Flickr, CC BY 2.0)

Locke contended that if the government the people created in the state of nature violated their natural rights and the natural law, the right of revolution would entitle the people to use force to punish that government and depose its rulers.

Based on his thought experiment, Locke maintained that the people should demand that existing governments protect rights, protect private property and the right to sell labor for wages, be subject to the people's right of revolution, and fulfill their duties while minimizing the risks of violating the people's natural rights.

Applying Locke's Ideas to Global Trade

Locke's writings exerted a profound influence on the emergence of the Enlightenment (1690s–1790s), a period in Western history that emphasized the ordering of social, political, and religious life solely on the basis of reason. Before the 18th century, most political regimes enacted protectionist or **mercantilist** policies—that is, policies that discriminated against other countries' imports and subsidized exports. In *The Wealth of Nations* (1776), Adam Smith (1723–1790) applies to international trade Locke's principle that the free exchange of goods and services leads to prosperity for all. Smith argues that countries should lower their tariffs on imports, reduce subsidies for exports, and allow a free market to emerge among all nations. This, he argues, enables nations to specialize in those exports for which they have a comparative advantage, or a competitive edge over other countries in producing and selling particular goods, while affording their citizens lower prices on imports from countries that have a comparative advantage in other areas of production. As counterintuitive as that struck many at the time, reason, Smith maintains, shows that the wealth of a nation grows in proportion to its freedom of trade.

Jean-Jacques Rousseau

Prolific philosopher and writer Jean-Jacques Rousseau adopted Locke's state of nature, less as a thought experiment and more as an actual anthropological account of human history. Rousseau argued that "man was/

is born free, and everywhere he is in chains."[20] All humans have a natural right to be free and a natural compassion toward others. However, humans are enslaved by the desire for wealth and social status, and that has resulted in the creation of oppressive political regimes.

VIDEO

Introduction to Rousseau: *The Social Contract*

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-2-the-laws-of-nature-and-the-social-contract)

Jean-Jacques Rousseau's *The Social Contract* emerged at a time of changing relationships between the people and their rulers.

In *The Social Contract*, Rousseau argues that in order to liberate themselves, a group must first develop a heightened sense of collective identity as they confront a common challenge. Charismatic leaders must cultivate among the people a common religious sentiment—what Rousseau calls a **civil religion**—that defines citizens as brothers and sisters and teaches respect for religious differences. This civil religion would deepen the sense of collective identity among the population.

With this sense of team-spiritedness in place, the people themselves—and not merely representatives—should assemble together to determine the laws that should govern them. To guard against corruption, laws can be passed only if they apply to all, without exemptions for any particular person or group,[21] and the process of lawmaking must not involve political factions or fancy rhetoric. The people should reassemble periodically to reevaluate their laws to ensure that they serve the people under new circumstances.

Rousseau argues that the laws such an assembly would pass would secure the **general will**—that is, the true good of each and every person in society. These laws would reduce income inequality and institute a system of civic education that would reinforce the civic religion and seek to cultivate civic virtue, a firmly rooted disposition to hold the good of the political community above narrow self-interest.

Rousseau's ideas have been extremely influential. Thomas Jefferson (1743–1846) asserted that the people of the United States should meet for periodic constitutional conventions, at which time the whole constitutional system should be judged anew. More recently, political leader and Secretary of Transportation Pete Buttigieg has argued that the ability to amend the Constitution places a deep trust in ordinary people to revise all the laws as they see fit, as it is a long-established principle that there is no such thing as an unconstitutional constitutional amendment. In principle, anything is fair game for the amending process.[22]

One can also see echoes of Rousseau in the public nature of political life. In legal cases, for example, juries must announce their verdict publicly, before the community.

Concerns similar to Rousseau's over how religious differences within a community might undermine the pursuit of the common good arise in a number of contemporary debates, including debates over public education. In countries such as the United States that have enshrined the separation of church and state, Rousseau's vision of a civil religion is not possible. What is possible in the United States, however, is for the government to give money to parents that they can use to enroll their children in any private (and often quite expensive) religious school they choose, a program that several states have adopted in the form of educational vouchers. Opponents of vouchers argue that public funds must be neutral with respect to any religious teachings and that the state should not subsidize access to religious education. Some voucher opponents assert that vouchers only foment a destabilizing degree of religious tension among the citizenry—a fear at the heart of Rousseau's advocacy of a civil religion.[23]



FIGURE 3.4 Opponents of school vouchers raise questions about whether public funding for private religious education undermines Rousseau's ideal of civil religion. (credit: "Saint John Catholic School" by Dan Keck/Flickr, Public Domain)

3.3 The Development of Varieties of Liberalism

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define classical liberalism.
- Contrast classical liberalism with the thought of John Stuart Mill.
- Discuss ways in which Franklin Delano Roosevelt and the New Deal era contributed to liberal political thought.
- Assess F. A. Hayek's contributions to liberal ideology.

Many of the of the most prominent political ideologies today have their roots in **classical liberalism**, a set of ideas that emerged in the 18th century.

Classical Liberalism

Classical liberalism is a system of thought that combines elements of natural rights, limited government, and capitalism. Capitalism is an economic arrangement based on private property and the freedom to invest one's wealth or talent in pursuit of profit. Classical liberalism endorses capitalism both within a country and in free trade among nations, as long as free trade is conducted within the moral limits of the natural law. Locke would say that classical liberalism endorses *liberty*, but it does not endorse moral *license*, or the freedom to act in ways that are destructive of the rights of others, the self, or the foundations of social peace and prosperity.[24]

Classical liberalism was revolutionary. It inspired the overthrow of King James II of England and influenced the Declaration of Independence and the American Revolution (1776–1783). Later, it inspired thinkers to reflect on the forms of government that best prevent governmental abuse of power. Some argued that expanding suffrage, or the right to vote, enhances the people's ability to ward off such abuse. For this reason, the framers of the US Constitution generally held that all male citizens who owned property should be entitled to vote for representatives. Benjamin Franklin went further, arguing that all adult White male citizens should be allowed to vote, a position the United States would adopt by the 1830s.[25] Defenders of expanding the right to vote argued that all citizens of a minimum age (excluding felons) should be entitled to vote because no person will protect an individual's rights more than the person themselves. Building on these ideas, an argument emerged for prizing the intrinsic value of voting as a reflection of political equality.[26] In 1870, the 15th Amendment to the US Constitution expanded the right to vote to Black Americans, and in 1920, the 19th Amendment afforded the right to women.

John Stuart Mill and the Expansion of Personal Liberty

In his work *The Subjection of Women* (1869), English writer John Stuart Mill (1806–1873) argues for the full inclusion of women in the rights that were emerging in societies based on classical liberalism. In 1859, Mill published *On Liberty*, advancing the argument that modern societies should expand their commitment to the value of individual freedom. In it, Mill argues that because even great leaders supported by a broad social consensus can make terrible mistakes, it is to society's advantage to encourage open debate and discussion of all views, however unpopular. Liberty, he argues, should be broadened not only in matters of speech and the press but also so that the law does not restrict the freedom of adults—even if individual adults exercise their freedom in ways that cause them personal harm, as long as that exercise does not harm another person. In this degree of commitment to personal liberty, Mill endorses views that classical liberals such as Locke would reject. According to Locke, the purpose of government is to enforce the natural law, and one of the principles of the natural law is the preservation of one's life and natural talents. For Mill, both legal measures and pro-liberty cultural norms must protect personal liberty, even when the exercise of that liberty presents a risk to the acting individual, as long as it does not harm anyone else. Mill grounds this standard, which he calls the **harm principle**, on two assumptions: that freedom encourages an experimentation and open dialogue that allows people to reject dangerous ideas, and that the high value of personal liberty demands nothing less.[27]

FDR and the New Deal

The Great Depression (1929–1941) had a significant impact on the classical liberal tradition. At the low point of the Great Depression, more than 25 percent of American workers were unemployed, and a massive contraction in economic activity led producers into waves of bankruptcy. Between 1933 and 1939, the federal government of the United States under President Franklin Delano Roosevelt (FDR) launched the New Deal, a set of substantial economic regulations and social welfare programs designed to protect consumers, expand the economy, improve the condition of workers, and ease the financial strain on retirees. These programs included the Federal Deposit Insurance Corporation (FDIC), the Federal Housing Administration (FHA), and the Social Security Board (now the Social Security Administration).



FIGURE 3.5 One New Deal program, the Works Progress Administration, employed millions of Americans during the

Depression. (credit: "Work Pays America! Prosperity (https://openstax.org/r/workpaysamerica)" by Vera Block/ Federal Art Project/Library of Congress)

FDR questioned the classical liberal belief that the expansion of the government should be held in check, instead advocating for confidence in the role of government to stabilize the economy and create safety net programs. Doing so, FDR argued, would ensure the long-term durability of classical liberalism's commitment to individual rights and freedom from governmental abuse. It would forestall the need for more extensive government control of private property and tighter restrictions on individual liberty—two much graver threats to classical liberalism's emphasis on individual rights and limited government.[28]

F. A. Hayek

Several thinkers, including economist F. A. Hayek (1899–1992), were skeptical of the breadth of governmental expansion under the New Deal. Although Hayek accepted the need to expand the role of the state in regulating economic activity, he contended that only a sizable government with substantial and invasive enforcement powers could regulate a large nation's economy. In *The Road to Serfdom*, Hayek argues that extensive state planning of the economy empowers the government in a way that limits freedom and could eventually lead to government regulation of the whole of people's lives. According to Hayek, expanded government creates entrenched bureaucrats who avoid democratic accountability. Once established, he argues, state regulations and large-scale programs are very difficult to roll back, and expanded economic regulations ultimately lead to reduced prosperity for all. The net result, according to Hayek, would be a new form of serfdom—a condition of limited freedom, entrenched hierarchies, and generalized poverty.[29]

Hayek argued that once substantial regulations became law, the government would likely create a command economy, setting the prices of goods and services. According to Hayek, this would be a further detriment to economic prosperity because such prosperity depends on the efficient and rational allocation of resources by producers and consumers, and this can only happen in a free market, where prices are set by supply and demand with little to no government regulation. The free market communicates to both producers and consumers, via product pricing, the supply of and demand for various products. Prices go up when a demand is not being met, and producers shift production to make the products that consumers demand. Prices go down when a product is overproduced, and production shifts to making other products. To rely on the government to set prices, Hayek maintained, would lead to the overproduction of some goods, the underproduction of others, and a decline in the overall standard of living.[30]

3.4 Nationalism, Communism, Fascism, and Authoritarianism

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Analyze nationalism.
- Discuss the central concepts of Marx's political thought.
- Trace the development of Marxism-inspired political ideologies in the West.
- Assess the varieties of fascism and authoritarianism.
- Describe the core tenets of contemporary Chinese communism.

Nationalists see a national group as endowed with a distinctive culture and set of ties with other members. These ties often stir a nearly spiritual attachment to the national group. This attachment is often based on shared blood, history, and soil. One of the first defenders of **nationalism** as a political ideology, German philosopher Johann Gottfried von Herder (1744–1803), argued that if each nation looked inward and celebrated its own distinctive contributions, the world could enjoy international peace.[31] Other defenders of nationalism have seen it as a rallying cry for independence movements that freed non-Western regions from Western control, as in Vietnam and Algeria, both of which fought long wars to end French colonial rule. However, nationalism has also been used to assert that one nation is superior to all others, and this has

stimulated social exclusion and war.

The Development of Marxism in the West

In the 19th century, German writer Karl Marx (1818–1883) and his collaborator Friedrich Engels (1820–1895) condemned nationalism for its power to distract people from the economic struggles within and across nations and from how some individuals economically exploit members of the same "nation."

Marx predicted that a global revolution would upend the whole of modern society and eventually result in **communism**—a condition of peace, justice, freedom from repressive laws and political supervision, and equality of material resources in a society without economic classes. Inspired in part by Rousseau, Marx held that in such a society, the inherent human potential for living in peaceful solidarity with all and exercising creative freedom would be fully realized. When Marx sought to sketch the nature of communism, he emphasized this creative freedom:

> "In communist society, where . . . each can become accomplished in any branch he wishes, society regulates the general production and thus makes it possible for me to do one thing today and another tomorrow, to hunt in the morning, fish in the afternoon, rear cattle in the evening, criticise [poetry, art, music, etc.] after dinner, just as I have a mind, without ever becoming hunter, fisherman, herdsman or critic."[32]

Unlike Locke, for whom the free market worked to ensure overall prosperity for all, for Marx and Engels, the internal operations of a free-market economy grounded on private property and the free exchange of goods and services made communism inevitable. According to this vision, in a free market society, most people must sell things to secure money to buy the necessities of life. This creates competition among producers, who eventually compete to offer the lowest prices. One way to do this is to invest in labor-saving machinery that lowers the cost per product by lowering the producer's labor costs. This leads to growing unemployment, and those who retain their jobs are paid lower and lower wages, all to keep product costs low. This results in the general impoverishment of the mass of society.

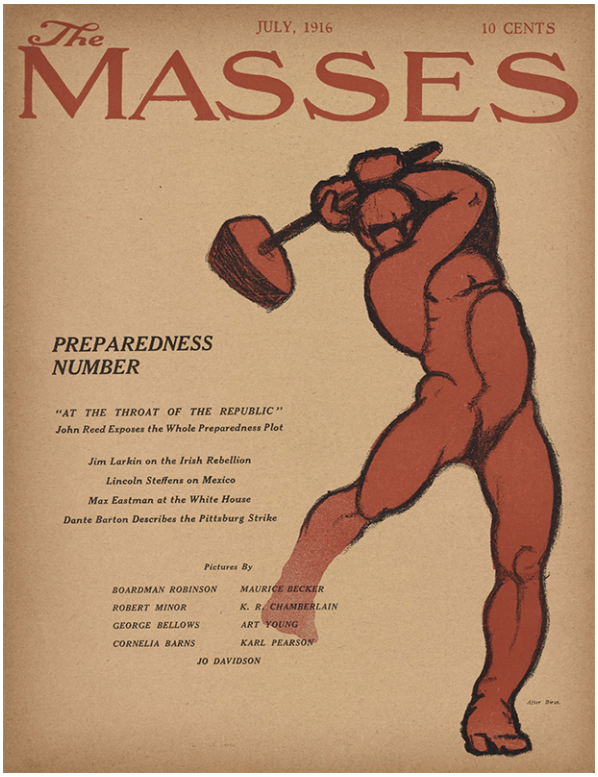


FIGURE 3.6 *The Masses*, published monthly in New York from 1911 to 1917, focused on labor struggles, women's

rights, and other issues that were considered radical at the time. (credit: "The Masses, July 1916" by The Masses Publishing Co./The Tamiment Library and Robert F. Wagner Labor Archives, New York University, Public Domain)

According to Marx, in an industrialized society, most people become members of the proletariat, or those who sell their labor to a few large companies. A few are among the bourgeoisie, a group of middle-class merchants, accountants, lawyers, and other professionals who sell small consumer products or professional expertise, but their numbers will eventually shrink. Marxist theorists today see this process playing out as mechanized production and the vast use of information technology renders many once relatively high-paying jobs obsolete.

As the workers and those struggling to find steady work become increasingly numerous and increasingly miserable, they will inevitably bond over a recognition of their common economic condition—what Marx calls **class consciousness**—and will come together to demand change.

They will seize the privately held technologies and swiftly and violently act to capture government power. This represents what Marxists call the **dictatorship of the proletariat**, a temporary period when the workers would organize, take control of the state, and engage in the cleanup operations needed to usher in communism. During this period, the proletariat should control all political speech to prevent counterrevolution and work to upend the **social relations of production**—that is, social norms such as marriage that have been shaped by the capitalist economy.

Marx believed that the forces of capitalism were well advanced in Germany, and he anticipated that German workers would realize his vision for a workers' revolution, which in turn would extend to neighboring countries. Yet this revolution failed to occur. Why?

Italian Marxist Antonio Gramsci (1891–1937) argued that the owners of the means of production weaponize culture against the workers. They manufacture a set of cultural norms through their control of the media, churches, and schools, asserting what Gramsci called **hegemony**, or domination by means of the prevailing culture. Hegemonic cultural norms define it as unacceptable to be a revolutionary and acceptable for workers to be content with their lot in life, with their small holdings of private property and the freedoms they enjoy in their private lives, and with the conspicuous entertainments on offer (which are full of rags-to-riches stories that distract them from their oppression and encourage them to view the economic status quo as one of economic opportunity). The hegemonic culture also celebrates patriotism, which creates a false sense that owners and workers are on the same team. Perhaps most dangerously for Marxists, the prevailing culture manufactured by the wealthy elite reinforces religious beliefs and practices, which only divert attention from worker oppression and instill passivity in the system of private property by preaching such commandments as "thou shall not steal." In his *Prison Notebooks*, Gramsci argues that communism as a political cause "will triumph by first capturing the culture via infiltration of schools, universities, churches and the media by transforming the consciousness of society."[33] By capturing these culture-producing institutions, the wealthy elite can transform culture so that it celebrates ways of thinking and acting that undermine the norms that discourage a communist revolution.

The Russian Marxist Vladimir Lenin (1870–1924) developed a somewhat different answer to the question of why a revolution had failed to occur in the industrialized nations of Europe. Lenin argued that the workers needed a vanguard, a small set of dedicated and merciless revolutionary activists working on their behalf to seize the state and take control of the economy. Without a vanguard, the capitalist forces that controlled the economy would always be able, as Lenin believed they did in Germany, to forestall the general impoverishment of the masses. A small group of dedicated activists, on the other hand, could seize power by the force of their revolutionary zeal and then act on the workers' behalf to break the neck of the capitalist state.[34]

VIDEO

Inside Gates of Soviet Russia (1914–1919)

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-4-nationalism-communism-fascism-and-authoritarianism)

This newsreel footage shows what life was like for peasants in Soviet Russia under Lenin.

Lenin advocated for this position in Russia, which was underdeveloped in terms of industrial machinery. Because the Leninists who seized power in Russia in November 1917 believed that highly productive machinery was necessary to provide such plenty that people would think it natural to share with one another, their key tasks were rapid industrialization, consciousness-raising among the workers, and the suppression of any forces resisting the move toward communism. Lenin still held an international vision and hoped to see parallel revolutions in the industrialized world.

After Lenin's death in 1924, his successor, Joseph Stalin, and later rulers of the Soviet Union took these objectives to greater extremes, demanding rigid conformity with Marxist ideology and conducting a state-mobilized commitment to build Russian industry, no matter the cost in lives or to the natural environment. Stalin advanced the idea that while worker revolutions in states outside the Soviet Union may take a very long time to arise, in the meantime, a society based on shared wealth and collective prosperity could be built in Russia. The Soviet Union could defend itself from the foreign interventions that Lenin had argued would inevitably come from capitalist countries.[35] In pursuit of these objectives, the Soviet Union's government under Stalin effectively became a form of **totalitarianism**, where the state sought to control the totality of its citizens' lives as a means to achieve state objectives.

20th-Century Fascists

Soviet communism was not the only form of totalitarianism that marked the 20th century. In the early 1920s, **fascism**, an ideology that combines reverence for the state with nationalism, anti-communism, and skepticism of the parliamentary form of government, first emerged in Italy and Spain. Under a parliamentary form of government, parties are elected to a legislative chamber, and the chamber, by a majority vote, selects members of the executive branch. By the 1900s in Italy, Spain, and other European nations, an array of different parties had emerged and been elected to parliament, making it very hard to form parliamentary majorities and select an executive branch capable of achieving results that would satisfy large sections of the population. In part in response to the challenges of governing under such fragmented parliaments, fascism sought to inspire nationalist loyalty to a single leader who would forcefully get "positive" results.[36]

The **Nazism** that governed Germany from 1934 to 1945 was a particularly vile expression of fascism. Inspired by the Italian Fascist Benito Mussolini, who ruled Italy from 1922 to 1943, Germany's Adolf Hitler (1889–1945) developed a fascist ideology that sought to consolidate political power in the hands of one ruler. Nazism opposed much in modern life—especially the freedoms that Germans enjoyed under the Weimar Republic (1919–1933), which Hitler found decadent. But in other ways, Nazism was very modern. It embraced industrialization and rejected any lingering privileges of hereditary aristocracy in Germany. It sought to undermine culturally entrenched forms of religion in Germany, going so far as to advance its own modified form of the faith, led by the Nazi-controlled Reich bishop, which it called German Christianity.[37] A form of totalitarianism, Nazism sought the coordination of the whole of society around Nazi ideology.

To these views, Nazism added a horrific form of race-based hatred of Jews and other races, such as Slavs (the native population of eastern Europe). It justified this racism on the basis of what it saw as modern "science." Nazi racism mitigated its commitment to nationalism and supplemented it with an appeal to all "Aryans," seeking alliances beyond Germany with other "Aryan" nations. Fueled by extreme hatred, the Nazis carried out the Holocaust, the systematic and partially successful attempt to exterminate all Jews and others they deemed inferior, resulting in the murder of many millions of people in Europe.[38] To date, the Holocaust is the worst genocide in human history.

VIDEO

Mein Kampf: Hitler's Nazi Philosophy

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-4-nationalism-

communism-fascism-and-authoritarianism)
In his manifesto, *Mein Kampf*, Adolf Hitler articulated Nazi philosophy, which aimed, under the unquestioned authority of the führer, to exterminate those who did not belong to what Nazis considered to be the master race.

Mid-20th-Century Western Authoritarianism

Several European countries in the 20th century sought to avoid fascism and communism, yet resisted adopting the liberal tradition. During the 20th century, Portugal came to be governed by the principles of **authoritarianism**, an ideology that may allow freedoms in nonpolitical life but does not permit any political challenge to the ruler. From 1932 to 1968, the authoritarian prime minister of Portugal, António Salazar, attempted to create a state ruled exclusively by his own party that would permit a substantial (though incomplete) measure of economic and personal freedoms and respect for human rights. Portugal was considered a safe haven from Nazi oppression, and the government undertook efforts to grant false visas and asylum for Jews, especially those from eastern Europe. Portugal tolerated religious dissent, and it had a relatively free and open economy.[39] Defenders justified the principle of authoritarian rule on the basis that the democratic selection of rulers was just too dangerous. Would the people be consumed by the passions aroused by the Nazis as they sought to defeat communism and protect what they called the higher race? Or would they be captivated by the call for equality, spearheaded by the working class, and embrace Soviet-style communism? To avoid either, Portugal instituted an undemocratic authoritarian system governed by a leader who, it was hoped, would rule with moderation and sensitivity to basic rights.

Contemporary Authoritarianism: Egypt

In recent years, authoritarianism has expanded in parts of the world. In 2011 and 2012, the Arab Spring emerged in countries such as Egypt and Tunisia to remove authoritarian leaders and transform these states into representative democracies. In Egypt, uprisings led to the removal from office of longtime authoritarian ruler Hosni Mubarak in 2011. In the elections that followed, Mohamed Morsi, a member of an Islamic extremist organization, the Muslim Brotherhood, was elected president. Amid protests following his election, former military general Abdel Fattah el-Sisi seized power. Sisi has since consolidated his power to ensure his unopposed rule, having justified this assumption of unchecked power with the same argument advanced by the authoritarian ruler António Salazar: the people cannot be trusted to select appropriate leaders. This judgment is advanced as a serious ideological position in large parts of the world.

VIDEO

How the Arab Spring Started and How It Affected the World

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-4-nationalism-communism-fascism-and-authoritarianism)
The Arab Spring started with a single protest in Tunisia in 2011 and spread throughout the Middle East and Northern Africa.

Contemporary Chinese Communism

Although the Soviet Union, which based its government on ideas inspired by Marx, collapsed in 1991, communism persists as a political ideology. In fact, the most populous country on Earth, the People's Republic of China, is currently governed by a regime committed to a version of communist ideology. In China, no individual who is not a member of the Chinese Communist Party may hold political office.

Under the leadership of Mao Zedong, the Communist Party seized power in 1949. Mao, who served as the premier of China until his death in 1976, developed a distinctive form of Marxist-Leninist ideology that came to be known as Maoism. **Maoism** held that the Chinese peasantry, and not the industrial workers, could and

should be the agents ushering in communism; all that they needed was to be led, shaped, and molded by a sufficiently powerful political party. The peasants, Mao argued, had many of the attributes that Marx believed would lead to a revolution and to the creation of the communist condition. Mao contended that the peasants' poverty made them miserable, their ignorance made them malleable, and their supposed natural combativeness made them open to embracing change through revolutionary struggle. What the peasants lacked that Marx believed the urban industrial workers had was a team-spiritedness and a shared class consciousness. Hence, for Mao, what the masses needed to mold them into a revolutionary force was a strong revolutionary party (what Lenin called a vanguard) with exclusive political power.

Mao viewed urban, intellectual groups with special suspicion, and from 1966 to 1976, he made them targets for persecution in the Cultural Revolution, a movement led mostly by student-run battalions of militant activists known as Red Guards who worked to silence dissent. Because China during Mao's reign had a population of over 800 million, Mao felt that these measures were the only way to achieve the goals of the Chinese Communist Party.



FIGURE 3.7 In this Chinese propaganda poster, peasant workers, soldiers, and students all follow Mao and his teachings, as symbolized by the book bearing Mao's likeness that the worker carries in the foreground. (credit: "Advance Courageously under the Guidance of the Red Flag of Mao Zedong Thought" by Pang Ka/Thomas Fisher Rare Book Library, University of Toronto/Flickr, CC BY 2.0)

Before Mao died in 1976, he declared that China was in the "initial stage of socialism." His successor, Deng Xiaoping, argued that although great work had been achieved under Mao, the goal of a classless society was still a ways off, and therefore, economic experimentation in alternative ways to achieve the communist goals was justifiable.[40]

Instead of controlling every aspect of economic production, Deng instituted a policy, still ongoing in China today, that allows private property and free markets in a controlled manner. The policy primarily allows consumer items (always under the strict supervision of the Communist Party) as a way to achieve increased economic productivity. The Chinese government has also introduced limited religious freedoms to enhance individuals' life satisfaction in order to increase their economic efficiency. After the productive forces of society become sufficient to meet everyone's needs, Deng promised, communism would emerge.

As communism arose, Deng argued, China would shift away from a profit-based economy to one in which creating and distributing products people need, rather than profiteering, would drive economic output. According to Deng, at this final stage, religion would also disappear because the product-based economy would alleviate human misery, eliminating the need for the "opiate" of religion. Finally, the Communist Party's firm control over the population would come to an end. This is similar to Rousseau's suggestion that when people

become liberated from the drive for personal profit, they will be freed not only from economic and political repression but also from the way it warped their psychology. For communist states, at least in theory, the ultimate goal is liberation; repression is not an intrinsic value, only the necessary means to the desired end point of genuine human liberty.

When the current leader of the Chinese Communist Party, Xi Jinping, assumed office in 2012, he reaffirmed China's adherence to utilizing market freedoms to achieve the final goal of communism. At the same time, he emphasized the importance of maintaining strong party control. To this end, he has increased state regulation of religion, education, and the media. Most religions face increasing persecution under Xi, but because he sees the traditional Chinese belief system of Confucianism, which emphasizes social cooperation, order, and hierarchy, as a complement to Communist Party goals, he has tolerated its reemergence. Primarily, Xi has encouraged the Chinese populace to derive meaning and moral guidance from a firm attachment to Marxist ideals. To deepen support for the Communist Party, the regime has touted the dramatic reduction in poverty that has occurred in China over the last several decades.[41]

3.5 Contemporary Democratic Liberalism

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define contemporary democratic liberalism.
- Describe the center left and the center right.
- Identify key differences between the center left and the center right.

In the mid-1970s, Portugal shifted away from authoritarianism when it adopted a constitution that created democratic elections for public officeholders. In a development that has been called the third wave of democratization, a number of other authoritarian regimes in the 1970s, especially Spain, Taiwan, and South Korea, also made this shift. By the early 1990s, the Soviet Union and other communist states of eastern Europe had also fallen.

In the 20th century, **democratic liberalism**, which merges classical liberalism's endorsement of capitalism and individual rights with a high regard for equal treatment and democratic decision-making through elected representatives, became the predominant form of political thought in the United States, Canada, Europe, South Korea, and a range of other nations. Democratic liberalism, not to be confused with the Democratic Party, is an ideology and is not limited to one political party.

VIDEO

Liberalism: Where Did It Come From and Are Its Days Numbered?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-5-contemporary-democratic-liberalism)

A recent wave of populist sentiment has led some to question the future of liberalism.

Following skepticism of **direct democracy**, in which the populace decides political matters by a direct majority vote, democratic liberalism focuses on the election of representatives who act on the people's behalf. This distance between the people and political decisions reflects the concern that in a direct democracy, the majority may deprive those in the minority of their rights. Democratic liberalism looks to the courts to exercise some measure of counter-majoritarian power, shielding minorities from abuse by numerical majorities. While specific systems vary, most democratic liberal regimes embrace some measure of mixed government, ensuring that the powers of the courts, the legislature, and the executive are not all in the hands of one governmental body.

In addition, democratic liberalism advocates for the government to advance some measures to reduce

economic inequality, such as providing a social safety net for the unemployed and taxing inheritance. Democratic liberalism has endorsed a robust role for the state in regulating the nation's economic activity while remaining within a capitalist economic system.

Throughout the second half of the 20th century, two main expressions of democratic liberalism emerged in Western countries: the center right and the center left. In part as a result of their shared commitment to principles such as representative democracy, individual rights, and a free-market economy based on capitalism, both the center right and the center left repudiate socialism, communism, and fascism.

Democratic Liberalism and the Center Right

The center right constitutes the ideological core of what, in a US context, is the contemporary Republican Party.[42] It largely sees itself as providing an updated form of the political thought of classical liberalism. This connection with classical liberalism is evident in center-right parties outside the United States. In Australia, for example, the center-right party is called the Liberal Party. The core of the center right is what is called political **fusionism**, a combination of moderate economic libertarianism and moderate social conservatism.[43]

Libertarianism is an ideological vision that promotes limiting government to enhance personal freedom. Libertarians are the heirs of John Stuart Mill's philosophy as developed in *On Liberty*. They therefore prize freedom of speech and expression and liberty with respect to personal behavior, including sexual practices, sexual orientations, and drug use.

Libertarians endeavor to eliminate or at least scale back government regulation of the economy and policies that redistribute income. Libertarianism also sees the right to travel internationally to sell one's labor (economic migration) as a basic human right. According to the libertarian Future of Freedom Foundation, "open borders is the only libertarian immigration position."[44] However, in addition to the free flow of labor across borders, for most libertarians, the right to move one's property overseas in search of greater economic gain—as, for example, by closing factories in the United States and reopening them in parts of the world where labor costs are lower, a practice known as offshoring—is also a basic human right. Loyalty to any particular state is relatively unimportant in contemporary libertarianism. For libertarians, this means that corporations have no moral obligation to keep factories open in the United States if production can be done more cheaply overseas. Libertarians support the development of international trade, the reduction of governmental regulations that they see as impeding the free use of private property, and the lowering of taxes to encourage economic growth. They tend to emphasize the need for generous immigration into the country to provide companies with a steady supply of labor and to favor permissive systems of immigration law that allow large numbers of new people to enter countries each year.



FIGURE 3.8 Migrant workers harvest corn in Gilroy, California, in 2013. (credit: "20130828-OC-RBN-3316," by US

Department of Agriculture/Flickr, CC BY 2.0)

Unlike what one might call pure libertarians, moderate economic libertarians accept the scope of the role that government has come to play in the contemporary world while still seeking to minimize government's growth into new areas. They accept, for example, President Lyndon B. Johnson's Great Society policies, such as Medicare and Medicaid, while rejecting the expansion of further governmental programs such as the Patient Protection and Affordable Care Act of 2010, better known as Obamacare.

The school of political thought that emphasizes the need for the government to uphold traditional moral standards based on the natural law or on the long-standing traditions of a given area is known as **social conservatism**. Moderate social conservatives adhere to this general viewpoint, but most do not call for integrating directly religious teachings into the body of civil law. Typically, they prefer to uphold social conservative values on the grounds of natural law or by deference to local norms and customs, which in certain areas include deeply entrenched religious values.[45] Although they value personal freedom, they seek to ensure, in Locke's terms, that liberty is not replaced with a license to engage in immoral behavior.

A moderate form of social conservatism accepts some expansions of personal autonomy rights, such as the right of same-sex couples to engage in civil unions or even civil marriages, while at the same time seeking to limit the further expansion of government support for nontraditional values. Moderate social conservatives see contemporary schools as doing a relatively poor job of instilling moral virtue in children and seek to improve character education in schools—a claim that goes all the way back to Aristotle.

In the United States, moderate social conservatives are often concerned with judicial activism—that is, courts deciding cases using what social conservatives see as a creative reimagining of what the Constitution means. Social conservatives view such activism as beyond the scope of the judges' constitutional authority. These conservatives often embrace originalism, the view that the Constitution should be interpreted in light of the understanding of its meaning at the time of its adoption. Most moderate social conservatives in the United States argue that the framers affirmed the power of state governments to uphold standards of morality that include prohibitions on various forms of personal liberty (such as pornography production and distribution). Social conservatives therefore see Supreme Court decisions that restrict states from upholding traditional morality—such as the Supreme Court's decision in *Roth v. United States* (1957), which effectively legalized pornography on the basis of the First Amendment—as a form of judicial activism that put the courts on the side of immoral behavior. They see these decisions as overturning long-standing laws against pornography and undermining the ability of state governments, through democratic elections, to define the most beneficial moral ecosystem.

It is worth noting that adherents of other political ideologies sometimes have similar concerns about the courts deciding cases and overturning established law in ways that contradict those ideologies.

VIDEO

Neil Gorsuch Is an Originalist: What's That?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-5-contemporary-democratic-liberalism)

Originalists attempt to interpret the Constitution in alignment with its original meaning.

The center right's fusion of moderate economic libertarianism and moderate social conservatism emerged as the dominant ideology within the Republican Party in the United States in the decades after World War II, and it has largely remained so—at least, until the rise of Donald Trump, which is explored in the discussion of New Right ideology later in this chapter.

Democratic Liberalism and the Center Left

The ideological core of the contemporary Democratic Party in the United States can be thought of as

embodying center-left democratic liberalism.[46] Like the center right, this view traces back to the political thought that emerged with Locke and developed through the 19th and 20th centuries. This lineage can be seen in Canada, for example, where the center-left party is called the Liberal Party.

The center left seeks to maximize personal liberty to the extent that doing so is seen as feasible in light of the needs of the broader community. Center-left advocates tend to avoid sweeping efforts to extend personal liberty, such as legalizing hard drugs and prostitution, yet they do tend to seek to move in a direction similar to Mill's harm principle—that is, moving to generally broaden personal autonomy as long as no other person is harmed. The rights of LGBTQ+ individuals have moved to the forefront of the center left. The center left tends to highlight how the LGBTQ+ community is similar to rather than in tension with traditional morality, as the US Supreme Court did in *Obergefell v. Hodges* (2015) when it required all states to recognize same-sex marriage as a legal institution.

Another important point for the center left is the value of a robust judiciary that can update the words in the Constitution to ensure equality (or to meet what it considers other pressing social needs). Supreme Court justice William Brennan (1906–1997) was well known for advocating the view that the Constitution is a "living" document, which requires judges to interpret the constitutional text in a way that renders it capable of resolving issues in light of contemporary understandings of equality.[47]

The center left, like the center right, endorses an economic system defined by private property and a free-market capitalist society. There is a tendency on the center left to look at capitalism from the perspective of its ability to improve the conditions of the least well-off individuals in society. They see capitalism as creating new industries that allow the economically disadvantaged to secure well-paying jobs and as improving the quality of life for all. However, the center left supports a more robust role for the government in alleviating the difficulties faced by those in the lowest levels of society than is found in the classical liberal tradition and the center right. Because the center left supports the goal of government working to reduce economic inequalities, it emphasizes policies such as government grants that allow low-income individuals to attend college at low or no cost and expanded state services to provide low-income individuals with low- or no-cost medical care. The center left also supports higher taxes on inheritance and capital gains (the increase in the value of investments) and higher personal and corporate tax rates, as long as taxes target the wealthiest in society and tax revenues are used to reduce economic inequality and improve the lives of the less fortunate. The center left does not endorse socialism, seeing the government's role in addressing poverty and inequality as limited, though important.

VIDEO

Nutshell History: Social Safety Net

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-5-contemporary-democratic-liberalism)

Social safety nets are designed to help people in need.

A recent tendency of the center left in the United States has been to argue for greater majority rule in the institutions of the federal government. The United States Constitution created the Electoral College to select the president in order to temper the power of the numerical majority in the operations of the federal government. This process allows a candidate who has not secured the most votes to win a presidential election. Secretary of Transportation Pete Buttigieg, in his 2020 work *Trust*, argues for a constitutional amendment to elect presidents by a majority vote, eliminating the Electoral College.[48]

3.6 Contemporary Ideologies Further to the Political Left

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Discuss the ideology of the New Left and define a number of key movements within it.
- Assess the relationship among New Left movements.
- Assess the relationship between the New Left and the center left.

In the 1960s, a new form of liberalism emerged in Western countries. The New Left is a somewhat vague amalgam of movements on the left of the political spectrum, united in the belief that the center left is insufficiently progressive. The major elements of the New Left are outlined below, but keep in mind that the exact line between the center left and the New Left is unclear and in flux.

Multiculturalism

One of the earliest New Left movements was **multiculturalism**. Multiculturalists argue that all or almost all of the cultures of the world are deserving of respect and that many individuals derive a great sense of their identity and self-worth through their membership in a particular culture. On these two bases, multiculturalists argue that contemporary governments should not seek to impose any society-wide cultural norms beyond the minimal norms to which all or almost all cultures already subscribe. A corollary of multiculturalist thought is that contemporary states do not need a common underlying culture in order to function effectively. Instead, multiculturalists tend to argue that a diversity of cultures enriches a society.[49]



FIGURE 3.9 The all-women percussion band Batala celebrates Afro-Brazilian music and culture. (credit: "Women Percussion Band" by Pabak Sarkar/Flickr, CC BY 2.0)

For example, many multiculturalists in countries with large numbers of recent Muslim immigrants, such as Canada and Germany, see Islam as endorsing socially beneficial values such as sustained religious charity, the search for *Ijma* or consensus, the flourishing of family life, the protection of the poor, and a focus on the unity of humanity. Multiculturalists hold up values such as these as evidence of the ways in which historically non-Western cultures can enrich Western societies.

Others argue that too intense a focus on multiculturalism may be incompatible with traditional center-left thought. John Rawls (1921–2002), who is generally seen as a defender of the center left, argues in his influential work *A Theory of Justice* (1971) that a stable regime requires that the people share a significant proportion of liberal democratic values intrinsic to the center-left ideology. Still, some multiculturalists believe so strongly in the benefit of allowing groups to retain their cultural identity that they contend that even cultures that may reject prevalent Western norms—for example, allowing women to work—should not be

condemned. They argue that these cultural values are important aspects of their members' identity and that they pose no serious threat to the larger society.

Environmentalism

Environmentalism, a movement that aims to preserve and protect the natural environment, gained prominence in the 1970s due in part to concerns about overpopulation and shrinking world food supplies. The **environmentalism** movement built on earlier conservation movements, and after the Green Revolution of the 1970s, which saw agricultural production grow exponentially due to pesticide control and new farming techniques, environmentalists turned their attention to global warming. Environmentalists point to the now widely accepted research findings of a broad array of scientists that show the world's climate is in a crisis condition that imperils not only animal biodiversity but also the well-being of human populations around the world. The environmentalist movement argues that the center-left focus on maintaining private property and limiting government prevents it from adequately addressing this climate crisis.



FIGURE 3.10 In governments around the world, the Green Party advocates for policies that promote and preserve the well-being of the natural environment. (credit: "Green Jobs – a Way Out of the Crisis" by greensefa/Flickr, CC BY 2.0)

Other environmentalists have gone even further from the center left. Center-left democratic liberalism has its roots in the concern for individual human rights. Some contemporary environmentalists advance the concept of animal rights, a position pioneered by the Australian philosopher Peter Singer. This position argues that nonhuman animals have rights that governments must also protect. Animal rights activists see the center left, by contrast, as narrowly speciesist, or unjustly concerned primarily with human well-being.[50]

Feminism

Another major aspect of the New Left is its commitment to feminism, and here the lines between the center left and the New Left once again become blurry—as do the lines between the New Left, the center right, and classical liberalism.

Feminism emerged as a well-developed and distinct ideology in the late 18th and the 19th centuries, championed with special force by Mary Wollstonecraft and John Stuart Mill in England and advocates such as Elizabeth Cady Stanton in the United States. Efforts in the 19th and 20th centuries such as the women's suffrage movement and the movements to secure women's rights—for example, the right to enter into contracts and to work in certain professions—helped expand the ideology of democratic liberalism and bolster **first-wave feminism**. Contemporary supporters of classical liberalism, who, along with those in the center right, see the equality of women in the workforce as the natural extension of their commitment to individual rights, affirm these gains.[51]

The publication of Betty Friedan's *The Feminine Mystique* in 1963 marked the popular emergence of **second-wave feminism**. In its first three years in print, *The Feminine Mystique*, which argued for the existence of a systemic sexism that taught women that their place was in the home and that any deviation from that role was unnatural, sold three million copies.[52] Second-wave feminism focused primarily on bodily freedoms and safety surrounding sex and personal relationships, especially the right to abortion, the right to divorce without having to show cause (a change in divorce laws that developed in the 1970s), the prevention of domestic violence, and the critique of pornography as dehumanizing of women.



FIGURE 3.11 Betty Friedan (second from left) converses with members of the National Organization for Women (NOW) in the 1960s. (credit: "(Left to Right): Billington; Betty Naomi Goldstein Friedan (1921-2006); Barbara Ireton (1932-1998); and Marguerite Rawalt (1895-1989)" by Smithsonian Institution/Flickr, Public Domain)

In the early 1990s, **third-wave feminism** emerged, developing claims of embedded cultural patriarchy and working to upend what it sees as patriarchal norms in the wider society. Recently, third-wave feminists—potentially the vanguard of a fourth wave, according to some theorists—have condemned the concept of a rigid gender binary in favor of a more fluid conception of gender; have advocated to reduce or eliminate differences between men and women in all areas of public life, including the military; and have endorsed sex positivity as a way for women to express sexual autonomy and to eliminate cultural norms of female sexual self-control.[53]

Second-wave feminism is arguably now a firmly rooted aspect of the center left. The degree to which third-wave feminism is now considered part of the center left remains a topic of debate.

Critical Race and Gender Theory

Advocates of **critical race and gender theory** seek to expand not only rights but also equity by compensating past victims of injustice through law and public policy in order to achieve a current condition that is judged to be fairer. For example, because Black Americans experienced discrimination in public services in the past, the Biden administration proposed in 2021 that the federal government issue special equity grants to Black Americans and other racial minorities in certain sectors, such as farming.[54]

An additional aspect of critical race and gender theory involves epistemology—that is, the way one comes to know. In their understanding of epistemology, critical race and gender theorists draw on the views of feminist philosopher Allison Jagger, who argues in her pioneering 1983 work *Feminist Politics and Human Nature* that oppressors (in Jagger's discussion, men) experience the world as favorable to their unjust desires and are therefore unmotivated to consider alternative points of view. The oppressed, on the other hand, have to

cultivate both an understanding of their own condition and an understanding of their oppressors' perspective in order to develop strategies of resistance. Consequently, they must develop a wider knowledge of the world, and thus their viewpoint is epistemologically richer and allows them to develop greater knowledge than those who oppress. Critical race and gender theorists use these ideas to argue that the oppressed tend to have clearer and surer knowledge than do those of the dominant race (Whites) and gender (cisgender men).

Additionally, critical race and gender theory places emphasis on **intersectionality**, or the belief that individuals may have characteristics that make them members of more than one oppressed group and that these groups intersect, exacerbating the oppression such individuals experience. For example, although feminism has focused on women's oppression, critical gender theory argues that Black and Hispanic women, whose identity exists at the intersection of race and gender, experience oppression to a deeper degree. In turn, some critical race and gender theorists, such as Nora Berenstain, argue that the understanding of society that Black and Hispanic women express is more epistemologically insightful than the insights of other groups[55] and that equity may require special programs available only to Black or Hispanic women.

VIDEO

Kimberlé Crenshaw at TED + Animation

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-6-contemporary-ideologies-further-to-the-political-left)

Columbia Law School and UCLA Law School professor Kimberlé Williams Crenshaw is a lawyer and critical race theorist. She coined the term *intersectionality* in 1989.

Last, critical race theorists hold that the oppression exacted against minority communities, especially racial minorities, is structural in nature. They argue that **structural racism** manifests regardless of personal racist intent. An action or decision can be racist simply because it is taken within a legal, political, and cultural context that has been shaped by the past racist decisions of others. These past racist actions, critical race theorists maintain, have become a part of the fabric of the environment that shapes how people act—that is, unless individuals consciously act in ways that subvert the accepted standards, norms, and beliefs that the legal, political, and cultural system has created. Critical race and gender theorists argue that merit-based college admissions that rely in part on standardized testing are an example of systemic racism. Although the tests attempt to be race neutral, using them makes one complicit in racism because racist decisions in the past led to substandard minority schools (through school segregation), family environments not conducive to learning (through segregated housing laws and the over-policing of minority communities), and lower income levels (through discriminatory employment practices). Therefore, to expect test scores to be a fair measure of worthiness for admission is to participate, even if unintentionally, in a system still marred by the continuing legacy of previous racist actions, and thus is to think in a racist way.

Contemporary Socialism

Adherents of **socialism** promote transitioning to a socialist economy, arguing that any changes ushered in by the center left will be inadequate in a capitalist economic system. The goal of socialism is to remake society to ensure more or less equal material wealth, especially the equal possession of the goods that individuals need to reach their full potential. Socialist thinkers argue that a cooperative and communal social existence is achievable and that, given this achievability, there is little reason not to pursue it. Canadian philosopher G. A. Cohen argued that to realize a society based on cooperative sharing would require the slow but persistent building of well-established political structures in which people can channel natural instincts and aspirations for cooperative living. Although they are critical of the center left, contemporary socialists generally reject the communist ideology advanced in China and other communist nations such as Cuba and Vietnam.

Socialists argue that "no man is an island" and, therefore, that the material success of any individual or group is the result of innumerable societal supports. Hence, socialism judges as unproblematic high rates of taxation

by which some of the wealth of those with the most money is transferred to those in need; without societal support, the wealthy would never have acquired so much wealth in the first place—a conclusion that takes on added force in terms of inherited wealth and structural advantages enjoyed at birth. In this way, socialists call for an activist state that aims to move society toward high rates of equality and human fulfillment.

Contemporary **democratic socialism** seeks to combine all or most of the New Left positions with a renewed appreciation of socialist ideology.[56] This movement appears to be making some progress in American electoral politics, as evidenced by the popularity of Representative Alexandria Ocasio-Cortez, a democratic socialist representing New York's 14th Congressional District in the US House of Representatives. It is also a major political ideology in Scandinavia and in areas of Latin America.

In addition to advancing New Left ideas such as environmentalism, second- and third-wave feminism, and critical race and gender theory, democratic socialists question the center-left attachment to capitalism.[57] It is not enough, democratic socialists argue, to let the free market address certain needs, such as health care, on the condition that the government will provide a safety net for those with the very least economic resources, funded with tax revenues from the wealthiest in society. Instead, the very idea that health care should be provided through the free market—by, for example, individuals purchasing health insurance from private for-profit health insurance companies—needs to be rethought. Most democratic socialists argue that the government should administer and dispense health care to each person on an equal basis. The state, acting on behalf of society, should assert a right to take ownership of private companies that serve critical needs. For example, private companies that serve the energy needs of the country should be state-run if they fail to invest adequately in renewable energy resources to meet the challenge of climate change. Democratic socialists make a similar argument concerning private housing companies that fail to invest in affordable housing units. Although often expressed only as a last resort, democratic socialists assert the right in principle for government to take ownership of privately owned companies, either temporarily or permanently, to ensure that they develop the desired output. Noting, for example, that a person who is paid the federal minimum wage in the United States does not earn enough to keep a family above the poverty line,[58] democratic socialists are willing to require companies to offer not merely a minimum wage but what advocates call a "living wage," guaranteeing to each employee a higher pay rate by imposing broad mandates on private employers.

SHOW ME THE DATA



FIGURE 3.12 As of 2018, countries such as France, Portugal, and New Zealand had minimum wages well over 50 percent of the median full-time salary in those countries. Note that some countries, including Italy and Sweden, do not have a minimum wage. (source: OECD; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Democratic socialism also expresses skepticism regarding the importance of national borders, seeing easier entry for immigrants into a country as a matter of meeting the human rights of people in need.

Despite these criticisms of the center left, democratic socialists, like democratic liberals and many earlier socialists, reject Marxist notions of violent revolution and the need for a workers' dictatorship and Maoist ideas of a one-party state controlled by a communist party. They instead advance their agenda through the democratic political process. Indeed, democratic socialists emphasize how their movement empowers individuals to use their political influence to demand change. Community organizing and political mobilization play important roles in marshaling the political influence of those whom society has marginalized.

Other forms of socialism include the ideology of the contemporary Venezuelan government mentioned at the beginning of this chapter. This ideology is alternately referred to as Bolivarianism, or Bolivarian socialism—after the early 19th-century leader Simón Bolívar, who led successful revolutions in Latin America against the Spanish Empire—and Chavismo, after presidents Chávez and Maduro, and it can be defined both by what it opposes and what it supports. Chavismo opposes what scholars call **neoliberalism**. Neoliberalism is usually defined as the efforts advanced by international institutions such as the International Monetary Fund (IMF) and the World Bank, and supported by most of the world's largest industrialized nations, to encourage developing countries to adopt a free market, open their economies to international trade, and avoid significant inflation. Along with these economic goals, neoliberalism encourages respect for the right of political participation and other individual rights such as freedom of speech and religion. Chávez and Maduro see neoliberalism as outside pressures that amount to foreign rule. So, like a new Simón Bolívar, Chávez and Maduro see themselves as freeing Latin America from foreign control in the form of pressures advanced by

international financial institutions. Following the Bolivarian socialist view, Chávez and Maduro want to lead Venezuela to chart its own course, utilizing its own natural resources, refusing offers of loans from institutions such as the World Bank, and rejecting criticism of its political processes. Exploiting Venezuela's national wealth through state ownership of major industries such as the petroleum industry, they seek policies that redistribute income and create a generous social safety net. Brigham Young University professor Kirk A. Hawkins notes that, convinced that their model is just and in the best interests of the majority of Venezuelans, they seek to ensure broad support among the masses through control over the media and the judiciary, risking the violation of human rights.[59]

Globalism and Indigenous Federalism

Both economic libertarianism and democratic socialism de-emphasize national borders. As an ideology, **globalism** focuses on this more international emphasis, calling for either enhancing the power of existing global institutions, such as the United Nations, or creating new international bodies with effective governing authority. Such international institutions have both concrete and symbolic importance. Concretely, they can mobilize forces around the world to address global issues such as climate change, economic inequalities among nations, and the repression of minorities within particular regimes. Symbolically, global governmental entities highlight a moral aspiration among globalists toward **cosmopolitanism**, the idea that one should define oneself primarily as a citizen of the world and not of any particular nation. One scholar, Université de Montréal professor Jean-Philippe Thérien, has identified an ideology centering on the United Nations itself.[60] This ideology posits that because the United Nations represents the best in human endeavor, it should be the primary vehicle through which international problems are addressed. The United Nations ideology liberates its supporters from any narrow viewpoint tied to a particular country, region, or religious belief. Because neither the West nor any one group or section of the world determines truly global responses to global problems, the United Nations ideology eliminates the concern that foreign aid and development initiatives will surface old colonial tropes of the West such as the "White savior."

Like the United Nations ideology, **Indigenism** stresses the importance of seeing beyond the contributions or actions of White people, arguing that Indigenous tribal communities have special virtues and that these communities must be preserved. According to Indigenists, tribal membership permits higher levels of trust and reciprocity among group members than broader loyalties, such as loyalty to a nation, to a political movement like communism, or to a world religion like Islam, Buddhism, or Christianity. The tribe and its distinctive religious and cultural understandings encourage mutual caregiving and a stable and rooted sense of identity. Further, Indigenism contends that Indigenous communities have developed over the course of their long existence ways of living that respect the natural environment and are ecologically sustainable.



FIGURE 3.13 Members of the Xolon Salinan tribe participate in a smudging purification ceremony before they visit the Stony Valley Arch in California in 2018. (credit: "Smudging Purification Ceremony" by Cynthia McIntyre/Fort Hunter Liggett Public Affairs Office/Department of Defense, Public Domain)

Most advocates of Indigenism do not seek to leave Indigenous communities entirely isolated from the inexpensive and highly effective medicines, famine-reducing high-yield agriculture, and transportation systems of the modern world. Instead, Indigenists usually argue for a form of federalism. Federalism allocates some powers to local governments and some to a central or national state. The central administration, most Indigenists argue, should be connected to the modern global world and should be able to provide food surpluses, medical care, and other services, including protection from foreign invasion, while at the same time allowing Indigenous tribes to govern themselves in most other matters. The degree to which the central government should intervene in tribal areas to protect what it sees as basic rights remains an important question in Indigenous political thought.

3.7 Contemporary Ideologies Further to the Political Right

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Discuss the ideology of the New Right and define a number of key movements within it.
- Assess the relationship among New Right movements.
- Assess the relationship between the New Right and the center right.

Just as a New Left diverged from center-left democratic liberalism, a New Right is veering off from democratic liberalism's center right. The New Right has enjoyed political success not only in the United States but also in Brazil and Hungary. The exact line between the center right and the New Right, like that between the center left and the New Left, is unclear and in a state of flux.

This New Right is not a simple revival of the Old Right, which represents views not held by many in the West today. These views include support for monarchical authoritarianism; inherited aristocracy, in which, unlike in Aristotle's sense of the word aristocracy, political power is conferred not because a group is virtuous but because they have inherited land and privilege; an extreme form of nationalism; a formal union of church and state; and an alliance with landowners and those with entrenched long-held wealth to the conscious detriment of the middle and lower classes. So what defines the New Right?

One important element of the New Right is the way that it speaks to those who identify with traditional Judaism, evangelical Christianity, classical liberalism, and the center right who feel beleaguered and under siege. In response to these perceived threats, adherents of the New Right maintain that the center right is insufficiently protective, just as the New Left sees the center left as insufficiently progressive.[61]

Concerns about Culture

The New Right sees what it calls cultural Marxism—that is, Gramsci's theory that culture must be weaponized against the upper classes—as one major danger. Many in the New Right feel that the culture has been weaponized against all they hold dear, just as many in the New Left feel that society has suppressed their values and principles.

English author and social critic Os Guinness, for example, places special emphasis not only on Gramsci but also on German-American philsopher and political theorist Herbert Marcuse (1898–1979), who argues in his 1964 book, *One-Dimensional Man*, that the working classes have become immersed in consumerist culture and, needing jobs to fulfill their consumerist appetites, have lost their ability to think in a revolutionary way about their oppression. Marcuse argued that growing movements in the 1960s for sexual liberation and for more radical forms of social change represented the forces that could initiate a communist revolution, and he advocated for dramatic cultural change. As UCLA professor Douglas Kellner remarks, "Marcuse championed . . . minorities, outsiders, and radical intelligentsia [writers, professors, and artists] and attempted to nourish oppositional thought and behavior through promoting radical thinking."[62] According to Marcuse, this radical thinking would galvanize calls for a revolutionary overthrow of capitalism—a feat that the working class was no longer able to effectuate. As a result, Marcuse became one of the most prominent champions of what in the

1960s was termed the *counterculture*.

Thinkers such as Os Guinness argue that the counterculture has come to represent the dominant ethos of such prominent and now mainstream culture-influencing arenas as Hollywood and social media, which they see as routinely mocking and belittling traditional values. Guinness views the use of this increasingly mainstream counterculture as an attempt to effectuate Marxist objectives. Such a movement, Guinness argues, has created only rapid cultural and moral decline.[63]

Other members of the New Right use the term *cultural Marxism* more metaphorically. For example, in a May 2021 speech, the former attorney general for the Trump administration, William Barr, argued that critical race and gender theory share with Marxism a divisive "us versus them" mentality and an attachment to social change similar to the communist call for a workers' revolution.[64] According to these social conservatives, these features make critical race and gender theory a socially destructive force, just like Marxism.

WHAT CAN I DO?

Political Ideology and Critical Thinking

VIDEO

The Political Spectrum

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-7-contemporary-ideologies-further-to-the-political-right)

Political beliefs fall across a broad spectrum, and even individuals with seemingly very different perspectives may, upon closer inspection, agree more than they disagree.

At their core, political ideologies help people make sense of the world and can help people understand the various policy options available to governments. Different ideological perspectives advocate for different policy approaches, or even for different governmental systems. When a writer, thinker, or politician says that problem X can be solved with solution K, they are usually basing this statement on analysis that is the product of critical thinking. Critical thinking helps people use data, ideas, and different perspectives to look at the specific problem at hand, understand the arguments being presented, and come to a conclusion about what they think is the best solution. Not everyone will agree on a "best" solution to a problem, and when one looks at political ideology, one is offered multiple different answers informed by the different ideologies and their perspectives. By studying these ideologies, understanding their points of view, and seeing how they are translated into the political sphere, you are sharpening your critical-thinking skills. Critical-thinking skills are essential for helping you solve problems by looking at things in different ways—and this is one of the most valuable skills that you can have in any field.

Concerns over Equity

Increasingly, conservatives see calls for equity—a view that sees it as fair to extend more services or benefits to individuals who are members of marginalized groups—as an assault on the principle of equal treatment under the law. Many among the New Right see calls for equity, understood as calls to extend greater legal and political emphasis to historically marginalized groups, as an attack directed primarily against the social influence of Christianity, which, in demographic terms, has constituted the majority religion in the United States since the country's founding and in many other parts of the world. Critics contend that this is problematic because they see Judeo-Christian values as providing important support for such things as individual rights, democracy, and the rule of law.

That a number of large corporations have recently embraced the agendas of diversity, equity, and inclusion further contributes to the sense among a number of conservatives that they are under attack. Legend has it

that the former CEO of General Motors and secretary of defense in the administration of Republican president Dwight D. Eisenhower, Charlie Wilson, said, "What is good for General Motors is good for the United States"—a quote that has been taken, along with tax cuts on large companies advanced by many Republican administrations, as a sign of the close connection between big business and conservative politics in the United States. However, many in the New Right maintain that numerous large companies are now "woke capitalists" who want free markets to maximize their own profits while they espouse and impose New Left social values to which the New Right is opposed. Those on the New Right see these "woke capitalists" as violating the close connection between economic freedom, free markets, social conservatism that defined the center-right coalition for decades. As part of this growing rift between the New Right and many major corporations, New Right thinkers such as conservative author and venture capitalist J. D. Vance see the massive investments that "woke capitalists" make in countries such as communist China, a country that they see as subtly but effectively undermining the foundation of Western, Judeo-Christian, and classically liberal values,[65] as a betrayal of the long-standing social values of their countries of origin (such as the United States, Canada, and the countries of western Europe). For these thinkers, such investments mean these firms dare not offend the Chinese Communist Party, lest their manufacturing facilities and the profits they generate be shuttered or they lose access to hundreds of millions of Chinese consumers.[66]

VIDEO

Conservatives Push Back on CEOs with "Woke Capitalism" Campaign

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/3-7-contemporary-ideologies-further-to-the-political-right)

Conservative nonprofit Consumer's Research ran an ad campaign aiming to apply pressure on the CEOs of specific companies to force them to re-evaluate their company's progressive political stances.

Conservative Populism

In response to these perceived threats, the New Right has adopted a variation of populism, a political view that emphasizes the need to win elections in order to install a government that will respond to the demands of "ordinary people," who, according to populists, should be given a much greater role in how governmental policy is set to ensure that their interests are adequately served. This New Right ideology is known as **conservative populism**.

In the United States, populism has a long history, primarily focused on reducing what is perceived as the excessive power of certain elites. In the past, populists rallied against the owners of nationwide railway networks and processing plants for what they believed to be their unfair treatment of farmers. They denounced the financial experts who set fiscal policy (the policies that determine the amount of money in circulation) for what the populists believed to be excessive efforts to avoid inflation. Until the middle of the 20th century, populist movements in the United States tended to be on the left of the political spectrum. In Europe, populist movements have tended to divide between left and right. Bolivarian socialism is widely seen as a variant of left-wing populism.[67]

Conservative populism is a movement on the right that calls for winning elections so that the government can regulate media and corporate elites in order to protect traditional Western culture and the interests of what adherents see as "ordinary" citizens. Recently, conservative populists have called for the regulation of large social media companies, such as Twitter and Facebook, which they accuse of limiting conservative views on their platforms. In this sense, conservative populists and a number of center-left and New Left advocates share a common concern about social media companies, although the reasons for this concern often differ. Left-of-center advocates, for example, are increasingly concerned that social media allows for the spread of disinformation, while conservative populists seek government regulation of social media companies so as to mandate reduced restrictions on content.[68] Nevertheless, while the center right has historically sought to minimize government regulations, the New Right sees an expansive role for government.[69]

More broadly, conservative populism unites fusionism—moderate social conservatism combined with moderate economic libertarianism—with a call for a stronger government role in helping what it considers to be hardworking, economically struggling Americans. One way it seeks to do this is by promoting tighter immigration enforcement as a way to increase the wages of American workers by reducing the competition for jobs that they see as driving down wages.[70]

Conservative populism seeks to limit the role of government in overseas military engagements to only those engagements directly related to clear threats to national security, pointing out that the resources spent on wars such as those in Iraq and Afghanistan could be spent on programs that assist the American economy and help the American people.

Although its appeal is not limited to members of the historically dominant race or culture in a country, some commentators worry that conservative populism may be giving voice to race-based fears about changing demographics in the countries where this form of populism is rising.



FIGURE 3.14 Viktor Orbán, the conservative populist leader of Hungary, has been a staunch promoter of conservative political ideology on the international stage. (credit: "Viktor Orbán" by European People's Party/Flickr, CC BY 2.0)

Donald Trump's victory in the 2016 US presidential election in many ways showcased the rise of large elements of the New Right ideology, but the movement has grown in other areas of the world as well. Conservative populists Jair Bolsonaro in Brazil and Viktor Orbán in Hungary are two prominent examples. Orbán represents the Fidesz political party, which has embraced conservative populism and a greater identification of Hungary with its Christian heritage, including the incorporation of biblical values directly into public law. Despite these victories for its adherents, the future of conservative populism, as with so much in world politics, remains uncertain.

WHERE CAN I ENGAGE?

To broaden your understanding of various political ideologies, you can attend webinars or Zoom meetings hosted by a range of ideologically grounded issue advocacy groups. Challenge yourself to watch conferences or speakers from a diverse set of organizations. Some suggestions are listed below.

American Constitution Society (https://openstax.org/r/AmericanConstitutionSociety)

Center for American Progress (https://openstax.org/r/CenterforAmericanProgress)

The Claremont Institute (https://openstax.org/r/TheClaremontInstitute)

Democratic Socialists of America (https://openstax.org/r/DemocraticSocialistsofAmerica)

The Federalist Society (https://openstax.org/r/TheFederalistSociety)

Feminist Majority Foundation (https://openstax.org/r/FeministMajorityFoundation)

Greenpeace (https://openstax.org/r/Greenpeace)

The Heritage Foundation (https://openstax.org/r/TheHeritageFoundation)

Independent Women's Forum (https://openstax.org/r/IndependentWomensForum)

3.8 Political Ideologies That Reject Political Ideology: Scientific Socialism, Burkeanism, and Religious Extremism

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Analyze the limitations of ideological thinking.
- Discuss alternative ways of examining political life.
- Assess the enduring power and influence of political ideologies.

Among the diversity that defines the global ideological landscape are movements that repudiate the concept of political ideology itself. These movements see ideologies as deeply problematic even as they essentially express an ideology—that is, a cluster of ideas about how politics is and should be that informs their political action.

Marxism and the Priority of Science

In his 1845 work *The German Ideology*, Marx argues that the dominant economic forces in a society can shape human reason. Marx held that the ruling class would concoct views about the world to perpetuate their rule. In Marx's thinking, careful empirical observation and rigorous study are needed to break the spell of these ideas. Marxists, including the members of the Chinese Communist Party, label as "ideology" any views that are not confirmed by hard-nosed social science. For this reason, Marxists and Maoists often call their vision scientific socialism and repudiate "ideological" thinking, which they view as the product of abstract thinking not grounded in scientific reality.

Burkeanism and the Priority of Prudence

Followers of the political thought of British writer Edmund Burke (1729–1797), such as English philosopher Michael Oakeshott (1901–1990), reject a wide swath of political visions, including Marxism. They use Burke's writings to argue that political ideologies based on reason risk dismissing all that does not meet with the approval of their rational vision's assessment of reality. Oakeshott contended that because ideologies overestimate the powers of human reason, they dangerously repudiate traditions and customs that have stood the test of time and disregard the complexity of political life.

It is much safer, followers of Burke and Oakeshott argue, to test the consequences of innovations slowly and cautiously against the most fundamental insights that have developed among thinkers over the centuries.

Religious Extremism and the Priority of Revelation

Having questioned what reason and science can reveal about how politics should operate in the future, why should one rest content with reliance on the lessons of history? Are the lessons of history really unambiguous? If not, then they require interpretation. But if reason and science provide no guide, by what means can one interpret the historical record?

Questions such as these have led to the emergence of the approach to politics often called religious extremism, or the reliance on the will of God as revealed to finite and fallible minds in a book of revelation. For religious

extremists, everything outside of revelation is empty human "ideology." For them, revelation is a clear, singular guide to the most important questions of political life. Religious extremists reject **political secularism**, or the view that explicitly religious sets of principles should not administer government.



FIGURE 3.15 Buddhist extremists in Myanmar have expelled Rohingya Muslims because they do not recognize them as citizens. (credit: "Rohingya Displaced Muslims" by Seyyed Mahmoud Hosseini/Tasnim News Agency/ Wikimedia Commons, CC BY 4.0)

Religious extremism is not unique to any particular faith. Recently, for example, religious extremism has played a major role in political disputes in Myanmar, where Buddhist extremists believe that celestial beings gave the land of Myanmar to the followers of Buddha and that the Muslim Rohingya people are defiling foreigners.[71] It has played a major role in the development of Orthodox Jewish settlements in the territories of Israel acquired during the Six-Day War of 1967. It has inspired some Christians to a vision of a godly kingdom in which false believers have no place and can be removed by force. And it inspires Muslim members of the Taliban who once again rule Afghanistan.

Its potency must not be underestimated.

Summary

3.1 The Classical Origins of Western Political Ideologies

Ancient Greek political ideologies emphasized the importance of consolidating political power in the hands of a virtuous ruler or group of rulers while also looking to design second-best models of government, usually involving a mixed system of government.

3.2 The Laws of Nature and the Social Contract

Hobbes and Locke developed the idea of the state of nature, wherein individuals are thought of as interacting in the absence of a ruling government. Hobbes and Locke both argued that governments should be judged according to what individuals in a state of nature would have freely consented for government to be. Hobbes conceived of the state of nature as one in which an unlimited ruler would be needed. In contrast, because Locke saw individuals as possessing inherent natural rights and interacting with others according to a rationally discernible set of moral rules known as the natural law, he argued that individuals in a state of nature would construct a government to enhance the protection of individual rights and the enforcement of that law. For Locke, individual rights included the right to private property and the free exchange of goods and services. Adam Smith applied Locke's ideas on property rights and free markets to defend global free trade. Rousseau added to the social contract tradition the idea of government based on the general will.

3.3 The Development of Varieties of Liberalism

Classical liberals defend individual rights, limited government, and free trade. They favor capitalism, an economic system based on the freedom of owners to deploy their assets in whatever way they deem most profitable and the freedom of those without substantial assets to contract to sell their labor for wages. John Stuart Mill argued for enlarging the boundaries of personal freedom to include all endeavors that do not directly harm other individuals. In response to the Great Depression, a number of leaders advocated for including in the liberal tradition a more robust role for governmental regulation of the economy. Writers such as Hayek dissented, arguing for reduced government regulation of the economy and against the idea of a government-planned economy.

3.4 Nationalism, Communism, Fascism, and Authoritarianism

Nationalism, or pride in and celebration of a national identity based on shared blood, history, and soil, usually to the exclusion or detriment of other identities, rose to prominence as a political ideology in the 19th century. Marx and Engels argued that nationalism divided workers who should cooperate across national boundaries to respond to and eventually overthrow capitalism, which they argued was both inherently inhumane and inherently fraught with internal tensions that made it vulnerable to—or even destined for—replacement by the coordinated revolutionary actions of the working class. Gramsci, Lenin, and Stalin took Marxist thought in new directions. In part catalyzed by the growth of communism, new European political movements emerged, seeking to resist communist expansion. Fascism, and especially Nazism, argued for a heightened form of nationalism that could respond to the communist challenge, while at the same time advancing beliefs in Aryan racial superiority tied to a hateful form of exclusivism and anti-Semitism. Both the communism of the Soviet Union and its allies and the fascism of the Nazi regime were expressions of extreme authoritarianism known as totalitarianism. More moderate forms of authoritarianism have sought—and in a number of countries, such as Egypt, still seek—to maintain some degree of individual freedom while consolidating political power in individuals and institutions that are not democratically accountable. China has allowed some limited freedoms of property and religion while maintaining otherwise strict communist ideals.

3.5 Contemporary Democratic Liberalism

Democratic liberalism has been the predominant form of contemporary political ideology in the industrialized nations of North America and Europe and nations such as South Korea, Australia, and New Zealand for the past 60 years. This ideology combines democratically accountable government with government protections of

individual rights and the promotion of a capitalist economy. Under this broad umbrella, the center left and center right constitute primary subgroups.

3.6 Contemporary Ideologies Further to the Political Left

Since the 1960s, a range of movements on the left of the political spectrum have emerged, forming a loose association of ideas sometimes referred to as the New Left. The New Left includes environmentalism, second- and third-wave feminism, critical race and gender theory, contemporary democratic socialism, globalism, and Indigenist federalism. Repudiating communism and other nondemocratic approaches, these movements seek to make society more progressive. The line between the center left and the New Left is a blurry one, as some New Left movements have become so mainstream among center-left advocates that they now form core elements of center-left ideology.

3.7 Contemporary Ideologies Further to the Political Right

Just as thinkers on the political left began to argue that the center left was insufficiently progressive, the past decade has seen the rise of a New Right that questions whether the center right is sufficiently protective of traditional cultural norms. This movement is associated with conservative populism and has seen electoral success not only in the United States but also in countries such as Hungary and Brazil.

3.8 Political Ideologies That Reject Political Ideology: Scientific Socialism, Burkeanism, and Religious Extremism

Some major political thinkers see themselves as eschewing the very concept of political ideology. Many Marxists have defined their cause as based not on philosophies about government but on the findings of hard social science. Thinkers such as Edmund Burke and Michael Oakeshott repudiate the overly abstract nature of political ideologies. Religious extremists reject the idea that humans can reason to the best form of political regime, asserting that a blueprint for society is readily at hand in the form of literal and inflexible readings of divine revelation.

Key Terms

authoritarianism an ideology that may allow freedoms in nonpolitical life but does not permit any political challenge to the ruler

civil religion a common religious sentiment, usually promoted by the state, that defines citizens as brothers and sisters and teaches respect for religious differences

class consciousness a recognition of one's membership in an economic class, which Marx argued can engender a sense of profound camaraderie among the proletariat based on the recognition of common economic conditions

classical liberalism an ideology emphasizing natural rights, limited government, and capitalism

communism in Marxism, the eventual condition that will emerge from the fall of capitalism, characterized by peace, justice, freedom from repressive laws and political supervision, and equality of material resources in a society without economic classes

conservative populism an ideology on the right that calls for winning elections so that the government can regulate media and corporate elites in order to protect traditional Western culture and what adherents see as "ordinary" citizens

cosmopolitanism the idea that one should define oneself primarily as a citizen of the world and not of any particular nation

critical race and gender theory a contemporary movement to expand rights and equity by compensating past victims of injustice through law and public policy in order to achieve a current condition that is judged to be fairer

democratic liberalism an ideology that merges elements of classical liberalism, especially its endorsement of capitalism and individual rights, with a high regard for equality of treatment and democratic decision-

making through elected representatives

democratic socialism a New Left movement defined by a deep appreciation of socialist ideology and democracy

dictatorship of the proletariat in Marxist thought, a temporary period in which workers would organize, take control of the state, and engage in the cleanup operations needed to usher in communism

direct democracy a system in which the populace decides political matters by direct majority vote

environmentalism a movement that aims to preserve and protect the natural environment

fascism an ideology that combines reverence for the state with nationalism, anti-communism, and skepticism of the parliamentary form of government

first-wave feminism a movement in the 19th and 20th centuries to advance women's rights, such as the rights to vote, to enter into contracts, and to work in all professional fields

fusionism a political movement combining moderate economic libertarianism and moderate social conservatism

general will Rousseau's term for laws that advance the true good of every person in society

globalism an ideology that calls for either enhancing the power of existing global institutions, such as the United Nations, or creating new international bodies with effective governing authority

harm principle the idea advanced by John Stuart Mill that laws should not restrict the freedom of adults, even if adults exercise their freedom in ways that cause them personal physical or moral harm, as long as that exercise does not harm another person

hegemony the prevailing cultural norms that serve to reinforce the economic domination of the upper class

indigenism a movement asserting that Indigenous tribal communities have special virtues and deserve to be preserved by the state

intersectionality the belief that individuals may have characteristics that make them members of more than one oppressed group and that these groups intersect, exacerbating the oppression that such individuals experience

laws of nature according to Hobbes, rules based on human reason that would allow people to achieve peace and live free from worries in the state of nature

Maoism the ideology advanced by Mao Zedong that the Chinese peasantry, and not the industrial workers, could and should be the agents ushering in communism and that the peasants need only to be led by a powerful political party

mercantilist economic policies that discriminate against other countries' imports and subsidize exports

multiculturalism an ideology arguing that all or almost all of the cultures in the world are valid and should be respected, that many individuals derive a great sense of their identity and self-worth through their membership in a particular culture, and that the state should affirm this diversity of cultures

nationalism pride in and celebration of a national identity based on shared blood, history, and soil, usually to the exclusion or detriment of other identities

natural rights according to Locke and other thinkers, rights that individuals have as a consequence of the natural law

Nazism a form of fascism that governed Germany from 1934 to 1945

neoliberalism a movement to encourage developing countries to adopt a free market, open their economies to international trade, avoid significant inflation, and enhance the rule of law and the rights of individuals

political ideologies consciously held ideas about both how political life is structured and how it *should* be structured

political secularism the view that explicitly religious sets of principles should not administer government

second-wave feminism a form of feminism that emerged in the 1970s and focused primarily on bodily freedoms and safety surrounding sex and personal relationships, especially the right to abortion, the right to a divorce without having to show cause, prevention of domestic violence, and critiques of pornography

social conservatism a school of political thought that emphasizes the need for the government to uphold traditional moral standards based on the natural law or on the long-standing traditions of a given area

social contract according to Hobbes, an agreement among the people to give power to an authority that can

ensure that everyone follows the laws of nature and can punish those who do not

social relations of production social norms, such as marriage, that have been shaped by the capitalist economy

socialism an ideology committed to remaking society to ensure more or less equal material wealth, and especially equal possession of the goods that individuals need to reach their full potential

state of nature a term used by thinkers such as Hobbes, Locke, and Rousseau to describe what they suppose life would be like if there were no government ruling over the people

structural racism a form of racism thought to be manifest when actions are taken within a legal, political, and cultural context that has been shaped by the past racist decisions of others, regardless of the individual actors' personal beliefs or intent

third-wave feminism a form of feminism that argues that society is marked by embedded cultural patriarchy and works to upend these patriarchal norms

totalitarianism a political system in which the state seeks to control the totality of its citizens' lives as a means to achieve state objectives

Review Questions

1. Plato's ideal system of government is rule by _____.
   a. the working class
   b. military generals
   c. philosophers
   d. artists

2. How does Aristotle describe democracy?
   a. As a system of government directed toward the benefit of the rich
   b. As a system of government that necessarily benefits all
   c. As the ideal political system
   d. As a defective system that works for the interests of the many at the expense of the rest

3. What is the state of nature?
   a. The condition in which government exists and serves the public interest
   b. The condition before a government exists
   c. A key concept in the political thought of Hobbes, Locke, and Rousseau
   d. The condition in which government exists and abuses the rich
   e. Both B and C

4. Hobbes saw the state of nature as _____ and argued that rational individuals in the state of nature would seek to create a(n) _____.
   a. full of pleasure; limited government
   b. defined by harmony; government comprised of musicians
   c. full of tension, stress, and competition; limited government
   d. full of tension, stress, and competition; unlimited government

5. Locke believed that government _____.
   a. must enforce the natural law
   b. must be structured as a monarchy
   c. must redistribute private property by taking the property of the rich and giving it to the poor
   d. must develop a civil religion

6. Adam Smith advocated _____.

a. an economic system that limits international free trade
b. free trade among nations
c. eliminating private property
d. socialism

7. According to John Stuart Mill, personal freedom is _____.
a. of limited importance
b. a relic of old and obsolete thinking
c. to be highly prized
d. destined to lead to civil war

8. The harm principle assumes that _____.
a. freedom encourages an experimentation and open dialogue that allows people to reject dangerous ideas
b. freedom encourages tension, stress, and competition
c. freedom inevitably results in religious extremism
d. in the state of nature, people will always act in their own self-interest

9. Marxism views the working class as _____.
a. the most privileged class
b. the class that will lead a revolution against capitalism
c. the owners of the means of production under capitalism
d. the perpetuators of systemic racism

10. Gramsci believed that _____.
a. capitalists use cultural control to shape workers' way of thinking against the goals of Marxism
b. a workers' revolution would never happen
c. traditional religion is highly valuable and should be protected against critique
d. owners and workers are on the same team

11. Authoritarianism always entails a complete repudiation of individual rights.
a. True
b. False

12. Maoism alters Marxism by seeing _____.
a. capitalism as good
b. the peasantry as unable to change society
c. religion as a social force to be celebrated and promoted
d. None of the above

13. The center left is a form of _____.
a. democratic liberalism
b. communism
c. socialism
d. populism

14. Political fusionism combines _____.
a. Marxism and multiculturalism
b. moderate economic liberalism and moderate social liberalism
c. moderate economic libertarianism and extreme social conservatism

d. moderate economic libertarianism and moderate social conservatism

15. Which of the following ideologies is not associated with the New Left?
a. Environmentalism
b. Second-wave feminism
c. Conservative populism
d. Indigenism

16. The assertion that contemporary Western societies manifest structural racism is _____.
a. a key position of conservative populists
b. a key element of communism
c. a key position of critical race theorists
d. a key element of Maoism

17. Conservative populism _____.
a. sees the New Left as a threat
b. sees the center right as inadequate
c. has seen electoral success in the United States, Hungary, and Brazil
d. All of the above

18. Those on the New Right see "woke capitalists" as _____.
a. betraying the long-standing social values of their countries of origin
b. violating the close connection between economic freedom, free markets, and social conservatism that defined the center-right coalition for decades
c. embracing Marxist ideals
d. Both A and B
e. All of the above

19. What alternative to political ideology do Burkeans propose?
a. Strict adherence to empirical social science
b. Religious extremism
c. The lessons of history and tradition
d. None of the above

20. Religious extremists reject basing government on _____.
a. human reason
b. individual religious texts
c. national identity
d. revelations

Suggested Readings

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Civil Liberties 4



FIGURE 4.1 The Statue of Liberty in New York is a symbol of freedom around the world. (credit: "Statue of Liberty" by William Warby/Flickr, CC BY 2.0)

CHAPTER OUTLINE

4.1 The Freedom of the Individual
4.2 Constitutions and Individual Liberties
4.3 The Right to Privacy, Self-Determination, and the Freedom of Ideas
4.4 Freedom of Movement
4.5 The Rights of the Accused
4.6 The Right to a Healthy Environment

INTRODUCTION During the COVID-19 pandemic, governments around the world asked and sometimes required people to wear masks to prevent the spread of the virus.[1] Some people agreed to comply as a part of their responsibilities to the community, while others protested, arguing that any restrictions wrongfully impinged on their individual freedoms.[2]

In the United States, individuals actively protest instances of social injustice and feel it is their individual right to express support for or criticize government officials. In Myanmar, a military dictatorship, the government violently shuts down anti-government protests.[3] Freedom House, a nonprofit organization that monitors individual freedom and democracy worldwide, found that in 2021, for the 15th straight year, individual liberty and democracy declined worldwide.[4]

VIDEO

Anti–face Mask Protests Take Place in Several Cities across Europe

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/4-introduction)

During the COVID-19 pandemic, demonstrators around the world protested government mask mandates in places like Berlin, Paris, and London.

In each of these instances, individuals and the government assert that they are protecting freedom and acting for the common good. This chapter will examine when the individual is free to act without government interference, when the government can restrain individual expression, and how different political systems react to the exercise of individual freedoms.

4.1 The Freedom of the Individual

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define community.
- Identify the responsibilities of the individual as a member of a group.
- Discuss the need for individual freedom in a group.
- Analyze how different systems treat the individual.
- Define civil liberties, civil rights, and human rights.

If all people lived separately, each person would be free to act in any way they want. However, each person lives in many different communities based on their family, ethnicity, religion, and place of residence, and their actions affect other people. A **community** is a group of people with shared interests and values. National communities today may include people of different ages, races, educational backgrounds, and incomes. In some of these communities, individuals or groups with weapons and economic power force people into a community. In other national communities, people enter into agreements regarding what they can do as individuals and what restrictions the government can set for the common good. How do community members voluntarily decide when the government can restrict individual action for the good of that community?

An individual has **community responsibilities**, or duties or obligations to the community, including all things that are expected of individuals if they wish to remain members of that community. These responsibilities include cooperation, respect, and participation (or, as Chapter 1: What Is Politics and What Is Political Science? put it, civic engagement). Community responsibilities go beyond thinking and acting as individuals to sharing common beliefs about society's order and the treatment of others. Each country guarantees certain **civil liberties** to its people, but how governments interpret these liberties varies widely.

Civil rights and *civil liberties* are often used interchangeably, but the terms are distinct. Civil liberties are guarantees of freedom from government interference. To determine whether a civil liberty is at stake when a limit is placed on an action, one must ask if the action being considered is a fundamental liberty, who is restricting the action, and whether the restriction is justified based on greater community needs.

For example, the right to vote is not explicitly stated in the US Constitution, but US citizens now view it as fundamental to the US style of democracy. The Constitution does prohibit denial of the right to vote on the basis of race or sex, and it states that certain people are elected to office, but nowhere does it guarantee a right to vote or say who gets to do the voting. However, the right to vote is now seen as so fundamental to the United States' democratic identity that limits placed on that right are usually considered to be an infringement of the fundamental implied agreement between the people and the government. Indeed, this general point about constitution's including implied rights played a significant role in the thinking of many of the authors and ratifiers of the US Constitution when formulated during the Constitutional Convention of 1787. Although the founders tended not to see voting as a civil liberty each adult was entitled to, they did believe that other civil

liberties exist that are taken for granted by the Constitution without being explicitly stated within it. Indeed, according to many of the Constitution's founders, it was important for the US Constitution not to be construed as an exhaustive list of civil liberties. This is so because they feared that attempting to list the full range of our rights might give rise to the view that civil liberties come only as grants or gifts from the government. Most of the founders, on the contrary, held that individuals have natural rights that entail civil liberties, which the government must not imperil. These natural rights can be understood by reason and so do not need an elaborate listing in a constitutional document, especially when doing so might cause confusion about the origin of these rights, causing some to see them as government-granted and not inalienable endowments conferred by what the Declaration of Independence calls "nature and nature's God." This example from the thought of the founders of the Constitution illustrates the general point that many constitutions can be seen as containing implied civil liberties not formulated explicitly within their text.

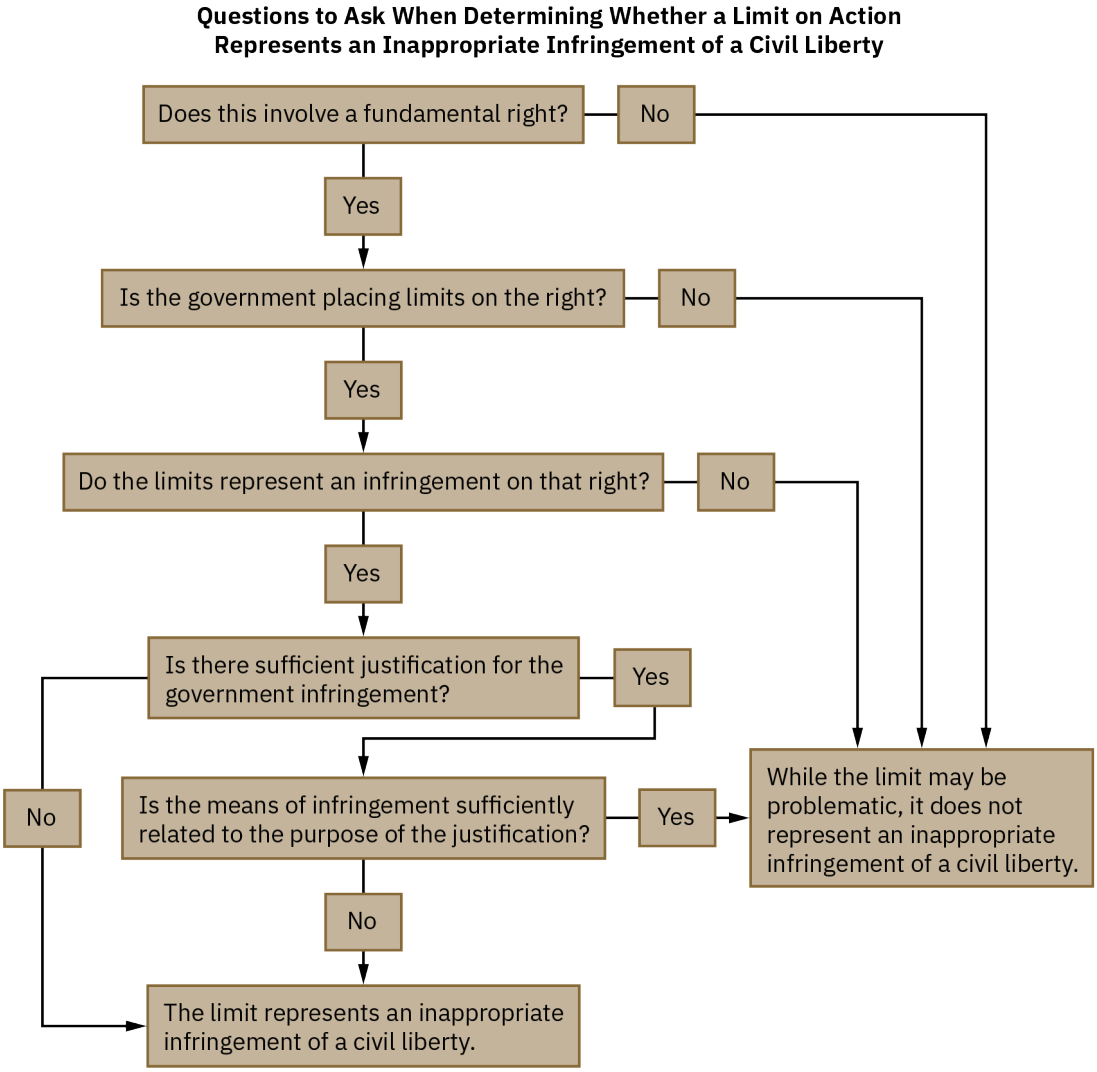


FIGURE 4.2 This flowchart illustrates the criteria for determining whether a limit on action represents an inappropriate infringement of a civil liberty. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

On the other hand, **civil rights** are government guarantees of equal treatment without discrimination based on characteristics an individual shares with a particular population. *Civil rights* often refers to the right to freedom from discrimination based, for example, on race, religion, sexual orientation, gender identity, ability, age, or national origin. To determine whether civil rights abuses are occurring, one must ask whether similarly

situated persons are being treated differently. Chapter 7 focuses specifically on civil rights.

Civil Liberties	Civil Rights	Human Rights
The rights of people to do or say things without government interference. Civil liberties depend on the structure and action of the government for enforcement. The government declares restrictions on individuals' liberties for the good of the community.	Rights that the government must safeguard to prevent discrimination against individuals based on arbitrary characteristics such as sex, race, religion, or disability. The government must ensure that each person is treated equally. Civil rights depend on the structure and action of the government for enforcement.	Human rights are often called *inalienable rights*, which can be neither given nor taken away. These rights are the basis for freedom, justice, and peace in the world. Human rights include both civil liberties and civil rights. They do not emanate from a governmental structure; however, it takes government action to recognize how they apply to people.

TABLE 4.1 Civil Liberties, Civil Rights, and Human Rights: A Comparison

Both civil liberties and civil rights fall under the umbrella of **human rights**. Human rights activists assert that human rights are **inalienable**—that is, they can be neither given nor taken away, and they are due to all persons. Chapter 3: Political Ideology considered this idea in the context of the philosophies of John Locke and Thomas Hobbes. Locke viewed inalienable rights as emanating from human nature before government existed and as objective moral truths to establish common behavior equally applicable to all persons; thus, in his view, only minimal government was necessary. Hobbes also saw them as emanating from human nature, but he viewed that nature as a selfish one that community and government rules must restrain.

Today, intergovernmental or nongovernmental organizations may formally recognize and enshrine statements of human or inalienable rights. However, the protection of human rights around the world is fraught with difficulties. Not all areas of the world share the same political and legal philosophy regarding human rights, and individual governments implement these philosophies within specific nations.

Consider the Universal Declaration of Human Rights (UDHR), which was adopted in 1948.[5] A number of Islamic countries have issues with the UDHR, arguing that it attempts to impose Western philosophies on other cultures. The members of the Organization of the Islamic Conference (now the Organization of Islamic Cooperation) adopted the Cairo Declaration on Human Rights in Islam in 1990.[6]The Cairo Declaration rejects the UDHR's right to change religions, broad freedom of expression, and broad freedoms of women and marriage.[7]

These differences are symbolic of the second issue with human rights: statements of human rights are nonbinding. As part of their sovereignty, governments are free to ignore or follow human rights declarations at will. For example, in 1948, South Africa practiced apartheid, racial segregation, and discrimination and objected to statements in the UDHR supporting equality and denouncing racial segregation and discrimination.[8] Apartheid raised issues of human rights, civil liberties, and civil rights; discriminating against individuals because of their race is a violation of a civil right, and restrictions on freedom of movement and the freedom to choose whom to marry are violations of civil liberties. After a long struggle led by Nelson Mandela, apartheid ended in South Africa in the early 1990s, and South Africa has since come to support the UDHR.[9] However, that change came from within South Africa. While some international pressure may have contributed to the shift, it was only when South Africa's government changed its national civil liberties and its stance on human rights that it agreed to the human rights declarations. Today, the South African Bill of Rights includes portions of the Universal Declaration of Human Rights.[10]

The only power in the nonbinding nongovernmental UDHR is the weight of social and economic pressure that those who adhere to the declaration bring to bear. No government can be forced to accept the rights

enumerated in the UDHR or to protect them within their territory. The world imposed economic and social sanctions on South Africa to pressure it to change its policy of apartheid, but it was not until the South African government changed its position that it abolished apartheid and accepted the UDHR.[11] As this example illustrates, human rights declarations are primarily idealistic, but they can be used to put economic or social pressure on governments to urge them to change policies. People can also use them to guide the creation of civil liberties within a particular country and to instruct governments on how to respect them.

Examining the definitions of civil liberties, civil rights, and human rights reveals how each relates to the relationship between the individual and the community and how governments regulate that relationship. The United States Constitution is one example of a country's guarantees of civil liberties. The first 10 amendments to the Constitution, known collectively as the **Bill of Rights**, establish these guarantees.[12] The United States grants each of these rights to all *persons*, not just to citizens. Over time, the US Constitution has been interpreted to protect more people and activities from potential government interference. Still, for the good of the community, there are limits on individual actions. It is the job of the government to enforce these limits.



FIGURE 4.3 This human rights mural in Durban, South Africa, illustrates numerous rights commonly recognized by governments around the world. Notice how it includes civil rights (equality) and civil liberties (speech, conscience). The mural illustrates how the two go hand in hand throughout society. (credit: "South-Africa-Bill-of-Rights-Durban-mural-06Dec2014-LBB-4697" by Lee Bob Black/Flickr, Public Domain)

WHERE CAN I ENGAGE?

At the Constitution Center (https://openstax.org/r/constitutionalrights.constitutioncenter), you can compare the rights protected in the US Constitution with rights protected in other constitutions around the world. Which rights guaranteed by the US Constitution are most commonly recognized around the world? Which are exclusive to the United States and just a couple of other countries?

At the World Policy Center (https://openstax.org/r/worldpolicycenter), you can review the rights that other countries often guarantee that the US Constitution does not.

First Amendment	Prohibits restrictions on the free exercise of religion; prohibits the government from taking any action "respecting an establishment" of religion or infringing on free speech; guarantees the right to assemble and to petition the government for a redress of grievances
Second Amendment	Guarantees the right to keep and bear arms in order to maintain a well-regulated militia
Third Amendment	Guarantees that no person shall be forced to house soldiers
Fourth Amendment	Guarantees security from unreasonable search and seizure
Fifth Amendment	Guarantees due process before deprivation of "life, liberty, or property," the right to indictment by a grand jury for capital crimes, and the right to avoid self-incrimination
Sixth Amendment	Guarantees the rights of the accused to counsel and a speedy trial by an impartial jury, to be informed of the charges against them, and to confront witnesses
Seventh Amendment	Guarantees the right to a jury trial in civil cases
Eighth Amendment	Guarantees freedom from excessive bail, excessive fines, and cruel and unusual punishment
Ninth Amendment	Declares that people retain rights not enumerated in the Constitution
Tenth Amendment	Declares that states retain all rights that have not been delegated to the federal government or the people and have not been prohibited to the states by the Constitution

TABLE 4.2 Rights and Liberties Guaranteed in the Bill of Rights of the United States Constitution[13]

4.2 Constitutions and Individual Liberties

LEARNING OUTCOMES

- Differentiate between negative rights and positive rights constitutions.
- Define constitutionalism.
- Analyze how different constitutional systems treat the individual.
- Define due process.
- Explain how the rule of law and its principles are important to individual freedom.

As discussed in Chapter 2: Political Behavior Is Human Behavior most countries have a formal **constitution**—a framework, blueprint, or foundation for the operation of a government. The constitution need not be in writing, in one document, or even labeled a constitution. Britain, New Zealand, and Israel do not have codified constitutions but instead use uncollected writings that establish the form of government and set out the principles of liberty.[14] In many countries, a series of documents, usually called the basic laws, codifies the government structure and individual rights.[15] If a country lacks a single document labeled a constitution, how does one know that certain writings serve as the country's constitution? A constitution describes the underlying principles of the people and government, the structure of the branches of government, and their duties. It limits government, listing freedoms or rights reserved for the people, and it must be more difficult to amend or change than ordinary laws.[16]

A constitution may be expressed in a way that emphasizes civil liberties as negative or positive rights. When political scientists say a constitution specifies **negative rights**, this means that it is written to emphasize limitations on government. Consider the wording of the First Amendment:

> "*Congress shall make no law* respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."[17] (emphasis added)

The amendment is phrased to focus not on what the government owes the people but on the limitations on the government's ability to infringe upon the rights of individuals. The US Constitution leans toward being a negative rights constitution because most of the Bill of Rights is written in terms of restrictions on the government.

In a **positive rights** constitution, rights are written in terms of a government obligation to guarantee the people's rights. For example, article 5 of the German constitution, the German Basic Law, states:

> "Every person shall have the right freely to express and disseminate his opinions in speech, writing and pictures. . . . Freedom of the press . . . *shall be guaranteed*."[18] (emphasis added)

This positive rights constitution emphasizes the government's guarantee of freedom to the individual. Though the US Constitution is primarily seen as a negative rights constitution, like most constitutions it also describes positive rights, as in those clauses that guarantee the right to something.[19] Most democratic constitutions written after World War II are positive rights constitutions. After the Nazis used the existing German constitution to restrict people's freedoms in Germany and in the countries they conquered, people in the affected countries wanted assurances that the government recognized its obligation to the people and not just the people's obligation to the government. Similar fears caused many countries not occupied by the Nazis to create positive rights constitutions.[20] These constitutions make the government the protector of freedom against all infringements. They do not just limit government action restricting the individual.

VIDEO

Positive vs. Negative Rights

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/4-2-constitutions-and-individual-liberties)

In this short clip, the Center for Civic Education distinguishes between positive and negative rights.

A country's constitution delineates the degree of freedom of action that the government allows the individual, and that degree varies by political system. An **individualist** system emphasizes individuals over the community, including the government, while a **communitarian** system emphasizes community cohesiveness while recognizing the importance of individual freedoms. Countries vary in terms of the nature of their systems and the degree to which they stress individualism or communitarianism.

What Are the Characteristics of Individualist Systems?

In an individualist system, individuals take precedence over the government. Society rests on the principle that individuals inherently possess rights that the government should preserve and promote. Two major styles of individualism are common today: **libertarianism** (also called classical liberalism) and modern **liberalism**. Libertarianism emphasizes restraints on government. Liberalism emphasizes the government's obligation to enforce laws that protect personal autonomy and rights. Let's review some of the different philosophies discussed in Chapter 3 in terms of how they impact civil liberties.

In libertarianism, individualists believe that governments exist to assist individuals in achieving their private interests. Therefore, libertarians place many restrictions (negative rights) on the government. As John Stuart Mill observed in his essay *On Liberty* (1859), in a strict individualist society:

> "The only purpose for which power can be rightfully exercised over any member of a civilised community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise, or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him, or visiting him with any evil in case he do otherwise."[21]

The focus is on the individual, and the benefits to society that might flow from any restriction on the individual must be clear and convincing. This does not mean that the government can never restrict individual action, nor that the good of society need be wholly ignored. Still, it does mean there must be proof of sufficient harmful effects to justify any restraint. This is where the conflict between the individual and society occurs. It is here that the US style of "no law . . . abridging the freedom of speech" comes into play. For example, a person in the United States can say anything against any political candidate; they can even lie about the candidate.[22] With the restriction on government action abridging free speech, no laws restrict that person's conduct. However, they cannot say they will kill a candidate at three o'clock on Tuesday afternoon. This is a threat to an individual's safety and to society's law and order, so the government has laws to punish the person for making the threat. Further, some US statutes make a person liable for damages if they engage in defamation—that is, if they lie about and cause harm to a private person—although these statutes do not apply to lies about political candidates. Thus, even with the United States' negative rights libertarian-style constitution, the government is not prohibited from imposing restrictions "abridging the freedom of speech" in every situation at all times.

In an individualist society formed in a liberal style, the government actively protects individual rights. For example, under the German Basic Law and its guarantees of free speech, the government can prosecute a person for making false statements or heckling a candidate while they are making a speech. This is a violation of the Basic Law because the rights of free speech "shall find their limits in the provisions of general laws, in provisions for the protection of young persons and in the right to personal honour."[23] Liberal governments are more proactive than libertarian ones in protecting the individual's rights. Because they do so to protect the rights of all individuals for the good of society, they place more restrictions on the individual. Still, governments in liberal societies cannot wholly deny a person's individual liberties.

What Are the Characteristics of Communitarian Systems?

A communitarian system emphasizes the role the government plays in the lives of citizens. Communitarian systems are grounded in the belief that people need the community and its values to create a cohesive society. Government exists not only to protect rights but also to form a political community to solve public problems. There is a public good, and it is the government's job to protect it, even if that means restricting individual behaviors. Communitarians oppose excessive individualism, arguing that it leads people to be selfish or egocentric, which is harmful to a community. Individuals do not stand apart from society in discrete autonomy; they are part of society and have a role to play in protecting society.

How countries put communitarianism into practice varies widely. Some countries, such as China, Singapore, and Malaysia, have **authoritarian** governments. This style of government enforces obedience to government authority by strongly limiting personal freedoms. These governments emphasize and enshrine in their constitutions social obligations and the common good. The Chinese constitution states, "Disruption of the socialist system by any organization or individual is prohibited."[24] In article 35, the Chinese constitution provides that "citizens of the People's Republic of China enjoy the freedom of speech, of the press, of assembly, of association, the procession and demonstration."[25] However, comparing these two clauses with actual practices in the People's Republic of China shows that the government's emphasis is not on protecting individual freedom and autonomy but on protecting the government's view of a cohesive society.[26]



FIGURE 4.4 A display of Russian military might serves as a reminder of the nation's authoritarian past. (credit: "Guarding" by Tinou Bao/Flickr, CC BY 2.0)

Responsive communitarianism contrasts with the authoritarian style of communitarianism and the perceived selfishness of libertarianism. It seeks to blend the common good and individual autonomy while not allowing either to take precedence over the other. The individual is within society, the community, so the community constructs part of the individual identity. In **responsive communitarianism**, individual rights are balanced with societal norms of the good, and society or the government restrains the individual when individual action challenges an accepted norm. For example, the majority of people living in the United States today oppose slavery and racial injustice. However, had those people been born in the 18th century, many would have supported such concepts. Every community has standards that it declares essential to the common good—the common ground on which the community is formed. In circumstances where the common good takes precedence over the individual, conflict can ensue, and the society, including the government, must decide how to resolve the dispute.

The COVID-19 pandemic mentioned at the beginning of this chapter resulted in severe illness and mass deaths around the world. Many viewed government actions restricting individuals during the pandemic as justified because the challenge the disease posed to society was severe enough to warrant temporarily suspending certain freedoms. People accepted or rejected these government restrictions depending on the degree to which they accepted scientific explanations and on their views of individualism and communitarianism. Scientists explained how the disease spread, and government leaders urged compliance. In many areas of the world, the government instituted restrictions on movement, required that people wear face masks, and punished persons who violated these edicts. Some individuals claimed that their rights were being violated. Some argued that masks do not make a significant difference in transmission of the virus and are unnecessary in most situations. Significant scientific evidence refutes this claim, but such individuals refused to accept it. They also argued that it is their inalienable right to decide whether or not to risk becoming sick or dying, prioritizing that right over the risk they might pose to others.[27] When initial illness rates started to decline and vaccinations became available, the argument shifted to when and how to open up the social sphere and whether to require that people be vaccinated to enter certain places or to participate in certain activities.[28] These responses to the pandemic are a perfect example of the conflicts inherent in everyday situations that require a balance between individuals' civil liberties and the government's obligation to act for the common good.

Whether and to what degree a system is individualistic or communitarian does not determine if the system is a constitutional government. Simply having a document labeled a constitution does not give a country a constitutional government; to be considered a constitutional government, a country must practice constitutionalism.

What Is Constitutionalism?

The three main elements of **constitutionalism** are adherence to the rule of law, limited government, and guarantees of individual rights. The **rule of law** has four principles:

1. *Accountability*: Government and private actors are accountable under the law, and no one is above the law.
2. *Just laws*: The laws are clear, publicized, stable, and applied evenly. They protect fundamental rights, including protecting persons and property and certain core human rights.
3. *Open government*: The processes by which the laws are enacted, administered, and enforced are accessible, fair, and efficient.
4. *Accessible and impartial dispute resolution*: Justice is delivered in a timely manner by competent, ethical, and independent representatives, and neutral decision makers are accessible, have adequate resources, and reflect the communities they serve.

Constitutionalism balances limited government with the fundamental worth of each individual. The government is limited because people have some right to make their own life decisions. The fundamental worth of each individual means that people have some right to self-determination, as shown in a bill of rights in a constitution. Maintaining a balance between government authority and individual freedom is a challenge.

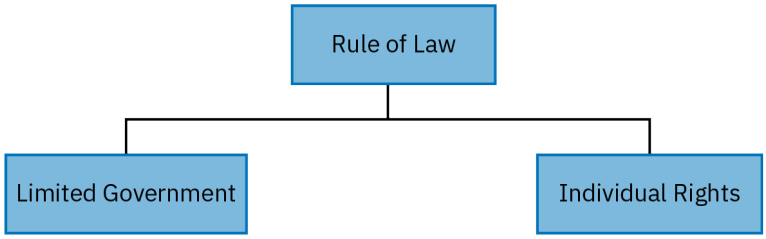


FIGURE 4.5 In constitutional governments, the rule of law limits government and protects individual rights. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Utilizing **due process** is part of the rule of law and constitutionalism, so it is more robustly defended in countries that practice constitutionalism than it is in those with constitutions that do not adhere to all the elements of constitutionalism.

Due process is a legal requirement that the government respect the rights of the people, and it is a demonstration of the rule of law and the balancing of government power with individual rights. In the US Constitution, the due process clause provides that no one shall "be deprived of life, liberty, or property, without due process of law."[29] This clause applies to all persons, not just citizens of the United States. There are two aspects of due process: **procedural due process** and substantive due process. Procedural due process concerns the written guidelines for how the government interacts with individuals, while **substantive due process** concerns the individual's right to be treated fairly when interacting with the government. A violation of due process offends the rule of law because it puts individuals or groups above the law or treats individuals or groups without equality.

VIDEO

Due Process of Law

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/4-2-constitutions-and-individual-liberties)

In this video clip, Randy E. Barnett, professor of constitutional law at the Georgetown University Law Center, looks at the overarching concept of due process through the lens of US government and its British origins.

When one thinks of the due process of law as government fairness to all persons, civil rights and civil liberties become intertwined. In the landmark same-sex marriage case *Obergefell v. Hodges*, the United States Supreme Court held that the due process clause of the 14th Amendment guarantees that the government will

defend as a fundamental liberty the right to choose whom one will marry. The court also held that to deny that liberty would violate the Equal Protection Clause of the 14th Amendment because doing so would amount to unequal treatment of same-sex and opposite-sex couples, thus denying a same-sex couple equal protection of the law and amounting to a violation of the couple's civil rights.[30]

Thus, same-sex marriage is both a civil liberty and a civil rights issue. The right to marry is a civil liberty because it is a freedom from government interference in one's choice of a life partner. Same-sex marriage is a civil rights issue because to deny same-sex couples the right to marry is to subject them to unequal treatment. The case of same-sex marriage shows how both civil rights (equality) and civil liberties (freedom from government interference) are a part of the fair government treatment of individuals.

4.3 The Right to Privacy, Self-Determination, and the Freedom of Ideas

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Outline the components of the rights to privacy, self-determination, and freedom of expression that are deemed essential according to human rights norms.
- Analyze how different government systems around the world treat the rights to privacy, self-determination, and freedom of expression.
- Describe the paradox of tolerance.

While most constitutions around the world guarantee due process, how the high courts of each state interpret the standard of due process differs considerably from state to state.[31] Most due process clauses provide that no one shall be deprived of life, liberty, or property without due process of law. One often thinks of liberty as freedom from incarceration, but it means much more than that.

To have liberty is to have personal autonomy, and to have personal autonomy, one must have the right to make personal decisions. Thus, the most fundamental aspect of civil liberty is privacy, and in most constitutions, liberty includes the right to privacy.

The Right to Privacy

Merriam-Webster's Dictionary of Law defines the right to privacy as "the right of a person to be free from intrusion into or publicity concerning matters of a personal nature."[32] Another way to define the right to privacy is "the right to be left alone."[33] In a liberal democratic system, **privacy** is a space separate from public life, allowing individual personal autonomy. Privacy is the ability to think, speak, and behave without being monitored or surveilled by another person or the government. Are you permitted to decide whether to have children and how many? To choose whom you marry? Decisions concerning what to wear, what to study in school, what career to pursue, and what religious beliefs to instill in one's children are all privacy issues. They are all personal decisions or decisions about which there is debate on whether governments can restrict or require certain conduct.

In their influential article "The Right to Privacy," attorney Samuel Warren and US Supreme Court justice Louis Brandeis define privacy as the "right of the individual to be let alone."[34] The right to privacy has been used to assert that liberty exists in a wide range of civil liberties cases in the United States. In *Pierce v. Society of Sisters*, the Supreme Court found that the 14th Amendment prevents the state from interfering with parents' choices regarding their child's education.[35] In *Griswold v. Connecticut*, *Roe v. Wade*, and *Lawrence v. Texas*, the court struck down several laws criminalizing sexual and reproductive decisions between consenting adults in private activities, citing a right to privacy.[36] In *Lawrence*, Justice Anthony Kennedy wrote:

> "The petitioners are entitled to respect for their private lives. The State cannot demean their existence or control their destiny by making their private sexual conduct a crime. Their right to liberty under the Due Process Clause gives them the full right to engage in their conduct without intervention of the government."[37]

VIDEO

Griswold vs. Connecticut: The Most Important Supreme Court Case You've Never Heard Of

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/4-3-the-right-to-privacy-self-determination-and-the-freedom-of-ideas)

In Griswold v. Connecticut, the US Supreme Court established the Right to Privacy as a liberty implied but not stated in numerous places across the Constitution.

Most countries explicitly recognize a right to privacy. For example, the UK Human Rights Act of 1998 states:

Right to respect for private and family life

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.[38]

The US Constitution does not explicitly mention a right to privacy, but the right to privacy is an essential idea behind several of the rights it specifies.[39] The US Supreme Court has recognized the right to privacy as a fundamental right.[40] As Justice Brandeis wrote in the wiretapping case of *Olmstead v. United States* (1928), "the right to be let alone [is] the most comprehensive of rights, and the right most valued by civilized men."[41]

The First, Third, Fourth, Fifth, Ninth, and 14th Amendments do explicitly state, in what are referred to as enumerated rights, instances for which the US Supreme Court has affirmed that a right to privacy exists.[42]

First Amendment	Prohibits restrictions on free speech, peaceful assembly (association), and the free exercise of religion
Third Amendment	Prohibits the government from requiring individuals to house or feed soldiers in peacetime
Fourth Amendment	Prohibits the government from unreasonably searching or seizing an individual or their property; requires the government to appear in court and show probable cause before receiving a court order or a warrant to search or seize an individual or their property
Fifth Amendment	Guarantees the right to remain silent in a police interrogation
Ninth Amendment	States that rights not explicitly outlined in the Constitution may still exist with the people
Fourteenth Amendment	Prohibits the government from denying equal protection of the laws to all persons

TABLE 4.3 Guarantees of the Right to Privacy Embedded in the US Constitution

Implicit in the First Amendment protections of free speech, peaceful assembly (association), and free exercise of religion is the right to participate or not participate as an individual decides,[43] and the Ninth Amendment states that rights not explicitly outlined in the Constitution may still exist.

Like many national constitutions, the Universal Declaration of Human Rights includes an express right to privacy. Article 12 of the declaration states:

> No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.[44]

Even though member countries have endorsed the UDHR, how each government enacts the right to privacy it contains varies greatly. The UN has appointed a special rapporteur (a person appointed by an organization to report on its meetings) to monitor and report annually on how countries comply with the UN declaration of a right to privacy expressed in the UDHR, especially as it relates to digital surveillance.[45]

When viewed as a civil liberty, the right to privacy erects a barrier between individuals and an overly intrusive government. But when is government intrusion permitted?

When Does the Government Restrict Individual Privacy Rights?

Restrictions on the right of privacy or personal autonomy vary widely by country. In the United States, same-sex relations are considered private and protected by the US Constitution. In most of Africa, LGBTQ+ relations or orientation are illegal and considered a detriment to the welfare of the community.[46]

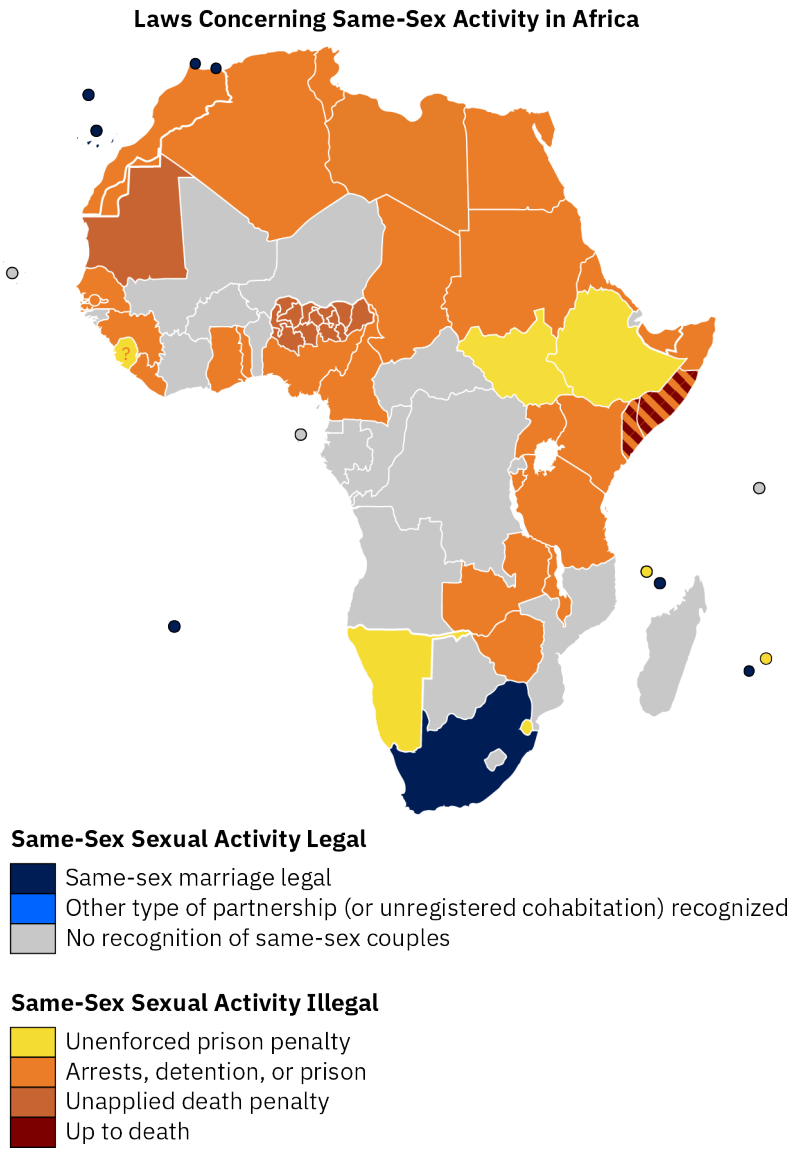


FIGURE 4.6 In most of Africa, same-sex relationships are considered a detriment to the community, and that detriment to the community is deemed to outweigh the importance of protecting the individual right to privacy.

(credit: "Laws regarding same-sex sexuality in Africa" by Haha 169/Wikimedia Commons, Public Domain)

Personal privacy boundaries often change as society's views of personal liberty change. Under a democratic government, it is a society that interprets what is acceptable and if there is a compelling reason for government restrictions on personal decisions. For example, until 1967, many states had laws that declared interracial marriage a crime. In *Loving v. Virginia*, the US Supreme Court interpreted that due process and a right to privacy require that the choice of whom to love and marry be a personal, private one.[47] It was not until 2015 that this same right was interpreted to include same-sex marriage.[48] As society's interpretation of what is personal and individual and what is necessary for the good of the community changes, the interpretation of the right to privacy changes. Authoritarian governments force the people to acquiesce to the government's interpretation of personal private conduct.



WHERE CAN I ENGAGE?

Civil Liberties around the World

You can use one of the following online resources to compare which liberties different countries recognize. Can you spot any trends? How do different countries interpret similar types of liberties in different ways?

Explore civil liberties around the world at the National Constitution Center (https://openstax.org/r/constitutionalrights.constitutioncenter).

Compare statistical data about human rights at Our World in Data (https://openstax.org/r/ourworldindata).

Read up-to-date reports on the state of human rights at Human Rights Watch (https://openstax.org/r/hrw_publications).

Track trends in freedom using the Cato Institute's yearly Human Freedom Index (https://openstax.org/r/human-freedom-index.cato).

Monitor levels of freedom according to the human rights and rule of law index at TheGlobalEconomy.com (https://openstax.org/r/theglobaleconomy_human_rights_rule_law).

The degree to which governments recognize the right to make personal, private decisions varies widely around the world. In China, the government restricts the number of children couples may have.[49] In some countries, forced marriages are still common.[50] In some countries, girls are banned from attending school or even suffer violence for attending, and the government does not protect their right to an education, even if their parents want them to attend school.[51] Many countries have laws that require women to wear specific clothing in public or prohibit women from wearing certain items of clothing, restricting a woman's right to make a personal decision.[52] Thus, even in countries that declare that they will protect privacy and individualism, society's interpretation of what is necessary to create a community can lead to restrictions intended to contribute to the common good.

What about privacy in areas where security issues arise? The growing prevalence and sophistication of cyber technologies place increasing pressure on the right to privacy in the context of freedom from surveillance.

Cyber Data Issues with Privacy

State and federal laws in the United States protect personal cyber data—that is, data stored electronically.[53] Online users frequently utilize privately owned browsers and social media platforms, such as Facebook and Twitter. These private businesses allow users to choose their level of privacy settings. However, in response to increasing issues with the amount of scrutiny that private businesses provide, the federal government has implemented several laws to regulate private companies' storage of personal data. The Children's Online Privacy Protection Act of 1998 (COPPA), for example, permits parents to control what information websites collect about their children.[54] European countries have even more robust data privacy laws regarding

information about children.[55]

VIDEO

The History of Internet Tracking and the Battle for Privacy

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/4-3-the-right-to-privacy-self-determination-and-the-freedom-of-ideas)

Internet tracking may have innocent beginnings, but it has become the subject of major political debate.

Another privacy issue is the government's ability to access an individual's cyber information. US government agencies' arguments that they need access to this information in the name of safety and national security have long come up against the US Constitution's guarantees of the right to privacy. The government asserts that, for the good of the community, it needs access to certain information.[56] Individuals argue that their right to privacy of digital personal data is the same as their right to privacy in the form of "houses, papers, and effects" explicitly protected under the Fourth Amendment; thus, the government must show probable cause and obtain a warrant from a judge to look at that digital information. Individuals contend that they have the right to confront the government and argue the issue in open court.[57] US government intelligence agencies say that protecting the privacy of this personal information compromises safety and national security[58] and that any intelligence review of a person's digital data must be secret to avoid tipping off the individual under investigation. This debate is ongoing in the United States and around the world.

Countries whose constitutions include a right to privacy differ in how broadly they interpret that right when it comes to data privacy. The European Union has enacted extensive data protection laws applicable to all member countries.[59] The EU General Data Protection Regulation (GDPR) provides that data about citizens may only be gathered or processed in specific instances. These rules apply to private businesses and government agencies. The restrictions on collecting information are strictly interpreted, providing comprehensive protection to the individual.

The UN Conference on Trade and Development (UNCTAD) actively monitors data privacy issues and laws within its member countries. It has noted that "the collection, use and sharing of personal information to third parties without notice or consent of consumers" has become a significant concern. The UNCTAD Global Cyberlaw Tracker tracks data for 194 states on laws concerning e-transactions, cybercrime, and consumer protection.[60] According to UNCTAD, as of February 2022, "137 out of 194 countries had put in place legislation to secure the protection of data and privacy."[61]

Even though the Chinese constitution includes the right to privacy, the Chinese government has found many reasons to interpret the right narrowly. Article 40 of the constitution of the People's Republic of China provides for both the freedom and privacy of communication.

> "Freedom and privacy of correspondence of citizens of the People's Republic of China are protected by law. No organization or individual may, on any ground, infringe upon citizens' freedom and privacy of correspondence, except in cases where, to meet the needs of State security or of criminal investigation, public security or procuratorial organs are permitted to censor correspondence in accordance with the procedures prescribed by law."[62]

However, in China, persons are subject to surveillance in almost all public places, and all cyber communications are monitored. China uses mass surveillance to "eradicate ideological viruses," which they identify as the religious and cultural beliefs of certain ethnic groups. Thus, while the Chinese constitution contains a right to privacy, the government broadly interprets the exception for safety and security. In practice, the right to privacy in China is almost nonexistent.[63]

VIDEO

China: "The World's Biggest Camera Surveillance Network"

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/4-3-the-right-to-privacy-self-determination-and-the-freedom-of-ideas)

China's massive surveillance network uses facial recognition and can track any individual's movements within China.

As the amount of information stored digitally increases, so do the threats of that material being stolen or used by businesses as marketing information without people's consent. At the same time, governments increasingly seek to regulate access to information that they deem unacceptable or that may pose a threat to their residents' safety. This is a developing area of tension between individual privacy and government protection or regulation of the community.

Freedom of Expression of Ideas

Another area of ongoing tension between individuals and the government is the freedom of expression of ideas. This freedom includes the right to free speech and the right to the free exercise of religion. Article 19 of the UDHR states, "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."[64] Article 18 provides that "everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."[65]

The UDHR is not itself legally binding, but the principles it sets out were implemented among UN member countries through the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), both of which were adopted by the UN General Assembly in 1966. Member countries agree to be monitored on their activities under the provisions of the covenants, which echo much of the language of the UDHR, although some provisions are new. Article 27 of the ICCPR, for example, states that members of "ethnic, religious or linguistic minorities . . . shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion, or to use their own language."[66] Together, the UDHR, the ICCPR, and the ICESCR make up what is known as the International Bill of Human Rights.[67]

However, freedom of expression and religion is not absolute. Even in countries with extensive speech protections, certain types of speech are never protected. These include libel, slander, obscenity, fighting words or threats, incitement to lawless conduct, breach of national security or classified information, disclosures that impact the right of privacy, and perjury. Some examples of these were discussed earlier in this chapter.

In liberal democracies, the state agrees to tolerate free expression of ideas, and restrictions on expression are minimal; however, many of these countries place restrictions on the expression of specific ideas that do not meet the limited exceptions to protected speech set forth above. This is referred to as the **paradox of tolerance**. People who hold intolerant ideas argue that the state and society only tolerate those ideas that align with their own viewpoint and that therefore, the government and society are not tolerant of personal ideas and do not respect that degree of personal liberty.

WHAT CAN I DO?

Civil Liberties and Social Responsibility



FIGURE 4.7 While smoking is not illegal in the United States, because secondhand smoke can be damaging to all members of the community, the government can regulate where smoking is allowed. (credit: "No Smoking Sign" by Jonathan Rolande/Flickr, CC BY 2.0).

Many people who hear the term *civil liberties* think about limits on government interference in individuals' lives, and they may see government acts that limit or direct their behavior as infringements of their liberties. In these instances, it is important to remember that people live in diverse communities made up of many individuals who may have different perspectives, traditions, beliefs, and needs. Each person's actions have the potential to affect other individuals in the community and the community as a whole. As discussed in this chapter, members of a community have responsibilities to that community. Understanding the differences between groups within a society is often referred to as *intercultural competence*, and it is a key component of social responsibility.

Different countries adopt a variety of strategies to address the varying needs of different groups. Within the United States, the corporate world has recently taken up the banner of "social responsibility." Whether looking at an issue from a corporate position, an advocacy position (such as from the perspective of an interest group), the position of an attorney representing someone whose rights have been violated, or the position of a concerned citizen, linking the ideas of civil liberties with the larger concept of social responsibility allows one to appreciate how the rights of individuals and the larger community are intertwined and how government actions often seek to balance the freedom of the individual with the needs and desires of the community.

For example, in Germany, it is illegal to support the Nazi Party or to deny the Holocaust.[68] Section 130 of the German criminal code "bans incitement to hatred and insults that assault human dignity against people based on their racial, national, religious or ethnic background." Violations of this code carry a five-year prison sentence. Germany has used section 14 of the law, which bans defiling the memory of the dead, to prosecute

Holocaust deniers.[69] The German Basic Law provides that "every person shall have the right freely to express and disseminate his opinions in speech, writing and pictures and to inform himself without hindrance from generally accessible sources. Freedom of the press and freedom of reporting by means of broadcasts and films shall be guaranteed. There shall be no censorship."[70] Thus, many argue that the restrictions on expressing particular viewpoints show limited tolerance of ideas in Germany, and a paradox of tolerance exists.[71]In the United States, hate speech laws encounter the same objection. However, in the United States, speech enjoys broad protections, and hate speech laws are limited to instances where speech involves violence, intimidation, and direct threats.[72]

VIDEO

Germany's Online Hate Speech Laws: Protecting Free Speech While Fighting Online Hate?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/4-3-the-right-to-privacy-self-determination-and-the-freedom-of-ideas)

Germany's Network Enforcement Act allows people to report criminal hate speech online and requires platforms to take down the content or face stiff fines. The policy has raised questions about whether it inappropriately interferes with constitutional guarantees of a right to free speech.

While in Germany particular viewpoints on politics are regulated, in some other countries, all opposition to the government is suppressed. In Belarus, political opponents have been sentenced to prison for opposing the ruling government.[73] Other countries are taking steps to open up the free exchange of ideas, even those ideas that challenge traditional religious and cultural norms. For example, at a recent international symposium on philosophy in Saudi Arabia, the speakers and audience openly discussed ideas that are usually restricted in the country.[74]

The paradox of tolerance is a frequent issue when it comes to religious expression. The expression of religious beliefs has received special consideration throughout history. Freedom of religion involves two interrelated issues: the free exercise of religion and the government establishment of religion. While it is impossible to separate the two completely, they can be distinguished for learning purposes.

The US Constitution contains two separate clauses about religion: one, that "Congress shall make no law respecting an establishment of religion," known as the establishment clause; and two, that Congress shall make no law "prohibiting the free exercise thereof."[75] The complicated relationship between religion and the government in the United States is a subject worthy of study in itself; the following is an outline of some of the primary issues.

In *Everson v. Board of Education*, a landmark case with regard to the interpretation of the establishment clause, the US Supreme Court observed that in the United States, no government should aid or hinder any religion.[76]

In *Everson*, the court considered whether a city allowing all K–12 students to ride public transit buses for free was an unconstitutional establishment of religion because some of the students receiving free rides attended parochial schools operated by religious groups. It was argued that this amounted to an establishment of religion because, in addition to regular school classes, these students took classes in religion and were thus taught particular religious beliefs. According to this argument, the government assisted in the religious indoctrination by providing free transportation, thus putting a stamp of approval on the religious instruction. The court found that the bus rides did not violate the establishment clause because the law was neutral and beneficial for all K–12 students. If the law had only given free rides to parochial school students, it probably would have been found to violate the establishment clause, as the government would have been treating a religious institution differently and preferentially. Conversely, suppose that free rides had been denied to parochial school students and given only to students attending schools that did not teach religion. In that case, the action could be interpreted as a violation of the free exercise of religion and parental privacy in children's

education. It would violate free exercise because it would explicitly target and place restrictions on schools based on religion. This example illustrates the degree of complication in this area of the law. One must look at specific government action and ask whether it is neutral and general or explicitly benefits or intrudes on a religion.

Not all religious practices are acceptable, even in an individualist government. For example, in the United States, religious practices that are deemed abusive to children are prohibited.[77] Those who hold views anathema to most of society, such as White supremacist churches, are allowed to operate as long as they keep the expression of their opinions nonviolent and within the church. An area of controversy arises when a person running a business refuses to comply with a customer request because it violates their personal religious views, thus putting into direct conflict the constitutional protection of the free exercise of religion and the constitutional requirement for equal treatment of all persons. The US Civil Rights Act of 1964 prohibits any business that is open to the public from engaging in discrimination on the basis of race, sex, or religion. When the Civil Rights Act went into effect, some for-profit businesses argued that it violated their personal and religious principles of White supremacy by prohibiting them from barring minorities from their business or refusing to hire employees based on their race. In the early years after the act was passed, courts across the United States upheld the act against the religious arguments for White supremacy. They found a more significant community good in supporting nondiscrimination than in this view of the free exercise of religion. Today, controversies continue, with some business owners complaining that serving LGBTQ+ customers violates their religious beliefs and that to require them to serve LGBTQ+ customers would violate their right to free exercise of religion. This controversy is ongoing in the United States and around the world.[78]

In western European countries, similar issues arise. All have constitutional provisions similar to the US Constitution's religious clauses, but some have officially recognized state religions. Anglicanism, as represented by the Church of England, is the official religion of England. Up until the 20th century, people were persecuted for not adhering to the official doctrine; however, now individuals are free to practice any religion they want as long as it complies with England's generally applicable neutral laws.[79] Around the world, restrictions on religion have been increasing. These restrictions can take two forms: government preference for a particular religion and government restriction on religious practices. Many Islamic majority countries limit freedom of religion and require residents to adhere to an established religion. A Pew Research study noted:

> "Government restrictions have risen in several different ways. **Laws and policies restricting religious freedom** (such as requiring that religious groups register in order to operate) and **government favoritism of religious groups** (through funding for religious education, property and clergy, for example) have consistently been the most prevalent types of restrictions globally and in each of the five regions tracked in the study: Americas, Asia-Pacific, Europe, Middle East-North Africa and sub-Saharan Africa. Both types of restrictions have been rising; the global average score in each of these categories increased more than 20% between 2007 and 2017."[80] (emphasis in original)

VIDEO

Iran's Dilemma: Should Women Wear a Hijab or Not?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/4-3-the-right-to-privacy-self-determination-and-the-freedom-of-ideas)

Women in Iran who appear in public without wearing an Islamic hijab can be imprisoned or fined. In recent years, some Iranians have pushed back against this policy.

The growing tendency toward government restrictions on religion may be in opposing directions. For example, French law prohibits women from wearing certain items of clothing that express their religious beliefs, and the government disfavors religion.[81] In contrast, in Qatar, Islam is the official state religion, and laws require women to wear religious dress in public. Additionally, Qatar has enacted laws that restrict non-Islamic faiths

by limiting worship services and prohibiting the display of non-Islamic religious symbols.[82] In China, specific religious groups have been subjected to severe restrictions, even internment in prison reeducation camps, as religious practices are considered detrimental to the country's communist goals.[83] Thus, in both impairing religion and fostering an established religion, some countries have opted to observe localized interpretations of civil liberties with regard to religion, rather than aligning with the norms described in the Universal Declaration of Human Rights.

4.4 Freedom of Movement

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Outline the components of freedom of movement that are deemed essential according to human rights norms.
- Analyze how different government systems treat freedom of movement around the world.

Freedom of movement can be divided into two categories: the freedom to move about within one's home country and the freedom to move internationally. Article 13 of the Universal Declaration of Human Rights recognizes both rights:

1. Everyone has the right to freedom of movement and residence within the borders of each state.
2. Everyone has the right to leave any country, including his own, and to return to his country.[84]

How each country interprets and applies the right to freedom of movement varies widely.

The US Constitution protects travel within the United States as an unenumerated fundamental right.[85] The US Supreme Court has identified three aspects of the right of persons to travel within the United States:

1. the right to enter and leave each state, fundamental to the founding of the United States;
2. the right to be treated equally to residents of each state, protected by article 4, section 2 of the Constitution; and
3. the right to be treated equally to native-born citizens: "Despite fundamentally differing views concerning the coverage of the Privileges or Immunities Clause of the Fourteenth Amendment . . . it has always been common ground that this Clause protects the third component of the right to travel."[86]

While general interstate travel is a fundamental right, many federal statutes restrict activities that may utilize interstate travel. For example, the Mann Act, enacted in 1910, bans interstate transport of females for "immoral purposes." The act has since been amended to be gender neutral and to apply solely to sexual activity that is separately illegal, such as prostitution or sex with a minor. In addition, the Supreme Court has struck down state laws requiring one-year residency requirements for access to state services and voting. Still, it has upheld shorter minimal residency requirements for certain activities.[87]

Sweden's constitution, the Basic Laws of Sweden, contains a guarantee that "everyone shall have access to the natural environment in accordance with the right of public access."[88] This right allows travel inside the country and access to private property to experience nature as long as an individual does not cause damage to the property. Thus, the Swedish constitution's guarantee in this respect is even broader than the US right to interstate travel, which does not allow access to private property without the property owner's specific permission except in certain states and for particular types of property, usually beach or lakeshore access.

China's *hukou* (household registration) system prevents many internal migrants from enjoying full legal status as residents in the cities where they work.[89] Other Chinese citizens face obstacles to freedom of internal movement due to police checkpoints throughout the country that restrict the movement of certain ethnic groups.[90] In addition, the government has implemented a "social credit system" by which individuals must earn points to be allowed to travel within the country or internationally.[91]

International Travel

While the UDHR applies the same standard to travel within a country that it applies to international travel, the latter is more strictly regulated around the world. In the United States before World War II, passport requirements came and went, and immigration controls targeted particular racial or ethnic groups. Beginning with the Immigration and Nationality Act of 1952, all US citizens have been required to obtain a government-issued passport to leave or enter the country.[92] A citizen is entitled to due process via a hearing if the government refuses to provide the requested passport. In *Kent v. Dulles*, the Supreme Court held:

> "The right to travel is a part of the "liberty" of which the citizen cannot be deprived without due process of law under the Fifth Amendment. . . . If a citizen's liberty to travel is to be regulated, it must be pursuant to the law-making functions of Congress. . . . Freedom of movement across frontiers in either direction, and inside frontiers as well, was a part of our heritage. Travel abroad, like travel within the country, may be . . . as close to the heart of the individual as the choice of what he eats, or wears, or reads. Freedom of movement is basic in our scheme of values."[93]

Most countries utilize passports as a control mechanism for their citizens to exit or reenter the country. Conditions for obtaining a passport vary widely. Even if a person has a passport, countries may still impose restrictions on their ability to leave the country. For example, it is common for a person under criminal investigation to not be allowed to leave the country. If a person is on a terrorist watch list, they will not be allowed to leave the country. In some countries, specific groups of people may not be allowed to leave the country due to disfavor by the government. In China, the Uyghurs must get permission to travel, and that permission is rarely granted.[94] Many countries require foreigners to obtain official authorization, in the form of visas, to enter or even to leave. Further restrictions are placed on citizens immigrating to another country.

Migration and Immigration Law

Migration differs from international travel because the traveler does not intend to return to their starting point. Migration involves a number of legal issues, including general immigration laws, refugee status, and a political concept called open borders. The UDHR states:

Article 14

1. Everyone has the right to seek and to enjoy in other countries asylum from persecution.
2. This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15

1. Everyone has the right to a nationality.
2. No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.[95]

Every country has laws regulating who can leave the country permanently and who can enter and stay.[96] In many countries, failure to comply with immigration laws is treated as a crime, and a person can be sentenced to prison for violating the laws.[97] Some countries welcome immigrants,[98] while others actively discourage them.[99] Though the UDHR affirms human migration rights, many countries enact laws restricting the permanent movement of people.

Refugees are one area of considerable controversy. Refugees leave areas in extreme crisis and flee to safety in other countries, not necessarily in compliance with emigration or immigration laws.[100] Specific UN programs aid refugees, and some countries assist.[101] A sudden influx of people with no means of caring for themselves is a significant issue for most countries in which refugees seek asylum. Conflicts within these countries arise around the number of people who can be accommodated, how long they will be allowed to stay, and whether or not the residents of the country feel threatened by their presence.

There is an ongoing debate about changing the world to one of open borders, where people are free to move

about the world as they want. When there are open borders, there are no restrictions on emigration or immigration, except for safety and criminal issues.[102] Emigration and immigration issues are complex, and society's acceptance of emigrating and immigrating peoples varies widely depending on a country's political climate.

4.5 The Rights of the Accused

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Outline the components of the rights of the accused that are deemed essential according to human rights norms.
- Analyze how different government systems treat the rights of the accused around the world.

If the government accuses a person of a crime, the Universal Declaration of Human Rights and many national constitutions guarantee that person the fair implementation of due process before the government can restrict their liberties. The rights of the accused are intended to protect individuals if their freedom is at stake. Chapter 11: Courts and Law will explore these rights in greater depth.

Rights upon Arrest

In rule-of-law countries, police must advise individuals of certain rights at the time of their arrest. These include the right to have an attorney assist them with their case and the right to be cautioned that anything they say can be used against them in court. A 2016 report by the Law Library of Congress found that 108 countries require these warnings,[103] and the European Convention on Human Rights and the UDHR both contain similar provisions.[104] These rights include:

- the right to remain silent;
- a warning that anything one says can be used against one in court;
- the right to consult legal counsel; and
- the right to defend oneself in court.

Search and Seizure

Another way rule-of-law systems defend the rights of individuals is through protection against unreasonable searches and seizures. This means that law enforcement may perform reasonable searches and seizures, and much of the litigation in this area deals with the reasonableness of the search and seizure. The UN has created recommendations for best policing practices for all countries, including limiting the police's right to search individuals, their homes, or their belongings to this standard. However, many countries do not adhere to these limitations. In those countries, the police can search an individual's home or belongings or interrogate them at any time.

PODCAST

Right to Privacy: Mapp v. Ohio

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/4-5-the-rights-of-the-accused)

In this Civics 101 podcast, Vince Warren, executive director for the Center for Constitutional Rights, and Boston University School of Law professor Tracey Maclin discuss the US Supreme Court's decision in *Mapp v. Ohio* (1961), which decided that the Fourth Amendment to the US Constitution prohibits the government from using any illegally obtained evidence against someone in a court of law.

Writ of Habeas Corpus and the Right to Appear before the Court

In all rule-of-law countries, a person held in jail has the right to demand to be brought into court and told why

they are being jailed. In some countries, this process is referred to as a petition for a writ of habeas corpus. In countries where this right is not recognized, a person can be held indefinitely incommunicado without any right to seek their freedom or to demand that the government prove the charges against them.

4.6 The Right to a Healthy Environment

THE RIGHT TO A HEALTHY ENVIRONMENT

By the end of this section, you will be able to:

- Outline the components of the right to a healthy environment that are deemed essential according to human rights norms.
- Analyze how different government systems treat the right to a healthy environment around the world.

Many human rights organizations are now asserting that environmental damage, including climate change, is a violation of human rights because it impacts the ability of people to live safe and healthy lives.[105] The UN Framework Principles on Human Rights and the Environment sets forth "basic obligations of States under human rights law as they relate to the enjoyment of a safe, clean, healthy and sustainable environment" and lists "potential benefits of recognizing the right to a healthy environment," including:

- Stronger environmental laws and policies
- Improved implementation and enforcement
- Greater public participation in environmental decision-making
- Reduced environmental injustices
- A level playing field with social and economic rights
- Better environmental performance[106]

More than 100 countries have added the right to a healthy environment to their national constitutions.[107]

In the United States, pending lawsuits assert that failure to follow good environmental practices is causing damages to individuals. *Juliana v. United States* is one such landmark suit. This suit, brought by a group of children, alleges that the US government's failure to address environmental and climate change issues is damaging their future lives and that the government can be held accountable for damages. The case is being closely watched worldwide.[108]

VIDEO

Juliana v. United States: The Climate Lawsuit

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/4-6-the-right-to-a-healthy-environment)

The plaintiffs in Juliana v. United States have presented such compelling evidence of the damaging effects of climate change, and of the United States' government's decades-long knowledge of the threats of climate change, that they have forced those who once dismissed the suit as frivolous to take it seriously. Still, how the case will unfold remains unclear.

As climate change becomes an increasingly urgent issue, the implications for human rights will be a growing area of political and legal debate. The UN is actively addressing the problem and has issued guidance on the protection of climate change refugees, although the UN High Commissioner for Refugees (UNHCR) does not endorse the term *climate refugee* and notes that "it is more accurate to refer to 'persons displaced in the context of disasters and climate change.'" The UNHCR further states:

> "The impacts of climate change are numerous and may both trigger displacement and worsen living conditions or hamper return for those who have already been displaced. Limited natural resources, such as drinking water, are becoming even scarcer in many parts of the world that host refugees. Crops and livestock struggle to survive where conditions become too hot and dry, or too cold and wet,

> threatening livelihoods. In such conditions, climate change can act as a threat multiplier, exacerbating existing tensions and adding to the potential for conflicts.
>
> Hazards resulting from the increasing intensity and frequency of extreme weather events, such as abnormally heavy rainfall, prolonged droughts, desertification, environmental degradation, or sea-level rise and cyclones[,] are already causing an average of more than 20 million people to leave their homes and move to other areas in their countries each year."[109]

Climate change and disasters have forced some people to cross borders, and these people may need international protection in some circumstances. UN member countries send aid through UN organizations and may even send personnel to act under UN administration. Refugee and human rights laws, therefore, have an essential role to play in this area.[110] Climate change is a growing concern, and countries will increasingly have to address the issue of whether to recognize the right to a healthy environment.

Summary

4.1 The Freedom of the Individual

Civil liberties are guarantees of freedom from government interference that prevent the government from placing restrictions on many individual actions and choices. However, individuals live in communities, or groups of people with shared interests and values, and their actions within their communities affect other people. Community responsibilities are an individual's duties or obligations to the community—those things that are expected of individuals if they wish to remain members of that community.

4.2 Constitutions and Individual Liberties

Most countries have a formal constitution—a framework, blueprint, or foundation for the operation of a government. A constitution may be expressed in terms of negative rights, when it is written in a way that emphasizes limitations on the government, or positive rights, when it is written to emphasize the government's obligation to guarantee the people's rights. The amount of freedom of action that a constitution guarantees the individual varies by political system.

Individualist systems emphasize the importance of individuals over the importance of the community, while communitarian systems emphasize community cohesiveness while also recognizing the importance of individual freedoms. Countries vary in terms of the nature and degree to which they stress individualism or communitarianism.

Constitutionalism has three main elements: adherence to the rule of law, limited government, and guarantees of individual rights. The rule of law requires that government and private actors be held accountable under the law; that laws be clear, publicized, stable, and applied evenly; that the processes by which laws are enacted, administered, and enforced be accessible, fair, and efficient; and that justice be delivered in a timely manner by competent, ethical, and independent representatives who are accessible, have adequate resources, and reflect the communities they serve.

Due process is a legal requirement that the government respect the rights of the people. Procedural due process concerns the written guidelines for how the government interacts with a person, while substantive due process concerns the individual's right to be treated fairly when interacting with the government.

4.3 The Right to Privacy, Self-Determination, and the Freedom of Ideas

The most fundamental aspect of civil liberty is the right to privacy—that is, the right to be free from interference in thought, speech, and actions. Each society interprets what is acceptable and when there is a compelling reason for the government to place restrictions on personal decisions. Interpretations of the right to privacy change over time and vary widely around the world.

The right to free expression of ideas includes the right to free speech and the right to the free exercise of religion. Freedom of expression and religion are not absolute. Even in countries with extensive speech protections, certain types of speech, including libel, slander, obscenity, fighting words or threats, inciting lawless conduct, breach of national security or classified information, disclosures that impact the right of privacy, and perjury, are not protected.

While liberal democracies tolerate the free expression of ideas, many such countries place restrictions on the expression of ideas that are considered intolerant and in conflict with the public good. This intolerant stance on views that a government deems intolerant is referred to as the paradox of tolerance.

4.4 Freedom of Movement

Freedom of movement can be divided into two categories: the freedom to move about within one's home country and the freedom to move internationally. Around the world, international travel is more strictly regulated than domestic travel. Migration differs from international travel because the individual does not intend to return to their starting point. Immigration laws, refugee status, and open borders are all areas of

intense debate surrounding the freedom of movement.

4.5 The Rights of the Accused

The rights of the accused are intended to protect individuals if their freedom is at stake. In rule-of-law countries, police must advise individuals at the time of their arrest that they have the right to remain silent, anything they say can be used against them in court, they have a right to legal counsel, and they have a right to defend themselves in court. In all rule-of-law countries, a person held in jail has a right to demand to be brought into court and told why they are being jailed.

4.6 The Right to a Healthy Environment

Many human rights organizations assert that environmental damage, including climate change, is a violation of human rights because it impacts the ability of people to live safe and healthy lives. As climate change becomes an increasingly urgent issue, the implications for human rights will be a growing area of political and legal debate.

Key Terms

authoritarian a style of government that enforces obedience to government authority by strongly limiting personal freedom

bill of rights a list or summary of the fundamental rights guaranteed to the individual by the state; in the United States, the first 10 amendments to the US Constitution

civil liberties guarantees of freedom from government interference

civil rights guarantees of equal treatment by government without discrimination based on characteristics an individual shares with a particular subset of the population

communitarian describes a worldview that emphasizes the need for community and its values and the positive role that government plays in the lives of citizens; the idea that government exists to protect rights but also to form a political community to solve public problems

community a group of people with shared interests and values, e.g., a family, a religion, or a political group

community responsibilities an individual's duties or obligations as a part of a community, including cooperation, respect, and participation; goes beyond thinking and acting as individuals to common beliefs about society's order and the treatment of others

constitution a framework, blueprint, or foundation for the operation of a government

constitutionalism a system of government with three elements: the rule of law, limited government, and an element of individualism

due process a legal requirement that the government respect the rights of the people; a demonstration of the rule of law and the balancing of government power with individual rights

human rights inherent rights that, philosophically, can be neither given nor taken away by any government; the basis for freedom, justice, and peace in the world

inalienable describes rights that are due to all persons and, philosophically, can be neither given nor taken away by any government

individualist describes a minimalist government system wherein individuals take precedence

liberalism a system in which government actively protects individual rights

libertarianism a system in which government exists to provide a means to assist individuals in achieving their private interests

negative rights statements of individual rights that emphasize limitations on the government's ability to infringe on those rights

positive rights statements of individual rights that emphasize the government's obligation to guarantee those rights

privacy in a liberal democratic system, a space separate from public life where the individual has personal autonomy to think, speak, and behave without being monitored or surveilled by another person or the

government

responsive communitarianism a system that seeks to blend the common good with individual autonomy while not allowing either to take precedence over the other

rule of law a philosophy of how society should be ordered in which all leaders are held accountable to the law; a higher law than majority rule

Review Questions

1. What is the difference between civil liberties and civil rights?
   a. Civil liberties apply to everyone, while civil rights apply only to certain groups.
   b. Civil liberties are guarantees of freedom from government interference, while civil rights are government guarantees of equal treatment.
   c. The two terms are interchangeable.
   d. Both A and B are correct.

2. What is a community?
   a. A group of people with shared interests and values
   b. A group of people who live in the same place
   c. A group of people who belong in the same place
   d. A formally recognized group of people

3. What are community responsibilities?
   a. The government's responsibility not to interfere with any group
   b. Community members' responsibility to help each other in times of crisis
   c. An individual's responsibility to the community in order to remain a member of that community
   d. An individual's responsibility to form a community

4. How are community responsibilities carried out?
   a. Actors, including governments, cooperate with and respect others and participate in the community.
   b. Individuals act as they want and do not consider the impact of their actions on others.
   c. In each nation-state, everyone votes on all rules and restrictions on conduct.
   d. In each nation-state, an elite group decides what rules to create and enforce on everyone else.

5. In political science, what are negative rights?
   a. Rights in a constitution that are written to emphasize limitations on government
   b. Rights in a constitution that are expressed in terms of the government's obligation to guarantee the people's rights
   c. Rights in a constitution that are written to emphasize the people's responsibilities to the government
   d. Rights in a constitution that are expressed in terms of how the government may restrict certain liberties to punish individuals

6. What is the major characteristic of an individualist system of government with regard to civil liberties?
   a. An emphasis on the importance of individuals over the importance of the community, except with respect to the government
   b. An emphasis on the importance of individuals over the importance of the community, including the government
   c. A nationalist feeling that emphasizes the uniqueness of a country and its people
   d. A system based on clan or tribal allegiances

7. What does a communitarian system emphasize with regard to civil liberties?

a. Community decision-making as a form of government
b. The good of the community as defined by the government
c. The importance of individual desires over the good of the community
d. The importance of civil liberties over civil rights

8. What is constitutionalism?
a. A system that balances the freedom of the individual with limited government under the rule of law
b. A system in which the constitution is considered sacrosanct and cannot be amended or interpreted
c. A system in which the government cannot limit the freedom of the individual to challenge the constitution
d. A system that prioritizes the survival of the fittest

9. What is due process?
a. A legal requirement that the government respect the rights of the people
b. A standard that gives precedence to government power over individual rights
c. A standard that subjugates government power to individual rights
d. A legal requirement that a rule-by-law government cannot violate the law

10. _____ is considered the most fundamental civil liberty.
a. The right to marry
b. The right to vote
c. The right to privacy
d. The right to free exercise of religion

11. Governments that protect the free expression of ideas _____.
a. cannot restrict any expression
b. have never protected certain types of expression
c. can restrict expression by groups but not individuals
d. can restrict every expression

12. A hypothetical government protects the free expression of ideas but restricts the expression of ideas deemed harmful to the community. This is an example of _____.
a. due process
b. the rights of the accused
c. authoritarianism
d. the paradox of tolerance

13. Some countries have laws that restrict access to private property, including natural areas such as beaches. These laws place limits on which civil liberty?
a. Freedom of movement
b. Freedom of expression
c. Due process
d. Right to privacy

14. Passport requirements and immigration controls have been used to target certain racial and ethnic groups. This is an example of _____.
a. both a civil liberties issue and a civil rights issue
b. the paradox of tolerance
c. constitutionalism
d. negative rights

15. The right to remain silent and the right to legal counsel are common examples of _____.
   a. the paradox of tolerance
   b. the Bill of Rights
   c. the rights of the accused
   d. privacy rights

16. Much of the litigation surrounding issues of search and seizure concerns _____.
   a. the value of seized goods
   b. the degree to which the search and seizure is reasonable
   c. privacy rights
   d. the right to legal counsel

17. The writ of habeas corpus is _____.
   a. recognized throughout the world
   b. freedom from warrantless search
   c. a prisoner's right to be informed of why they are being held
   d. the right of the accused to be warned that anything they say may be used against them in court

18. Worsening climate change has contributed to _____.
   a. increased individualism
   b. religious persecution
   c. tightening restrictions on freedom of expression
   d. global refugee crises

19. Climate change threatens _____.
   a. the rights of the accused
   b. freedom of movement
   c. freedom of expression
   d. the rule of law

Suggested Readings

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Political Participation and Public Opinion

5



FIGURE 5.1 A man holds up a sign at a Black Lives Matter protest in New York City in 2020. (credit: modification of work by "Black Lives Matter Protest Times Square New York City June 7 2020" by Anthony Quintano/Flickr, CC BY 2.0)

CHAPTER OUTLINE

5.1 What Is Political Participation?
5.2 What Limits Voter Participation in the United States?
5.3 How Do Individuals Participate Other Than Voting?
5.4 What Is Public Opinion and Where Does It Come From?
5.5 How Do We Measure Public Opinion?
5.6 Why Is Public Opinion Important?

INTRODUCTION On February 26, 2012, an unarmed high schooler wearing a hoodie walked home from a convenience store and was shot dead by a neighborhood watch volunteer. The high schooler's name was Trayvon Martin, and the shooter was George Zimmerman. A special prosecutor, appointed by the governor of Florida, charged Zimmerman with Martin's death. A jury acquitted him on the grounds of self-defense, and Zimmerman was freed. While there was furious debate over the legal justifications for the acquittal and whether the jury made the right decision, Martin's death ignited a groundswell of support for his family and sparked a public reckoning with questions about institutional racism and how it should be addressed in the United States. The outcry over the trial led to the establishment of the Black Lives Matter movement, a decentralized political and social movement "whose mission is to eradicate white supremacy and build local power to intervene in violence inflicted on Black communities by the state."[1] Now known as "a grassroots, member-led network dedicated to ending anti-black racism and preventing violence against black communities," Black Lives Matter has 40 chapters throughout the United States, Canada, and the United

Kingdom that work to raise public awareness of issues such as police accountability, working conditions, and access to health care and to advocate for civil rights.[2] A majority of US adults (55 percent as of September 2020, down from 67 percent in June of that year) support Black Lives Matter, particularly after repeated publicized incidents of police brutality against minorities.[3]

Black Lives Matter, which is a broad movement that includes protests, advocacy, and public awareness campaigns, is an example of how people participate in politics. This chapter will examine the various manifestations of **political participation** as well as how we measure people's opinions about their political beliefs.

5.1 What Is Political Participation?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define political participation.
- Discuss how political participation is related to self-government.
- Explain why voting is an important type of political participation.
- Describe US voting rates.
- Compare US voting rates to those in other countries.

> "You might think it upset me that Paul Metzler had decided to run against me, but nothing could be further from the truth. He was no competition for me; it was like apples and oranges. I had to work a little harder, that's all. You see, I believe in the voters. They understand that elections aren't just popularity contests; they know this country was built by people just like me who work very hard and don't have everything handed to them on a silver spoon."
>
> —Tracy Flick, from the movie *Election*

The 1999 movie *Election*, based on a novel by Tom Perrotta, is an enduring classic and dark comedy that follows high school junior Tracy Flick (played by Reese Witherspoon) as she does anything she can to win her school election for student government president. While Tracy's actions as a political candidate lead her down an unethical path, school elections play a significant role in helping us become engaged citizens. Australian National University Professor Lawrence J. Saha and University of Sydney Professor Murray Print found that "participation in school elections serves as a beneficial experience in the preparation of students for life as an active adult citizen,"[4] and a review of 75 studies on the topic also supported the idea that running for, voting in, or otherwise taking part in student elections all had positive outcomes for future civic participation on some level.[5] While student elections may seem relatively trivial, they are an important way for students to learn how to make politically informed decisions, understand democratic values and systems, and feel like worthy participants in the democratic process.

Political Participation and Self-Government

Political participation is defined as action that expresses an individual's political will. Throughout this chapter, we will discuss the many forms these actions can take. However, it is first important to discuss the idea of **self-government**. Self-government is when the people of a given country are the ones who grant the power to govern that country, through either direct or indirect representation. Without self-government, there can be no political participation on the part of the individual. The notion of self-government has been apparent since the founding of our country, as evident in *Federalist*, no. 39, where James Madison writes that it is necessary that the country's government "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. It is *essential* to such a government that it be derived from the great body of the society, not from an inconsiderable proportion, or a favored class of it."[6] As James Madison and his colleagues wrote the Constitution that provides the framework of the American government, Madison felt that public officials must

come from society itself, not from a particular class, as they had for years in Britain.

French historian Alexis de Tocqueville agrees with this idea of self-government as elemental to American political life, writing in Chapter 9 of *Democracy in America* (1835–1840), "In America the people appoints the legislative and the executive power, and furnishes the jurors who punish all offences against the laws. The American institutions are democratic, not only in their principle but in all their consequences."[7] To be democratic means that the people, and not kings or other authoritarian figures, decide how their government and judicial system will function. Around the world today, some nations have only recently adopted or continue to strive for self-government. Modern Japanese democracy and universal **suffrage** (voting rights for citizens, both women and men) did not emerge until after the Second World War, which makes Japan a relatively young democracy. In Canada, self-governance for Indigenous peoples remains an ongoing discussion. Crown-Indigenous Relations and Northern Affairs Canada (CIRNAC) works as an intermediary between Canada and First Nations, Inuit, and Métis peoples, the three main Indigenous groups in Canada. While Indigenous groups have persevered to create more autonomy for their people, their struggle to achieve self-governance continues. As Canadian author and researcher Jenny Higgins writes:

> "Many Indigenous people . . . see self-government as a way to preserve their culture and attain greater control over their land, resources, and administration of laws and practices that affect their lives. Indigenous groups argue they have an inherent right to self-government because they were the first people to govern Canada and did not willingly surrender their autonomy to European settlers; this argument is supported by the Canadian Constitution and was acknowledged by the federal government in 1995."[8]

While the Métis Nations of Alberta, Ontario, and Saskatchewan came to a self-governance agreement with the Canadian government in 2019, many people and nations still have not achieved self-government, and without this, complete political participation cannot be realized. The next sections will discuss the various avenues of participation that exist for people within democratic governments.

VIDEO

Métis in Canada Granted Right for Self-governance

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/5-1-what-is-political-participation)

In this short video, Canadian Minister of Crown-Indigenous Relations Carolyn Bennett signs three agreements granting the the Métis peoples the right to self-government.

Why Is Voting Such an Important Form of Political Participation?

Self-government also means that the people are considered sovereign, meaning there is no power above the people. In self-governing states, the people elect public officials to government positions so those officials can represent the people's beliefs and craft policies to express their will. In this way, voting is an important manifestation of both self-government and political participation—the most important, some argue, because it is the primary mechanism by which the people ensure that their government represents them. Another way to put it is to say that voting is what makes government *fair*, despite the many forces that prevent it from being fully representative. As Supreme Court justice Earl Warren wrote in his decision regarding *Reynolds v. Sims (1964)*, the right to direct representation is a bedrock of our democracy.[9] In this case, the Supreme Court ruled in an 8–1 majority decision that electoral districts have to be of equal population to ensure equal representation, reinforcing the idea of *one man, one vote* (or rather, one person, one vote). The ideas that each person has a vote in American democracy, that their vote is equal in power to another person's vote, and that each person should exercise their vote are considered not only normal but normative (desirable.)

Voter Turnout in the United States

Considering how important it is to vote, why don't more Americans vote? Voter turnout refers to the percentage of **eligible voters**, or voters who meet the requirements of their localities or states, who cast a ballot in an election. Many consider **voter turnout** to be low in the United States compared to other industrialized nations (see chart below), though the 66 percent of eligible voters who cast a ballot in the recent 2020 election represented the highest recorded voter turnout in a US election since the 1980s.[10]

SHOW ME THE DATA

Suffrage in the United States

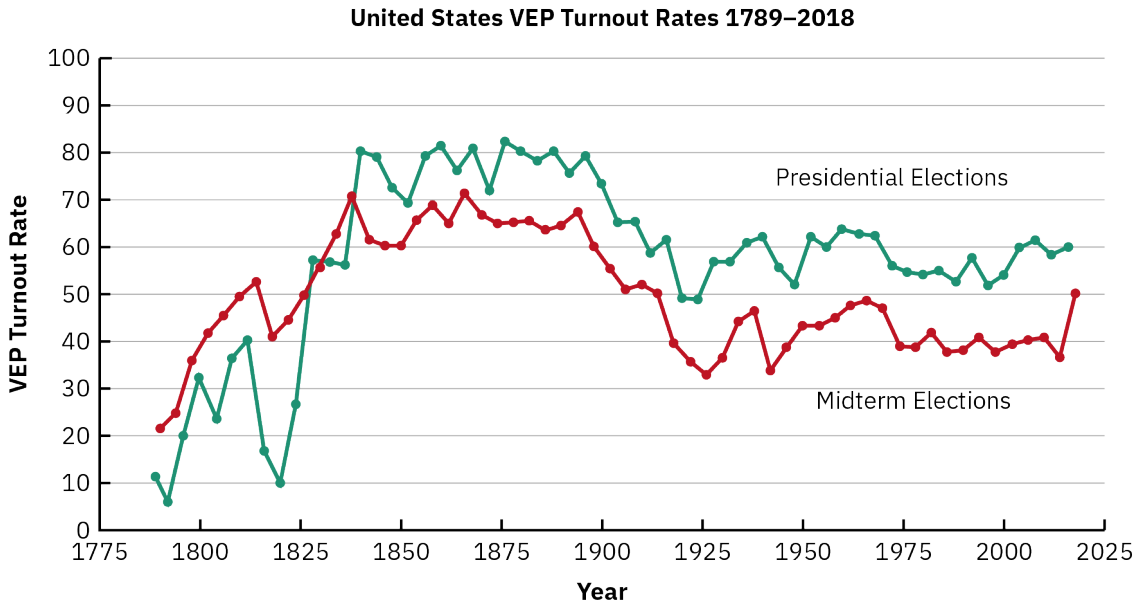


FIGURE 5.2 This graph of turnout rates among the voting eligible population (VEP) in the United States shows that a major shift occurred in the first half of the 19th century with regard to the emphasis voters' placed on presidential elections. (source: United States Election Project; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Looking at the graph of turnout in the United States, one can see that it has not been consistent over time. This is due to factors such as the expansion of suffrage, or the right to vote. At the time of the country's founding, only White landowners over the age of 21 could cast a ballot unless otherwise specified by individual states. By 1856, landowning requirements had been eliminated, expanding voting rights to all White male citizens. In 1870, the 15th Amendment recognized the right of all men to vote regardless of race, but it was not until 1965 that the Voting Rights Act addressed persistent race-based barriers to voting, such as literacy tests and poll taxes. The crusade for full voting rights for women in the United States solidified at a convention in Seneca Falls, New York, in 1848. It was not until 1890 that states began granting women the right to vote in national elections in piecemeal fashion.[11] Finally, in 1920, the passage of the 19th Amendment secured full suffrage for women. Four years later, the Indian Citizenship Act granted Native Americans full citizenship, making them theoretically eligible to vote, although they remained disenfranchised in practice in many states. Asian Americans were not granted citizenship and voting rights until the passage of the McCarran-Walter Act in 1952. Finally, in 1971, the 26th Amendment lowered the voting age from 21 to 18. In the Constitution, the second article of the 14th Amendment specifies voting rights for male citizens older than 21. During the United States' involvement in the Vietnam War, young men were eligible for the draft beginning at age 18; the 26th Amendment was introduced to allow US citizens aged 18 and older the right to vote based on the

principle that it was grossly unfair for the country to ask men to fight in a war when they could not vote on the representatives who were sending them into battle.[12]

Despite the historical expansion of the number of eligible voters in the United States, forces that hinder full voter participation persist. External factors can affect voter turnout. After a voter turnout peak in the early 20th century, events such as World War I, the influenza pandemic of 1918, World War II, and the Vietnam War affected not only how many people could vote but also whether they could access the ballot box.[13] Historically speaking, absentee voting, in which people cast a ballot by some method other than reporting to their usual polling place, was not as common as it is today. Off-year elections, when a president is not on the ballot, also tend to result in lower voter turnout. Later parts of this chapter will more fully examine individual and institutional-level causes of low voter turnout in the United States.

Voter Turnout in Other Countries

How does US voter turnout compare to turnout in other countries? In 2016, out of 35 Organization for Economic Cooperation and Development (OECD) countries, the United States ranked 30th out of 35 in terms of turnout.[14] Why do other countries tend to have higher levels of participation? European University Institute and Trinity College Professor Mark N. Franklin, in his analysis of European and American voters, found that political salience, or the ability of voters to connect their actions (voting) with a political outcome, affected voter turnout and that both the United States and those European countries with lower voter turnout, such as Switzerland, exhibited low political salience.[15] In other words, people do not vote if they don't feel like their vote will have any effect. Conversely, when voters feel that their vote does have power, they are more likely to vote. In his study of voter turnout in industrial democracies, University of California Professor Robert W. Jackman provides a multiplicity of reasons for higher turnout in countries other than the United States, including unicameralism (a government with a single legislative body) and compulsory voting, in which citizens face penalties for not voting.[16] Other scholars have suggested that proportional representation, a system in which parties gain seats in proportion to the number of votes cast for them, also raises voter turnout because voters feel as though they have a better chance of being represented within government.[17] Scholars have likewise identified a correlation between higher levels of **social capital** and political participation in South Korea[18] as well as in Argentina, Mexico, Chile, and Peru.[19] Social capital, or the social networks that optimally connect people and work with one another, has been dropping since the 1950s in the United States, and this trend has correlated steadily with, among other things, lower voter turnout.[20]

SHOW ME THE DATA

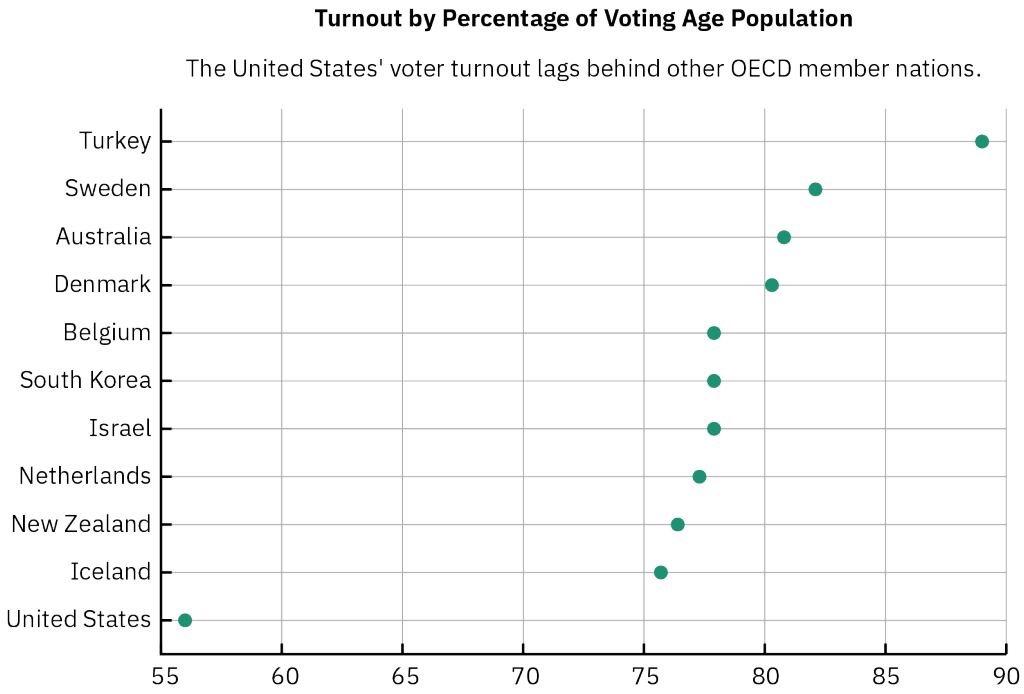


FIGURE 5.3 As this graph shows, between 2015 and 2020 voter turnout rates in the United States lagged behind those in many other OECD (Organization for Economic Co-operation and Development) member nations. (source: US News & World Report; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

5.2 What Limits Voter Participation in the United States?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain how individual characteristics can limit political participation.
- Explain how institutional characteristics can limit political participation.
- Articulate each characteristic and how it affects participation.

In the 2016 US presidential election, 100 million Americans didn't vote. A Knight Foundation study found that nonvoters have less trust in the electoral system and consume less news and information compared to voters. Notably, among nonvoters, dislike of the candidates was the most commonly cited reason for not voting.[21] While this landmark study of 12,000 nonvoters sheds light on the reasons why people don't participate in the democratic process, this chapter will further discuss in detail why full voter participation remains elusive.

What individual-level characteristics affect voter turnout in the United States? University of Montreal Professor and Canada Research Chair in Electoral Democracy Ruth Dassonneville explains that few variables consistently affect different aspects of voting as much as age.[22] The older voters are, the more likely they are to show up to the polls. The relationship is considered curvilinear, meaning younger voters are much less likely to vote; likelihood of voting increases steadily as voters hit middle age, followed by a "soft" decline in the oldest age categories.[23] Why do older voters turn out at higher rates? Some studies suggest that as voters age, voting becomes more of a habit, and that people are more likely to coalesce around the idea of voting.[24] Case Western Reserve University Professor Robert H. Binstock, a leading researcher on seniors' voting behaviors, has several suggestions as to why age predicts voting. For one, the older a voter is, the more likely they are to pay attention to things such as having to register, which is a precursor to voting. In addition, Binstock notes that the length of

residence in one's home also predicts voting and that seniors are the most likely of all voters to have resided in a single place for longer periods of time.[25] Other researchers have found correlations between higher levels of media consumption in older voters and a greater propensity to vote.[26] In addition, people over the age of 65 tend to vote more because they better understand the relationship between governmental policies that affect them, such as Social Security, and their ability to influence policy makers through political participation.[27] On a more basic level, older people usually have more time on their hands.[28] As people retire and their children leave the house, they have more time to become politically active. However, as the graph in Figure 5.4 indicates, turnout across all groups has risen in the last two election cycles.

SHOW ME THE DATA

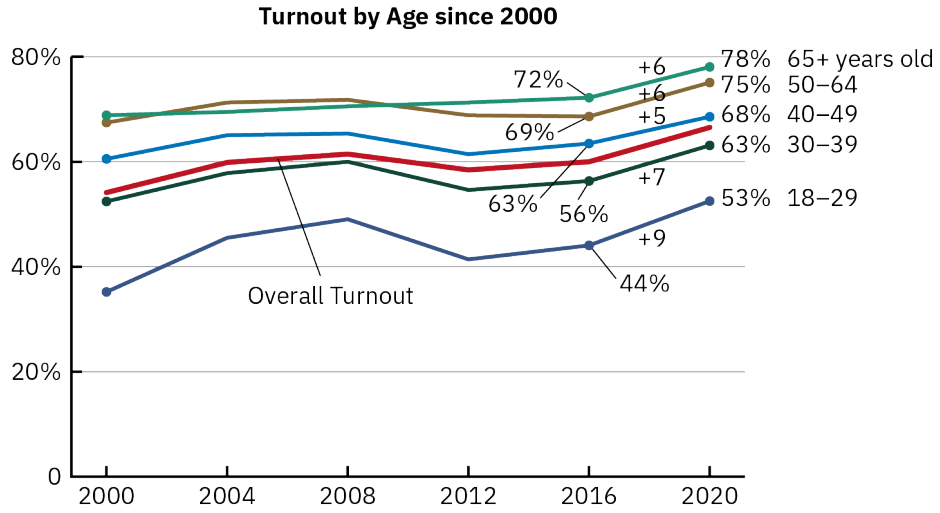


FIGURE 5.4 While turnout among all groups has risen in recent US elections, older Americans still vote at the highest rates. (source: US Census data; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Income is another individual-level variable that helps explain voter turnout. University of Warwick Professor Christopher J. Anderson and Duke University Professor Pablo Beramendi have found that those earning below the median income are less likely to vote than people earning above the median income and that as income inequality increases, people with lower levels of income are decreasingly likely to vote.[29] The founding executive director of progressive think tank Data for Progress, Sean McElwee, explains that those with lower incomes do not believe their vote influences political outcomes, while the wealthy do believe their vote counts and are therefore more likely to turn out to vote.[30] Wealthier voters also tend to have greater access to the polls. They don't face the same barriers to voting that many voters at lower income levels face, such as having to rely on public transportation or experiencing difficulty registering to vote.[31] A recent study of the 2020 US election found that some of the reasons for lower participation among low-income voters were the inability to take time off of work, missing voter registration deadlines, and not being able to find their polling places.[32] The same study also found large disparities between those making over $75,000 and those making less than $40,000 in terms of their likelihood of voting at all. Internationally, and on a more macro level, economic development will have an impact on participation rates "because economic hardship can result in voter apathy and lead people to withdraw from politics and focus on meeting their basic needs." In addition, economic development affects education levels, which in turn affects voter participation.[33]

SHOW ME THE DATA

US Eligible Voter Population Change, 2000 to 2018

	2018 Eligible Voter Population	Change, 2000–2018	% of Total Increase
Hispanic	29,831,000	15,544,000	39%
Black	29,210,000	6,884,000	17%
Asian	10,302,000	5,663,000	14%
Other	6,793,000	2,431,000	6%
White	157,538,000	9,774,000	24%
Total	233,675,000	40,298,000	

Net non-White 76%

Note: Eligible voters are adult US citizens. White, Black, and Asian adults include those who report being only one race and are not Hispanic. Hispanics are of any race. Differences between numbers and percentage increase are computed before the underlying estimates are rounded.

FIGURE 5.5 Most of the growth in the electorate since 2000 has come from Hispanic, Black, and Asian eligible voters. (source: Pew Research Center analysis of 2018 American Community Survey and 2000 decennial census. "The Changing Racial and Ethnic Composition of the US Electorate"; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Race is another factor that influences voter turnout. In the United States, White people have historically voted at substantially higher rates than voters of Asian or Latina/Latino descent, with the gap ranging from 15 to 20 percentage points.[34] Asian American turnout has never reached the 50 percent mark, but the 2020 election saw a 63 percent increase in Asian American and Pacific Islander voter participation in Georgia compared to 2016, and Joe Biden's win in the state is partially credited to this seismic shift.[35] Black turnout has historically been higher than that of other minority groups, and any history of low turnout among Black people can be attributed to **voter suppression** policies and local laws that were not officially reversed until the passage of the Voting Rights Act in 1965. Since then, and notably since the 1980s, Black turnout has been steady. In 2012, Black turnout percentage reached an all-time high, surpassing White turnout in the presidential election that returned Barack Obama, the first Black president, to office for a second term.[36] Research on Latina/Latino (Latinx) turnout has shown that the group is not a monolith and that several different factors contribute to any understanding of Latinx voter participation. For example, the longer a Latinx voter has lived in the country, the more likely they are to vote, and differences among Cuban American, Mexican American, and Puerto Rican voters diminish after controlling for socioeconomic factors.[37] However, as illustrated in Figure 5.5, minority voters will only continue to grow in proportion to the population, and it is reasonable to think that their rates of voter participation will rise as well.

What about gender? In 1980, the numbers of eligible male and female voters who reported voting were roughly the same, around 62 percent. Since then, increasingly more eligible female voters have voted than men. By 2016, the gap had widened by 4 percentage points, with the total number of female voters exceeding the number of male voters in every election since 1964.[38] Women turn out in higher numbers for a variety of reasons. Feminist movements have normalized female participation in politics, and the campaign platforms of Republicans in the 1980s—along with the rise of the Christian Right, which espoused traditional family values at the expense of policies such as equal pay and family leave—may have unintentionally mobilized women to vote in higher numebrs.[39] Not only do women turn out at higher rates, but they also tend to exhibit voting preferences that differ from men's. While men and women showed similar voting preferences in 1964, since

1976, the gap between their preferences has consistently widened.[40] The polls leading up to the 2020 US election illustrated a "gender canyon," with a projected 15 percent gender gap between men, the majority of whom supported the Republican candidate, and women, who supported the Democratic candidate[41]—although this gap narrowed in the actual election to just 7 percentage points, a notable change from the 13-point gap observed in 2016.[42] Globally, gender as a factor in turnout depends on the country. The lowest rates of female participation in elections are found mainly in countries in the Middle East, North Africa, and Asia. Female participation is lowest in Pakistan, while women participate at higher rates compared to men in 21 of 58 countries included in an International IDEA study,[43] notably including Belarus, New Zealand, Russia, and Trinidad and Tobago.[44]

Aside from demographic factors, other individual-level attitudes also affect who participates in politics. A 2006 Pew Research Center study found that individuals who agreed with the statements "I am interested in local politics," "It is my duty as a citizen to always vote," "This election matters more," and "I feel guilty when I don't vote" were all much more likely to be registered and regular voters than individuals who disagreed with those statements.[45] Subsequent studies found that interest and duty drive political participation.[46] As mentioned earlier in this chapter, political efficacy also affects turnout, and historically, declining levels of trust, interest, and efficacy have been shown to lower political participation.[47] Multiple scholars also support the theory that **voter fatigue**—the idea that voters face too many elections and too many electoral decisions—depresses participation,[48] and University of California Professor Arend Lijphart suggests that less frequent elections would boost participation.[49]

In addition to demographic and individual-level characteristics, institutional forces can affect political participation. Voter registration requirements are one of the biggest institutional limits on political participation. Unlike countries such as Japan, Australia, Belgium, Germany, and Sweden, which all have automatic voter registration[50] whereby the government automatically registers citizens to vote, the United States relies on individuals and states to set up registration requirements and procedures. States that have adopted automatic voter registration (AVR)—in which the state automatically registers voters, usually through the Department of Motor Vehicles—have shown increases in the number of registered voters. As Figure 5.6 indicates, most voters in the United States register through the Department of Motor Vehicles. A 2019 study showed that AVR increased voter registration in seven states plus the District of Columbia, controlling for all other factors.[51] Of the 80 million Americans who did not vote in the 2020 election, almost 30 percent cited being unregistered as the top reason they did not go to the polls.[52]

SHOW ME THE DATA

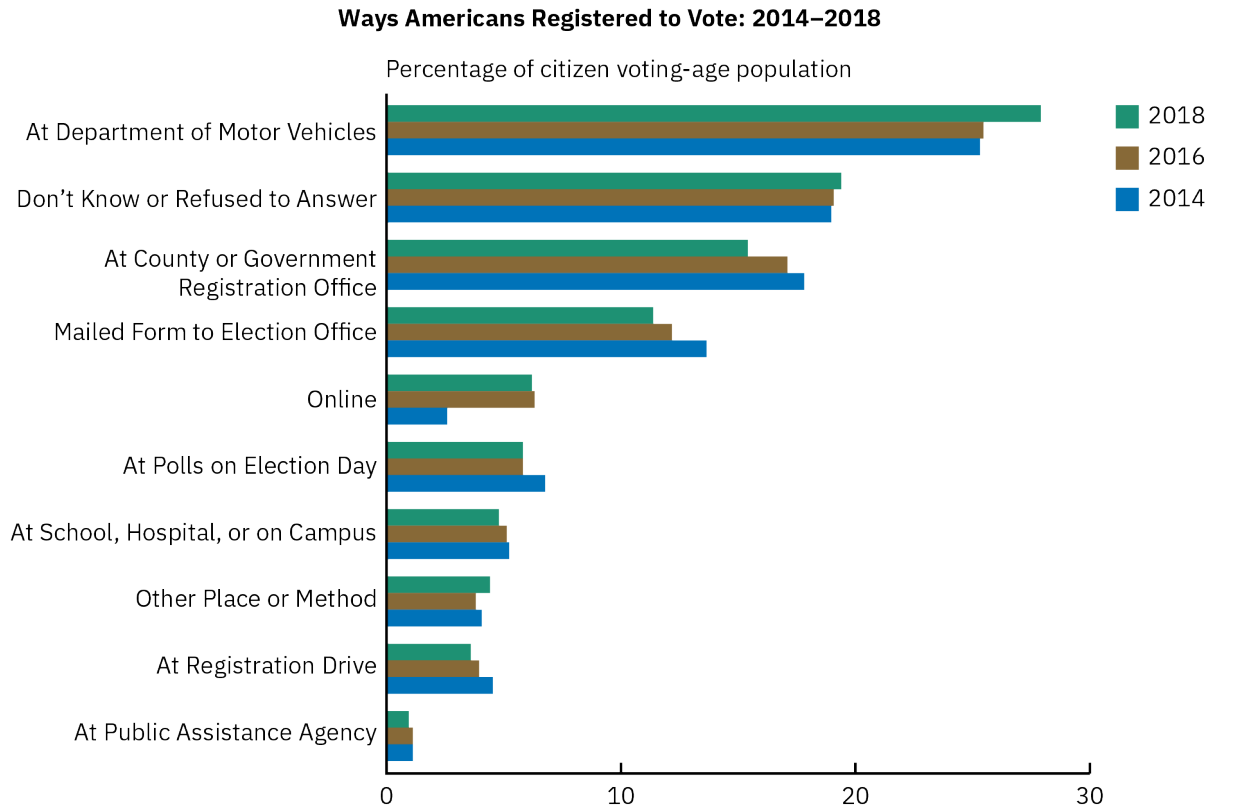


FIGURE 5.6 According to US Census data, between 2014 and 2018 most voting-age American citizens registered to vote at a department of motor vehicles or through a county or government registration office. (source: US Census Bureau, Current Population Survey Voting and Registration Supplements: November 2014, 2016, 2018; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Sarina Vij, writing for the American Bar Association's (ABA's) *Human Rights* magazine, notes that minorities are disproportionately affected by institutional barriers such as voter ID laws and decreased access to polling places and voting materials.[53] Voter ID laws require individuals to present an ID, most commonly a driver's license or passport, in order to vote. Individuals who lack government-issued identification are more likely to be, among other demographics, non-White. Vij indicates that lack of access to polling stations, another institutional barrier to participation, also tends to significantly disadvantage poor and minority voters. Access to actual voting locations goes hand in hand with availability of voting materials; younger, less educated, and non-White voters often cannot find necessary information about what is on the ballot or where they should vote, and they often meet with language barriers as well.

Additional institutional restrictions on voting access have resulted in what some believe to be widespread voter suppression. A 2020 Harvard University study noted that restrictions on voter registration drives, new restrictions on early voting and voting by felons, voter roll purges, closure of polling places, restrictions on student voting, elimination of same-day voter registration, and unchecked **gerrymandering** (the manipulation of the boundaries of voting districts in order to favor one party over another) all contribute to lowered political participation.[54] Historically, codified laws in the United States such as **Jim Crow laws** prohibited Black voters from the ballot box. These laws used literacy tests, poll taxes, and stringent residency requirements to make voting more difficult. Even more horrific, in some regions of the United States, Black voters faced the threat of lynchings: "Slave patrols, the Ku Klux Klan and less formally organized groups of whites used beatings,

burnings and hangings to constantly remind blacks of their inferior status and to prevent the use of their newly acquired freedoms to work and vote."[55] Jim Crow laws remained in effect until 1965, when the passage of the Voting Rights Act formally outlawed racial discrimination in voting.

The Voting Rights Act reflects the power that political institutions can have both to act as counteragents to racism and to promote political participation. In 1966, Congress passed the 24th Amendment, which abolished poll taxes. The states ratified the amendment in 1964. In 1975, Congress added language to the original Voting Rights Act requiring localities to provide multilingual voter information, and it further expanded voting rights to protect Americans with disabilities in 1982.[56] Globally, European Union (EU) countries such as Austria, Malta, Scotland, and Wales have made voting more accessible by lowering the voter age to 16. Other institutions that can affect people's levels of political participation include religious groups and organizations. Denison University Professor Paul Djupe and Southern Illinois University Professor J. Tobin Grant found that religious institutions can encourage political participation by recruiting members to be part of the political process and highlighting their involvement as having political consequences.[57]

5.3 How Do Individuals Participate Other Than Voting?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Discuss forms of political participation other than voting.
- Explain individual-level versus group-level participation.
- Explain how the concept of social capital affects why people participate in political activities.

The official website of the United States Senate includes a "Historical Highlight" titled "Constituents Tell Senator How to Vote (https://openstax.org/r/constituents-tell)," which notes that shortly after the first Senate convened in 1789, its members began receiving letters about how they should vote, and that the presumed right of the people to instruct their elected representatives extends back to colonial times.[58] This is still true today. Americans are free to call, email, or write their elected representative with their concerns or to appeal for help, and this type of activity is considered political participation. What other forms of participation exist?

The first two sections of this chapter examined why voting is such an important form of political participation and exposed some of the major barriers to voting in the United States. While voting is important—and, for some people, difficult—there are a multiplicity of other ways to become involved in politics. This section will discuss individual-level actions that are considered important forms of political engagement.

Writing or calling an elected official is an important form of political participation and is also part of how free speech is understood in the United States. The First Amendment to the US Constitution guarantees freedom of speech. Part of the reason the Constitution guarantees free speech is to preserve every citizen's right to criticize the government. This is not true in many non-democratic countries around the world, where dictators squash public disapproval of their actions. The ability to contact elected officials to criticize or suggest changes is a crucial part of self-government. Free speech, and the extent to which Americans can exercise it, depends on time, place, and content. It is crucial in part because it "aids the political process"[59] and supports the marketplace of ideas that is essential to self-government.

WHERE CAN I ENGAGE?

Contacting Your Representatives via Email, Letter, or Phone

If you are an American, it is very easy to contact your elected officials with any concerns you might have, be they about a local ordinance, such as whether you can walk your dog off of its leash, or about one of the president's executive orders. The Internet makes it easy to email officials, though you can always write a letter or make a call as well. The US government has a website (https://openstax.org/r/has-a-website) that allows people to find their local,

state, and nationally elected government officials.

Another way to express political opinions and engage in political activity is through volunteering. Unlike voting, which skews toward older individuals, "the percentage of young Americans engaged in regular volunteer activity nearly equals that of their Baby Boomer parents,"[60] and while young people might not vote, many participate in a variety of civic engagement activities that can be considered just as important as voting. Volunteerism and voluntary association in groups, be they a formal political group or a neighborhood recycling committee, are important forms of civic engagement because these types of activities teach us how to participate in democratic life.[61] What does a volunteer for a political campaign do? Volunteers help candidates and parties by knocking on voters' doors and explaining policies one-on-one, phone banking (making calls to potential voters to sew up support), stuffing envelopes with campaign literature, distributing yard and window signs, helping people register to vote, and sometimes even transporting voters to the polls. Volunteering for a political campaign is important work because "volunteers' door-to-door canvassing can make a difference in turnout—particularly in elections where turnout is typically low, such as those in mid-term election years."[62] Interestingly, while US voter participation rates are lower than rates in other developed countries, "the rates of political participation—that is, taking part in public life in ways other than voting—tend to be far higher than in other countries."[63] A Pew Research Center survey of 14 countries from around the globe showed that beyond voting, political participation rates were relatively low. The study notes that "attending a political campaign event or speech is the second most common type of participation among those surveyed," while "fewer people report participating in volunteer organizations (a median of 27%), posting comments on political issues online (17%), participating in an organized protest (14%) or donating money to a social or political organization (12%)."[64]

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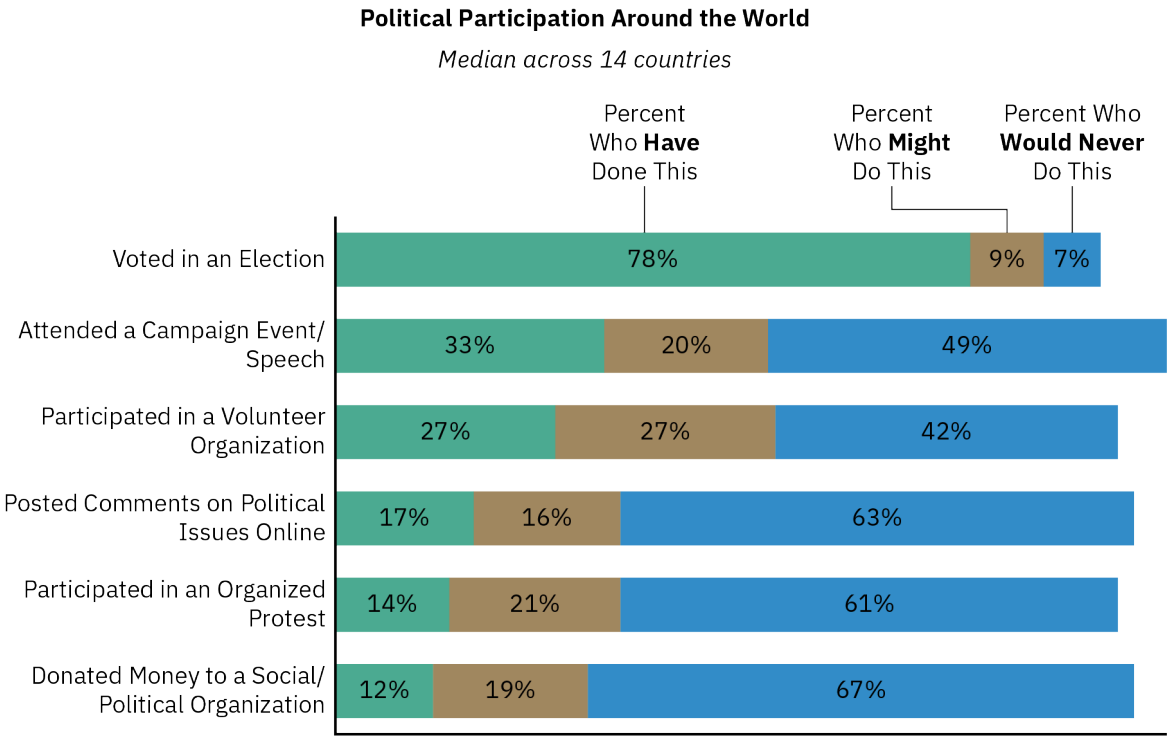


FIGURE 5.7 Beyond voting, political participation around the world is relatively low. (source: Pew Research Center Spring 2018 Global Attitudes Survey. Q63a-f; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Compare the data in Figure 5.7 for countries around the world to the data in Figure 5.8 for the United States, where people report higher levels of political engagement across similar activities:

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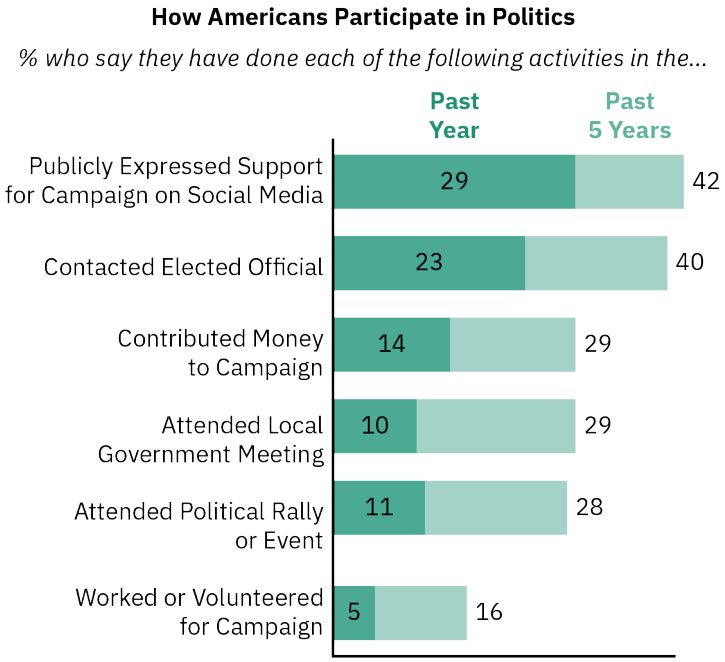


FIGURE 5.8 More Americans engage with politics digitally than by volunteering or attending rallies. (source: Pew Research Center survey of US adults conducted Jan. 29-Feb. 13, 2018; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Donating money is also a form of political participation (Chapter 8: Interest Groups, Political Parties, and Elections will discuss the role of money in elections in greater detail). Political donations, which the Supreme Court has protected as a type of political speech, allow people to feel like they are participating in politics without leaving their homes or picking up a phone, thanks in part to the ease of online donating. Not everyone who donates is a millionaire. While the cap on individual donations to a single candidate is $2,900, voters can also give up to $5,000 to a political action committee (PAC), $10,000 to state and local political parties, and $36,5000 to the national committee.[65] Individuals need not be wealthy to contribute to the candidate or party of their choice. The *Wall Street Journal* profiled a 34-year-old office manager and Bernie Sanders supporter who donated to the Sanders election campaign by giving in three-dollar increments up to 20 times a day.[66] Not everyone who contributes gives the maximum of $2,900, but their collective donations add up to a significant amount of money: Close to a quarter of all money raised in the 2020 election cycle came from people who gave less than $200.[67] This movement toward small donors signifies a positive change in political participation: instead of a small number of very wealthy individuals contributing money, this type of grassroots fundraising creates a chance for broader civic participation.[68]

Donating money to political campaigns and candidates looks different in other countries. The United States limits how much any individual or group can donate, and countries such as Belgium, Canada, Chile, France, Greece, Iceland, Ireland, Israel, Japan, South Korea, Poland, and Slovenia limit both how much individuals can donate and how much campaigns can spend donations. For example, the donation limit in Canada, which increases by Can$25 at the beginning of each year, was Can$1,650 (roughly US$1,320) total per person as of 2021.[69] In France, the donation limit was €4,600 (roughly US$5,300) per candidate and €7,500 (roughly US$8,650) per political party as of 2019.[70] Some other countries place *no* limits on donations (or on spending),

including Australia, the Czech Republic, Denmark, Estonia, Germany, Luxembourg, the Netherlands, Norway, Spain, Sweden, Switzerland, and Turkey.[71]

Some forms of political participation, such as being informed, discussing issues, and using social media, don't entail the same level of energy or expense as contacting elected officials, volunteering, or donating money, but they can be just as important and influential. Scholars note that while there are many ways to be involved in politics, people often learn about politics through discussion, and being informed allows people to make good decisions about how to vote in their best interests.[72] While keeping informed about politics may not seem like political participation the way that voting or volunteering does, educating oneself is perhaps the most important precursor to becoming more fully involved. This can mean reading about politics in the newspaper or listening to a podcast, but it may also take the form of either face-to-face or online discussions. In the run-up to the 2020 presidential election, the *New York Times* created an online feature called "How to Participate in Politics."[73] In it, a section called "How to Talk about Politics" encourages people to talk in person, find common ground, listen, focus on the issues, and know when to stop talking. The founders of the Common Ground Committee, an organization that sponsors public forums that bring together leaders from different backgrounds to discuss politics,[74] wrote an opinion piece in which they explained very simply that the reason people need to learn how to discuss politics is so that we can reduce ignorance and fear and create productive outcomes.[75]

You may not be able to imagine a world without a smartphone or social media, and these two technological advances have marked a significant shift not only in how we communicate with one another, shop, and look for information but also in how we participate in politics. Currently, a quarter of Americans get their news from a website or news app, and close to 20 percent use social media. More specifically, in one study conducted from October 2019 to June 2020, 40 percent of people aged 30–49 and 48 percent of people aged 18–29 reported that they got most of their political news from social media.[76] Fake news and misinformation may proliferate easily online, but studies have found that both information recall and short-term learning are positively correlated with social media use.[77] In terms of political engagement, scholars have found that social media increases participation and people's sense of political agency and that after being exposed to information online, individuals tend to feel more efficacious.[78] Finally, a meta-study (a study that summarizes multiple studies on a similar topic) found that, overall, social media use is highly correlated with participation in civil and political life.[79] It is important to note that this relationship is not *causal*—use of social media does not lead to political participation, or vice versa—but the two activities appear to be decidedly related.

But why do people turn to social media when they want to find out about politics or make their views known? Simply put, it has never been so easy. We are all broadcasters when we have a social media account. With social media, we feel we can both acquire information and vocalize our views, and these activities are a type of political participation. The ease is also what makes social media a hazardous environment for political information and participation. Almost anyone can generate news anywhere, unchecked, and that news can travel at speeds faster than previously possible. An MIT study found that "falsehoods are 70% more likely to be retweeted on Twitter than the truth, and reach their first 1,500 people six times faster."[80] More problematic, the same study found that falsehoods are also more likely to change people's opinions. How do we harness social media for good—that is, so that it helps us acquire information and feel more knowledgeable—while fixing its problems? A separate MIT study found that crowdsourcing ratings—in other words, asking people to "grade" information they saw online—works to reduce the spread of fake news.[81] Another study found that when people took the time to assess the accuracy of online headlines, they were more likely to spot fakes.[82] Compared to television and radio, our relationship with social media is still nascent, and there is room for improvement in how we use it for political purposes.

This chapter has looked at how individuals can participate in our political process, either through voting or by engaging in a myriad of other activities. But how can we participate as part of a group? Earlier parts of this chapter discussed how volunteering is a powerful form of individual-level participation. This section will examine how groups and being a part of these groups also acts as a form of political participation.

In the United States, if you don't know which candidate you want to support, or if the next election is still far in the future, an easy organization to become part of, support, and work for is a political party. If you take a look at the Democratic National Committee (DNC) website (https://openstax.org/r/democratic-national), you will see that volunteers do many different things, including hosting fundraisers and organizing local events for politicians to attend.[83] The Republican National Committee (RNC) also has a sign-up portal (https://openstax.org/r/the-republican-national) where people can volunteer to be part of their fundraising, phone-banking, and door-knocking efforts.[84] Congressional elections take place every two years, and political parties do not suspend their activities in the interim. They are always looking for individuals to help them achieve their goals. As former House Speaker Tip O'Neill once said, "All politics are local," and you can volunteer for state and local party organizations, many of which are not as well funded as national campaigns and rely on volunteer help. Current House Speaker Nancy Pelosi made a name for herself fundraising for local politicians, then for California state candidates, before she ran for office herself. Being part of a party can introduce you to people with shared interests and train you for further involvement in politics.

Working for a political campaign is another form of political participation that anyone can engage in. The work of campaigns rests on the shoulders of volunteers. Much like working for a political party, being part of the volunteer staff for a campaign entails making and answering phone calls about a candidate, stuffing envelopes, soliciting donations, distributing campaign literature, knocking on doors, helping register candidates, and doing whatever other work the campaign staff needs. Many people donate their time because they believe in a particular candidate, while others find it is a good way to introduce themselves to the work of politics. Whatever the aim, volunteering for a campaign is an important, often rewarding form of participation that can serve to create new social networks.

MEET A PROFESSIONAL

Griffin Neal, Regional Campaign Manager

Please explain what you do for your organization.

I am a former grassroots coordinator and current deputy campaign manager for Congressman Mike Johnson's (LA-04) reelection campaign.

How did you get involved in your position?

I studied public policy and journalism at the University of Mississippi. To be frank, there isn't much schooling that can prepare you for the operational side of a campaign. It's a slog: long nights, early mornings, fast food, and more phone calls than the human ear was built to withstand. However, my degree in public policy provided me with the requisite knowledge of the policy-making process—and politics in general—which allowed me to engage directly with would-be voters on the issues. More importantly though, my degree program emphasized extracurricular involvement, particularly in campus politics. I began volunteering on campaigns as a freshman, ran for office my sophomore year, ran another campaign junior year, and then joined the dark side as a senior, when I became executive editor of the campus newspaper. Ultimately (and unfortunately), campaigns aren't all too dissimilar from campus elections.

What advice would you give students who are interested in your line of work?

Reach out to the grassroots coordinator or volunteer coordinator. Immediately. The vast majority of campaigns—from city council to Congress—are understaffed. Volunteering on campaigns isn't a glamorous job, nor will it immediately pay well. However, being affiliated with a campaign is one of the premier ways to involve yourself in politics. Whether you're passionate about a candidate or using it as a conduit to eventually work in politics, campaign work offers the best insight into the political process. And because most campaign staffs are overworked, the opportunities for growth and upward mobility are endless. I started with the Johnson campaign in August of

2020, handling volunteer engagement and distributing yard signs; three months later I was doing election night TV hits[85] with local media. As for actually getting involved with the campaign, if you're hoping to volunteer with an official seeking reelection, reach out to their office. They can connect you with the requisite campaign staffers. If you're hoping to work with a new candidate, most campaigns have either an email or phone number connected to their social channels, as well as on any would-be website. Ninety-nine percent of the time, the first call is all you'll need to get involved, but it's important to follow through on your request. If you offer to volunteer for a campaign, make sure to outline expectations with your boss and let them know of any potential conflicts—that way, the volunteer coordinator will know how and where they can maximize you as a volunteer. One last piece of advice: take the project no one else wants to take; it will pay dividends in the long run.

Another way to become involved with a political group is through protests and social movements. Earlier sections of this chapter showed that in comparison to other demographic groups, Asian Americans have low levels of political participation. However, in 2021, after a year of increased violence against members of the Asian community and a shooting incident that left six Asian women dead at an Atlanta business, Asian American–led protests surged across the country, leading the president, the vice president, and members of Congress to investigate the number of rising hate crimes against Asian Americans and formulate a policy response.[86]



FIGURE 5.9 In 2021, Asian Americans led protests against the rise in anti-Asian hate crimes in the wake of COVID-19. (credit: "03.20.21_Solidarity Against Hate Crimes (200)" by Paul Becker/Flickr, CC BY 2.0)

In this way, protests are a good example of how people working collectively can participate in politics to successfully call attention to a cause. This is not only an American phenomenon. Researchers have found that protests continue to play an important role in Latin American countries as a way for people "to achieve certain political objectives and to express policy demands."[87] Even in authoritarian countries where freedom of expression is not protected, protests function as an important form of political participation. While rural and urban voters may exhibit different characteristics, such as differing levels of education, both can still engage in protest as a way to demand accountability from the government.[88]

Much like everything else in our world, protests have also migrated from the streets to the online sphere. E-petitioning—that is, signing petitions online as opposed to in-person—has been found to mobilize communities to solicit support for policy recommendations, and studies show that policy makers take these types of online protests into account. For example, online activity after the 2012 shooting at Sandy Hook Elementary School spurred President Obama to explicitly and publicly acknowledge the widespread online petitions in support of reforming gun laws.[89] Protest movements are often associated with younger people—think Tiananmen Square (https://openstax.org/r/tiananmen-square) or anti-Vietnam movements—and young, savvy protestors tend to be active online. After the Marjory Stoneman Douglas High School shooting in Parkland, Florida, in 2018, the

New York Times ran an article with the headline "How the Parkland Students Got So Good at Social Media." The article described an online protest, fueled entirely by people who had yet to even enter college, that was hugely successful in garnering public support and keeping gun control issues front and center.[90] Academics echo the notion that while younger generations may seem apathetic and unlikely to participate in traditional ways, "the political identity and attitudes of young citizens are . . . seen to be increasingly shaped less by their social ties to family, neighbourhood, school or work" and more "by the manner in which they participate and interact through the social networks which they themselves have had a significant part in constructing,"[91] thereby creating "new forms of networked young citizenship."[92] In this way, the combination of protests and the online world creates a new avenue for political participation that is just as important as traditional, offline engagement.

Protest movements "swept the globe [in 2019]—so widely that some experts said there were more protests, and more protesters, in 2019 than at any other time in history."[93]

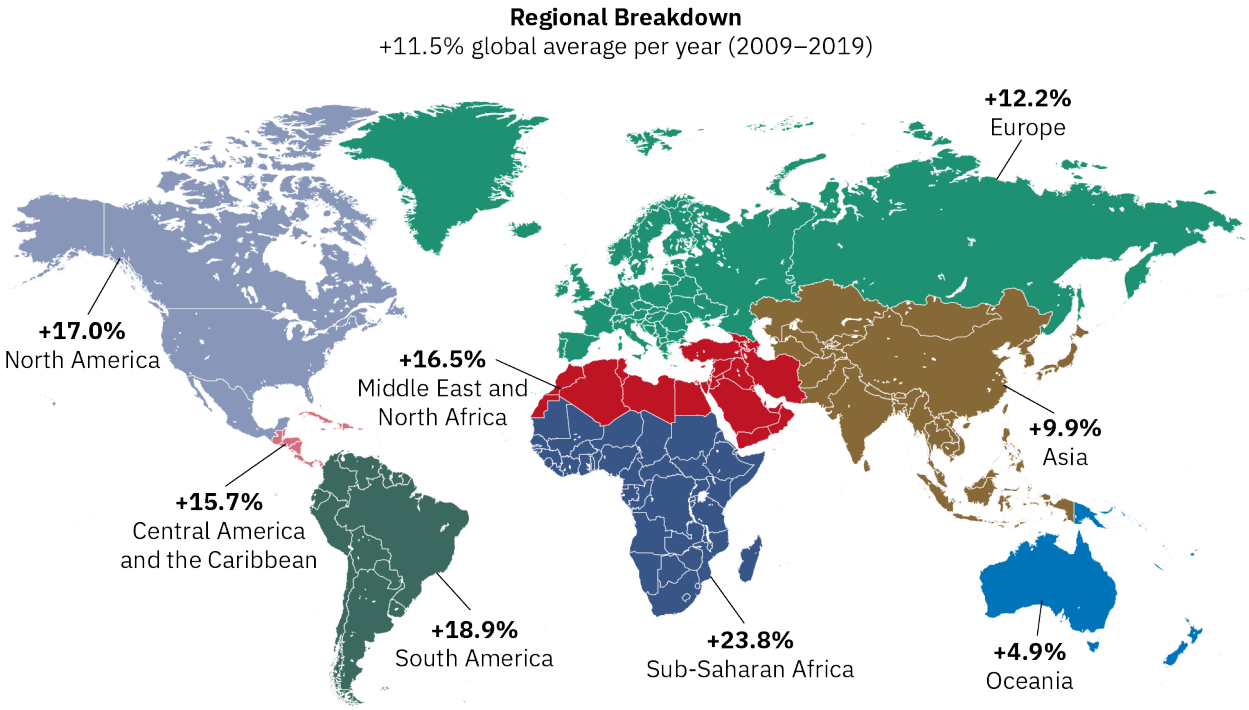


FIGURE 5.10 There was a considerable increase in global protest movements between 2009 and 2019. (source: Samuel J. Brannen, Christian S. Haig, and Katherine Schmidt, *The Age of Mass Protests: Understanding an Escalating Global Trend* Washington, DC: Center for Strategic and International Studies, March 2020; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

The Center for Strategic and International Studies (CSIS) found that factors such as slowing global economic growth, worsening effects of climate change, and foreign meddling in internal politics contribute to the growth of protest movements worldwide.[94] One notable example is the Umbrella Movement, a pro-democracy movement in Hong Kong that adopted its name in 2014 after the umbrellas that protesters used to shield their identities from Chinese officials, block pepper spray and water cannons, and defend against police clubs. Having become a symbol of the resistance, umbrellas are now considered "weapons" by the Chinese government and are increasingly difficult to purchase online.[95] Hong Kong, which was once a British colony, reverted to Chinese rule in 1997 under a "one country, two systems" arrangement whereby Hong Kong would be allowed some continued autonomy and its citizens would have more rights than those in mainland China. However, in June 2019, the Chinese government enacted plans to allow the extradition of Hong Kong citizens to China, a move that protesters said would subject citizens of Hong Kong to unfair trials and target activists and journalists. Though the extradition bill was withdrawn, activists in Hong Kong believe that China will

continue to dismantle their legal rights and continue to protest against Beijing in order to protect their independence.[96] Tensions between pro-democracy advocates in Hong Kong and Chinese party officials only continued to escalate as prosecutors alleged that the protests were a security threat and interfered with government functions. By March 2021, after the protests had largely been quelled by COVID-19 pandemic restrictions and "a harsh national security law" passed in June 2020, Chinese officials had arrested more than 10,000 pro-democracy protesters, and more than 2,400 had been charged.[97]

VIDEO

Hong Kong Protests: Why 'Umbrella Revolution'? BBC News

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/5-3-how-do-individuals-participate-other-than-voting)

In this video, visual artist Kacey Wong explains why the Hong Kong protest movement adopted the name 'Umbrella Movement.'

Another major international protest movement was the Arab Spring, one of the most prominent social movements of the 2010s, which started when a Tunisian street vendor lit himself on fire as a form of protest against the country's authoritarian government. This single act set off a wave of protests across North Africa and the Middle East, resulting in regime changes and modest political, social, and economic gains in several countries, but also still-ongoing protests and violence.[98] Ten years after the Arab Spring, Tunisia remains locked in civil unrest and protests, driven mainly by economic unease as successive governments have failed to close the gap between the rich and the poor. As in Hong Kong, Tunisian protesters have been jailed, abused, and prosecuted by the government, and the Tunisian Human Rights League (LTDH) has estimated that 30 percent of the 1,400 protesters arrested so far are minors.[99]

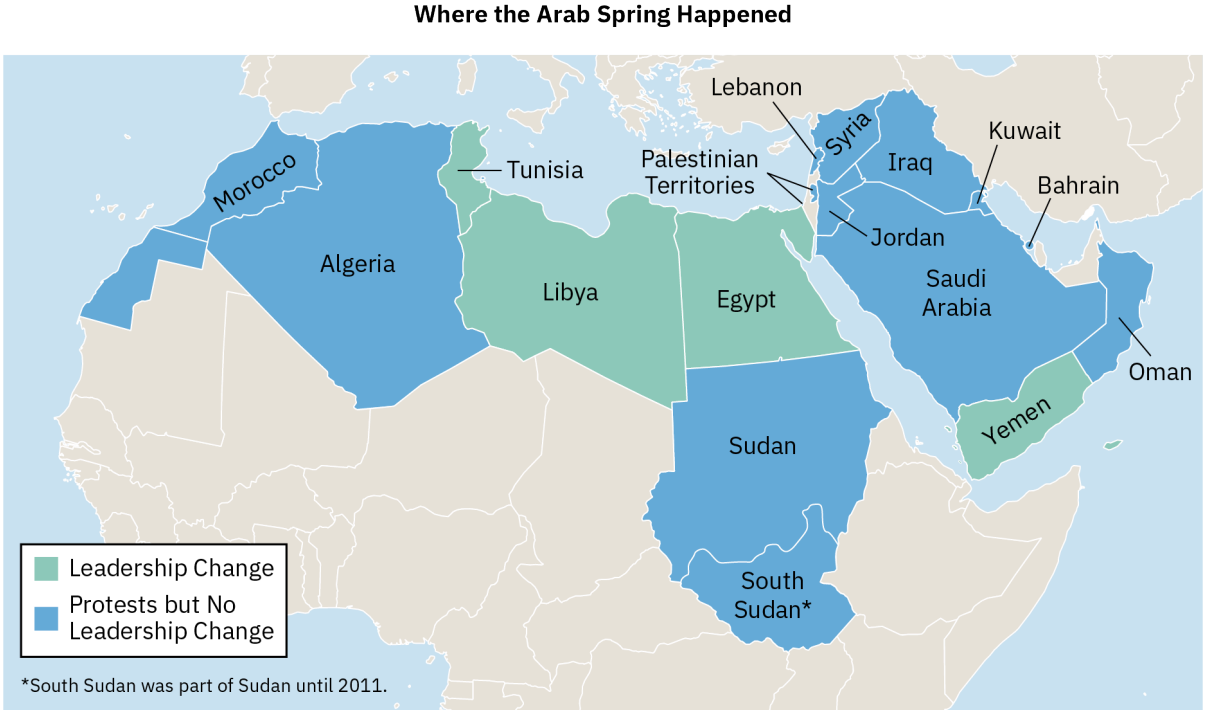


FIGURE 5.11 While governments in North Africa and the Middle East pushed back against the movement, the Arab Spring was influential, and it resulted in leadership change in Tunisia, Libya, Egypt, and Yemen. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Pro-democracy protests such as the ones in Hong Kong, North Africa, and the Middle East show that Americans' ability to advocate and protest on behalf of their beliefs should not be taken for granted.

Much of this chapter has examined how people can participate more fully in democracy, whether through voting, writing an elected official, volunteering, reading about politics, or posting their views online. But how can we create an environment where more people participate in the political process? One answer lies in the production of what is called social capital. Social capital is the idea that individuals form connections that benefit their own interests and that these social networks in turn produce communities that create norms of reciprocity. In other words, being well-connected can help you personally, but it also creates a group of networked people who feel obligated to help one another in positive ways. As Harvard University Professor Robert Putnam writes in his seminal work *Bowling Alone* (2000), "Your extended family represents a form of social capital, as do your Sunday school class, the regulars who play poker on your commuter train, your college roommates, the civic organizations to which you belong, the Internet chat group in which you participate, and the network of professional acquaintances recorded in your address book."[100] All of these groups are examples of how relationships can facilitate social interaction and participation. Studies of social capital around the globe have shown that if we can increase social capital, we can bolster political participation. A study on social capital and its effects on political participation in Japan, which has a notoriously low political participation rate relative to its regional peers, found that social networking fueled participation.[101] Studies in Latin American have likewise found a robust relationship between the production of social capital and political participation. A study of Mexico, Chile, Peru, and Argentina found that greater involvement in *non*political activities leads to more participation in explicitly political ones. Fostering interpersonal trust and organizational involvement outside of politics pushes people to be more politically active.[102]

Just as social media can be an outlet for political participation, it can also increase social capital. In an early study on Facebook and political participation, researchers found a small but noticeably positive relationship between use of the social media site and the production of social capital.[103] As social media has become increasingly prominent in our lives, subsequent studies have revealed that it continues to play a role in social capital and participation, possibly in more influential ways. University of Salamanca and Penn State University Professor Homero Gil de Zúñiga, Tennessee Tech University Professor Nakwon Jung, and University of Wisconsin Professor Sebastián Valenzuela found that seeking information via social networking sites was a positive and significant predictor of social capital and civic and political participatory behaviors, both online and offline. They posit that social networks show how "learning about what happens around us and in our community, reflecting on it, and discussing it with others constructively affects the political realm; as well as it facilitates a cohesive community by enabling citizens to engage in civic action."[104] One study of Nigerian university students found that social media enhanced students' levels of political engagement, particularly around national elections.[105] The researchers note that their study bolsters assertions made by researchers in the United States social media on social capital production and participation know no geographic limits. Finally, older individuals benefit from use of social media as well; Crowdsourcing and Innovation expert Lee B. Erickson at Penn State found that Facebook appeared to facilitate different types of social capital for users over the age of 65.[106]

The creation of social capital is an important concept in political science, and that social capital can be created in a variety of ways, even through social media. In an article in the journal *Political Psychology*, Ronald La Due Lake and University of California Professor Robert Huckfeldt explain, "Social capital produces an important political consequence by encouraging wider participation in democratic processes."[107] The creation of social capital is a difficult task in a world that makes multiple demands on our time, from commuting to what feels like ever-expanding work hours. However, given the repeated evidence of the effects of social capital on enhancing political participation, it raises the question: Is social capital as important as things like voter registration reforms in terms of encouraging the broader public to vote?

5.4 What Is Public Opinion and Where Does It Come From?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define public opinion.
- Describe the different types of public opinion.
- Detail the external influences that affect the development of an individual's opinion.

Political participation is an important measure of the health of a democracy, as popular involvement serves as a source of its legitimacy. However, the public cannot be expected to carry out the responsibility of making the government run. People have jobs, families, and other pressing concerns, and while it is always important to be involved somehow—whether by voting, writing officials, or reading about politics—we elect public officials to represent our interests and to serve as experts in ways we cannot. But how do elected officials know what we want? Voting is certainly a good proxy for understanding how people feel, but it does not provide a great deal of detail for public officials to understand public sentiment on certain issues. This is where the concept of **public opinion** is very important. Being able to gauge what people want is an integral part of the rationale behind democratic government.

Public opinion is the aggregation of individual views that represent the feelings that people hold on an issue at a given point in time. Not all people have opinions on all topics, and therefore another way to define public opinion is to say that it represents the views of ordinary citizens that they are willing to express openly. People's opinions can change for many reasons, so it is also important to recognize that a public opinion poll is a measure of how people feel at the particular moment when the poll was conducted. By measuring public opinion, elected officials throughout government gain insight into what people think should be done about certain issues.

There are some issues where the majority of the public shares the same opinion, otherwise known as the **majority opinion**. For example, in a 2020 Harvard University poll,

- 80 percent of Americans surveyed agreed with the statement "Without our freedoms, America is nothing";
- 93 percent stated that they believe clean air and water are basic rights;
- 92 percent supported the right to a quality education;
- 92 percent supported racial equality; and
- 89 percent agreed that affordable health care is a right.[108]

Because each of these figures represents more than 50 percent of those surveyed, these views may be considered representative of the majority opinion. However, this definitely does not mean that the majority of people have opinions on all issues or even share a common point of view. For example, a farmer may have a strong opinion on federal agricultural subsidy programs, while a dentist may not. As Stanford University Professor Jon Krosnick writes, "American citizens vary a great deal in terms of the personal importance they attach to their attitudes on public policy issues."[109] While people may not know everything about every issue, they are likely to hold strong opinions about the ones that are most important to them. The theory of **issue publics** states that the American electorate is made up of multiple small groups that care about single issues, rather than a public that cares equally about all issues. The opinion not of the broader public but of business, political, and other cultural elites—that is, **elite opinion**—represents the views of one of these small groups.

Where do people's opinions come from? In one of the seminal works on the topic, aptly named *Public Opinion* (1922), journalist and political commentator Walter Lippmann writes, "We can see how indirectly we know the environment in which . . . we live."[110] In other words, we acquire most of our information secondhand, not through personal experience, and myriad external forces influence our opinions. We can broadly categorize these forces. Demographic groups are one of the most influential of these external forces. Think about your age, your race or ethnicity, and your gender. These demographic characteristics can influence how people feel about certain issues or candidates. For example, Black Americans are twice as likely as Asian or White

Americans to agree with the statement that not enough attention has been paid to the January 6, 2021, riots at the United States Capital. Black Americans are also more likely to attach a high level of importance to prosecuting the Capitol rioters, by a margin of approximately 20 percentage points over other racial groups.[111] It is not unreasonable to attribute Black Americans' opinions to the unfair treatment they have experienced at the hands of a historically prejudiced justice system, and through this example, we can see how self-identification affects people's opinions. On the issue of Brexit, or Britain leaving the EU, the thrust of the debate centered on immigration, and opinion polls on the topic illustrated a stark divide based on demographics. College-educated individuals in the UK were much less likely to hold anti-immigrant views, with 20 percent of college-educated Britons saying they would not accept a Muslim as a family member, compared to 43 percent of less educated Britons.[112]

Social groups also affect our opinions on politics and public officials. Think about who you spend time with: your friends, your family, a sports team, your classmates, and your coworkers. These social groups have a strong impact on how we think about issues. In other words, and to paraphrase Vincent Price, it is not so much where we stand on the issues but *with whom we stand*.[113] Perhaps your parents were lifelong Democrats, and this is why you tend to vote Democratic. If you work in the world of finance, you will likely be surrounded by conservative thinkers, and this may lead you to espouse lower taxes. These people—your social groups—influence how you think about an issue, and the opinions you form will reflect your association with these groups. This process by which people assimilate to group values is also called **socialization**.

CONNECTING COURSES

Sociology is the study of groups, human connections, social influences, and cultural forces that shape our relationships and personal worldviews. Sociology and political science naturally overlap. Both disciplines are considered social sciences; that is, they both examine human societies and groups. By understanding the broader theories of sociology, political scientists can gain insight into social norms and organizations as they relate to political institutions and actors.

The set of beliefs, principles, or doctrines that guide one's views of how the government should work is referred to as their **political ideology** (political ideology is covered in more detail in Chapter 3: Political Ideology). Political ideology can act as a framework that directs people's thinking on political issues. Identifying as a liberal or a conservative, for example, will influence how you feel about particular issues. As John Hopkins University and Harvard Professor V. O. Key writes, "For many persons the policy position of their party, as they perceive it, may strongly affect their own policy preferences."[114] Liberals tend to support government programs, intervention, and social reform, and thus if you view yourself as a **liberal**, you will also likely support measures such as government-sponsored health care and government-sponsored programs for minorities. Conservatives, on the other hand, generally do not believe in government intervention and tend to maintain that governmental control means fewer individual freedoms. Therefore, individuals who identify as **conservative** are likely to consider increased taxes for things such as social welfare programs unnecessary and an infringement on people's ability to make and keep the money they have earned. The title of the first chapter of Walter Lippmann's *Public Opinion*, "The World Outside and the Pictures in Our Heads," refers to the idea that our opinions depend a great deal on the worldview we assemble for ourselves. Political ideology is one of these "pictures" to which Lippmann refers; we rely on ideology as a cue to how we should react to various ideas. In Britain, ideology also affected how people felt about Brexit. A majority of the Conservative Party (60 percent of Tories) supported leaving the EU, while 70 percent of Liberal Democrats and 53 percent of Labour Party members supported *remaining* as part of the EU.[115] In this way, we see that ideology is a factor across nations in terms of our opinions.

Sometimes we look to specific people in our lives to form opinions on politics. Social researchers Bernard Barelson, Paul Lazarsfeld, and William McPhee quote James Bryce as saying, "There is the active class [of

person], who occupy themselves primarily with public affairs, who aspire to create and lead opinion."[116] Otherwise known as **opinion leaders**, these people can shape ordinary voters' opinions, either purposefully or inadvertently. Who are opinion leaders? As Barelson, Lazarsfeld, and McPhee note, opinion leaders may be bankers or mayors, or they may be "near-by influencers."[117] John Stuart Mill describes the idea in a slightly different way: "The mass do not now take their opinions from dignitaries in Church or State, from ostensible leaders, or from books. Their thinking is done for them by men much like themselves, addressing or speaking in their name, on the spur of the moment."[118] In other words, anyone in your social circle or someone you see through the media, and increasingly social media, can be an opinion leader, and you may consciously or subconsciously take their views into consideration when forming your own opinions. This is not to say that elite public figures are not opinion leaders. Northwestern University Professor Benjamin Page and Columbia University Professor Robert Shapiro's study on presidential influence on public opinion, for example, found that presidents who are popular do, in fact, have the ability to sway how people think about issues.[119] However, it is important to reiterate that anyone can be an opinion leader: "In the course of casual daily conversation the political pundit of the work group, the bridge-playing wife of a political 'active,' the well-informed neighbor—these and others may well convey the relevant political sentiment to a more or less passive audience."[120] Opinion leaders are people whose words you value—or, as University of Pennsylvania Professor Elihu Katz and Columbia University Professor Paul Lazarsfeld famously explain, all social strata generate their own opinion leaders "horizontally," and opinion leaders in your own immediate environment can be just as instrumental in informing your opinions.[121] Sometimes these opinion leaders are people we see in the media, and sometimes opinion leaders have influence because they are frequent media consumers. For more on this subject, see Chapter 12: The Media.

It feels reasonable to believe that our family, coworkers, and important figures can affect our thinking, but multiple studies have also shown that the media can influence *how* we form our opinions. George Washington University Professor Robert Entman asserts that the media contributes to what people think about as well as to their political preferences and evaluations.[122] Early works from V. O. Key note that the media may exert a particularly significant influence on opinion in the short run, on people with lower levels of information, and on opinions regarding certain issues, such as international affairs or those with which individuals have minimal personal experience.[123] Similarly, Page and Shapiro found that the media was particularly powerful in shaping opinions on foreign affairs,[124] and how the media frames stories about presidents has been shown to influence voters' evaluations of political leaders.[125] Studies on poverty and crime have also shown that the way the media frames an issue can influence public opinion on these issues.[126] Chapter 12: The Media looks further into the relationship between the media and politics, but suffice it to say that a plethora of research exists to substantiate the claim that on different levels and to varying degrees, the media does influence public opinion.

5.5 How Do We Measure Public Opinion?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe different methods of measuring public opinion.
- Explain the shortcomings of these methods.

Earlier in this chapter, we discussed how writing to public officials is an important facet of political participation. Before we had a good way to measure public opinion, constituent letters were one of the few ways officials could gauge how the public felt. The advent of public opinion polls provided a scientific way of identifying and measuring opinions. Social scientist Jean Converse, in her history of the field, writes that surveys can be traced back 2,000 years but were forged in the 20th century as a way to understand mass populations and societies and to gain insight into elites.[127] Over time, polls and surveys have become more precise through careful sampling and improved techniques. A **sample** is a group selected by a researcher to represent the characteristics of the entire population, and because we can never poll the entire population,

getting the right sample is important to the accuracy of any poll. But how can we accurately gauge the opinions of the whole country on a sample of 1,400 or 2,000 people? The way the sample is drawn affects its accuracy. In the most common method, **probability sampling**, researchers randomly choose samples from the larger population. This method requires that everyone has an equal chance of being part of the sample and that they are randomly selected, which allows researchers to make generalizations about the larger population. If a researcher chooses people at random from a population, it is likely that their views will match the opinions of the larger population as a whole. These types of samples are often generated through **random digit dialing**, in which respondents are chosen at random by a computerized phone number generator. Researchers then use these randomly generated phone numbers to reach people at home and ask them about their opinions. While random digit dialing has been the go-to for decades, the decrease in landlines, increased adoption of cell phones, and increased time that people are at work have all contributed to the decreased reliance on home-based phone numbers. A *Los Angeles Times* article found that Internet-based surveys and automated interviewing systems (as opposed to live pollsters) were particularly accurate and may reflect a shift in how researchers measure public opinion moving forward.[128]

The difficulty of reaching people for polls is not just an American phenomenon. Researchers in Japan have found steep decreases in responses to nationally conducted surveys, with the steepest declines in metropolitan areas and among younger demographics. Scholars point to increased commute times, longer work hours, and higher mobility among younger Japanese as contributing to this problem.[129] Sampling in countries facing violence or instability can be a serious—and dangerous—problem for pollsters. James Bell, director of international survey research for the Pew Research Center, notes that when Pew conducted polls during civil unrest in Ukraine and Venezuela, polls needed to be conducted face-to-face rather than by phone. In addition, sometimes the data acquired in polls must be processed locally if pollsters cannot immediately evacuate the area.[130]

WHAT CAN I DO?

The Importance of Empirical and Quantitative Skills

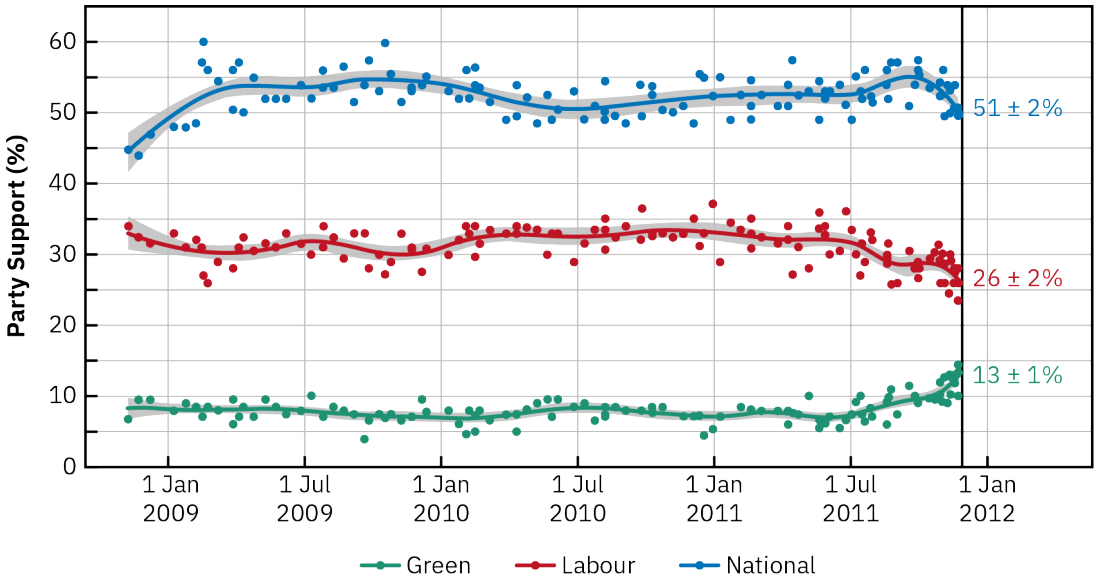


FIGURE 5.12 This graph shows support for political parties in New Zealand between 2009 and 2012, according to various political polls. (credit: "File:NZ opinion polls 2009-2011 -parties.png" Mark Payne, Denmark/Wikimedia Commons, CC BY 3.0)

Everyone loves a good public opinion poll. As you'll see in other chapters, data from polls are utilized throughout

society, from the media to candidates running for office, and even to decide what gets included in legislation. However, being able to properly understand what the data are telling us is a skill that is developed and can be utilized in a wide range of areas. If you can look at a set of numerical data or observable facts and reach an informed conclusion about what is happening—for example, about whether a group of voters prefers a certain candidate or if a group of residents wants a park built in their town—this is really no different from determining if a group of consumers prefers brand X bread or brand Y bread. In the modern digital era, we have a wealth of information at our fingertips. Being able to properly understand and interpret that information is a skill that is becoming fundamental in today's workforce.

There are also "nontraditional" sampling methods, which may be less scientific but offer certain benefits. One nontraditional method is a **convenience sample**, which, as the name suggests, is a sample based on convenience rather than probability. If you do not have the funds to create a poll based on a probability sample and random digit dialing, you might instead ask your classmates or your coworkers to respond to your survey with their opinions on the last election. While this method is both convenient and easy, we cannot extrapolate much from the information beyond the sample from which it is drawn. Another type of polling method is called **cluster sampling**, in which researchers divide the overall population into clusters, based on characteristics such as shared cities or schools, then randomly select people from within those clusters to poll. This type of sampling is cheaper than probability sampling, but the results are also not quite as representative because they are not randomly drawn.

How reliable are polls? One of the most basic issues with a poll is a sample that is too small, which leads to **sampling errors**. Generally speaking, the larger the sample, the less chance of error. A typical sample of 1,500 people will have a sampling error of approximately 2.6 percent, which is generally considered an "acceptable" margin of error in public opinion polling. This means that out of 1,500 respondents, if 60 percent say that the LA Lakers is their favorite NBA team, due to sampling error, the true figure could be anywhere between 57.4 percent and 62.6 percent who prefer the Lakers. The smaller the sample, the larger the error.

The methods by which respondents are contacted can also affect a poll's accuracy. According to the Centers for Disease Control and Prevention (CDC), in 2020, 83 percent of Americans aged 30–34, 74.5 percent of those aged 35–44, and almost 60 percent of those aged 45–64 used cell phones exclusively.[131] This trend away from landlines can contribute to **selection bias**, whereby the sample drawn is not representative of the population being studied. In this case, any sample drawn from people using landlines would probably skew heavily toward individuals who are much older and those who are likely to be at home more often.

The design of the survey itself can limit a poll's accuracy. Question wording, interviewer bias, and response bias can all lead to **measurement error**, or limitations in response validity due to survey design problems. Questions should be worded in a straightforward manner in order to solicit a truthful response. Studies have shown that alterations in question wording, also known as **question wording effects**, change how people respond to polls and surveys. For example, University of Chicago Professor Kenneth Rasinki found that even the slightest changes in wording altered people's support for government spending,[132] while Cornell University Professor Jonathon Schuldt, Indiana University Professor Sara Konrath, and University of Southern California Professor Norbert Schwarz found that responses changed depending on whether they used the term "global warming" or the term "climate change."[133] Bias that stems from the identity of the individual conducting the interview known as **interviewer bias**, can also change people's opinions. For example, Princeton University Professor Daniel Katz found that the social class of the interviewer had an effect on survey response,[134] while a study of breast cancer patients found that response rates to surveys were higher when the race of the person administering the survey was the same as that of the respondent.[135] Similar effects have been found when interviewers are of different genders.[136] In other words, people sometimes respond differently based on the gender of the person conducting the survey.

Inaccuracies can also arise from **response bias**, when respondents inaccurately report their true opinions for

one reason or another. One famous example of response bias is called the "Bradley effect." This theory refers to a phenomenon observed in the 1982 California gubernatorial race between Tom Bradley, a Black man, and George Deukmejian, a White man of Armenian descent. In polls leading up to this race, Bradley was shown to be in the lead, but he ultimately lost by a narrow margin. The theory behind the Bradley effect is that White voters are unlikely to admit to bias against minority candidates, and as such, polls may overestimate support for a minority candidate. Also known as **social desirability bias**, this type of response bias occurs when respondents give the answer they think they *should* give, and not what they really feel.

5.6 Why Is Public Opinion Important?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain the need for public opinion polling.
- Analyze the way public opinion is used vis-à-vis policy making and in politics.
- Discuss the role of public opinion in a globalized world.

Despite the potential difficulty of obtaining poll results that accurately reflect the views of the people, polls remain an important component of participatory democracy.

The Declaration of Independence, which laid the framework for American democracy, states that governments "deriv[e] their just powers from the *consent of the governed*" (emphasis added). If the people's will creates the foundation for any representative government, then public opinion polling acts as the instrument by which the people are heard and consent is granted. Elections are the people's recourse when the government ignores their wishes. But is there evidence that public opinion influences government policy? Studies by several researchers, including Northwestern University Professor Benjamin I. Page and Columbia University Professor Robert Y. Shapiro (1983),[137] University of Washington Professor Paul Burstein (2003),[138] and Vanderbilt University Professor Larry Bartels (1991),[139] support this assertion. In a *New York Times* opinion piece, University of North Carolina Professor James Stinson writes, "When public opinion changes, demanding for example more or less government, government responds in the demanded direction. And it does so quickly."[140] One need not look far to see the simple relationship between public opinion and policy outcomes: President Barack Obama was elected by a public that overwhelmingly agreed that the economy, jobs, and health care were their top priorities.[141] As such, his policy agenda reflected these concerns. At the top of his list was an economic stimulus package and, of course, the Affordable Care Act. In a way, we can understand public opinion and its influence on policy as a chicken-and-egg relationship: the public alerts elected officials of their preferences, and these officials then try to sell their solutions to the public as the best course of action. This relationship further underscores the importance of public opinion in our democratic process. Polls allow voters to assess choices and, in the most idealistic sense, provoke people to think about issues and alternatives. In this way, the very acts of polling and being polled are also important parts of the democratic process and encourage people to become informed and aware.

Public opinion also plays a crucial role in our globalized world. In an interview with the Council on Foreign Relations, political psychologist Steven Kull of WorldPublicOpinion.org (https://openstax.org/r/worldpublicopinion) explained, "If policy practitioners want to promote international cooperation, they can pretty much see public opinion as a kind of ally in this process—not in every case, of course, but this is a tendency on that side."[142] In simpler terms, another reason it is important for Americans to understand global public opinion is that it gives us the ability to view the world and ourselves from a different perspective.

SHOW ME THE DATA

US President

*% who have **confidence** in ____ to do the right thing regarding world affairs*

	Bush						Obama								Trump				Biden	Summer–Fall 2020
	'01	'03	'05	'06	'07	'08	'09	'10	'11	'12	'13	'14	'15	'16	'17	'18	Summer '19	'20	Fall '20	Change
	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	%	
Germany	51	33	30	25	19	14	93	90	88	87	88	71	73	86	11	10	13	10	79	▲69
France	20	20	25	15	14	13	91	87	84	86	83	83	83	84	14	9	20	11	72	▲61
UK	30	51	38	30	24	16	86	84	75	80	72	74	76	79	22	28	32	19	65	▲46

Highest Rating Lowest Rating

Note: All changes shown are statistically significant.

"British, French and German Publics Give Biden High Marks after US Election"

FIGURE 5.13 This table makes it possible to compare the results of opinion polls of French, German, and UK citizens regarding the likelihood that recent American presidents would "do the right thing" in world affairs. (source: Pew Research Center Fall 2020 Global Attitudes Survey. Q28.)

For example, the graph in Figure 5.13 illustrates how Britain, France, and Germany viewed recent US presidents in fall 2020 and how much confidence they had in the incoming Biden administration. Understanding how people in other countries view the United States is important "because popular sentiments and resentments constrain what a government (even in a not-particularly-democratic nation) can do."[143] In this way, understanding public sentiment is not only important *within* countries; it is vital when working across nations. Public opinion is crucial for elected officials to gauge public sentiment and understand how to engage in diplomacy because "US leaders' credibility in the eyes of foreign publics is critical in shaping attitudes toward US foreign policy."[144] Public opinion is thus vital for understanding not only how the public views its own government but also how the US government engages with other countries.

If public opinion works to legitimize governments, and if we are reliant on sound polling practices in order to gauge public sentiment, we must care about the future of public opinion polling as an industry. As an article in *Atlantic* points out, "Public-opinion polling was one of the last ways we had to understand what other Americans actually believe. If polling doesn't work, then we are flying blind."[145]

Despite the inherent and explicit importance of public opinion, the practice and science of polling faces new challenges. In the 2016 presidential election, an overwhelming number of pollsters inaccurately predicted that Hillary Clinton would win the presidency over Donald Trump. Again in 2020, the polls overstated the margin by which Joe Biden would take the White House. If polling is subject to scientific rigor, how did this happen? Some attributed the inaccuracy of the polls to an underweighting of voters without college degrees, who turned out in great numbers to propel Donald Trump to the presidency, and an overexuberance of Biden supporters to respond to polls, respectively. Other explanations included the fact that large swaths of undecided voters did not decide on their vote until the last minute, particularly in 2016.[146] Accuracy in polling is increasingly hampered by modern-day facts, including the decreasing likelihoods that people will own a landline, be at home during the day to answer pollsters, or respond to polls in general due to lowering levels of public trust. Another suggestion is that those people who actually respond to polls are not representative of the population in general and that their responses skew the accuracy of polls in a way that has yet to be addressed through advanced polling techniques.[147] Despite these rational explanations, the 2016 and 2020 presidential elections show that while both state and national polls face challenges in portraying public sentiment accurately, the

importance of valid opinion polls is self-evident. As Vanderbilt University Professor Joshua Clinton explains, while elections can tell us who wins, polls are the best tools available to tell us *why*, underscoring yet another facet of the importance of polls—their explanatory power.[148]

While reaching the electorate has undoubtedly become more difficult, the importance of polling within a democracy remains. Sam Wang, neuroscience Professor at Princeton University and cofounder of the blog Princeton Election Consortium (https://openstax.org/r/princeton-election), explains that "polling is critically important because it is a way by which we can measure public sentiment more rigorously than any other method."[149] As the industry continues to reflect and evolve in response to changes in technology and the electorate, it is important for us to remember the value of polls, understand how they are conducted, and participate fully and honestly when called upon to do so. Editor-in-chief of the Gallup Poll Frank Newport provides a succinct explanation for the importance of public opinion polling: "Humans live with and around other people. Acquiring a knowledge of these people is an important way in which humans manage to survive, get along, and come together to accomplish common goals."[150]

Summary

5.1 What Is Political Participation?

Political participation is defined as action that expresses an individual's political will, and self-government is when the people of a given country are the ones who grant the power to govern that country, through either direct or indirect representation. Voting is considered one of the most important forms of political participation because it is the primary mechanism by which the people ensure that their government represents them. Compared to other countries, the United States does not have high voter turnout. At roughly 66 percent, voter turnout in the 2020 election was high relative to other years, but compared to countries such as Sweden, South Korea, and Turkey, which have rates close to 80 percent, US elections have room for improvement.

5.2 What Limits Voter Participation in the United States?

Several factors prevent people from voting. In terms of individual-level characteristics, older voters are more likely to vote for a variety of reasons, including simply having more time to go to the polls. Those with higher incomes who are not at risk of losing their jobs or who have more flexible working hours are also more likely to vote. Race is another predictor of voter turnout, though in the 2020 election, the share of minority voters grew. Gender is yet another determinant of voter turnout, with women voting at higher rates than men. Institutional factors such as voter registration, voter ID laws, gerrymandering, and voter fatigue also affect voter turnout. Voter registration and ID requirements can affect the ease with which voters can participate in elections. Countries with automatic registration and states that register voters automatically when they get their driver's licenses have higher rates of electoral participation. Gerrymandering, in which district lines are drawn to favor one party over another, can affect whether people show up to vote, as does voter fatigue—the idea that there are simply too many elections for people to want to take part in.

5.3 How Do Individuals Participate Other Than Voting?

There are several ways to participate in politics other than voting. On an individual level, people can write to their elected officials; volunteer for causes they believe in; donate money to candidates, causes, or campaigns; keep informed about politics and discuss topics of personal importance; and follow elected officials or political causes online. People can also participate as part of a group by joining political parties or campaigns and by taking part in protests. All of these activities contribute to social capital, which is the idea that individuals form connections that benefit their own interests and that these social networks in turn produce communities that create norms of reciprocity and promote more civil engagement overall.

5.4 What Is Public Opinion and Where Does It Come From?

Public opinion is the aggregation of individual views that represent the feelings people hold on an issue at one point in time that they are willing to express. Many things can affect how people form their opinions and why they have them, including social and economic factors such as race, education level, income, or ideology. There are different types of opinion, including majority opinion (the opinion of the numerical majority), elite opinion (the opinion of those members of society with highly specialized knowledge or influence), and opinions of issue publics, or those people who hold strong opinions on a few specific issues but not on every issue.

5.5 How Do We Measure Public Opinion?

Measuring public opinion is both a skill and a science. In order to attempt to accurately capture public sentiment, researchers must draw samples from the broader public, which usually entails selecting a probability sample using random digit dialing. Errors can occur if the sample size is too small or if the survey suffers from measurement error. Examples of such errors include selection bias, question wording effects, interviewer effects, response bias, and social desirability.

5.6 Why Is Public Opinion Important?

Public opinion is important because it is the mechanism by which the public alerts elected officials of their preferences. Elected officials also rely on swaying public opinion in order to sell a legislative agenda to the public as the best course of action. In addition, understanding public opinion across countries allows for global cooperation and partnership.

Key Terms

cluster sampling when researchers divide the overall population into clusters, based on characteristics such as shared cities or schools, then randomly select people to poll from within those clusters

conservative politically speaking, an individual who generally does not believe in government intervention and tends to maintain that governmental control means fewer individual freedoms

convenience sample a sample based on convenience rather than probability

eligible voters voters who meet the requirements of their localities or states to cast a ballot in an election

elite opinion the opinion not of the broader public but of business, political, and other cultural elites

gerrymandering the manipulation of voting districts in order to favor candidates from one party over another

interviewer bias when individual characteristics such as the race or gender of the interviewer affect a person's survey response

issue publics small segments of the overall public that express interest or vote based on a single issue

Jim Crow laws a set of laws enforced mostly in the southern United States from the late 1800s until 1965 that legalized discrimination based on race, preventing Black Americans from enjoying fundamental rights such as equal access to education and voting

liberal politically speaking, an individual who supports government intervention and social welfare programs

majority opinion the opinion of the majority of those polled

measurement error limitations in response validity due to survey design problems

opinion leaders individuals who can affect the opinions of other individuals, whether through their prominence, influence, or experience

political ideology a set of beliefs, principles, or doctrines that guide one's views of how government should work

political participation activities that express opinions on public officials and public policy; the ways in which people can influence political outcomes

probability sampling when researchers choose samples at random from the larger population

public opinion views that individuals are willing to express openly at a specific point in time

question wording effects when the wording of the questions on a survey affects how individuals respond

random digit dialing a survey method that selects people for involvement by generating telephone numbers at random

response bias when respondents to a survey inaccurately report their true opinions for one reason or another

sample a group selected by researchers to represent the characteristics of the entire population

sampling errors errors that occur in a statistical analysis due to the unrepresentativeness of the sample

selection bias when the method by which a sample is chosen causes the sample to be unrepresentative of the population being studied

self-government when the people of a given country are the ones who grant the power to govern that country, through either direct or indirect representation

social capital the effects of relationships among people who live and work in a particular society, enabling that society to function effectively

social desirability bias when respondents answer survey questions in a manner intended to cause them to be viewed favorably by others

suffrage the right to vote in political elections

voter fatigue feelings of apathy that the electorate can experience under certain circumstances—for example, when they are required to vote too often or are exposed to too much political information or negative news

voter suppression discouraging or preventing specific groups of people from voting in order to alter the outcome of an election

voter turnout the percentage of eligible voters who cast a ballot in an election

Review Questions

1. Writing to an elected official is a form of _____.
   a. social capital
   b. majority opinion
   c. cluster sampling
   d. political participation

2. Political participation is related to self-government because:
   a. They are both in the Constitution
   b. Without self-government, there can be no meaningful political participation
   c. Self-government and political participation are the same thing
   d. Both are essential for state sovereignty

3. Voting is an important type of political participation because:
   a. Voting is compulsory in the United States
   b. Everyone votes
   c. Voting and political participation are the same thing
   d. It is the primary way that people express their will

4. In the US, voter turnout has:
   a. Risen steadily since World War II
   b. Dropped and then risen slowly over time since World War II
   c. Stayed the same since World War II
   d. Risen and fallen sharply many times

5. True or false: Voting rates are higher in the United States than in most democratic industrialized countries, including Sweden and South Korea.
   a. True
   b. False

6. Which groups are most likely to vote in a US election?
   a. Whites, the wealthy, and the most educated
   b. Minorities and those with a college education
   c. Women and people who work part time
   d. Everyone votes in equal proportion

7. Voter ID laws can be a form of _____.
   a. gerrymandering
   b. selection bias
   c. social desirability bias
   d. voter suppression

8. Individual-level ways to participate in politics other than voting include:
   a. Donating money, writing to an elected official, and keeping track of the news
   b. Volunteering for a cause, following an elected official on social media, and discussing politics with a

friend
c. Filing tax returns and paying parking tickets
d. Both A and B

9. Which of the following cannot be considered a group-level form of political participation?
a. Being part of a political party
b. Taking part in a protest
c. Phoning your elected official
d. Working for a political campaign

10. Social capital encourages political participation because:
a. It reinforces social bonds and networks
b. It makes people register to vote
c. It forces people to save more
d. It prevents voter suppression

11. Public opinion can be defined as:
a. The opinion of elected officials
b. The measurement of your opinion only
c. The aggregate views of the public that they are willing to express openly
d. The opinions that people have of one another

12. Which of these is a type of public opinion?
a. Majority opinion
b. Elite opinion
c. Issue publics
d. All of the above

13. Which of the following has not been shown to affect an individual's political opinion?
a. Race
b. Gender
c. Diet
d. Political ideology

14. Which of the following is a method of public opinion polling?
a. Selection bias
b. Gerrymandering
c. Statistical sampling
d. Cluster sampling

15. Interviewer bias is when:
a. Individual characteristics of the interviewer affect a person's survey response
b. The interviewer is biased against the respondent
c. The poll is biased against the respondent
d. The poll is biased against the interviewer

16. Social desirability bias is when:
a. People respond to a survey interviewer in a certain way because of their race
b. People respond to surveys in a certain way so that they don't seem biased
c. Interviewers ask questions in a way so that they don't seem biased

d. Interviewers ask questions in different ways depending upon what they know about the respondent

17. Public opinion is important because:
a. It lets us understand how people feel, not just the way they vote
b. It is the only way we can understand the electorate
c. It is easily manipulated
d. It is easily measurable

18. Public opinion enables:
a. Elected officials to understand what the public wants
b. The public to express how it feels on certain issues
c. Elites to influence government
d. Both A and B
e. All of the above

19. Public opinion is important in global politics because:
a. It is easy to poll people from several countries at once
b. It allows us to understand how to cooperate globally
c. It reinforces the status of global powers
d. Global polling is more cost effective than domestic polling

Suggested Readings

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The Fundamentals of Group Political Activity

6



FIGURE 6.1 Greta Thunberg speaks to thousands of climate activists in front of Germany's parliament at the Reichstag building in September 2021. (credit: "Greta Thunberg spricht beim Klimastreik vor dem Reichstag" by Stefan Müller/Flickr, CC BY 2.0)

CHAPTER OUTLINE

6.1 Political Socialization: The Ways People Become Political
6.2 Political Culture: How People Express Their Political Identity
6.3 Collective Dilemmas: Making Group Decisions
6.4 Collective Action Problems: The Problem of Incentives
6.5 Resolving Collective Action Problems

INTRODUCTION As a young teen, Greta Thunberg's first foray into environmental activism was persuading her parents to reduce their carbon footprint in an attempt to reduce their family's contribution to global climate change. By age 15, she took to protesting alone on a bench outside the Swedish parliament, gradually drawing attention for her persistence. Soon thereafter, Thunberg was inspiring environmental protests in schools around the world, with as many as 1.6 million students from some 120 countries participating in efforts to prevent catastrophic climate degradation.[1] To the extent that Thunberg's individual actions will influence political choices, it will be because these actions have helped create a movement, inspire interest groups and parties, and lead governments to change their policies. Despite these worldwide protests, it is not at all clear that environmental policies will change rapidly and dramatically. One reason for this is that powerful interests oppose taking action. Another reason—one that this chapter will consider in some detail—is that even when individuals agree that action must be taken, it can be difficult to come to an agreement on exactly what those actions should be. Opportunities to free ride, or to take advantage of the global commons, continue to be difficult to address despite the passionate efforts of so many to change them.

All political action is ultimately individual action, but even if you were Greta Thunberg, you would not be able to make political change entirely on your own. Only when groups of individuals come together to take **collective action** can they make political decisions that lead to change. Candidates run as individuals, but to win elections, they typically need the backing of an organized political party with—especially in the case of national elections—perhaps millions of supporters. Legislatures are composed of individual politicians, but they act through groups—for example, committees, caucuses, and the party organization. Political movements form when enough individuals come together in common purpose to seek political change. Even an emperor is likely to receive advice from some sort of cabinet, and for an emperor to accomplish anything, they will need the support of a military or a bureaucracy. Unless individuals come together with others, their ability to effect or resist change is miniscule. Thunberg's efforts will come to naught unless those seeking to mitigate climate change are able to overcome collective dilemmas.[2]

This chapter focuses on group action. Humans, in all their marvelous diversity, act for all sorts of reasons. Some of these reasons are instrumental and strategic—people do this to get that—but others are more properly seen as expressive and symbolic. People act not to get, but to be or to display. The distinction between expressive and instrumental actions is not precise, and these behaviors overlap (as noted in Chapter 2: Political Behavior Is Human Behavior). Consider the mass protests against the government of Cuba that broke out in the summer of 2021.[3] Those protesting may have done so to express anger (an emotion), show solidarity (symbolic behavior), and/or seek political change (instrumental action). Though it is not yet possible to hook up sensors to a person's brain to learn what triggered each element of their behavior, it is possible to recognize the potential importance of different types of triggers.

You learned in Chapter 2 that individuals can be rational and also intuitive, strategic yet expressive, self-interested but still public spirited. These concepts carry over to the study of group behavior, focusing on the expressive, symbolic, or emotional aspects of individuals within groups as well as the rational, instrumental, and strategic behaviors of individuals in group decision-making.[4]



FIGURE 6.2 The streets of Hong Kong are jammed with protestors in 2019. (credit: "IMG_20190616_171444" by Studio Incendo/Flickr, CC BY 2.0)

6.1 Political Socialization: The Ways People Become Political

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define political socialization.
- Describe the main influences on a person's political socialization.
- Analyze the ways social media has affected political socialization.
- Discuss the factors that determine which influences will have the greatest impact on a person's political socialization.

Do you consider yourself to have a political identity? Do you belong to or identify with a political party? Do you have a political ideology, such as conservative, libertarian, liberal, or populist? Are you apolitical (indifferent to politics), or are you deeply engaged in political action? Whatever your answers are, there is a chance—but a rather small one—that you deliberately and thoughtfully made these choices at a single moment by analytically comparing the various alternatives. It's more likely that your choices gradually emerged over time through a complex combination of environmental and social influences interacting with your own personal biological and psychological makeup.

It is not entirely clear how Greta Thunberg became a climate change activist, for example, although her father Svante was named after his grandfather, a Nobel Prize–winning scientist who identified the link between increases in atmospheric carbon dioxide (CO_2) and higher global temperatures.[5] She grew up in Sweden, a country with a strong ethic of environmentalism (by some measures, it is ranked as the most environmentally friendly country in the world).[6] She reports learning about climate change by age eight and credits the American student activists who protested gun laws after the Parkland, Florida, school shootings with inspiring her to act.[7]

The gradual process of developing values and beliefs, of people becoming who they are as adults, is **socialization**, and the slow development of who a person becomes as a political being is **political socialization**.[8] Through political socialization, people develop their political ideology in the broadest sense. This includes not only their values and attitudes regarding the role of citizens and the government, but also regarding issues such as social justice or climate change. Socialization also influences whether a person is likely to have any interest in politics at all.

Political socialization is neither premeditated nor preordained, although there is a growing body of evidence that indicates that there are genetic links to political predispositions.[9] As an infant, you did not choose who you would become as an adult. As you grew, you were subject to a wide variety of forces that shaped your personality. Some of these forces were present in your physical environment, such as your home (Was there lead paint on the walls?), your neighborhood (Was it safe?),[10] and your school (Was it a place you looked forward to going to?).[11] As your physical environment shapes your learning, it also influences your views and attitudes, even if you are unaware of these influences.



FIGURE 6.3 People who grow up under insecure conditions, like these Kurdish refugee children, will experience political socialization differently than those who grow up in safer environments. (credit: "Kurdish children bunch together to have their photograph taken while playing at a refugee camp" by Department of Defense. American Forces Information Service. Defense Visual Information Center. (1994 - 10/26/2007)/National Archives Catalog, Public Domain)

The line from your social and physical environment to your political personality may be indirect. If you grew up in a heavily policed neighborhood, attended a deteriorating school, and lacked safe drinking water, your attitudes about government are likely to differ from an otherwise identical individual who lived in a comfortable home with safe drinking water and attended a well-resourced school in an affluent neighborhood. Humans are complicated, and it would be unwise to conclude that all those growing up in privilege are identically socialized or that those raised lacking such privilege all have the same political personalities. Your social and physical environments do not determine your political personality, but they can have an important influence.

The Role of the Family

The family is usually considered the most important influence on both a person's overall socialization and their political socialization. Families profoundly affect people's views about religion, work, and education.[12] People gradually develop these preferences, attitudes, and behaviors as they grow from infants to adolescents to adults. The impact families have on people's lives does not vanish when they become adults. It is likely to persist over their lifetimes. The influence need not always flow from the parents to the child. Greta Thunberg's activism led her parents to reconsider their own environmental attitudes, and research suggests that children often affect their parents' views on the environment.[13]

Your family is likely to exert a substantial influence on your political views.[14] In some political settings in which a child's identity is defined by religion, ethnicity, and place, their political views may seem almost predetermined. In Bosnia-Herzegovina, for example, the three main groups tend to be divided by ethnicity and religion, which largely define their political affiliations. Ethnic Bosniaks tend to be Muslim, Croats tend to be Roman Catholic, and Serbs are mainly Orthodox Christians. These differing ethnic and religious groups largely determine individuals' political affiliations: there is little political intermingling across ethnic and religious lines.[15]

In most places around the world, if parents raise their children in a particular religious faith, those children are more likely than not to adopt that faith as they become adults (or, if the children are raised in no faith, they are less likely to have religious connections as adults).[16] The same is true for almost any other important facet of life: social attitudes, beliefs about the role of the family, and yes, political beliefs. This is not to say that beliefs are automatically transmitted: young people have agency and may accept, reject, or simply question

what their parents believe.[17]

THE CHANGING POLITICAL LANDSCAPE

The Changing Family

Families play a key role in political socialization, and family structure is evolving in different ways around the world. One fundamental change is family size; fertility rates have dropped in virtually every country in the past century.

The People's Republic of China (PRC) provides an extreme example. When the PRC was established in 1949, the government encouraged families to have children to create additional workers, and by the 1960s the typical Chinese family had six children. At that point political leaders became worried about rapid population growth, and so in 1980 they instituted a one-child policy strictly enforced through a combination of benefits and often-harsh penalties. The policy dramatically slowed population growth, and it substantially increased both the age of and the percentage of males in the population. Under this policy, a cultural preference for male children led to sex-selective abortions and female infanticide. Believing that they had gone too far, the Chinese government lifted the one-child policy in 2016.[18]

VIDEO

What It Was Like to Grow Up under China's One-Child Policy

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/6-1-political-socialization-the-ways-people-become-political)

In this TED talk, Chinese filmmaker Nanfu Wang describes her experiences as a child growing up under China's one-child policy and as an adult making a documentary about people's experiences under the policy.

Family structure involves not only how many children are in a family, but where they live when they effectively become adults. As of 2016, a higher percentage (52 percent) of 18-to-29-year-olds in the United States were living with their parents than at any time since 1900.[19] Among wealthy countries, the percentage of 15-to-29 year-olds living with their parents varied from about 80 percent in Italy to 30 percent in Canada.[20]

Given what we already know about how family members can influence each other's political attitudes and beliefs, it will be interesting to see how these changing family structures and living conditions impact political socialization.

Your parents' political leanings and your broader family environment affect your political views. For example, who is expected to take responsibility for caring for parents as they age varies from country to country. In China, caring for one's parents is a sacred duty; in Norway, it is more often seen as an obligation of the government. Germans and Italians are more than twice as likely as Americans to say that the government, rather than the family, has the main responsibility for caring for the elderly.[21]

Note that these statements, like other generalizations, are not true for every person in every circumstance everywhere. Some children of devout worshippers become atheists, some people raised as capitalists become communists, and some of the children of political, social, and cultural liberals become ardent conservatives.

When making these generalizations, this chapter uses words like "generally" or "tend" to suggest that the statements are accurate for the bulk of the group or characteristic being discussed. For example, in the United States, about 7 out of 10 teenagers have political ideologies and partisan affiliations similar to their parents: liberal teens tend to have liberal parents, and conservative youth generally have conservative parents. Still, about one-third of US teenagers adopt different political ideologies from those they were raised with.[22]

VIDEO

Bernie Sanders Says His Childhood Shaped His Political Views

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/6-1-political-socialization-the-ways-people-become-political)

In a 60 Minutes interview, Senator Bernie Sanders describes how his childhood experiences helped shape his political views.

The identities of a young person's parent(s) affect that person's political socialization. If parental engagement in politics is high and party identification is strong, children are more likely to adopt those attitudes and behaviors than if parental political engagement is low and their partisanship indifferent.[23] Family structure—whether a child is living with two parents or a single parent, and whether parents are married, divorced, or cohabitating, for example—raises complex issues for political socialization that are not well understood.[24] Moreover, the impact of the family on socialization is not limited to children. Family dynamics also impact the political socialization of adults.[25]

Peers

Your living situation growing up largely determines what influences you will encounter as you mature. Your school can influence your political socialization, as different schools have differing teaching philosophies, student bodies, and political activities. Likewise, your place of worship may have a profound influence on who you become. When you are young, your parents or guardians probably choose your school and religion; however, as people grow older, many of them spend less time with their parents or guardians and more time with their peers, including friends at school, work, community, and play. You may change your language, clothing, and interests to fit in with those in your group. And as you grow older, you are increasingly able to make your own decisions.



FIGURE 6.4 Social peer groups can influence how individuals talk, how they communicate using physical gestures, and how they dress, and they can play a significant role in shaping individuals' views on politics. (credit: "Globe Town Massive, a Bangladeshi youth gang in Bethnal Green, Tower hamlets, London, England" by Bangali71/ Wikimedia Commons, CC BY 3.0)

It is less clear whether your peers will have a lasting impact on your political socialization. Like many things when you are growing up, your choice of peers is not entirely in your control. Most children don't pick where they live and where they attend primary school, and those two factors play a big part in determining the pool of people from which individuals can choose friends. In short, your parents' life circumstances and choices shape who your peers are likely to be. Still, context is important. Before the advent of social media, parental decisions would almost entirely determine your pool of peers. Now, given internet access, young people can find their peer groups virtually anywhere.

Increasingly, young people rely on social media to learn about the world and connect with others. Political scientists are still trying to decipher what this means for political socialization. In the past, a young person's peers tended to be local: other members of the clan, the village, or the church. Today, a young person's peers can be almost anywhere in the world, assuming they understand the same language, and thus young people (and adults) can more easily choose their peers based on common interests and beliefs than they could in the past. To the extent that young people, and indeed all individuals, can choose their social networks rather than being placed in them by virtue of their location, it is more likely that peer networks will reinforce existing beliefs, attitudes, and behaviors rather than change them. The ability of individuals to choose their social networks leads to "echo chambers," which Chapter 12: The Media will examine further.

Other Affiliations

Your family and peers greatly influence your political opinions, attitudes, values, and behaviors, but there are other important influences. How much these other influences affect a person's political socialization depends, in part, on how important they are to the person's identity and daily life.

VIDEO

What Does Being Indigenous Mean?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/6-1-political-socialization-the-ways-people-become-political)

In this clip, Indigenous people in Canada explain what it means to them to be Indigenous.

Consider ethnicity. The dominant ethnic group within a country—the White British within the United Kingdom, for example—may not perceive their ethnicity as having much of an influence on their political socialization, but its impact is likely to be profound. Members of ethnic majorities may be more likely to assume that politics and government should favor their interests as a matter of course because they may (naively) believe that what is good for them is good for everyone. Ethnic minorities, in contrast, may be socialized to feel the sting of discrimination and to view the government as no friend. One's ethnic identity is likely to be more salient if that identity signifies one as an outsider.[26]

If you were raised in a devout family, that family's religion may have an important influence on your political socialization.[27] In the United States, for example, those individuals identifying as evangelicals are much more likely than the rest of the population to favor socially conservative public policies such as prohibiting same sex marriage or curtailing abortion rights, and they are much more likely to support the Republican Party. At the opposite end of the spectrum, those raised as atheists are more likely to believe that governmental policy should not be based on religious principles.[28]

Gender roles and gender identification can influence an individual's political socialization. Socialization into "traditional" gender roles may discourage women from developing interest or participating in politics, while in countries with women in leadership positions, young women may be socialized to become more politically aware and active.[29] The impact of gender identification and sexual orientation on political socialization is not well understood, but it seems likely that the greater the importance a person places on these attributes and the more intense the formative experiences they have regarding these attributes, the greater the influence these attributes will have on that person's political socialization.[30]



FIGURE 6.5 Socialization into gender roles, whether they be the traditional gender roles suggested by this photo or less traditional roles, may impact your political personality. (credit: "Group Shot" by OakleyOriginals/Flickr, CC BY 2.0)

Even though young people spend a lot of time in school, the impact of schooling on political socialization appears to be modest. Why? The schools children attend often reflect the choices and environment of their parents, so they have little independent influence on socialization. For example, if you come from a religious home and your family has the means to do so, your parents might choose to send you to religious school; this reinforces the influence of the family's religion on socialization. More broadly, the schools young people attend are likely to reflect the conditions and values that already exist in their environment.

People are socialized as individuals, and they are socialized in groups, including their family, peers, and others in their social environments. As people are socialized, they become part of larger groupings of individuals with common characteristics. The next sections discuss these larger groupings.

6.2 Political Culture: How People Express Their Political Identity

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define political culture, mass culture, elite culture, and minority culture.
- Describe the effects of the weakening of mass cultures.
- Explain how political cultures form.

If you have ever had the chance to travel to another country, you might have observed the behaviors, habits, values, and beliefs that distinguish that country from your own. Those distinguishing factors are in part a result of the way individuals in different countries are socialized. In Argentina, dinner doesn't typically start until around 10 p.m.; in Norway, 5 o'clock is more common. The Japanese often have green tea and rice for breakfast; in Denmark, breakfast is more likely to be smoked eel and scrambled eggs. Each country has a different personality, or culture.

While Argentines, Norwegians, Japanese, and the Danes have national cultures that distinguish them from each other, cultures are not uniform within these or any other countries. Every country has various cultures within it, including a mass culture, an elite culture, and diverse minority cultures. The details of these cultures vary from country to country, but some characteristics are typical of culture in all countries.

Culture refers to the shared attitudes, values, goals, and practices common to members of a group. The shared political attitudes, values, goals, and practices common to members of a political group, such as a country, a party, or any other political organization or grouping, is the group's **political culture**.[31]

A country's political culture frames how individuals in that society see their roles as citizens, including their relationship to other political actors and to the government. The United States tends to be highly individualistic, prioritizing personal freedom and individual responsibility over more community-centered values. This individualism can appear odd to the citizens of countries that put much higher importance on communal values. For example, researchers asked Americans and Europeans, "What's more important in our society, that everyone can be free to pursue their life's goals without interference from the state or that the state plays an active role in society so as to guarantee that nobody is in need?" Almost six in 10 Americans surveyed responded that individual freedom was more important, while nearly eight in 10 Lithuanians, whose country was a part of the collectivist Soviet Union for nearly 50 years, responded that the state's active role was more important.[32]

As with any generalization, political culture is open to unfortunate stereotyping. Not all Americans favor individual freedom over state intervention. Not all Lithuanians prefer that the government play an active role to protect individuals. Generalizations are helpful to describe patterns and tendencies, but they should never be automatically attributed to specific individuals.

WHERE CAN I ENGAGE?

Public Meetings



FIGURE 6.6 At meetings like this hearing on the legislative redistricting plan in Annapolis, Maryland, in 2011, members of the public are invited to comment on issues. (credit: "Public Hearing on the Legislative Redistricting Plan" by Maryland GovPics/Flickr, CC BY 2.0)

Local governmental meetings are excellent venues for observing group decision-making in action. Careful observation may also yield clues about political cultures. But if you attend these meetings, you need not be a passive observer. City council meetings, school board meetings, or other local meetings frequently offer opportunities for public comment.

Because there are some 90,000 local governments in the United States,[33] it is not possible to point to a single source of information regarding where, when, and why local meetings will occur. A simple web search can help you locate a wide array of local government meetings in your area.

For example, if you had been in Fayetteville, Arkansas, on Monday, November 1, 2021, you could have attended a City Council tour, a meeting of the Parks and Recreation Advisory Board, or a meeting of the Animal Services Advisory Board. Whatever meeting you choose to attend, you will have a chance to engage in local political action.

Elite Culture

The term "elite" can trigger mixed reactions. Some people might hear the term and think positively of elite athletes, elite dancers, or elite musicians—those who, by virtue of their abilities or accomplishments, stand out as extraordinary. In many countries today, however, the term "elite" is usually less complimentary. People may complain, "The elites control everything" or "The elites take advantage of the rest of us."

Those within a society who, by virtue of their wealth, status, position, and power, have the greatest influence over the country's political agenda, its policy decisions, and its decision-making cadre are the society's **political elite**.[34] Their political culture is the country's elite political culture. The degree of influence and domination of **elite culture** varies from country to country. At the extreme, in North Korea, the ruling class, led by Supreme Leader Kim Jong-un, controls every aspect of political life. Kim Jong-un's grandfather was the first Supreme Leader of North Korea, and his father was the second. North Korean elite culture is his culture, and he expects to be worshipped. At the other end of the spectrum is New Zealand, where Prime Minister Jacinda Ardern, whose parents were middle class (her mother was a school catering assistant and her father was a police officer), who attended a public school, and who became one of only two elected heads of state to give birth while in office, leads the closest thing New Zealand has to a ruling class. Even in relatively egalitarian New Zealand, however, those with money, status, and power tend to set the agenda, influence policy decisions, and dominate the decision-making process.

In the United States, there are multiple elite cultures—cultural, financial, and political. Members of these elite groups tend to live in major metropolitan areas (such as New York, Los Angeles, Chicago, Washington, San Francisco, Boston, and Houston), attend highly selective colleges and universities, and have high incomes.[35] However, despite their commonalities, their political values and attitudes may differ sharply. The ultra-wealthy may be devoted either to liberal or conservative causes: the "one percent" (those wealthier than 99 percent of the rest of the population) are divided almost equally in how much they give to Republican or Democratic candidates for political office.[36] Billionaires may be either liberal or conservative, and while at one time the social networks of those politicians at the most elite levels within their parties might have overlapped, they do not overlap much anymore. Still, political elites have disproportionate influence over American public policy, and it is reasonable to believe that this finding would hold for other countries as well.[37]

CONNECTING COURSES

Cultural Anthropology

Political scientists are interested in political culture, a subset of the attitudes, values, goals, and practices the members of a group share that define that group's culture. If you want to learn more about culture itself, you might explore a course in cultural anthropology. According to the National Park System's Cultural Anthropology Program, "Cultural anthropologists specialize in the study of culture and peoples' beliefs, practices, and the cognitive and social organization of human groups. Cultural anthropologists study how people who share a common cultural system organize and shape the physical and social world around them, and are in turn shaped by those ideas, behaviors, and physical environments."[38]

Although cultural anthropologists use both quantitative and qualitative research methods, a hallmark of cultural anthropology is participant observation, in which the researcher spends an extensive amount of time living with and observing a cultural community. In a cultural anthropology course, you will learn techniques to make systematic observations so that you are able to describe and explain a culture in ways that are accurate and appropriate. Through systematic observation you can develop a deep understanding about "the knowledge people use to live their lives and the way in which they do so."[39]

Mass Culture

The broadest culture within a country is its **mass culture**. Where do you get your political information? What movies do you watch, what kinds of sporting events do you attend, and where do you buy your clothes? While it is possible to distinguish between elite and mass cultures, the lines between them are not always distinct. Still, without too much stereotyping, it is safe to say that many members of elite cultures would generally answer these questions differently than members of mass cultures would.

Prior to the rise of newspapers, radio, and television, mass culture (including political culture) did not exist. All culture was local. Individuals were influenced most by those with whom they had direct personal contact. As increasingly larger proportions of the population had access to these media, culture became increasingly mass, increasingly shared. Those living in smaller towns came to have access to the same tastes, styles, and information as those in the larger cities.

Mass culture was most visible when the media was limited to newspapers, radio, and television. When television options were limited, mass culture included the shows that "everybody" watched. The most watched TV shows in the world include the Olympic Games and the FIFA World Cup. In India, Bollywood films have dominated the media landscape, as telenovelas have in the Americas.

Mass culture, including mass political culture, is weakening. About 60 percent of the adult population in America watched the presidential debates between Nixon and Kennedy in 1960. In 2020, even during a highly contentious presidential campaign between President Donald Trump and former Vice President Joe Biden, fewer than 30 percent of adults watched the debates (more on this in Chapter 12: The Media).[40] This move away from mass focused attention on the same political events through a few media outlets holds true in countries around the world. As media options proliferate, mass culture diminishes and minority cultures flourish. People no longer get their political information from the media that "everyone" watches. Instead, they are able to obtain—and share—political information with those in their own, sometimes very specific, political cultures.

Minority Cultures

When the political culture of the United States is described as prioritizing individual liberty and personal responsibility, that hardly describes how everyone in the United States thinks. Any statements about a national political culture will be far too broad to speak for the members of all the various communities within a country. This is especially true now that mass cultures are breaking down, with the rise of social media especially enabling **minority cultures** to flourish.



FIGURE 6.7 The Japanese Visual Kei culture involves a blend of music and style. (credit: "Harajuku denizens [3]" by Jacob Ehnmark/Flickr, CC BY 2.0)

Minority cultures have their own consistency of beliefs and behaviors, of ideas and actions that bind them together. Minority cultures can be quite specific. For example, there are the doomsday preppers in the United States, gopniks in Russia,[41] cholos in Mexico,[42] and thousands of others. Subcultures can be all-consuming, as with a cult that dominates every aspect of cult members' lives, but an individual need not be connected to only one culture. Professional wrestling has its own culture, as does anime. Xavier Woods—you may never have heard of him, but many prominent figures in various cultures are unknown to the broader public—identifies with both.[43]

VIDEO

Anime Lightning Round with WWE's Xavier Woods

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/6-2-political-culture-how-people-express-their-political-identity)

In this clip, professional wrestler Xavier Woods describes anime and talks about some of his favorite anime shows and characters.

Political cultures emerge organically, in that they are not necessarily created with the intention of building political organizations. Instead, individuals with particular interests and lifestyles—environmentalism, queer identities, or gun ownership, among many other potential affiliations—find similar individuals, and a community of interest forms. These communities of interest may grow into social movements or establish formal interest groups. Prior to the 1970s in the United States, the gay community (culture) was largely apolitical.[44] State-sanctioned violence against gays and, later, the AIDS epidemic, politicized the gay community and mobilized members of the community to organize interest groups and participate in a broader social movement.

VIDEO

What You Need to Know about the Gay Rights Movement

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/6-2-political-culture-how-people-express-their-political-identity)

After the US Supreme Court ruling that affirmed the right of same-sex couples to marry, CNN aired this report on the history of the gay rights movement.

Elements of Black American cultures provided a foundation for the civil rights movement in a continuous link from the 1960s to the Black Lives Matter movement (and the formal BLM organization) of today.[45] Hip-hop is also a distinct political culture.[46] In some cases, cultural activity has led to the formation of political parties, such as the Green parties that have spread to some 80 countries around the world.

Neither a person's political socialization nor their cultural identity dictates precisely how they will behave in group settings or what the outcomes of the group interactions will be. An individual might identify as an ardent environmentalist but nonetheless engage in polluting activities like using disposable diapers or routinely traveling by aircraft. One might ask: "Why *does* an environmentalist engage in polluting activities?" Millions (virtually or physically) marched along with Thunberg to protest climate change and the public policies that allowed (or even spurred) it to happen. Why didn't these millions of protestors have more success obtaining the policy changes they sought? To learn more about how individuals behave as part of a group or in group settings and why policy change is often so hard to obtain, it's necessary to study some essential elements of group decision-making. This study will pay close attention to strategic behavior—behavior that sometimes leads to unfortunate consequences.

6.3 Collective Dilemmas: Making Group Decisions

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Discuss the major causes of collective dilemmas.
- Describe the major types of collective dilemmas.
- Explain ways to overcome collective dilemmas.

The American public is pretty disgusted with the United State Congress. Public opinion polls show that, as of July 2021, Congress had a 12 percent approval rating—lower than any other institution rated in the poll.[47] The widespread discontentment with Congress was due in part to the public's view that Congress gets little done and that what it does, it does poorly.

Public disenchantment with governments is not limited to the United States. Majorities in Mexico, Spain, Greece, Brazil, and other countries believe their democracies are not working well.[48] Wherever democratic legislatures exist, in recent years they have struggled to impress the people who elect them.

There are lots of specific reasons for public disdain of legislative bodies, but one broad reason encapsulates them: legislatures find it difficult to solve their collective problems. For 18 days in 2013 and then again for 35 days in 2018–2019, the US government shut down because Congress and the president could not agree on ways to fund federal operations. The public was not amused by this deadlock: In a 2019 survey, 80 percent of the public believed that the shutdown was a "very" or "somewhat" serious problem for the country.[49]



FIGURE 6.8 Federal employees attend a rally seeking to end the government shutdown in 2013. (credit: "10.4.13 CPC End Government Shutdown Rally" by Keith Ellison/Flickr, CC BY 2.0)

If all people agreed on everything, there would be no collective dilemmas. But because individuals do have differing needs, preferences, and goals, they have to overcome challenges to make a decision. Whenever two or more individuals need to make a plan or resolve a conflict and those involved do not agree on the solution, there is a **collective dilemma**. This is as true for two individuals deciding where to go to eat as it is for a national congress trying to set policies for immigration, climate change, a pandemic, or the myriad other policy choices the legislature faces.

Causes of Collective Dilemmas

Collective dilemmas exist when members of a group try to make decisions that all must agree to or comply with. If you are trying to decide where to go to dinner by yourself, there is no collective dilemma, but if you and a friend are deciding whether to go to dinner and where, there is at least the potential for a collective problem. Maybe you want to go out, and your friend simply does not: one of you will be disappointed by whatever

decision you make. Or maybe you want to go one place, and they want to go a different place. They want to go now, and you want to go later. They have more money than you do, but you have more time. Have you had the experience of eating out with friends and, after the bill arrives and you all pitch in your "fair share," you discover that there is not enough money to pay the bill?

There are three main causes of collective dilemmas. The first is when the participants disagree because they have opposing preferences. Think of two political parties making a decision, divided into two sides with irreconcilable differences—for example, with one party favoring the death penalty and the other opposing it. There is no compromise that will satisfy both parties: the death penalty will either be allowed or be banned.

The second cause is when participants generally agree on what they want to do but disagree over the details. General agreement does not mean specific agreement. Consider climate change policy. Should internal combustion (gas-powered) cars be banned, or should there just be incentives to buy electric cars? Should new houses be required to have solar panels, or should the government offer perks to encourage builders and homeowners to have them installed? In legislatures or courts, in interest groups or within bureaucracies, resolving the details of collective decisions creates numerous challenges involving coordination, transaction costs, and conformity costs.

The third cause, when individual motivations are contrary to the groups' mutual interests, is especially troubling. In this case, group members have a common interest or goal, but members of the group have incentives to make decisions that are actually harmful to the group and, ultimately, to themselves. Collective dilemmas of this sort are commonly called **collective action problems**.[50]

Solutions to Collective Dilemmas When Participants Disagree

When a collective dilemma involves participants simply disagreeing on an appropriate course of action (e.g., whether to allow or ban capital punishment), the rules for making a decision can have an important influence on which side will prevail.

As Chapter 2: Political Behavior Is Human Behavior discussed, the rules by which decisions are made affect the ease with which agreements are reached. As a result, whether the death penalty will be legal depends on the decision-making rules and on the existing situation—that is, the **status quo**. If the rule is that a decision will be made by majority vote, the preferences of whichever voting group has the most members will become policy. If more people oppose capital punishment than support it, then capital punishment will be banned, and vice versa.

Many types of voting rules exist (voting rules are discussed further in Chapter 8: Interest Groups, Political Parties, and Elections and Chapter 9: Legislatures). Perhaps the most common is majority (or plurality) voting. Under **majority rule**, for a proposal (or candidate) to win, that option must receive more than 50 percent of the votes cast (usually defined as 50 percent + 1).[51] In plurality voting, the proposal (or candidate) with the most votes wins, whether or not that person receives a majority of the votes. Supermajority rules typically require that the measure being voted upon receive 60 percent, two-thirds (67 percent), or even three-quarters (75 percent) of votes. Whenever a **supermajority** rule exists, the status quo is more difficult to change.



FIGURE 6.9 Trials in the United States generally require the 12 jurors, who sit in a jury box like this one, to unanimously agree in order for a defendant to be convicted. (credit: "Calhoun County Courthouse, Port Lavaca, Texas 1805151209" by Patrick Feller/Flickr, CC BY 2.0)

The most extreme form of supermajority is found in most US courtrooms, as well as in the courts of Australia and Ireland. For a defendant to be found guilty in a jury trial, the jury must unanimously agree; otherwise, the defendant will either be released or face another trial. This is called a unanimity rule.

How might these differing voting rules be explained? One sensible rationale is that the greater the consequences of making an "incorrect" decision or the longer those consequences will last, the greater the need for a supermajority to guard against making rash or incorrect decisions. One of the most coercive things a state can do is to deprive a citizen of their liberty by imprisoning them, and one of the worst mistakes is to imprison an innocent person, so most democracies make it relatively difficult to convict suspected criminals.[52] A unanimity rule helps guard against wrongful convictions, although it does not entirely prevent them.[53]

Constitutions are the core document establishing the basic structure of the state, and laws are meant to address current problems. A constitution typically outlines the government's general powers and duties, while laws fill in the specifics regarding these matters. (For more on constitutions, see Chapter 1: What Is Politics and What Is Political Science?.) To change a constitution generally requires a supermajority, while changing laws requires only a simple majority. Think of it this way: constitutions are the foundations of the house, while laws are the paint in the rooms. It is hard to change the foundation because it is meant to be durable, but it is easier to repaint the bedroom because people's taste in colors can change over the seasons. That is why voting rules typically make constitutional changes subject to supermajority votes and laws changeable by a simple majority. This is not true in every country, however: in an effort to ensure that legislation has support from minority parties, in South Korea a 60 percent supermajority is required in the National Assembly to bring any measure up for a vote.[54]

Voting rules have another, more self-interested, political rationale. Those setting the rules have incentives to establish the kind of rules that will benefit their interests now and in the future. Those writing a constitution want it to be durable because the constitution represents how they believe their country should be ordered for generations to come: therefore, they make the constitution difficult to change. There is also a self-interested reason for making constitutions difficult to change. Those writing them may be currently in power, but they can imagine a time when they may be in the minority. Constitutional authors thus try to lock in their preferences in ways that will make it difficult for those with other preferences to change the document.

This does not mean that it is easy to come to an agreement about how to write the constitution or other rules in the first place. What happens when those trying to make a collective decision are simply not able to make one,

such as when a vote is split 50-50 or when there are not enough votes to make the required supermajority? In those cases, the status quo prevails.

Rules shape but do not determine outcomes. When political actors disagree, it is always possible that one side will prevail because it is able to persuade its opponents. In the United States, there has been substantial conflict over whether same-sex marriages should be legal. As recently as 2004, the American public opposed same-sex marriage by a 2-to-1 margin. By 2019, those numbers had reversed, with public opinion polls showing that 61 percent favored legalization while only 31 percent opposed it.[55] Decisions regarding same-sex marriage followed public opinion, and changing minds changed policy.[56]

If one or both sides decide not to play by the rules but instead to use violence to accomplish their goals, then force—and not votes—may determine which side prevails.

One of the reasons Greta Thunberg's calls for climate action have not been adequately answered is that there remains substantial opposition to the kinds of policies that would be necessary to limit climate change. But what happens when those making decisions basically agree about what should be done? These cases may still present other difficulties, which the following sections will examine.

Solutions to Collective Dilemmas When There Is General Agreement

If you have tried to coordinate the actions of a group—family, school, church, community, or any other gathering—then you have directly experienced **coordination problems**. Coordination problems occur whenever a group seeks to make a decision on a common course of action, the group members generally agree on what they are seeking, and everyone in the group will need to live with the results, but it's not possible to give every group member exactly what they want. Coordination problems become more complex the greater the size of the group. Deciding what movie to watch in a group of two? Depending on the personalities of the two, this may be a pretty easy coordination problem. If the group has 20, or 20,000, or a million, or a billion members, the coordination challenges become increasingly complex.

There are various ways to solve coordination problems, but they boil down to two main possibilities. One way is to delegate decision-making power to a single person (or a small set of people) who will act on behalf of all. Another way is to have everyone participate in making decisions—for example, through voting or some other deliberative methods. Each solution has its own advantages and disadvantages. Delegating power to a single person reduces **transaction costs** but increases **conformity costs**. Group decision-making is likely to reduce conformity costs but to increase transaction costs. The following sections discuss those concepts.

Transaction Costs

When political scientists speak of costs, they do not mean just monetary costs: they mean the use of resources to obtain some benefit. The cost (use of resources) of making a decision (the benefit) can include monetary costs, such as the expense of printing ballots, but perhaps more importantly, it can also involve time and effort. The money, time, and effort necessary to make group decisions are called transaction costs.[57]

The more people involved in the decision-making process and the more complicated the decision, the higher the transaction costs. The higher the transaction costs, the more difficult it is to make a decision. Think back to the "Where do we go for dinner?" question. With three people, the transaction costs will be modest, and you'll probably be able to arrive at a decision. As the number of individuals in the group increases, the transaction costs—the costs of making the decision—are also likely to increase.

If the costs become too high—imagine how much time and effort it would take for 300 people to agree on where to eat and to find a restaurant that can host them!—then the decision-making process can break down. What happens then? The status quo prevails, which, in this example, means that nobody is going to a restaurant.

What if you are deeply committed to maintaining the status quo? You can deliberately raise transaction costs to the point that no changes to the status quo can be made. Defenders of the status quo do not necessarily need to defend it. They just need to raise the transaction costs high enough so that no changes can be enacted.

In recent years there have been major political battles over voting rights. As of July 2021, efforts to impose new voting restrictions in the state of Texas had been thwarted by virtue of a dedicated Democratic minority's efforts to increase the costs of passing legislation. The minority's strategy? Flee the state capitol, depriving the majority of the **quorum**, the minimum number of the group that must be present for a vote to be held. Meanwhile, in Washington, DC, Republicans were in the minority and did their best to stall measures to expand voting rights—also by throwing up procedural roadblocks to the legislation. In each case, the minority party (Democrats in Texas, Republicans in Washington) chose to raise transaction costs in order to prevent a change from being made. Texas ultimately approved the restrictions on voting rights after the Democratic minority gave in and returned to the state capital to vote, thus lowering the transaction costs.

WHAT CAN I DO?

Collective Action and Critical Thinking



FIGURE 6.10 The EU-funded Biodiversity Information for Development program (BID) runs workshops to help participants learn to use data to come to collaborative decisions that direct public policy. (credit: "BID Workshop: Data Use for Decision Making" by GBIF, photo by Mélianie Raymond/Flickr, CC BY 2.0)

One of the biggest challenges that individuals, groups, and governments face is trying to figure out how to allocate limited resources (which may be intangible things like time and effort). As discussed in this chapter, people are often asked to make difficult decisions with seemingly no correct—or "good"—answer. This is especially true when the problem that needs to be solved impacts a community, be it a country, a city, or even a neighborhood. As you go through the process of trying to decide which option to choose in order to solve issues related to things like resource depletion, pollution, or reducing transaction costs, what you are really doing is engaging in critical thinking. At its core, being able to think critically involves not only being able to describe the issue at hand, but also taking relevant ideas, perspectives, and data about a particular problem or issue and using that information to assist in analyzing different perspectives and arguments to reach an informed conclusion about the issue. Critical thinking is hard work—it requires a lot of information and a lot of time—but it gets easier with practice, and it leads to better outcomes.

Conformity Costs

Transaction costs are the "price" of making a decision, and conformity costs are the "price" those who do not get what they want must pay to arrive at a decision. For each person affected by the collective decision, the conformity cost is the difference between what the person wanted from the decision and what they actually got out of it. When you were making the collective decision about where to go for dinner, you might have argued for

sushi. If the final decision was for tacos, your conformity cost would be the difference between the smaller amount of satisfaction you will get from having tacos and the greater happiness you would have gotten from having sushi. School provides another example. Your classes always meet at the same time, most likely everyone in a class has the same assignments and takes the same tests at the same time, and so forth. These are all factors that impose conformity costs. If every student's education was personalized to meet their own preferences and goals—with schedules, assignments, and exams all designed for that purpose—that would be an educational system with extremely low conformity costs. But the establishment and monitoring of such a system would create enormous transaction costs. How would classrooms be assigned, for example? To the extent that education is personalized—college students can choose their own majors and select electives, for example—the transaction costs are higher because this requires more complicated administration (e.g., some official has to track your schedule to make sure that you are completing all the requirements).

Consider driving laws. When the government imposes speed limits on the driving public, the conformity cost is the difference between how fast drivers want to drive and how fast they are allowed to drive. Speed limits apply to everyone; they are not variable based on the skills or preferences of the driver. No one under the legal age can obtain a driver's license, but (almost) anyone over the legal age can. These are just a few examples of government policies that limit transaction costs but increase conformity costs.

Transaction costs and conformity costs often move in different directions: when transaction costs are low, conformity costs are often high, and vice versa. The lowest transaction cost occurs when a single decision-maker can rule by decree—for example, "We will watch this movie." In Brunei and in other countries ruled by absolute dictators, transaction costs are minimal. The Sultan speaks, and it is so. The lowest conformity costs exist when individuals can simply do whatever they want.

Contrast the centralized power of Brunei with the city council meetings in Fayetteville, Arkansas. At those meetings, and in similar meetings around the United States, virtually any resident may voice their concerns on any issue before the council. Meetings do not end until everyone who wants to speak has been heard.



FIGURE 6.11 Tribal leaders in Afghanistan meet to discuss options for defusing local unrest. (credit: "101117-A-W3011-0006 " by ResoluteSupportMedia/Flickr, CC BY 2.0)

If you ever have the chance to attend a group meeting in which a large number of people attempt to decide what to do—whether that meeting involves tribal leaders in Afghanistan, party leaders in China, or an Indigenous deliberative assembly in Bolivia—you will quickly learn that these meetings move slowly. Not every voice will ultimately influence policy (those arguing to "pass the bill" and those arguing to "kill the bill" will not both be satisfied, even if they are both heard), but when multiple voices are heard, the chances that the final measure will be more closely tailored to the preferences of everyone in the group are higher than if those voices were not heard.

VIDEO

Ordinance Would Finally Allow for Public Comment at Cleveland City Council Meetings
Access multimedia content (http://openstax.org/books/introduction-political-science/pages/6-3-collective-dilemmas-making-group-decisions)
This news clip from April 2021 reports on an ordinance that would allow public comment at Cleveland City Council Meetings. The Council approved new procedures for public comment in September 2021.

Is it better to have lower transaction costs or lower conformity costs? It depends. When decisions must be made, and made quickly, it is better to minimize transaction costs. If a country is under surprise attack, for example, that may not be the best time for long, deliberative conferences. In such a circumstance, the longer a country deliberates, the more it is likely to lose, so quick and decisive action—that is, decisions with low transaction costs—are essential. When a political party is deciding what its platform will be, on the other hand, it makes sense for the party to listen to multiple voices in order to attract multiple voters. Under those circumstances, expediency is less important than leading the various supporters of the party to believe that the party seeks the same things they seek. Discussions are lengthy precisely so that all the various interests can be heard.

Solving coordination problems is no easy task, and finding solutions with acceptable amounts of transaction and conformity costs is often a challenge. As difficult as it can be, when people of good faith come together to confront these challenges, they can be successful. To avoid existential threats, they must find a way to coordinate.[58]

Resolving so-called prisoner's dilemmas (discussed in the next section) is a different matter because they contain features that make it difficult to arrive at decisions that benefit both the larger public and the individuals involved. The problem with prisoner's dilemmas is not coordination costs. The problem with prisoner's dilemmas is that individuals have strong incentives to do things that are not socially beneficial.

6.4 Collective Action Problems: The Problem of Incentives

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain the roots of collective action problems.
- Describe the causes of the tragedy of the commons.
- Use political examples to explain the tragedy of the commons.
- Describe the causes of the free rider problem.
- Use political examples to explain the free rider problem.
- Identify the logic underlying the prisoner's dilemma.

Collective action problems exist when individuals, acting rationally in pursuit of their self-interest, have incentives to make decisions that are harmful to the interests of others as well as, ultimately, the individual themselves.

Collective action problems are everywhere in politics. In classical economic theory, collective action problems are not seen as a natural condition. Classical economic theory holds that individuals will act to benefit themselves and that in doing so they will also benefit others through the "invisible hand."[59] Remember the logrolling example in Chapter 2? Two individuals each have an apple and an orange. One individual really loves oranges; the other, apples. They each have self-interested incentives to trade that which they care for less for that which they desire more. Voilà! One person gives the other an apple, the other gives an orange, and they both are better off even though neither acted with the interest of the other person in mind.

Collective action logic comes to the opposite conclusion, one in which individuals acting in their own self-

interest can have incentives that lead them to act in ways that harm not only the broader public but also themselves. Collective action problems fall into three main categories: the tragedy of the commons, free riding, and the prisoner's dilemma. The **tragedy of the commons**, which results in the depletion of a resource available to all, poses particular threats to global health and welfare. The problem of free riding, wherein individuals not participating in a group activity nonetheless benefit from the activity, makes it difficult to change the status quo. Finally, the prisoner's dilemma, a situation in which individuals act strategically in ways that ultimately harm themselves, demonstrates why it can be challenging to get allies to work together.

The Tragedy of the Commons[60]

The world's resources are finite. In southern Africa in the 20th century, overhunting nearly led to the extinction of the black rhino.[61] Many types of fish—including tuna, cod, and halibut, among others—are being pulled out of the ocean at commercially unsustainable levels.[62] The climate is changing because humans are in effect using up the atmosphere's capacity to absorb greenhouse gases.[63]

Whenever there is a resource that anyone within a group can tap, or exploit, that resource is a "commons." Regarding fish and fishing, the oceans have been a commons. If anyone can withdraw water from a river, that river is a commons; likewise, if anyone can emit air pollution, the atmosphere is a commons.



FIGURE 6.12 Commercial fishing of tuna and other species can lead to a tragedy of the commons. (credit: "Tuna fish" by Motaz Altahir/Flickr, Public Domain)

In each of these cases, the same principle dominates. If anyone has access to the commons—whether that resource is the rhino grazing in Africa, the tuna swimming in the northern Atlantic, or the atmosphere—and that resource is scarce, then every individual has an incentive not only to take what they need but also to take as much as they want. Individuals have this incentive because they can sell this scarce resource (rhino horns, tuna fish) or because they benefit today without consideration of future consequences. If everyone took only what they needed, some renewable resources could become replenished. But if everyone has the incentive to take as much as they can, pretty soon those resources will be depleted. No one can access a resource that has been depleted. If everyone had shared, there may well have been enough to meet everyone's long-term needs. In the paradox of the tragedy of the commons, those who seek to hoard resources ultimately have less even for

themselves.

Bluefin tuna, highly valued for its use in sushi, carries a high price, and so commercial fisheries have strong incentives to catch as many of them as they can. Between the 1970s and the early 2000s, the Atlantic population of bluefins declined by an estimated 80 percent due to overfishing, and scientists warned that the species faced extinction unless the tragedy of the commons was averted.[64] Though tuna became extinct in the Black Sea, primarily due to overfishing and other environmental pressures, strictly enforced catch quotas helped avert the tragedy in the Atlantic.[65] Sadly, there are numerous other examples, such as overfishing in places like China and Chile, the depletion of freshwater resources in places like Australia and Saudi Arabia, and worsening traffic congestion in places like Los Angeles and Cairo, as roads are a scarce resource that can be overconsumed.

VIDEO

What Is the Tragedy of the Commons?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/6-4-collective-action-problems-the-problem-of-incentives)

This TED lesson uses a simple, step-by-step example to explain the tragedy of the commons.

Global climate change is perhaps the most pressing example of the tragedy of the commons.[66] Tragedies of the commons could be prevented if everyone—especially those who take the most, whether individuals or countries—took less, but no single person or country has the incentive to do so.

The Free Rider Problem

At some point you have probably been asked to work on group assignments. You might have asked yourself how much effort you wanted to devote to this team activity. Whether you worked like crazy or did nothing at all, you would get the same grade as everyone else in the group (though of course doing nothing would mean you'd have no control over what that grade might be).

So what would you do? The selfish and strategic (or lazy) individual might well say: I'll do as little as possible. This behavior—accepting a benefit without contributing to its achievement—is an example of the **free rider problem**. If every member of the group thinks the same way, no work will get done, and your group will receive a well-earned failing grade. Paradoxically, the group as a whole has incentives to work together to obtain their goal, but the individual members of the group do not.

In small groups, it is fairly easy to identify and control free riding through mutual peer pressure and the belief that failing to contribute might actually hurt the team's grade. But in the political world most groups are much larger, and free riding is much more difficult to spot and manage.

The logic of free riding creates enormous barriers to political change and complicates efforts to resolve policy problems.[67] Political change is difficult to achieve, given its tendency to favor the status quo. It requires the willingness of political actors like individuals, groups, and parties to devote the time, effort, and other resources sufficient to effect change.

Again, climate change provides a useful example. It poses potentially existential threats to the global community. In the past few years, climate change has contributed to extraordinary bushfires in Australia; floods in Indonesia, India, and Europe; and heat waves in the Pacific Northwest and Siberia. These more frequent and intense droughts, storms, and heat waves; rising sea levels; and warming ocean temperatures are wreaking havoc on agriculture, public health, and social stability. Given these threats, it would seem that policy makers around the world would have sufficient incentive to work together to prevent worsening global climate change.

Yet, they have not, at least not in ways that have actually led countries to meet their climate change

commitments. From the perspective of any individual country's leaders, climate change is occurring whether or not their country makes any changes or sacrifices. As responding effectively requires changing the status quo, each country's political leaders may decide to support change rhetorically but not in practice. The Paris Climate Accord of 2015, the agreement of 197 countries to limit global warming, called for countries to take actions to limit average global temperatures to a rise of 1.5 degrees Celsius.[68] Unfortunately, only a few countries, including Morocco, The Gambia, and possibly India, have taken the steps necessary to do their part. The United States, Russia, and many other countries are "barely trying."[69] Facing an existential crisis, most countries have not stopped free riding. Still, there is reason for hope: free riding can be limited.

To suggest that climate change politics are only a matter of free riding would be an oversimplification. Each country has its own political dynamics, and its political leaders face internal pressures and international ambitions. Poorer countries have produced fewer greenhouse gases than richer countries—economic development has been closely linked to the use of the fossil fuels,[70] and so these countries argue that they have the right to continue the economic development linked to climate emissions. Richer countries pollute much more per person than poorer countries, and they often find it difficult to break a status quo that favors continued greenhouse gas emissions. True progress on combating climate change will continue to be challenging as long as each country has incentives to free ride on attempts to reduce global climate change.

The Prisoner's Dilemma

Imagine this scenario. The police apprehend two individuals they suspect of committing an armed robbery. They have evidence that both suspects are guilty of carrying an unlawful weapon, and though they strongly suspect at least one of the two individuals has committed the more serious crime of armed robbery, they have no direct evidence to back up their suspicions.

VIDEO

The Prisoner's Dilemma

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/6-4-collective-action-problems-the-problem-of-incentives)

Simple scenarios help explain the idea of the prisoner's dilemma.

The police separate the suspects so that they cannot communicate with each other, and then they tell each suspect: We know that one of you is guilty of the robbery, but we don't know which one. We can prove you are guilty of the weapons charge, so if we can't find out who is guilty of the robbery, then both of you are going to prison for one year on the weapons charge. However, if you inform on your accomplice (political scientists call this "defecting"; if you do not give away your accomplice, you are said to be "cooperating"—with your fellow suspect, not with the police), we'll drop the weapons charge, you'll be released, and your guilty accomplice will serve an eight-year sentence. If you blame each other, we still won't know which of you actually committed the crime, so you both will be convicted of being an accessory to armed robbery, with a sentence of five years.[71]

		Person A	
		Stay silent (cooperate)	Accuse (defect)
Person B	Stay silent (cooperate)	A: 1 year B: 1 year	A: 0 years B: 8 years
	Accuse (defect)	A: 8 years B: 0 years	A: 5 years B: 5 years

TABLE 6.1 Dilemma Schema

Based on this scenario, both suspects would be better off if they remained silent: they would each receive a relatively minimal one-year sentence. You can see the other possible outcomes in Table 6.1.

No matter what Person B thinks Person A will do, Person B is better off accusing them. And Person A has the same incentives: no matter what Person B does, Person A has good reasons to accuse Person B. If both people remained silent, they would serve a total of two years in prison. If one accuses the other and the other remains silent, the total prison time would be eight years. If each accuses the other, they will spend a total of 10 years in prison. The "socially" best outcome—if that is defined as the outcome with the minimum total prison time—is for both of the accused to remain silent. However, as each individual has a strong incentive to claim the other is guilty, the predicted outcome is the worst outcome, with 10 total years of prison time. This is the **prisoner's dilemma**: individuals, acting strategically in their own self-interest, have incentives that lead them to take actions that result in unnecessarily negative outcomes for both parties.

VIDEO

Golden Balls Game Show Illustrates the Prisoner's Dilemma

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/6-4-collective-action-problems-the-problem-of-incentives)

This clip from the British game show Golden Balls perfectly illustrates the prisoner's dilemma. Even though both players would have benefitted if they had cooperated, they chose not to cooperate and so hurt themselves.

VIDEO

Game Show Contestants Overcome the Prisoner's Dilemma through Strategic Decision-Making

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/6-4-collective-action-problems-the-problem-of-incentives)

In this second clip, the players show how a prisoner's dilemma can be overcome through strategic decision-making. But note that in this scenario the players were allowed to talk with each other so that they could give signals about what their strategies were.

There are many real-life examples of prisoner's dilemmas in politics. Two opposing political candidates may each prefer to run only positive campaign ads, but each fears the other will "go negative" to gain an advantage. Both candidates consequently run negative ads, which tarnish the reputations of each. When tensions rise between two countries over a border dispute, each country may feel pressure to strike first. The country that strikes first may gain an advantage over the country that does not.

6.5 Resolving Collective Action Problems

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain why collective action problems are less common and easier to resolve in small groups.
- Describe the three main ways to resolve the tragedy of the commons.
- Describe the reasons why each resolution to a collective action problem is imperfect.
- Describe the three main ways to address the free-riding problem.
- Identify the principle solutions to the prisoner's dilemma.

Collective action problems are pernicious. While they are difficult (but not impossible) to eradicate, failure to do so can lead to serious consequences to people's health and welfare.

Each of the three main types of collective action problems is easier to solve, at least in principle, when the problems arise within small groups of people (such as families or tribal units) in which the members know each other well and have to live with each other over a long period of time. If you free ride by not pitching in to

keep your living space clean, those living with you are going to notice and probably try to find ways to compel you to do your fair share. If you share a refrigerator with others, you will need to find a way (such as labeling whose food is whose) to prevent a tragedy of the commons in which food vanishes and is not replaced. Should a prisoner's dilemma scenario arise, the better the "suspects" know each other and the more they trust each other, the more likely it is that they will cooperate.

For small groups, the strength of the personal relationships, the power to monitor for infractions, and the ability to provide suitable rewards and enforce appropriate punishments are the keys to avoiding or mitigating collective action problems. Formal mechanisms need not be established.

You cannot know the resolution of collective action problems in advance. What happens depends on the decisions that those involved in the resolution make.

WHERE CAN I ENGAGE?

Testing Solutions to Collective Action Problems: The Evolution of Trust

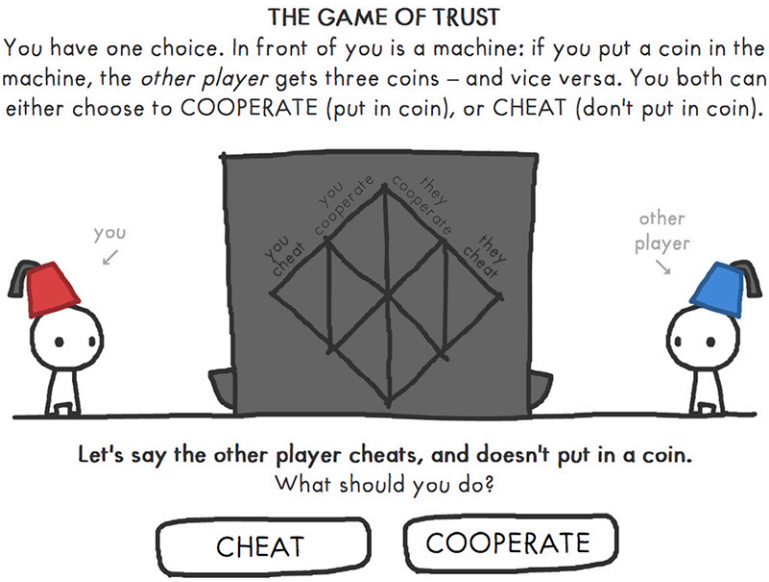


FIGURE 6.13 This screenshot shows the first step in one of the simulations you can play at The Evolution of Trust. (credit: screenshot of "The Evolution of Trust" by Nicky Case, CC0 1.0)

To see how different choices can influence the outcomes of collective action problems, you can experiment with various scenarios using Canadian game designer Nicky Case's free online game theory simulator, The Evolution of Trust (https://openstax.org/r/the-evolution).

But what works for a small group is not sufficient for larger groups, and politics typically involves large groups. In large groups, most individuals will not necessarily trust—or even know—each other, except perhaps through their cultural identifications. If you try to free ride in a group of four, the other group members will definitely notice. If you free ride in a group of 40 million, no one is likely to perceive your absence or lack of effort. Challenges in preventing tragedies of the commons or avoiding the worst outcomes of prisoner's dilemmas also grow with the numbers of individuals involved.[72]

Collective action problems involving large numbers of people cannot rely on personal relationships; they require other mechanisms for monitoring and enforcement. Remedies for free riding, tragedies of the commons, and prisoner's dilemmas involving large groups differ, but all three types of problems require political solutions.

SHOW ME THE DATA

Carbon dioxide (CO_2) emissions are a key source of the greenhouse gases that are creating a warmer and more variable climate. This map shows per capita[73] CO_2 emissions across countries (view interactive map at https://ourworldindata.org/grapher/co-emissions-per-capita). Per capita emissions are calculated in order to make fairer apples-to-apples comparisons; that is, you can compare how much a typical person in each country pollutes to how much a typical person in every other country pollutes.

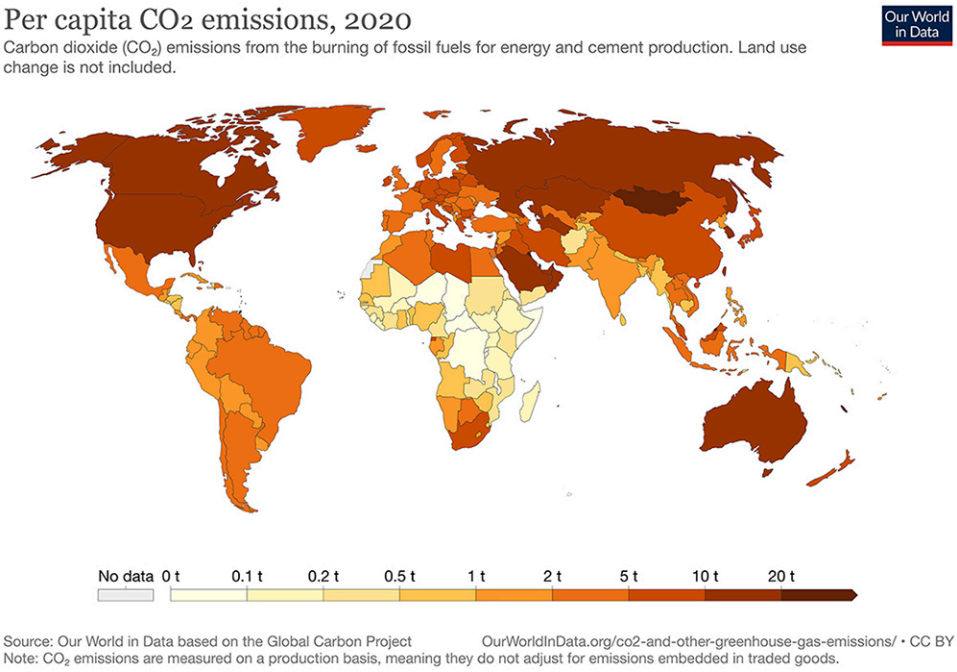


FIGURE 6.14 More industrialized, wealthier countries tend to emit higher levels of CO_2 than other countries. (credit: "Per Capita CO_2 Emissions" by Our World in Data, CC BY 4.0)

The biggest per capita polluters are smaller, oil-producing countries such as Qatar, Kuwait, and the United Arab Emirates. Other heavily populated, affluent countries that are high emitters include the United States, Canada, and Australia, among others. Residents of these countries emit more than 150 times as much CO_2 as do those living in the poorest countries such as the Central African Republic, Chad, and Niger. The four largest political regions based on population—China, the United States, the European Union, and India—contribute more than half of all CO_2 emissions. Each would need to reduce their overall emissions to forestall further climate change.[74] If a climate tragedy of the commons is to be averted, each country must bear its fair share of the burden.

Resolving Tragedies of the Commons

Two remedies for the tragedies of the commons require governmental power. One remedy gives a central institution (the government) the authority to protect the commons through force. If the government has a long-term interest in maintaining the commons and the de facto power to do so, it can prevent individuals from depleting the resource. Alternatively, the government can put a price on (privatize) the resource so that anyone who wants to use the resource must pay for it. In this case, the resource is no longer a "commons" open to all.

Think back to the bluefin tuna example. To help prevent their extinction in the Atlantic, the US government instituted a number of requirements for commercial fisheries including that they purchase one of a limited number of permits, abide by catch limits, and report how many tuna they caught.[75] In an ideal world, the United States would offer just enough permits, with the right catch limits, at the right price, so that as many tuna as possible would be caught without depleting the tuna population, and the permits would be bought by those who value them most. In the ideal world, fisheries would abide by established limits, and their reports would confirm that they had done so.

If a commons existed completely within the border of a single country, that country could potentially solve the tragedy on its own. Tuna, however, are highly migratory, and fisheries from many countries seek them; they are part of an international commons. The International Commission for the Conservation of Atlantic Tunas (ICCAT) is an intergovernmental organization established in 1966 to address this international problem. ICCAT had the same basic goals and tools as the United States, but regrettably the organization had "no powers to enforce, no sanctions with which to punish," and so it was ineffective in protecting the commons, at least in its early years.[76]

The solutions of governmental control or privatization each have their own problems. The government may protect the commons by taking control of it, but the government might use the resources to benefit political elites rather than for the benefit of the community as a whole. And while emperors have reason to preserve the resource, believing their family will rule indefinitely, elected politicians are focused squarely on the short term—the next election—rather than on preserving the resource for their grandchildren's generation. When the government takes control of the commons, it does not necessarily use the commons wisely.

Privatizing a resource has its own pitfalls. Those who are used to exploiting the commons without paying for it (in the example above, the fisheries) will object to making costly what was once free. The more politically powerful the group, the more difficult it is for elected officials to protect the resource through privatization. Elected officials face pressure to offer more permits for greater exploitation at lower prices. As a result, the prices the government sets for the resource are usually too low, and the resource is allowed to be depleted faster than it can be sustained. Even if governmental officials did not face public opposition, privatizing the resource is challenging. If the government sets the prices too low, the resource will be depleted, and if it sets the prices too high, the community will be deprived of a valuable resource. Moreover, the more valuable the resource, the more likely it is that individuals will attempt to exploit it. In that case, preventing exploitation may require heavy policing and harsh punishments.

The giant Moa, a bird weighing as much as 500 pounds and standing 12 feet tall, was hunted to extinction by the Maori in New Zealand in the 15th century: a true tragedy of the commons.[77] Fortunately, the Maori were able to turn to other sources of food. Today's tragedy of the commons challenges, like global climate change, are much greater than a single bird for a single group.



FIGURE 6.15 The Moa was hunted to extinction in a tragedy of the commons. (credit: "Hunting Moa" by Joseph Smit/Extinct Monsters by Rev. H. N. Hutchinson/Wikimedia Commons, Public Domain)

Historically, businesses that emitted CO_2 polluted for free. To reduce pollution, governments can put a price on it: "Every unit of pollution you emit will cost you this much." This price is typically referred to as a **carbon tax**.[78] The idea is that if you make it costly to pollute, people will pollute less, but this will be true only if the tax is high enough to coerce polluters to substantially reduce their emissions. Governments find it hard to impose these taxes because those being taxed resist. Because so many human activities create a "carbon footprint," virtually everyone would see higher prices on their electric or gas bills, as well as at the grocery store and all the other places they shop. High carbon taxes are almost certain to produce beneficial long-term consequences for human health and welfare, and the short-term costs to individuals and businesses can be mitigated.[79] Still, those costs are immediate, and the benefits are in the future. As a result, countries have had enormous difficulty in setting carbon taxes high enough to prevent additional global warming.[80]

Nobel prize winner Elinor Ostrom proposed a relatively effective solution to the tragedy of the commons that relies neither on a sovereign nor on prices.[81] Ostrom suggested that effective solutions can arise from the communities that use a resource once they recognize the commons problem and their mutual interest in resolving it. Community members are more likely than distant governments to understand the problem and to have a stake in remedying it. When Ostrom identified communities around the world that have come together to solve such problems, she observed two necessary details that allow these community solutions to work. First, the community must engage in collective decision-making so that all relevant interests can participate. Second, the rules the community makes must be clear so that members know what is allowed and what is not. If these conditions are in place, the decisions the community makes are likely to be wise and enforceable, as community members can monitor each other to prevent cheating. Ostrom found evidence supporting these principles in places ranging from the "Japanese villages of Hirano and Nagaike, the huerta irrigation mechanism between Valencia, Murcia and Alicante in Spain, and the zanjera irrigation community in the Philippines."[82]

Since Ostrom's examples all involve small communities in which members know each other and have roughly equal power, it's unclear whether her findings point the way to a solution that can be implemented at the global level. In the absence of a solution like the one Ostrom proposes, communities tend to turn to a sovereign to impose restrictions or set prices. Since there is no global sovereign, the climate change crisis remains an especially challenging collective action problem.

Resolving Free Riding Problems

The best way to resolve the free rider problem is to disincentivize free riders. One powerful tool to discourage free riding is to keep groups small. Because in politics groups are usually large, they must develop other

mechanisms to identify free riders and to deter their behavior. These mechanisms come with a cost: the group must devote resources to monitoring and punishing unwanted behavior, and group members need to subject themselves to some form of surveillance.

Every country needs to collect taxes to fund government programs. If no one paid taxes, roads would never be repaved, safety regulations could not be enforced, the military would be unfunded, and the government could not provide disaster relief, just to name a handful of the many services that taxes allow the government to deliver. Still, few citizens would voluntarily send a check to pay their fair share of taxes unless they had strong incentives to do so. The most basic incentive? Failure to pay taxes is a crime, punishable by fines and imprisonment. If you know there is some chance you will be caught and violators are punished, this may provide sufficient incentive not to free ride. In addition to monitoring and fines, to prevent individuals or corporations from evading their obligations by moving their money into other jurisdictions, countries try to coordinate their tax policies. In 2021, the G-7 nations—a group of the world's largest economies that includes Canada, France, Germany, Italy, Japan, the UK, and the United States—did just that, agreeing to a coordinated global minimum corporate tax of no less than 15 percent.[83]

In the United States, the likelihood that a citizen's taxes will be audited has dropped substantially in recent decades, especially among high-income individuals, as the federal government has devoted fewer resources to the Internal Revenue Service, the agency responsible for collecting taxes.[84] While most citizens pay the taxes they owe, free riding deprives the US Treasury of some $400 billion, about 15 percent of all taxes owed, each year.[85] To reduce the amount of free riding, the US government would need to devote additional resources to monitoring and enforcement.

Monitoring and penalties are not the only way to prevent free riding. Another approach is to create strong social solidarity. Political organizations and governments seek to create these bonds of common connection. Through civic education and social signaling, they send the message that citizens should pay their taxes not just because they will be punished if they don't; they should pay them because that is what good, patriotic citizens do. In the countries with the highest tax compliance—that is, with the lowest rates of free riding—citizens generally pay their taxes because they believe the tax system is fair and that it is a civic duty to pay your taxes, and because there is widespread faith that other citizens are also paying their fair share.[86] It also helps if the government is competent so that citizens can see that their taxes are being used responsibly.

The tragedy of the commons and the prospect of free riding are especially relevant for slow-growing crises like climate change. It is unlikely that the Maori knew that they were literally hunting the Moa to extinction, gradually eliminating a valuable source of food: each year, there were fewer birds to hunt, but maybe imperceptibly so, until the Moa vanished. Like the Maori, many countries are slow to address the problem of climate change, even though the changes appear to be accelerating and creating irreversible damage.[87]

Resolving Prisoner's Dilemmas

Prisoner's dilemmas create risks that can lead to more immediate but no less catastrophic outcomes. When two countries are at the brink of war, each might believe that it is more beneficial to attack than to wait—that is, to defect rather than to cooperate.

The simplest solution to the prisoner's dilemma is for both participants to cooperate rather than to defect; however, they are likely to do so only under certain conditions. A participant is least likely to defect when they know that the other participant will punish them if they do. If they each know they will be punished if they defect, then they are more likely to remain silent. Preventing or ending prisoner's dilemmas requires that the participants know they will be punished if they defect, that a third party will enforce cooperation, or that the participants have mutual trust.

Once one of the parties defects in a prisoner's dilemma setting, it is not easy to get the participants to cooperate later. As in the persistent conflict between Israelis and Palestinians, cases where any two groups are locked in intractable disagreements exemplify how tit-for-tat retaliation dominates any possibility of mutual

agreement. The two parties have learned not to trust each other. Once that happens, rebuilding trust is difficult. It is easier to lose trust than to gain it. In a prisoner's dilemma, once a party has defected, the other party might well assume that the party that defected can never be trusted. Avoiding this outcome requires a third party that can enforce cooperation or punish those who defect to induce future cooperation.

Summary

6.1 Political Socialization: The Ways People Become Political

Political socialization is the process by which individuals develop their political personalities from their youth through their adult years. These personalities include values and attitudes regarding politics, such as one's views about the role of the government and the relationship between the government and citizens. Socialization affects whether people are even interested in politics and government in the first place.

Those who are most important in a person's life, like their families and friends, play important roles in their political socialization. Schools, places of worship, and—increasingly—interactions with others through social media can also be important influences. The process is not deterministic; you cannot look at all the influences on your development and predict precisely who you will become. Still, you do not entirely choose who you will become, as you are in part the product of your social environment.

6.2 Political Culture: How People Express Their Political Identity

Every country has multiple political cultures. Political culture is the set of political attitudes, values, goals, and practices common to members of any political grouping. Countries have distinct political cultures, which means that citizens of a country are likely to share common views about their roles as citizens and the responsibilities of the government.

In any country, you can identify elite, mass, and minority cultures, each having its own set of views and attitudes and, perhaps, social markers such as clothing, music, or even dietary preferences. The elite culture comprises those who dominate a country's political agenda, policy choices, and official positions of power. The mass culture consists of the bulk of citizens or, in democracies, voters who typically embrace the political values that are central to the nation's political cultures but who are not in positions of power. A vast number of minority cultures exist, each having its own particular set of attitudes and behaviors. A key aspect of minority cultures is that they allow groups of individuals to distinguish themselves from the majority culture in ways that produce pride, belonging, and solidarity. Minority cultures arise for diverse reasons and may later develop their own political identities. Those in a particular culture might both change their personal behaviors to advance the group's goals and engage in political activism with others in that culture.

6.3 Collective Dilemmas: Making Group Decisions

Whenever individuals come together to make decisions, there is the potential that the group (collective) will face certain difficulties (dilemmas). These difficulties can involve disagreement about group goals or about the best course of action, or they might involve incentives individuals have to act in ways that are counter to group interests. When a group is sizable, one or more of these dilemmas is likely to exist in every attempt to make decisions or take action.

When group members disagree regarding goals, a decision can be reached by force or through nonviolent, democratic means. Nonviolent, democratic processes typically involve voting. In these cases, the voting rules will influence the outcome. These rules can vary, from a plurality rule, in which the outcome is decided by the position that obtains the most votes, to a unanimity rule, in which everyone must ultimately agree to a single position. In general, voting rules are set so that the more consequential the issue, the higher the proportion of votes is needed to change the status quo.

Groups making decisions face coordination challenges. These challenges exist when group members generally agree on the goals but disagree about the specifics. Making decisions regarding the specifics creates transaction costs—the time, effort, and other resources required to make the decisions—and conformity costs—the differences between the value of the policy that each individual hoped for and the decision they each actually received.

6.4 Collective Action Problems: The Problem of Incentives

Collective action problems involve group decisions in which individuals within the group would benefit from cooperating with other group members, but they each have incentives not to cooperate. Individuals acting on these incentives can harm the group and, paradoxically, themselves.

In the tragedy of the commons, self-interested individuals have incentives to take as much of a public resource as they can. If enough individuals act on these incentives, the resource will be depleted; at that point, no individual would have access to the resource. Individuals are said to be free riding if they do not contribute to a group goal but still receive the same outcome as the group members who contribute. In a prisoner's dilemma, the participants would benefit from cooperating with each other, but they have strong incentives to defect. As each participant faces similar incentives, the likely outcome is that every participant is worse off than if they had cooperated.

6.5 Resolving Collective Action Problems

Collective action problems are common in large groups, and they are difficult to solve. The tragedy of the commons can be prevented if some authority can restrict exploitation of the resource or if the commons can be privatized in a way that prevents the resource from being depleted. Free riding can be avoided through monitoring that can detect free riders and sanctions that can punish them. Creating social solidarity so that individuals believe that they should not free ride can also be important. Unless the participants in a prisoner's dilemma trust each other and know that they will need to work together again in the future, the expectation is that the outcome of the dilemma will harm both players. Avoiding this outcome requires a third party that can enforce cooperation or punish those who defect to induce future cooperation.

Key Terms

carbon tax a fee imposed on the use of fossil fuels based on the amount of carbon dioxide that use emits into the atmosphere

collective action the activities of a group as it makes and implements a decision regarding a group goal

collective action problems the broad category of activities in which participating individuals have incentives to maximize their own self-interest in ways that harm the group interest

collective dilemma any situation in which a group must make difficult choices

conformity costs the difference between what an individual wants from a policy decision and what the individual actually receives

coordination problems the challenges groups face when there is general agreement on goals but disagreement on the specific ways in which to achieve them

elite culture those in a country who, by virtue of their wealth, education, and position, have the dominant influence over politics and policy

free rider problem when individuals in groups have incentives not to contribute to the group's goals because they will receive the same outcome whether they contribute or not

majority rule a form of decision-making by voting, in which the proposition that receives more than 50 percent of the votes wins

mass culture the most popular views, attitudes, preferences, and behaviors within a society

minority cultures the views, attitudes, preferences, and behaviors of subsets of a society that produce group identity

political culture the set of shared political attitudes, values, goals, and practices within a country

political elites those within a society who, by virtue of their wealth, status, positions, and power, have the greatest influence over the country's political agenda, its policy decisions, and its decision-making cadre

political socialization the gradual development, from youth through adulthood, of a political personality

prisoner's dilemma a scenario in which two individuals would benefit from cooperating, but each has strong incentives to defect, leaving both individuals worse off than if they had cooperated

quorum the minimum number of the group that must be present for a vote to be held
socialization the gradual process through which a person develops the values and beliefs that determine who they will be as an adult
status quo the current situation
supermajority a voting rule in which more than a majority is needed for a measure to pass
tragedy of the commons a situation in which individuals have incentives to take as much as they can from a public resource, thereby depleting the resource
transaction costs the time, money, and effort required to make a group decision

Review Questions

1. Political socialization is _____.
   a. the process by which you develop political partisanship
   b. the method you use to choose your political ideology
   c. the theory of social organization in which the means for producing and distributing goods are collectively owned
   d. the process by which you develop your political personality

2. The most important influence on political socialization is _____.
   a. religion
   b. peers
   c. family
   d. social media

3. Political culture is the _____.
   a. product of governmental educational campaigns
   b. result of political campaigns and elections
   c. set of political attitudes, values, and goals shared by everyone in a political group
   d. tendency for those in a political group to share common understandings of politics and government

4. Minority political culture _____.
   a. is the political culture of ethnic minorities
   b. can emerge organically
   c. dictates how people interact with others in their group
   d. is built around musical preferences

5. Which is not a cause of a collective dilemma?
   a. Participants agree on a goal but not on how to obtain it.
   b. Participants have motivations contrary to the group's goals.
   c. Participants share a common political culture.
   d. Participants disagree on what the goals should be.

6. In collective decision-making, there is a bias toward _____.
   a. the status quo
   b. majority rules
   c. supermajority rules
   d. compromise

7. Collective action problems exist because _____.
   a. political parties are highly polarized

b. humans are selfish by nature
c. individuals can have incentives that harm group interests
d. transaction and conformity costs are both too high

8. In a prisoner's dilemma, logic indicates that _____.
a. both participants will cooperate
b. both participants will defect
c. one participant will defect
d. one participant will cooperate

9. Global climate change exemplifies _____.
a. a prisoner's dilemma
b. free riding
c. the tragedy of the commons
d. the perils of globalization

10. One technique for resolving the tragedy of the commons is _____.
a. preventing free riding
b. encouraging altruism
c. government regulation
d. protest marches

11. Collective action problems are less severe in small groups than large groups because _____.
a. individuals are less able to free ride
b. it is easier to monitor individual behavior
c. peer pressure is stronger
d. All of the above

12. A key difference between small groups and large groups regarding collective action problems is _____.
a. monitoring and enforcement are easier in small groups
b. individuals have different incentives in large and small groups
c. small groups are more prone to prisoner's dilemmas
d. large groups can rely more on social trust

Suggested Readings

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Civil Rights 7



FIGURE 7.1 On May 13, 2013, thousands of people crowded into the Minnesota state capitol for the Minnesota Senate vote on a same-sex marriage bill. On that day, the bill became law. (credit: "Crowd during the same sex marriage vote in the Minnesota Senate" by Fibonacci Blue/Flickr, CC BY 2.0)

CHAPTER OUTLINE

7.1 Civil Rights and Constitutionalism
7.2 Political Culture and Majority-Minority Relations
7.3 Civil Rights Abuses
7.4 Civil Rights Movements
7.5 How Do Governments Bring About Civil Rights Change?

INTRODUCTION This chapter examines the meaning of **civil rights** as a legal concept, how civil rights are defined in constitutions around the world, and which civil rights governments and institutions recognize and protect. It explores how individuals and groups, like Me Too and other social justice movements, can raise public awareness and work to change policies and improve legal protections surrounding issues of discrimination and unfair treatment under the law, and it shines a light on the important role of government and institutions that maintain and challenge the status quo. Civil rights issues are of particular concern for less powerful groups, including religious, racial, ethnic, and sexual minorities (or anyone not seen as the majority in power). Often, civil rights change is rooted in local issues that become global, and social media provides new and accelerated pathways to equitable legislation and policy. The chapter draws on historical and current examples to provide a broad overview of past and ongoing civil rights abuses and to illustrate the methods people use to work for civil rights change.

7.1 Civil Rights and Constitutionalism

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define *civil rights* and distinguish between civil rights and civil liberties.
- Explain why voting rights are one of the most essential and most contested of all civil rights.
- Discuss the ways in which constitutional and legal structures determine which civil rights states recognize and protect.
- Analyze why civil rights definitions and protections vary in different countries and change over time.
- Explain the relationships between positive and negative rights and between positive rights and civil rights.

Civil rights are government guarantees of equal protection under the law, regardless of membership in a group based on a shared characteristic such as race, national origin, ethnicity, sex, gender, age, or ability. The government is tasked with acting to protect members of groups who have been discriminated against because of their group membership alone. An issue becomes a civil rights concern when action is required because a group's rights are being violated or denied. If the government fails to act to protect that group or if its actions are inadequate, people outside the government may act to urge the government to take greater formal action to remedy the situation.

Chapter 4 discussed civil liberties. Civil rights and **civil liberties** are related; however, their meanings differ in important ways. Civil liberties are freedoms from restriction. They are limits on the government's ability to restrict individuals. The government cannot stop you from something that you have the liberty to do. A right is something to which a person is entitled. Civil rights are entitlements that governments must step in to protect for certain groups who are suffering or have suffered discrimination.

In the United States, the first 10 amendments to the US Constitution define the civil liberties—the individual freedoms—that the government must respect. These amendments are known as the Bill of Rights. Some examples of civil liberties mentioned in the Bill of Rights include "the freedom of speech, or of the press" (1st Amendment); "the right of the people to be secure in their persons, houses, papers, and effects" (4th Amendment); and the right against "excessive bail" and "cruel and unusual punishment" (8th Amendment).

Civil rights have to do with issues of equal treatment and are those rights that government institutions must protect and enforce via legislative action, judicial interpretation, and executive implementation.[1] They may include political rights, such as voting, running for office, or serving on a jury; employment and employment-related opportunities, such as equal employment opportunities and equal pay; and legal rights, such as the right to file a civil suit. Opportunities and limitations based on group membership have consequences in various realms including politics, society, the economy, education, and the law. Groups are often differentiated based on various categories of group identification including race, ethnicity, religion, gender, sexual orientation, ability, age, economic status, etc.

Voting as a Civil Right

As discussed in more detail later in the chapter, voting is a civil rights issue in the United States. Throughout its history, the United States has restricted voting access to certain groups, culminating in several historic movements and protests to expand and protect voting rights. The vote is one of the most powerful ways the people can use their voice to effect change and be heard. When a government denies a group the right to vote, it effectively takes away their political voice. The less power the members of a group have to make their voices heard, the more help they will need—if not from the government, then from the political action of other groups. As Boston College professor Kay Lehman Schlozman, Harvard University professor Sidney Verba, and University of California professor Henry E. Brady put it, "Public officials cannot consider voices they do not hear."[2]

Though the US Constitution has been amended several times to expand **suffrage**—the right to vote—by

removing barriers based on race (15th Amendment), gender (19th Amendment), and age (26th Amendment), some stakeholders in the United States still seek to prevent certain groups from exercising the right to vote. Their efforts are referred to as voter suppression.

Civil rights issues vary around the world, and the history of voting rights in New Zealand, a Pacific country very different from the United States, for example, contrasts with the history of voting rights in the United States. Traditionally, the New Zealand government has extended more rights to its Indigenous people than it has to people who emigrated later. Indigenous Maori men received the right to vote in New Zealand before the government extended that right to all men over the age of 21 in the country who were British subjects (at the time New Zealand was a British colony), and New Zealand was the first country in the world to grant women the right to vote.[3] The United States did not grant women the right to vote until almost 30 years later. Despite the ratification of several amendments to the US Constitution that were intended to guarantee suffrage to more people, Native Americans, for example, continue to be denied the right to vote even today in certain places in the United States because of lack of documentation and identification.[4]

In 1971, the United States lowered the voting age from 21 to 18 (26th Amendment). Some countries, such as Austria and Brazil, have lowered the voting age even further. Following a 2000–2005 trial run, Austrians as young as 16 are now eligible to vote in all local, regional, and national elections.[5] What these examples tell us is that, like many other civil rights issues, suffrage is not a rigid institution, but one that can change due to internal and external forces. A country's suffrage laws are an extension, and oftentimes an expression, of that country's sovereignty; the uniqueness of voting laws and who qualifies to vote contribute to the fabric that makes up a political culture, a concept that will be considered later in the chapter.



FIGURE 7.2 Participants in the 1965 Civil Rights March walk from Selma to Montgomery, Alabama, to protest voter suppression and racial segregation. (credit: "Participants, some carrying American flags, marching in the civil rights march from Selma to Montgomery, Alabama in 1965 (https://openstax.org/r/marchingintheciviltrights)" by Peter Pettus/Library of Congress)

Constitutionalism and Civil Rights

The US Constitution first guaranteed a right to vote for some citizens with the ratification of the 14th Amendment, which declares that any state denying eligible citizens the right to vote will lose representation in Congress. In Chapter 4: Civil Liberties, you read about **constitutionalism**, which is "the doctrine that governs the legitimacy of government action."[6] In other words, constitutionalism reminds us that governments must respect the rule of law and the limits placed on government power.

One way to understand constitutionalism is to think of it as the role a country's written constitution plays in maintaining the rule of law and a country's political culture. India's constitution[7] references freedom from

caste-based discrimination and the freedom to preserve and speak languages, specific rights that may not be applicable in other countries because India has its own specific political culture. Mauritania's constitution also references language. It declares Arabic the official language but recognizes three other national languages. The Mauritanian constitution also emphasizes universal suffrage and specifically states that "the law favors the equal access of women and of men to the electoral mandate and elective functions."[8]

The 1776 US Declaration of Independence states that all people have "unalienable rights" that they possess at birth that no government can take away. The unalienable rights to which people are entitled include the Declaration's most famous phrase: "life, liberty, and the pursuit of happiness." The Declaration of Independence has served as a model for contemporary independence efforts, and international organizations have incorporated the rights enshrined in the Declaration of Independence into their own formal work to promote these rights, as typified by the United Nations' **Universal Declaration of Human Rights** (UDHR).[9] Since 1948, the Preamble of the Universal Declaration of Human Rights (also discussed in Chapter 15) and 30 of its articles have inspired billions of people globally. Some of the human rights the Universal Declaration recognizes include protections against slavery (Article 4) and forced marriage (Article 16), freedom of movement within one's own country (Article 13), the right to participate in government, (Article 21), freedom to join a union (Article 23), and the right to hold a nationality (Article 15).

VIDEO

Universal Declaration of Human Rights

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/7-1-civil-rights-and-constitutionalism)

The Universal Declaration of Human Rights provides a common standard for human rights definitions and protections around the world.

As discussed in Chapter 4, constitutions can include **positive rights** and/or **negative rights**. According to the Markkula Center for Applied Ethics, "Negative rights, such as the right to privacy, the right not to be killed, or the right to do what one wants with one's property, are rights that protect some form of human freedom or liberty . . . positive rights are 'positive' in the sense that they claim for each person the positive assistance of others in fulfilling basic constituents of human well-being like health and education."[10] Negative rights often correspond with civil liberties—what the government cannot restrict—and positive rights correspond with civil rights—what the government must protect. The constitution of the Republic of North Macedonia, for example, prohibits child and forced labor, the death penalty, torture, censorship, and double jeopardy and discrimination based on "sex, race, colour of skin, national and social origin, political and religious beliefs, property and social status."[11] Because they are expressed as prohibitions, these are considered negative rights.

The Comparative Constitutions Project (https://openstax.org/r/comparativeconstitutionsproject) compiles, compares, and analyzes constitutions from around the world. The project's sample ranges from the constitutions of Brunei and Thailand, which include only *two* individual and political rights, to those of Portugal, Serbia, and Ecuador, which include 87, 88, and 89 rights, respectively.[12] Similarly, the Cato Institute conducts an annual survey of political rights known as the Human Freedom Index (https://openstax.org/r/humanfreedomindex). It describes human freedom as "a social concept that recognizes the dignity of individuals and is defined here as . . . the absence of coercive constraint." Drawing on data from 162 countries and using a zero to 10 scale, in 2020 the Cato Institute identified New Zealand as having the most rights and protections of freedoms in the world and Syria as having the least.[13] These rankings reflect global variations in how people conceptualize civil rights, despite the UDHR and other statements about human dignity.

Constitutions play a crucial role in defining which civil rights a country recognizes and claims to protect, but what about enforcement? What if a country's constitution contains certain protections, but the majority does not implement them? The section that follows discusses the relationship between majority and minority

groups and the implications for civil rights. The chapter will conclude with a discussion of the role of government and political institutions in enforcing civil rights.

7.2 Political Culture and Majority-Minority Relations

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Analyze how a country's political culture affects which civil rights it recognizes and defends.
- Describe the relationship between minority and majority groups.
- Discuss the role the majority plays in determining how civil rights function in a society.

Persons with physical and mental disabilities are an example of a group that has experienced widespread discrimination, in part due to a lack of adequate government protections. Absent public policy forbidding it, governments have denied these individuals access to public accommodations, including access to public buildings and programs, while private businesses and other social and educational institutions have also limited opportunities for individuals with disabilities. Challenging these discriminatory policies is now a key focus among civil rights movements around the world. The Disability Rights Education and Defense Fund (DREDF) (https://openstax.org/r/dredf) has compiled a massive list of constitutions that provide protections for those with disabilities.[14] This list includes the constitutions of dozens of developed and developing countries ranging from Zimbabwe and the Gambia to Cambodia and Turkey. The DREDF contains the text of Zimbabwe's constitution, which specifically references "physical disability" as one of the protected characteristics of its citizens. In other words, the constitution clearly states that it is illegal and unconstitutional to discriminate on the basis of physical disability.

The United States Constitution does not include any explicit protections for individuals with disabilities. Instead, the United States has sought to address disability rights through federal laws like the Rehabilitation Act (1973), which created affirmative action in government hiring for people with disabilities,[15] and the Americans with Disabilities Act (1990), a landmark legislative act that made it illegal to discriminate on the basis of ability and offered sweeping changes that made it easier for people with disabilities to access services, transportation, buildings, and employment.[16] The United Kingdom, China, Australia, South Korea, New Zealand, Brazil, and Qatar have handled disability rights in a similar fashion: they have used congressional or parliamentary legislation to create national standards and provisions to protect the rights of those with disabilities.



FIGURE 7.3 This bus platform in Brazil has special accommodations for those with differing abilities. (credit: "Sistema RIT de Curitiba, Brasil" by Mario Roberto Duran Ortiz Mariordo/Wikimedia Commons, CC BY 3.0)

People with disabilities are one example of a **political minority**. A minority can be a group of people or a single person, and its definition changes based on how it is used in different countries.[17] The United Nations Office of the High Commissioner for Human Rights defines ethnic, religious, and linguistic minorities as, "any group of

persons which constitutes less than half of the population in the entire territory of a State whose members share common characteristics of culture, religion or language, or a combination of any of these."[18] According to Arizona State University professor Michael Hechter and Indiana Univeristy professor and director of the Center for Research on Race and Ethnicity in Society (CRRES) Dina Okamoto, most countries "contain several culturally distinct groups whose language, religion, tradition, and historical experiences are not shared and often are at odds with one another."[19]

Civil rights function in society based on how the majority interacts with the minority—who gets to decide whose rights are protected, and how those protections are enforced? These determinations shape which freedoms and opportunities are reserved for the majority and which are also granted to and protected for the minority. The reality is that those in the political majority use their power to secure the best outcomes for themselves. Those enjoying majority group membership often use their influence on elections to define the parameters of the majority group—who will lead, and how will they use the power they have been given?

Majority and Minority Political Cultures

As discussed in Chapter 6: The Fundamentals of Group Political Activity, each country, along with the subnational states within it, has its own unique **political culture**—the ways in which traditions and cultural values create that country's specific political system. A country's particular combination of history, geography, religious practices, conflict, and other identities contributes to creating its specific political culture. Political culture plays an important role in determining which civil rights the country protects and how well it protects them, and those with the most power are most able to influence the culture.

Consider Qatar, a Muslim-majority, petroleum-exporting gulf monarchy known for providing the majority of its citizens with a high standard of living (but providing far less for the millions from mostly Asian and African countries who work in Qatar). Consistent with the country's majority political culture, homosexuality is illegal in Qatar, and punishment for sodomy can range from flogging and imprisonment to death.[20] There are no legal protections for LGBTQ+ people. Qatar now faces the challenge of balancing its conservative political culture with its role as the 2022 host of the FIFA World Cup, during which thousands of people with cultural values that differ from the majority values in Qatar will visit the country. The Qatari government has released statements welcoming gay fans and ensuring their safety but explicitly discouraging public displays of affection and/or having sex.[21]

While many of the people visiting Qatar for the World Cup will be coming from countries where the political culture is very different from the political culture in Qatar, attitudes toward LGBTQ+ individuals in those countries—like Germany, England, Croatia, and South Korea—were not always so tolerant. Political cultures can change, often through a combination of the work of people in nongovernment groups and movements within government institutions, and this change can affect civil rights protections.

Political Culture and Civil Rights Change

One of the biggest changes in civil rights policy in the United States came in 2015 when, in ***Obergefell v. Hodges***, the Supreme Court struck down state laws prohibiting same-sex marriage. The ruling came after decades of hard work to change the political culture of the United States to one that would recognize and protect the rights of LGBTQ+ individuals. For most of American history, same-sex couples were denied the right to marry. The Supreme Court ruling that effectively secured the right to marry for same-sex couples was the culmination of over 50 years of organizing, protests, and lobbying.



FIGURE 7.4 Revelers hold a giant rainbow flag outside the United States Supreme Court to celebrate the decision in *Obergefell v. Hodges*, which declared that the US Constitution guarantees same-sex couples the right to marry. (credit: "DSC_0135" by Jordan Uhl/Flickr, CC BY 2.0)

According to John Kowal of the Brennan Center for Justice at New York University Law School, the push to change federal denial of marriage rights to same-sex couples began in earnest during the 1996 presidential campaign in response to a court case in Hawaii where, in 1993, the state supreme court had ruled that denying same-sex couples the right to marry was in violation of the state constitution.[22]

The sharing of power between states and a national government, known as federalism, creates a unique culture that sets the United States apart from most of the world (for more on federalism, see Chapter 13: Governing Regimes). While many other countries are organized along federal lines, including Brazil, Germany, India, Mexico, and Russia, among others, only the United States Constitution includes provisions that clarify states' rights compared to the national government (9th and 10th Amendments). Since states can create their own statutes and policies as long as they are not in conflict with the US Constitution or congressional law, each of the United States can, theoretically, enact policies that are in direct contrast with a bordering state's policies. That each state and region of the country has a different political culture and different people in power became all too clear in the 2000s and 2010s, when most states passed their own laws on same-sex marriage, resulting in a hodge-podge of laws and policies where, for example, same-sex marriage was banned in Texas but legal in neighboring Oklahoma.[23]

Though the issue of sex-based discrimination and marriage rose to public prominence in Hawaii, LGBTQ+ and civil rights–related interest groups and lobbying were rippling across the country, resulting in citizen referenda, ballot propositions, legislation, and court decisions. Much of the momentum was driven by a combination of public and private advocacy work to change the national conversation on LGBTQ+ inclusion. Attitudes on the topic dovetailed generally with how people viewed homosexuality.[24] In a 2004 national poll of Americans, less than 40 percent of respondents approved of same-sex marriage, but by 2019 that percentage had grown to more than 60 percent.[25] The AIDS epidemic moved from the margins to mainstream American life during the 1980s and 1990s, and media coverage of the epidemic was partially responsible for the shift in attitudes toward homosexuality. Representation in popular culture also played a role, with popular films and television shows like *Philadelphia*, *Queer Eye, The L-Word*, and *Will & Grace* featuring gay and lesbian characters and personalities. According to California State University professor Jeremiah Garretson, one major reason for the shift in acceptance of gay culture is that more Americans than ever know someone who identifies as lesbian or gay; "that increase in interpersonal contact is the major part of the reason attitude change has been so rapid," Garretson said.[26]

In November 2003, Massachusetts became the first US state to legalize same-sex marriage after the state supreme court found that prohibiting same-sex couples from being able to marry violated the state constitution.[27] In its landmark 2015 decision, the United States Supreme Court declared that "the right to marry is a fundamental right inherent in the liberty of the person . . . couples of the same-sex may not be deprived of that right and that liberty. Same-sex couples may exercise the fundamental right to marry."[28]

The violation of a group's civil rights demands action to ensure equal treatment. In the case of same-sex marriage in the United States, it was only after years of people engaging in activism and bringing lawsuits that public opinion and government policies changed. Wherever political minorities lack adequate representation in elected office, they must live with the decisions of the majority, which may not take into account minority concerns.

Majority theory, or **majoritarianism**, describes the roles and responsibilities of the majority and who has the power to shape the rules of government and society.[29] Those who have the power to shape society can use that power to help recognize and protect minority rights; however, those who have power tend to use the tools at their disposal to keep it, and keeping it may mean suppressing minorities. For example, when the majority elects legislators who represent them, those legislators tend to enact policies that secure the majority's status and often deny opportunities to minority group members. These policies can make it difficult for those in the minority to participate in the political process itself—for example, by voting or running for public office. In this way, the majority ensures its ongoing power.

7.3 Civil Rights Abuses

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Analyze the ways in which majority groups have judged the perceived threats posed by minority groups.
- Describe the range of methods majority groups in the United States and around the world have used to oppress minority groups.
- Discuss the relationship between the relative power of majorities and minorities and the government's level of responsiveness to their desires.
- Identify current and historical examples of systemic and temporary civil rights abuses in the United States and around the world.

Those in the majority are able to influence the creation of public policy that affects both those in the majority *and* those in the minority. While majoritarian politics might seem democratic—the word **democracy** comes from the Greek *demos* and *kratos*, which translates to "the people rule"—world politics and history have shown how easily majoritarian politics can create hardship, discrimination, and a loss of civil rights for groups that lack the political, numerical, cultural, or religious influence of majority groups.

LGBTQ+ Discrimination

People who identify as **LGBTQ+** experience discrimination and degradation from majorities who see them as not fitting into traditional conceptions of heterosexual gender roles. As discussed above, political culture can change, but despite historic achievements, many countries continue to deny LGBTQ+ couples the same rights afforded to heterosexual "straight" couples. For example, same-sex couples are not permitted to adopt children (or no law allows for this) in most countries.[30] The United States Supreme Court did not affirm the right of same-sex couples to adopt until 2017.[31] Most European countries have legalized same-sex adoption, but it is considered legal in few other countries around the world. In 2002, South Africa became the first country in Africa to allow same-sex couples to adopt,[32] but LGBTQ+ activists in the country still feel unsafe due to widespread discrimination.[33]

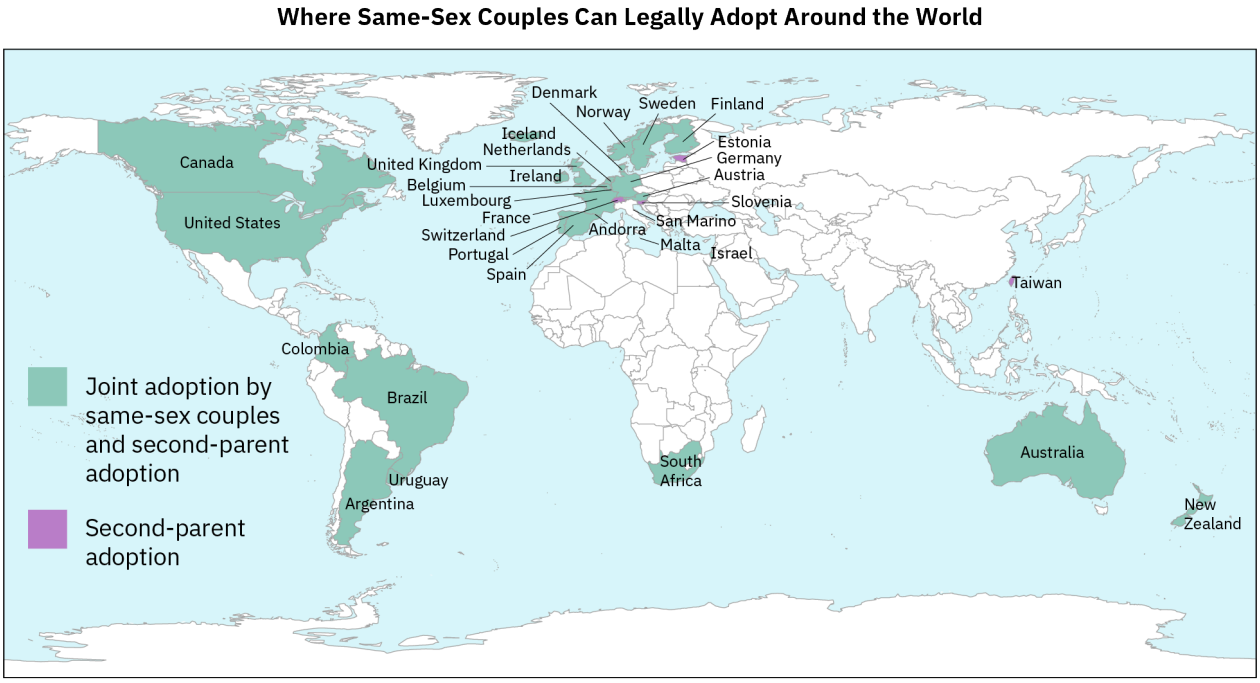


FIGURE 7.5 As of December 2019, only 32 countries, about 16 percent of all the countries in the world, allowed same-sex couples to adopt. (credit: ILGA; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Voter Suppression

One of the ways those in power can seek to remain in power is by controlling whose voices can be heard and counted in elections. The failure of federal and state governments to enforce voting rights protections in the United States provides another troubling example of majoritarianism. Despite the ratification of the 13th Amendment in 1865 and the 19th Amendment in 1920, many American states continued to limit suffrage on the basis of sex and race. Policy makers justified denying voting and other political rights to Black Americans and women on the grounds that their participation would diminish the overall quality of the electorate because women[34] and Black Americans[35] were not deemed qualified to engage in the political process. Though constitutional amendments protected the right to vote for Black Americans,[36] American states and their White-majority (often all-White) legislatures found ways to limit Black political participation including literacy tests, poll taxes, and White-only primaries. These efforts are referred to as Jim Crow laws. The Jim Crow era, a period during which laws perpetuating institutional racism and the denial of Black Americans' constitutional rights were enforced across the southeastern United States, lasted from 1877 to about 1965.

Voter suppression continues to be a major problem in the United States. The Voting Rights Alliance documents 61 forms of voter suppression that range from limits on early voting, stricter requirements for voter identification (including not allowing Native American tribal IDs), and fewer opportunities for same-day registration to polling site discrimination, gerrymandering, and employers not giving time off from work for voting.[37] Voter suppression in the United States today is not just one event, but a slow accrual of opposition to the Voting Rights Act (VRA) of 1965 and its many subsequent renewals in Congress. One of the provisions of the original VRA was that more than a dozen states that had low voter turnout in the 1964 election and that had historically limited voting access to minorities had to seek federal approval of any changes in their voting laws. Their track records were poor, and the state governments had not shown the ability to oversee their own elections in ways that aligned with the protections in the US Constitution. States had challenged these "pre-clearances" before, but for years the VRA remained resilient.[38] The VRA was reauthorized with overwhelming support from congresspersons across the political spectrum as recently as 2006, when even the staunchest conservatives in the Senate joined their colleagues in a unanimous vote. However, after the election of Barack

Obama in 2010, several states started to push against the VRA by making voting much more difficult. Ari Berman writes in *The Nation*,

> "After the 2010 election, GOP officials approved laws in more than a dozen states to restrict the right to vote by requiring proof of citizenship to register to vote, shutting down voter registration drives, curtailing early voting, disenfranchising ex-felons and mandating government-issued photo IDs to cast a ballot—all of which disproportionately target communities of color."[39]



FIGURE 7.6 Supporters of the For the People Act to expand voters' rights rally on the steps of the US Capitol Building in March 2021. (credit: "For the People Act rally in Washington - 2021-03-05" by Terri Sewell/Wikimedia Commons, Public Domain)

Then, the Supreme Court ruled in *Shelby County v. Holder* (2013) that the historic provisions of the Voting Rights Act no longer applied 50 years after the civil rights movement and that Congress had overreached in 2006 when it reauthorized the VRA for 25 years. Many conservatives saw the decision as a win for states' rights, while others saw it as a major step back on civil rights. Almost immediately, Republican-majority legislatures across the country passed laws to limit voters' rights and access to the polls.

Many of those who support stricter voting laws hold that they are necessary to prevent voter fraud. After the 2020 election, former President Donald Trump repeatedly insisted that the election had been rigged and that he was the actual winner.[40] Despite no confirmed evidence of voter fraud, his supporters participated in small armed protests around the country, culminating in the January 6 insurrection in Washington, DC. Many participants accused the federal and state governments of being complicit in a massive election cover-up. The Brennan Center investigated all reports of voter fraud in the United States and found comprehensively "that fraud is very rare, voter impersonation is virtually nonexistent, and many instances of alleged fraud are, in fact, mistakes by voters or administrators. The same is true for mail ballots (https://openstax.org/r/narrativevotemailfraud), which are secure and essential to holding a safe election amid the coronavirus pandemic."[41] Still, between January 1 and December 7, 2021, at least 19 states had passed 34 laws restricting voting access, and close to 450 bills with provisions to restrict voting access had been introduced in all but one of the 50 states.[42]

Ethnic and Religious Discrimination

Participation and full inclusion in a society may take different forms. Sri Lanka's constitution references the right of all its citizens to practice the religion of their choice, but the constitution does emphasize Buddhism as the majority religion. This creates a situation effectively enabling a religious majority to maintain its power through the constitution. According to Chapter 2 of its constitution, "The Republic of Sri Lanka shall give to

Buddhism the foremost place and accordingly it shall be the duty of the State to protect and foster the Buddha Sasana."[43] Every Sri Lankan president and prime minister has been Buddhist, despite the presence of strong and vocal Muslim and Hindu minorities.[44] It is important to note here that religion and religious freedom, particularly in the American context, are civil liberties because they are protected by the Free Establishment Clause of the 1st Amendment. However, when a government policy favors one religious community over another or limits the collective religious freedom of an entire group, it becomes a civil rights issue too.

The kingdom of Bhutan conducts a 300-question happiness survey every five years,[45] and since 1972, the kingdom has emphasized Gross National Happiness as a priority for the country's people.[46] But Bhutan is not a happy place for minorities like the Lhotshampa, or "people of the south." The government, representing the interests of the majority, has forced this community of Nepali-speaking, majority Hindu people to speak the national language, Dzongkha, and to wear the national dress. Laws passed in 1977 and 1985 denied the Lhotshampa citizenship.[47] The large-scale civic and social exclusion of the Lhotshampa led to a refugee crisis in the 1990s as the Lhotshampa were expelled from Bhutan, becoming stateless refugees.[48]



FIGURE 7.7 Members of the Lhotshampa refugee community in Charlotte, North Carolina, gather to share their common culture. (credit: "Singing at home24" by Kevin Beaty/Flickr, CC BY 2.0)

Civil Rights Abuses toward Native Americans

The centuries-long denial of civil rights to the original Indigenous people in the United States is a prime example of how a government can act in the interests of protecting a majority while simultaneously failing to protect and violating the civil rights of a particular group. Even the term "Native American" is a blanket category that contains hundreds of tribes, many with their own distinct languages. Between 1776 and 1887, the United States federal government seized over 1.5 billion acres of Indigenous land, which covered over three-fourths of what is now called the continental United States.[49]

The federal government has directly participated in civil rights abuses against Native Americans, frequently failing to honor the 374 treaties with various tribes and nations signed and ratified in the 18th and 19th centuries.[50] Treaties are legally binding, and the government's failure to honor the treaties constitutes a breach of the rule of law.[51] This failure has resulted in lost income, dignity, and traditional ways of life for Indigenous peoples.

VIDEO

The Invasion of America

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/7-3-civil-rights-abuses)

This video provides a time-lapse map of the US seizure of over 1.5 billion acres of land from Indigenous Americans.

In 2020, the US Supreme Court ruled that much of eastern Oklahoma is tribal land of the Creek people and not under jurisdiction of the state government.[52] Many activists continue to fight for the return of sacred and tribal lands, including the Great Sioux Reservation, whose Black Hills are the site of Mount Rushmore, and the Southern Paiute, "whose territory once included the northern rim of the Grand Canyon."[53]

Compounding the history of stolen land and broken treaties, generations of Indigenous American and Canadian culture and language were lost when the governments of the United States and Canada forcibly removed Indigenous children from their homes and sent them to "boarding schools" for religious and cultural indoctrination. From 1860 to 1978, the US federal government, working with Christian-based organizations and churches, placed thousands of children into approximately 357 schools around the country, where the children were often victims of physical and sexual abuse.[54] According to one report, 83 percent of all Indigenous school-age children in 1926 were in boarding schools.[55] A national movement among Native groups is working to record, teach, and preserve Indigenous languages after nearly 65 of their traditional languages have already been classified as extinct.[56]

For decades, Native American activists have also expressed horror and outrage over the disappearance, kidnapping, and trafficking of Indigenous women—one of many civil rights issues affecting Native Americans exponentially more than other groups. According to the organization Native Hope, the loss of land pushes Native Americans to live off reservations where they have little to no tribal support and exist at the margins of non-Indigenous society. Federal programs like the National Missing and Unidentified Persons System (NamUs) do not account for all cases, creating huge discrepancies in the number of women *reported* missing versus *actually* missing.[57] Statistics from the Centers for Disease Control and Prevention report that "from 1999 to 2019, homicide was the third-leading cause of death among American Indian and Alaska Native women and girls ages 12 to 30."[58] Indigenous women receive unequal protection and representation in the media. Whereas the country is often obsessed with stories about true crime and missing White women, there has historically been less attention paid to missing and kidnapped women of color.[59]

Japanese American Internment

On December 7, 1941, Japanese armed forces attacked the US naval base at Pearl Harbor in the US territory of Hawaii. President Franklin D. Roosevelt asked Congress to declare war the next day, and on December 8, 1941, the US entered World War II. Two months later, the president signed Executive Order 9066, which gave the Secretary of War the power to "prescribe military areas . . . from which any or all persons may be excluded, and with respect to which, the right of any person to enter, remain in, or leave shall be subject to whatever restrictions the Secretary of War or the appropriate Military Commander may impose in his discretion."[60] What transpired was the forced internment of Japanese Americans, one of the most profound and consequential episodes of civil rights infringement in US history.



FIGURE 7.8 Japanese Americans arrive at Santa Anita Assembly Center in California in 1942 during the first phase of relocation and internment. (credit: "Arcadia, California. Evacuees of Japanese ancestry arriving at the Santa Anita Assembly center" by Clem Albers/Department of the Interior/National Archives, Public Domain)

This executive order imposed curfews and resulted in the relocation of approximately 120,000 US citizens of Japanese descent to internment camps.[61] In signing this order, President Roosevelt codified the widespread loss of civil rights for Japanese Americans. Under the implementation of the executive order, Americans of Japanese descent were determined to be those who had at least one parent or grandparent who was Japanese. Most of the relocation centers were located in California and other West Coast states because that is where the majority of Japanese Americans lived. Approximately 127,000 individuals—of which about two-thirds, or 84,000, were natural-born US citizens, most of whom had never been to Japan—were placed into relocation camps. Because the Asian Exclusion Act of 1924 forbade Japanese immigrants from securing citizenship, about one-third of those relocated were resident aliens.[62]

The US Supreme Court reinforced the motives behind President Roosevelt's executive order. Individuals living in the United States, whether or not they were citizens and whether they were born in Japan or in the United States, were presumed to be loyal to Japan during World War II. Their loyalties to the United States were questioned because of their ancestry. The Court heard two cases focusing on the constitutionality of Executive Order 9066. In the earlier case, *Hirabayashi v. United States* (1943),[63] the Court ruled in a unanimous decision that a curfew requiring US citizens of Japanese descent to be in their homes between 8 p.m. and 6 a.m. (which affected their ability to work, among other concerns) did not violate the 5th Amendment's Due Process clause. In the later case, ***Korematsu v. United States*** (1944), the Supreme Court ruled in a 6–3 decision that Fred Korematsu's arrest for violating an exclusion order did not violate his due process rights. As the Court noted in its majority opinion:

> "... all legal restrictions which curtail the civil rights of a single racial group are immediately suspect. That is not to say that all such restrictions are unconstitutional. It is to say that courts must subject them to the most rigid scrutiny. Pressing public necessity may sometimes justify the existence of such restrictions; racial antagonism never can."[64]

The US Supreme Court's interpretation of the 5th Amendment Due Process clause in the Hirabayashi and Korematsu cases contributed to institutionalized discrimination against US citizens based on membership in an ethnic group. In accepting the executive branch's implementation of Executive Order 9066, the Court determined that civil rights could be denied to US citizens based on the executive branch's definition of

membership in a specified ethnic group.

Eighty years later, we continue to reflect on the indignities of internment, on how the president of the United States ordered this violation of the rights of thousands of Americans based on the perceived threat that some in power believed those Americans represented merely by virtue of their race, and on how the Supreme Court affirmed his actions. The injustice of internment illustrates a failure of checks and balances and of the separation of powers, which normally form the bedrock of American political culture, in the face of an acute and irrational fear of fellow human beings.

VIDEO

George Takei's 2014 TED Talk: "Why I Love a Country that Once Betrayed Me"
Access multimedia content (http://openstax.org/books/introduction-political-science/pages/7-3-civil-rights-abuses)
Actor George Takei talks about his childhood experience as a Japanese American during Japanese internment in World War II.

Slavery

When the subject of slavery comes up in the United States, it is almost always in the context of what happened in the 19th century or in relation to President Lincoln. What many people do not realize is how pervasive slavery continues to be around the world. The International Labour Organization estimated that in 2016, 40.3 million people globally were bound in modern slavery, including 15.4 million in forced marriages.[65]

According to Kevin Bales, professor of contemporary slavery at the University of Nottingham, the major components of slavery include "violence or its threat, loss of control over one's life, obligation to another, lack of free movement and lack of payment."[66] Modern slavery takes many forms, including sex trafficking of adults and children, forced labor, domestic servitude, forced child labor, and the recruitment of child soldiers.[67] According to the Global Slavery Index, while forced labor and slavery are often part of the production and manufacture of goods, the responsibility to eradicate slavery falls on governments, businesses, and consumers. Their reporting indicates that only seven countries have taken a stance on fighting slavery among labor practices: the United States, the United Kingdom, Italy, Germany, France, China, and Brazil.[68] The challenge of fighting slavery is compounded by the fact that slavery is still not illegal, as per constitutions or laws, in many countries, including Canada and Sweden.[69]

For their work in drawing global attention to the sexual enslavement of women and the use of rape as a weapon of war, human rights activists Nadia Murad[70] and Dr. Denis Mukwege[71] were jointly awarded the 2018 Nobel Peace Prize. Both Murad and Mukwege waged very public and decisive battles to raise awareness for the civil rights abuses felt especially by women, whose bodies are often violated during battle and war. The Prize was a recognition of their work from outside the government to persuade governments to enact change and protect the civil rights and dignity of women. In her Nobel Prize speech, Murad, a member of the minority Iraqi Yazidi community, spoke of a global recognition of human rights:

> We celebrate these days the 70th anniversary of the Universal Declaration of Human Rights, which aims at preventing genocides and calls for the prosecution of their perpetrators. My community has been subjected to genocide for more than four years. The international community did nothing to deter it nor to stop it. It did not bring the perpetrators to justice. Other vulnerable communities have been subjected to ethnic cleansing, racism and identity change in plain sight of the international community.



FIGURE 7.9 Nobel Peace Prize winners Nadia Murad (left) and Dr. Denis Mukwege (right) are joined by Austrian Foreign Minister Karin Kneissl (center). (credit: "Außenministerin Karin Kneissl trifft Friedensnobelpreisträger/in Denis Mukwege und Nadia Murad" by Bundesministeriums für europäische und internationale Angelegenheiten/ Flickr, CC BY 2.0.)

In subjugating women, children, or specific racial or ethnic groups, slavery maintains the power of some groups at the expense of others. Thus, slavery is not just a denial of civil liberties; its abuse and denial of equal treatment represent extreme civil rights violations. The same powerful groups that practice slavery often control the political institutions that should be preventing it, enabling the abuse and subjugation of entire segments of society.

The United States' experience with slavery and related racial discrimination demonstrates how majority and minority status are determined and how those determinations affect who holds power. At the time of the writing of the Declaration of Independence, enslaved people from Africa comprised a large share of the population of what would soon become the United States. Of the 56 signatories of the US Declaration of Independence, it is estimated that as many as 41, including Thomas Jefferson, Benjamin Franklin, and John Hancock, as well as most signatories from the South, were slaveholders.[72]

These same persons who claimed that the government had a responsibility to guarantee "life, liberty, and the pursuit of happiness" supported slavery as an institution. Upon declaring their independence, the founders set to work creating a government. The government they created concentrated power at the state level. The Articles of Confederation, the first constitution, allowed slavery to flourish in the southern states because each state held so much power to shape its own affairs. However, it was the **Three-Fifths Compromise** contained in the second US Constitution that codified how the White American majority saw Black bodies—as objects that counted toward population, but not as people with their own rights. This preserved the power of the majority and oppressed those designated as a minority. According to Article I, Section 2:

> "Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons."

This constitutional provision differentiated between "free persons" and "all other persons" (enslaved people). Each enslaved person counted as three-fifths of a person for representation purposes, although their enslaved status meant they did not have civil rights, including the right to select those representatives. Though the language of the Three-Fifths Compromise remains in the Constitution,[73] the ratification of the **13th Amendment** in 1865 nullified slavery and the idea of representation of enslaved people.[74]

Like other major civil rights changes, the nullification of slavery in the United States came only after prolonged

and intense struggle and, in the case of slavery, civil war. Changes in a country's constitution in the form of constitutional amendments correspond with changes in political culture, and changes in political culture can be slow to evolve. Though the 13th Amendment removed its constitutional force, the legacy of the Three-Fifths Compromise goes on. The system it instituted affects the way Americans perceive and receive representation in Congress depending on where they live,[75] and the US Census still counts "persons" and not citizens.[76]

7.4 Civil Rights Movements

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Discuss the methods marginalized groups use to fight for civil rights protections.
- Compare current and historical examples of civil rights movements in the United States and around the world.
- Analyze the ways in which marginalized groups have sought to gain and mobilize allies among more powerful segments of society.

Compared to other types of governments, democracies are fundamentally distinct in how they allow citizens to take an active role. Forms of **political participation** include boycotts, communicating with legislators, displaying signs, donating to candidates and campaigns, voting, running for office, volunteering in civic organizations, and participating in rallies and protests. (For more on political participation, see Chapter 5: Political Participation and Public Opinion and Chapter 8: Interest Groups, Political Parties, and Elections.) Historically, citizens (and noncitizens in some situations) have used various forms of participation to raise awareness of problems in the hopes of influencing elected officials to seek public policy solutions to these problems in the form of statutes and laws. Civil rights groups and social movements have emerged in response to conditions or events in which minority group members were targeted and subjected to discrimination and violence because of their minority group membership. Some of the most significant civil rights victories globally started from humble beginnings but turned into movements that galvanized millions.

WHAT CAN I DO?

How Personal Responsibility Shapes Civil Rights

VIDEO

A Protestor Confronts a Line of Chinese Armored Tanks in Tiananmen Square, June 5, 1989

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/7-4-civil-rights-movements)

In this video clip, a lone protester confronts a line of advancing tanks in Tiananmen Square in Beijing, China, on June 5, 1989.

As you read through this chapter, you may be struck by how many of the events that have brought change started with the action of one or two individuals. What would have happened if these individuals had not drawn attention to what they saw as the unethical, immoral, or unequal treatment of certain groups? Whether explicitly or subconsciously, these individuals realized it was up to them to take personal responsibility. They understood that they had to try to make a difference through some form of action, using whatever means they had, and that the action they were going to take was an ethical response to what they viewed as an unjust situation. Many people see things around them that they disagree with or that they feel are wrong. However, they may not believe that they as individuals can make a difference, or they are unsure what actions they as individuals can take that would make a difference. Whenever you find yourself in a situation where you believe something wrong is occurring—at work, in

school, or as a part of an extracurricular organization—remember that the actions of individuals can make a difference.

From Individual to Group Action

In 1848, Henry David Thoreau wrote an essay titled *Civil Disobedience* inspired by his public refusal to pay a poll tax, which landed him in jail. Liberal political philosopher John Rawls defines **civil disobedience** as a "public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government."[77]

VIDEO

Civil Disobedience

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/7-4-civil-rights-movements)

English actor Stephen Fry narrates this explanation and brief history of civil disobedience.

Thoreau's *Civil Disobedience* influenced the political attitudes and subsequent activism of M. K. "Mahatma" Gandhi,[78] Dr. Martin Luther King Jr.,[79] and other writers and reactionaries like Emma Goldman, Upton Sinclair, Leo Tolstoy, and Marcel Proust.[80]



FIGURE 7.10 In May 2016, more than 3,500 European climate activists shut down the open-cast coal mine Welzow-Süd in Germany and cut Europe's tenth-largest emitter of CO_2, the Schwarze Pumpe power plant, off from all coal supplies. In this act of civil disobedience, protesters entered the mine and blocked coal transport. (credit: "Ende Gelände: Day 1 - More than 3,500 people joined the action of civil disobedience" by Tim Wagner/Break Free/Flickr, CC BY 2.0)

In 1892, Homer Plessy engaged in an act of civil disobedience when he challenged the discriminatory Louisiana Railway Accommodations Act (1890), which required all Louisiana passenger trains to provide "equal but separate accommodations for the white and colored races."[81] The act required railway staff to deny accommodation to those refusing to abide by the law. Plessy, who was one-eighth Black and "passed" as a White man, sat in the train car reserved for White passengers and announced to the conductor that he was Black. Though Plessy acted alone, he was part of an organization that called itself Comité des Citoyens (Committee of Citizens), and he agreed to protest the law on their behalf.[82] After his actions resulted in his arrest, he had standing to challenge the law, and his case went before the US Supreme Court.

The Court's opinion in ***Plessy v. Ferguson*** (1896) reinforced the doctrine of "*separate but equal*," which gave

constitutional protection to race-based discrimination and supported the attitudes of the majority of Americans and elected officials at the time. This made it legal and constitutional for states to determine who was White and who was non-White and to decide whether and when White people and non-White people would be separated in public accommodations. It freed private businesses and institutions to practice race-based segregation without government interference. According to the Legal Information Institute,

> "The decision . . . was the first major inquiry in to the meaning of the equal-protection clause of the Fourteenth Amendment, which prohibits the states from denying "equal protection of the laws" to any person within their jurisdiction . . . Justice Brown stated that even though the Fourteenth Amendment intended to establish absolute equality for the races, separate treatment did not imply the inferiority of African Americans."[83]

In the years following the *Plessy* decision, activist efforts grew to work for civil rights for African Americans. In 1909, Black leaders including W. E. B. DuBois and Ida B. Wells joined White advocates to form the National Association for the Advancement of Colored People (NAACP). Organized actions gained traction with the work of groups like the Brotherhood of Sleeping Car Porters, a Black labor union founded in 1925, and later in the Congress of Racial Equality (CORE), a group that influenced and worked with civil rights leader Martin Luther King Jr. In the 1950s and 1960s, CORE pioneered the use of acts of civil disobedience like bus boycotts, marches, and sit-ins as a central mechanism of the civil rights movement. In the 1960s, the Student Nonviolent Coordinating Committee (SNCC) used nonviolent tactics to challenge segregation, register and mobilize Black voters, and seek equal protection and equal treatment for Black people and for women.[84]

In 1969, seventy years after Homer Plessy's protest, Czech university student Jan Palach signed a suicide note with the fictional name "Torch Number 1" and set himself on fire to protest the Soviet invasion of Czechoslovakia and the growing despondency among Czech youth.[85] His suicide inspired further suicides and eventually led to a populist uprising known as the **Velvet Revolution**, which, as the Soviet Union was dissolving, culminated in Czechoslovakia's independence in 1989 and its dissolution into the Czech Republic and Slovakia in 1993.



FIGURE 7.11 Thousands gathered in Prague in 1989 as part of the Velvet Revolution. (credit: "1989 sametova revoluce 12" by Josef Šrámek ml./Wikimedia Commons, CC BY 4.0)

In 2010, Mohamed Bouazizi died by suicide to protest police corruption and lack of economic opportunities in Tunisia.[86] As word spread of Bouazizi's suicide, thousands gathered across the country, united by what they saw as a death in response to government corruption. News, photos, and videos of the Tunisian protests were quickly shared with people in other Arab countries, and what started as a demonstration in Tunisia engulfed the Middle East. Within months, four government leaders would resign in Egypt, Libya, Yemen, and Tunisia, ushering in what many saw as the beginning of more populist and democratic ways of life.[87] This movement became known as the **Arab Spring**.

Movements to Achieve African American Equality

Most people associate the civil rights movement in the United States with Dr. Martin Luther King Jr. and the 1963 March on Washington, but the movement first began with a 1953 bus boycott aimed at desegregating public transportation in Baton Rouge, Louisiana.[88] This protest occurred two years before the lynching of 14-year-old Emmett Till for allegedly offending a White woman in a grocery store and the arrest of Rosa Parks that instigated the more famous Montgomery Bus Boycott, both of which occurred in 1955.



FIGURE 7.12 Dr. Martin Luther King addressed a crowd of over 200,000 people gathered at the US Capitol during the August 28, 1963, March on Washington for Jobs and Freedom. (credit: "Martin Luther King Jr. National Historic Site" by National Park Service/Flickr, CC BY 2.0)

The civil rights movement was also characterized by a push-and-pull between the American presidency, Congress, and the US Supreme Court. Each had a major role to play, and because of checks and balances, they all influenced the work of the other. Their work culminated in the passage of two of the most significant laws in United States history, the Civil Rights Act (1964) and the Voting Rights Act (1965). Both came about during an era of great public involvement and protest over the lack of civil rights afforded to African Americans. Despite newspaper, radio, and television coverage of events including protest marches that were met with violent police response, there was still considerable resistance among members of Congress, representatives, and senators to passing these comprehensive bills.

VIDEO

President Lyndon Johnson Remarks on the 1964 Civil Rights Act

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/7-4-civil-rights-movements)

Upon signing the 1964 Civil Rights Act, President Lyndon Johnson addressed the nation on national television.

Black Lives Matter (BLM), a decentralized, grassroots movement focused on fighting police brutality and racially motivated violence, represents, for many, a new civil rights movement. While earlier civil rights movements focused on equal access to opportunities and public accommodations, according to its website, the mission of Black Lives Matter "is to eradicate white supremacy and build local power to intervene in violence inflicted on Black communities by the state and vigilantes."[89] The movement has primarily used social media to organize marches, protests, and boycotts and to communicate with elected officials.[90] In this way it is markedly different from the civil rights movement of the 1950s and 1960s, which was primarily inspired and organized by political institutions[91] like African American churches[92] and by student/youth-heavy

organizations like the Congress of Racial Equality, Student Non-Violent Coordinating Committee,[93] and Southern Christian Leadership Conference (SCLC).

In its examination of the nature of systemic and institutional racism at the national, state, and local levels and on a global scale, Black Lives Matter represents to many the next stage in the effort to secure civil rights for Black people. Where past civil rights movements focused on the consequences of racism, BLM adds an examination of racism's origins and the structural constructs like patriarchy, colorism, capitalism, and homophobia that create the conditions that allow for racist institutions.

One of the biggest outcomes of BLM's efforts has been the mainstreaming of the phrase "structural racism." As senior correspondent for *TIME* magazine Justin Worland notes, "once confined to academic and activist circles on the left of the spectrum, [the term structural racism] has become the phrase du jour."[94]

An estimated 15 to 26 million people in the United States participated in the summer 2020 Black Lives Matter protests, making them perhaps the largest social movement demonstration in United States history.[95] It is difficult to compare the 2020 protests with other social movements and marches in the United States because most events take place on one day. The 2020 summer rallies, protests, and marches drew more participants than the combined attendance at the 1982 anti-nuclear march in New York City, the 2017 Women's March, and the February 2003 nationwide protest against the war in Iraq.[96]



FIGURE 7.13 Protestors march through Minneapolis on November 15th, 2015, to protest the death of Jamar Clark, a Black man who was shot by police while handcuffed in police custody. (credit: "Black Lives Matter protest march" by Fibonacci Blue/Flickr, CC BY 2.0)

Me Too

One of the most remarkable social movements of the 21st century has been **Me Too**, a global effort that encourages people to speak out about their experiences of sexual harassment and assault and to publicly name their attackers. American activist Tarana Burke originally coined the phrase in 2006 in response to working with children of color who were victims of molestation and childhood sexual abuse.[97] As she heard story after story of the horrors Black girls experienced, Burke was reminded of her own experience of rape at the age of seven and the shame she subsequently felt. She came up with the expression "Me Too" as a form of solidarity with the victims, particularly girls of color.[98] Ten years later, in 2017, the movement exploded, primarily through the Twitter hashtag #MeToo, building an online community of millions of people, mostly women, who push not only for recognition of the generational trauma of sexual harassment, but also for immediate civil rights change.[99]



FIGURE 7.14 A woman carries a #MeToo sign during a protest. (credit: "Can You Hear Me Now? #MeToo" by Alec Perkins/Flickr, CC BY 2.0)

Me Too movements have sprung up around the world, uniting people across the globe and across generations. The movement has sparked public outrage over the past untouchability of celebrities and public figures accused of sexual harassment like Bill Cosby, Harvey Weinstein, Matt Lauer, Larry Nassar, Louis C.K., Ghislaine Maxwell, Jeffrey Epstein, Prince Andrew, James Franco, Woody Allen, Bill Clinton, Al Franken, Kevin Spacey, and others whose cult of personality shielded them for years from criminal investigation or accountability. Gen Z has played a pivotal role in Me Too gaining momentum. As columnist David Bloom put it, "Youths are approaching power in new ways, wielding it collectively through social media and new vectors of influence . . . a self-organizing flash mob responding to a perceived problem or issue."[100]

According to *Vox*, because of the Me Too movement, there are now better formal procedures for victims of sexual assault to seek affordable legal representation, more workplace protections, and even new state laws to remove sexual harassment from nondisclosure agreements.[101] In addition to working for this practical legal progress, Me Too activists strive to change fundamental perceptions of women. However, like other civil rights movements before it, Me Too has not had the same level of success everywhere, and there is still much work to be done. According to immigrant author and journalist Rituparna Chatterjee, "#MeToo stories are now a reminder of the feminist moment that our institutions sidestepped to avoid accountability. In India, women still have limited access to justice—unless their stories are used as trauma porn for the nation."[102] Fundamentally, despite millions of men and women taking part in protests across the country, conceptions of women have *not* substantively changed in India in response to Me Too. The country has missed the moment, and even in countries that have made some progress, there is still work to do.

7.5 How Do Governments Bring About Civil Rights Change?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Integrate an understanding of racism and discrimination into your knowledge of government institutions.
- Illustrate how legislative, executive, and judicial power can be used to bring about civil rights policy change.
- Differentiate between formal and informal executive power and control.
- Discuss ways in which governments have attempted to make amends for past civil rights abuses.

The emergence of social movements demanding political change and the extension of civil rights may help minority groups secure those rights, but it is the work and responsibility of political institutions to fully address past discrimination.

Institutional Racism and Intersectionality

When examining civil rights issues around the world as they pertain to race and ethnicity, it becomes apparent that the way many formal political institutions and branches of government—judicial, executive, legislative, and bureaucratic—are composed and the laws they create and enforce establish and advance **institutional racism**. *Institutional racism* refers to the racist laws and practices that are deeply embedded in a country's institutions and that, because they are so embedded, have established norms that may make their racist nature harder for those in the majority to recognize.[103] According to Vanderbilt University, "Institutional racism is racism perpetrated by social and political institutions that have the power to affect large groups of people that belong to a racial group. It shows up in both formal and informal ways and in the systematic distribution of resources, power, and opportunity in our society."[104] Another way to think about this is that political institutions are responsible for making resources available to everyone fairly, and when that does not happen, these institutions operate in a way that is inequitable. Similarly, when a government does not do enough to make sure everyone in a society, country, or community has the same opportunities to succeed, that government is operating in a way that is inequitable.

It is important to mention here that discrimination takes different forms and that these types can intersect in a way that makes it impossible to separate. For example, Black women in the United States have historically faced discrimination on the basis of sex *and* discrimination on the basis of race, but the two cannot be separated. According to Columbia Law School professor Kimberlé Crenshaw, who developed the concept of **intersectionality**, Black women are the product of their intersecting identities, and one must acknowledge their intersectional identities before thinking about solutions to help this unique group of people. If you add sexuality, skin complexion, language, disability, and other identities, you realize that identity is complex and often cannot be captured by civil rights laws that seek to address injustices against one group of people such as women only, Black women only, Black people only, etc.

VIDEO

What Is Intersectionality?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/7-5-how-do-governments-bring-about-civil-rights-change)

In this clip, The Advocate's Ashley Jiang explains the origins and applications of the idea of intersectionality.

Government institutions and the politicians who represent them—like legislators, judges, and prime ministers—play a major role in balancing the needs of majority and minority groups to enforce the most equitable set of laws. The majority uses its power to decide whose rights are protected. As the next section illustrates, institutional racism can be embedded in a country's constitutionalism and political culture. Powerful political actors make decisions based on who should receive rights (and who should be denied them),

and in doing so they normalize discrimination and the violation of the rights of marginalized groups.

Legislative and Judicial Action

In representative democracies or republics, where the people have the power to choose officials to represent their needs and wants, legislatures represent the national mood and the dominant political culture of the participating public. Around the world, legislatures and legislators are key to creating and passing legislation that either enshrines the marginalization of certain groups and the violations of their rights or that protects those groups.

However, it is often the judicial system, and in particular the highest national court in a country, that can have a remarkable and lasting effect on civil rights. These judges or justices usually have lifetime tenure, which gives them the power to affect the direction of civil rights law for decades.

Equal *access* to judicial and legislative action is key to securing civil rights protections. According to World Justice Project researchers Sarah Chamness Long and Alejandro Ponce, 1.5 billion people around the world live in countries that have the appropriate political institutions, but they "cannot obtain justice for civil, administrative, or criminal justice problems." Long and Ponce call this inability "the justice gap."[105] This "justice gap" is apparent in India, where, despite the promise of equal justice laid out in the Indian constitution, people have often been denied access to justice and due process. Article 39A of the Indian constitution specifies:

> "The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities."[106]

In response to what many judges and justices felt was an absence of avenues for the public to seek justice for social and political issues, in the 1980s the Supreme Court of India instituted a process known as public interest litigation (PIL) by which any citizen of India could seek redress for grievances in the courts. In other words, any citizen could ask a court to decide a political or legal issue without needing a legislative response; anyone can approach the Supreme Court of India *directly* without introducing a lawsuit in a court of original jurisdiction and then appealing the verdict. This is very different from the judicial system in the United States, where only a lawsuit introduced in a state or lower federal court can be appealed all the way to the US Supreme Court (for a more detailed discussion, see Chapter 11: Courts and Law).[107] PIL takes away the common-law idea of standing to sue. As attorney Zachary Holladay writes:

> PIL allows for any individual who claims a violation of one of their fundamental rights, as enshrined in the Constitution, to bypass the local courts and appeal directly to one of the state's High Courts or to the Supreme Court. The preferred remedy is often in the form of equitable relief, such as an injunction, to compel the government to take appropriate measures to redress violations of fundamental rights.[108]

Thus, PIL allows marginalized groups, who often lack resources or are otherwise silenced, to seek justice.

Similarly, Sierra Leone has improvised legal traditions to meet the civil rights and judicial needs of its citizens. According to a 2006 report, at that time, in the country of five million people, there were only 100 trained lawyers.[109] As a point of comparison, there were 1,327,910 lawyers in the United States in 2021 (based on 2020 census numbers, that's about one lawyer for every 250 people).[110] Two nonprofits in Sierra Leone started training paralegals around the country to assist with property, criminal, and public interest issues. Another African country, Malawi, has also experimented with training paralegals, and its program has now been replicated in Kenya, Uganda, and Benin. The Malawi "model" proved hugely successful in improving the civil rights of prisoners who did not have the means to secure good representation and in helping the accused know their rights.[111]

While the people in a democracy often look to their major political institutions for guidance in troubled times, those institutions can make mistakes, and the US Supreme Court's judgment in ***Dred Scott v. Sandford*** (1857) was one of those mistakes. Described by some as one of the worst court decisions ever,[112] *Scott* affirmed that enslaved people were ineligible for citizenship and associated rights. It is important to note here that the framers never defined citizenship and only hinted at naturalization.[113]

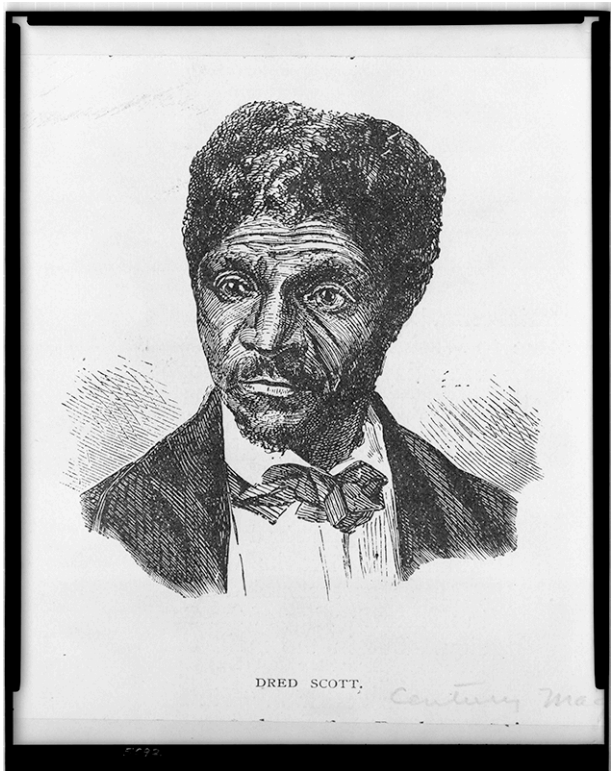


FIGURE 7.15 This portrait of Dred Scott was published in Century magazine in 1887. (credit: "Dred Scott. Harriet, wife of Dred Scott (https://openstax.org/r/dredscott)" by Century Company/Library of Congress)

Dred Scott was born into slavery. His enslavers moved him from Virginia to Alabama to Missouri and then to the free state of Illinois and the free territory of Wisconsin, where he lived from 1833 to 1843. Upon returning to Missouri, Scott sued for his freedom, arguing that he had lived free for 10 years in areas where slavery was forbidden.

The US Supreme Court sidestepped Dred Scott's question by determining that he was ineligible to present a legal challenge before the US Supreme Court because he was not a citizen and thus could not sue Sandford for his freedom. Chief Justice Roger Taney penned the Court's majority opinion focusing on the framers' intent.[114]

When the Constitution was written 70 years earlier, the framers did not intend to include enslaved people as citizens. Chief Justice Taney stated that whether an enslaved person was born free or into servitude, they were not entitled to any of what we would now call civil rights. This meant that no Black person in the United States could enjoy either citizenship or civil rights, whether they were born in the United States or not. Note that Chief Justice Taney was not offering commentary on Black identity, per se, but on the notions of freedom and liberty.

The criterion outlined in the *Dred Scott* decision, that if a person's ancestors were brought to the United States as enslaved people that person could not be granted US citizenship, is not the sole way the Court has determined racial classifications. Other criteria played key roles in US Supreme Court decision-making in later civil rights cases. One of these criteria was the **one-drop rule**. In the 20th century, many states adopted the one-drop rule to differentiate between White people and non-White people. Individuals with any minority race ancestry were deemed to be members of that minority group. For example, Virginia's Racial Integrity Act (1924) outlawed interracial marriage and deemed persons with any minority ancestry to be non-White, no

matter their appearance or self-identification. Only persons who had "no trace whatsoever of any blood other than Caucasian" were classified as White. This is now referred to as the concept of racial purity.

Several states followed these and related practices, determining minority status based on ancestry. Those persons who were classified as minority group members did not enjoy the full rights of citizenship and social privileges that were afforded to White Americans. Interracial couples would not achieve the national victory of the right to marry until the Supreme Court's decision in ***Loving v. Virginia*** (1967), which overturned the Virginia Racial Integrity Act that had forbidden interracial marriages. Today, one out of every ten married couples in the United States is interracial/interethnic.[115] Every year in the United States, June 12 is celebrated as Loving Day, to honor not only Richard and Mildred Loving, the couple who sued the state of Virginia, but also every interracial and interethnic couple.[116]

VIDEO

Report on Loving Case 1967

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/7-5-how-do-governments-bring-about-civil-rights-change)

This television report includes interviews with Richard and Mildred Loving and the lawyers who brought their case before the Supreme Court on the day the court decided the case in their favor.

One reason the US Supreme Court could reject Dred Scott's petition was that the Court could decide that Scott did not have standing due to his citizenship status. The **14th Amendment**, ratified in 1868 and one of the three Civil War or Reconstruction Amendments (along with the 13th and 15th Amendments), addressed this issue by defining citizenship: "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside." Recall that Article I, Section 2 distinguishes between classes of persons, "free persons" and "all other persons." Because the 14th Amendment defines citizenship for all persons meeting one of two conditions (birth or naturalization), regardless of the race or enslaved status of their ancestors, federal and state governments could no longer determine who was a citizen—though they could determine who was Black or White. The 14th Amendment nullified *Dred Scott*.

Equal Protection and Japanese American Redress

Among other protections, the 14th Amendment includes the **Equal Protection Clause**: "No State shall make or enforce any law which shall . . . deny to any person within its jurisdiction the equal protection of the laws."[117] The 14th Amendment focuses solely on state governments, and the Equal Protection Clause is intended to ensure that state governments do not deny equal protection to individuals because they are part of a group. The government passed the Equal Protection Clause to prevent the kind of race-based discrimination that shaped the US Constitution as it was being framed, to affirm that the US Constitution bans slavery, to ensure newly emancipated persons the protections of citizenship, and to limit southern state powers.

In the 1970s, the children and grandchildren of Japanese Americans who had been interned during World War II began to push for a formal apology from the federal government and **reparations**, or financial compensation for the economic losses suffered by those who had been interned in these concentration camps. This was an uphill battle because the wounds and shame of the era still traumatized many of the internees and survivors. The first major victory came in response to the lobbying efforts of the Seattle branch of the Japanese American Citizens League (JACL) when, on February 19, 1976, President Gerald Ford signed a proclamation calling the internment policy "a national mistake" and officially terminating the executive order that had established it.[118]

Through a combination of public hearings, congressional lobbying, and national movement on the part of the JACL, Japanese American politicians (some of whom served with distinction in World War II), and sympathetic Republican and Democratic leaders, the United States government finally issued a formal apology and

reparations of $20,000 per living internee in 1988.[119] President George H. W. Bush issued the first checks in 1990, and in total, 82,219 internees received reparations.[120]



FIGURE 7.16 Nisei World War II veterans attend a tribute to the 100th Infantry Battalion, 442nd Regimental Combat Team and Military Intelligence Service in Washington, DC, November 1, 2011. (credit: "Nisei World War II veterans from the 442nd Regimental Combat Team (https://openstax.org/r/niseiwordwar)" by Staff Sgt. Teddy Wade/Wikimedia Commons)

As the case of Japanese American internment illustrates, in a republic, changes in public perception and public pressure on elected officials are necessary to achieve true civil rights protections for all. Government institutions often have their own individual political cultures, norms, and responsibilities. The Supreme Court is no exception. Despite executive and legislative measures aimed at compensating Japanese Americans, until 2018 the US Supreme Court had not publicly acknowledged the error of the *Korematsu* ruling. In *Trump v. Hawaii*, the justices ruled that President Trump's ban on travel from certain mostly Muslim-majority countries was constitutional. In a dissenting opinion, Justice Sonia Sotomayor compared the administration's treatment of Muslims to the treatment of Japanese Americans during World War II. In his opinion, Chief Justice John Roberts, who voted with the majority of the Court, responded that the two cases were not comparable, writing that "*Korematsu* was gravely wrong the day it was decided, has been overruled in the court of history, and—to be clear—has no place in law under the Constitution."[121]

Executive Action

A country's executive, who might be a president, prime minister, or chancellor, is the head of the branch of government most often tasked with policy enforcement and implementation. As the face/voice of a country, a country's political leader often has multiple tools of control and influence that are particularly effective in the arena of civil rights. When the executive acts outside their official capacity as the head of government or head of state but their actions are still seen as important and symbolic, they exercise **informal executive power**. On the other hand, **formal executive power** is power that may be codified by executive orders, statements to accompany the signing of legislation, speeches, or other official announcements.

THE CHANGING POLITICAL LANDSCAPE

Representation and Political Culture



FIGURE 7.17 Prime Minister Ana Brnabić poses for a portrait in 2018. (credit: "Ana Brnabić" by President.gov.ua/ Wikimedia Commons, CC BY 4.0)

When she was elected prime minister of Serbia in 2017, Ana Brnabić become that country's first openly gay executive leader. While many hailed the electoral victory for its symbolism, others claim that Brnabić has had little formal influence on changing Serbia's lack of civil rights protections for the LGBTQ+ community.[122] Equaldex, a crowdsourced online map of LGBTQ+ rights, gave Serbia a score of 47 out of 100; the country was recognized for offering a high level of legal rights, but public approval was low.[123] This is an interesting case study because by all accounts Brnabić does not have the executive power to actually change the political culture of Serbia—a concept discussed at the beginning of the chapter—even if her intentions were to advance LGBTQ+ rights.

In 2012, then–Vice President Joe Biden casually remarked on NBC's *Meet the Press* that he supported the right for same-sex couples to get married[124] (which eventually became law with *Obergefell v. Hodges*). While Biden was still eight years away from winning his own presidential election, his words had a huge influence on the country. Some say they pushed President Barack Obama to affirm marriage equality sooner than he had planned. Biden's remarks on *Meet the Press* exerted informal executive influence, but Biden was acting in his formal capacity as president when, in 2021, he nominated Pete Buttigieg, a former naval officer and mayor of South Bend, Indiana, to be Secretary of Transportation, making Buttigieg the first openly gay cabinet member in US history.[125]

In recent years, cries for justice over Canada's poor treatment of its Indigenous people—classified as First Nations, Inuit, and Métis[126]—have rocked what is often heralded as a multicultural and accepting country. Forming around 6 percent of the total population,[127] the diverse First Nations community has historically been underrepresented in the Canadian federal government. The 2015 Truth and Reconciliation

Commission's findings and 94 calls to action[128] led to a significant increase in First Nations candidates running for office. However, the May 2020 discovery of 751 Indigenous children's graves at a former residential school in Saskatchewan has reignited calls for more national recognition of cultural genocide.[129] In response, Canadian Prime Minister Justin Trudeau used his executive power to nominate Mary Simon, an Inuit activist, to be the country's first Indigenous governor-general.[130]



FIGURE 7.18 A group of nuns pose with Aboriginal students circa 1890 in Port Harrison, Quebec. (credit: "Port Harrison (Inukjuak) Federal Hostel, group of students, nuns and Aboriginal men posing in front of the school, Quebec, ca. 1890" by Library and Archives Canada, Public Domain)

While many countries claim civil rights protections in their founding documents and laws, disconnects between intention and implementation are frequent. In many countries, those in power have an unfair advantage in determining who benefits from—and who is restricted by—government policies. As a result, governments often fail to protect the civil rights of minorities. To challenge powerful majorities, minorities and their allies have formed groups and led great movements for social justice and equality, often arising from humble beginnings, ideas, and people. Because those in power benefit from the status quo, those with less power may be called upon to join together to work for needed change.

Summary

7.1 Civil Rights and Constitutionalism

Civil rights are government guarantees of equal protection under the law, regardless of membership in a group based on a shared characteristic such as race, national origin, ethnicity, sex, gender, age, or ability. Whenever a basic right is denied to a group based on a shared characteristic, a civil rights issue exists.

In the United States, voting is an example of a civil rights issue because certain groups, like women and Black people, have historically been denied the right to vote. In response to changing views, the US Constitution has been amended to expand the right to vote (suffrage) over time. Constitutionalism is a way of measuring how well a country follows or meets the expectations of its constitution.

The countries of the world define and protect civil rights in different ways, but the United Nations Universal Declaration of Human Rights has become an influential standard. Rights may be expressed as positive rights or negative rights. Positive rights are opportunities and abilities that rely on the support or acceptance by others (i.e., you can support my rights by complying with them). Negative rights, on the other hand, refer to those freedoms no government or persons may restrict.

7.2 Political Culture and Majority-Minority Relations

Political culture refers to the ways in which a country's traditions and cultural values create that country's specific political system. A country's political culture, the implementation of its constitution, and power dynamics between majority and minority groups all affect civil rights. Changes in a country's political culture can impact civil rights. Majorities have the power to either protect or discriminate against the minorities in a society. The majority can have a major influence on whether the government fulfills its obligation to affirm and protect civil rights.

7.3 Civil Rights Abuses

Majorities have historically abused the civil rights of numerous minority groups, including LGBTQ+ persons, persons with disabilities, people of color, women, and religious and ethnic minorities, among others. Civil rights abuses have taken many forms including denial of equal protection to specific groups and the creation of laws or constitutional provisions to protect certain groups in the majority while simultaneously denying rights to political minorities. Most countries do not allow LGBTQ+ persons to adopt. The United States has limited voting access for millions of Black people despite the presence of legal and constitutional provisions that allegedly do not restrict suffrage. Native Americans have been denied due process and equal protection for over 200 years. They have suffered the loss of much of their tribal land and the forced removal of children into government-run indoctrination schools. During World War II, the US government forcibly relocated over 100,000 Japanese Americans along the West Coast into detention camps between 1942 and 1945.

7.4 Civil Rights Movements

Just as numerical majorities have power, large groups of people, including groups made up of minority individuals who have little power on their own, have achieved success when they came together to work for civil rights change. These groups have engaged in mass political participation in the form of civil disobedience, protest, marches, elections, and boycotts. Notable civil rights movements around the world include the American civil rights movement, the Velvet Revolution, the Arab Spring, Me Too, and Black Lives Matter.

7.5 How Do Governments Bring About Civil Rights Change?

Major government institutions, including legislatures, judiciaries, and executives, are responsible for creating, adjudicating, and implementing civil rights protections. How effectively they can fulfill those responsibilities depends upon the powers each branch is given under a country's constitution and the political culture of a country. Further, a country's institutions, built on existing power structures that favor the majority, may have inherently racist practices, and majorities in power may also lack an understanding of the way in which

multiple minority traits may intersect—for example, for a person of color with a disability—compounding experiences of discrimination. Legislatures may pass legislation and judiciaries may rule on cases in ways that remedy civil rights issues. They may also seek to make systemic changes, as when India introduced public interest litigation to give citizens the ability to appeal directly to the federal judiciary and to ask judges to intervene in political issues. Presidents and executives have the power to influence civil rights in both formal ways, as when they sign executive orders, and in more symbolic, informal ways. In the United States, the three branches of government may serve as checks on the other branches, as when the Supreme Court strikes down an executive order, or they may work together—either for the benefit of minorities or to enforce discriminatory and abusive practices.

Key Terms

13th Amendment the first new amendment to the US Constitution after the Civil War; made slavery and involuntary servitude unconstitutional

14th Amendment created birthright citizenship for anyone born in the United States, guaranteed equal protection under the law, and mandated due process by the states

Arab Spring a series of citizen protests against the governments of Middle Eastern countries between 2010 and 2012

Black Lives Matter a civil rights movement founded in 2013 to create public awareness of and accountability for police misconduct in the deaths of Black people

civil disobedience the nonviolent refusal to comply with a law or laws in protest of governmental policies

civil liberties limits on the government's ability to restrict individual freedoms; in the United States, these are mentioned in the Bill of Rights

civil rights government guarantees of equal protection under the law, regardless of membership in a group based on a shared characteristic, such as race, national origin, ethnicity, sex, gender, age, or ability

constitutionalism the set of political values and norms derived from a country's constitution that serve as the basis for a government's authority

democracy a system of government where power is derived from the political participation of citizens and/or residents

Dred Scott v. Sandford a Supreme Court decision that denied citizenship to all enslaved people of African American descent, even those born in the United States

Equal Protection Clause a feature of the 14th Amendment that requires the state governments must treat all people the same

formal executive power the power of presidents and governors derived from constitutions; may also be generated by laws, executive orders, and other agreements

informal executive power the power of presidents and governors derived from their ability to influence political and civil discourse through rhetoric and symbolic representation

institutional racism the idea that, because government institutions are built and run by those in power, whose worldviews and goals aim to perpetuate the status quo from which they benefit, government institutions therefore reinforce norms and values that enshrine racist attitudes, policies, and practices to the detriment of marginalized groups

intersectionality the theory that individuals may embody multiple minority traits that compound the discrimination they experience

Korematsu v. United States a landmark Supreme Court decision that supported the wartime relocation and incarceration of Japanese Americans despite many being American citizens by birth

LGBTQ+ an acronym for lesbian, gay, bisexual, transgender, queer/questioning, and other identities (including intersex and asexual)

Loving v. Virginia a landmark Supreme Court decision that overturned all state laws denying interracial heterosexual couples the right to marry

majoritarianism a feature of government that emphasizes the role of majorities and how the strength of the

majority will shapes political decisions, outcomes, and division of resources

Me Too a global civil rights movement publicizing endemic sexual harassment and sexual violence in order to raise awareness, empower those who have been affected, and instigate policy change

negative rights rights stated as freedoms the government cannot infringe upon

Obergefell v. Hodges a landmark Supreme Court ruling that ended state bans on same-sex marriage equality and recognized the right to marriage as a federal right for same-sex couples

one-drop rule the now-discredited, racist idea that an individual with even one ancestor of African descent was deemed Black

Plessy v. Ferguson a landmark Supreme Court decision that denied equal access to African Americans and reinforced segregation between White people and Black people by allowing separate accommodations and access to housing, transportation, education, etc.

political culture the idea that a country's politics and policies derive in large part from its unique political culture, which is itself a product of history, geography, religion, and other characteristics

political minority any group of individuals sharing some characteristic(s) or trait(s) who have relatively less power than and whose rights may not be protected automatically by a majority group in power

political participation activities like voting, running for office, contributing to campaigns and parties, protesting, lobbying, attending political events, and other processes that allow residents and citizens of a country to be actively involved in their government

positive rights rights stated as freedoms the government must protect

reparations government-mandated financial compensation for survivors and descendants of people who experienced civil rights violations

separate but equal the idea, used to justify the segregation of Black people and White people in the United States from the late 19th century into the first half of the 20th century, that separate accommodations for individuals of different races can be equal; most often associated with *Plessy v. Ferguson* (1896)

suffrage the right to vote, which is a civil right in the United States

Three-Fifths Compromise a component of the original United States Constitution that allowed enslaved people to count toward political representation according to the formula that one slave was equal to three-fifths of a free White person

Universal Declaration of Human Rights (UDHR) a 1948 document created by the United Nations General Assembly after World War II that outlines a definition of human rights; established global standards that have since been adopted by many countries

Velvet Revolution a 1989 nonviolent, primarily student-led civil rights movement in the former Czechoslovakia (now the Czech Republic and Slovakia) in response to communist rule

Review Questions

1. *Civil rights* is defined as _____.
   a. limits on the government's ability to restrict individuals
   b. government guarantees of equal protection under the law to guarantee a group's rights are not violated or denied
   c. the right to sue
   d. another name for the first 10 amendments to the Constitution

2. Which of the following is a negative right?
   a. Right to privacy
   b. Any power granted not to the federal government, but to states
   c. Right to send children to a public school
   d. Right to receive veterans' benefits

3. What is the primary source of civil rights protection for people with disabilities in the United States?

a. The Supreme Court's decision in *Loving v. Virginia*
b. An executive order from President Donald Trump
c. The Americans with Disabilities Act
d. Adherence to the United Nations' definition and code of conduct

4. Civil rights changes like the recognition of same-sex marriage often require changes in a country's _____.
a. sovereignty
b. economy
c. political culture
d. legislature

5. What Supreme Court decision ended historic provisions of the Voting Rights Act?
a. *Brown v. Board of Education*
b. *Korematsu v. United States*
c. *Near v. Minnesota*
d. *Shelby County v. Holder*

6. Which president signed the order that established the policy of Japanese American internment?
a. Theodore Roosevelt
b. Franklin Roosevelt
c. Harry Truman
d. Dwight Eisenhower

7. Which of the following statements about the civil rights movement of the 1950s and 1960s and Black Lives Matter is correct?
a. Police brutality is the primary focus of both movements.
b. Black Lives Matter has primarily been organized via social media.
c. Equal access to public accommodation, employment, and educational opportunities was not a priority in the 1960s.
d. Both movements originated in African American churches.

8. What protest tactic ignited both the Velvet Revolution and the Arab Spring?
a. Terrorist bombing
b. Sit-ins
c. Letter-writing campaign
d. Suicide

9. Define *institutional racism*.
a. The motivation to have the president and Congressional leadership be from different political parties
b. A specific system of redrawing congressional districts every 10 years following the Census
c. A provision of the 1964 Civil Rights Act to allow certain minorities to receive preference when it comes to hiring
d. Racism perpetrated by social and political institutions that have the power to affect large groups of people that belong to a racial group

10. The $20,000 payments that the US government sent to living survivors of Japanese internment in 1990 represent what type of attempt to make amends for past discrimination?
a. Reparations
b. Court settlements

c. Hush money
d. Affirmative action

Suggested Readings

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Interest Groups, Political Parties, and Elections

8



FIGURE 8.1 Barbara Mikulski was the first woman to be elected to the United States Senate during a regular election cycle. She served in the US Senate for 30 years. (credit: "Goddard Congressional Visit" by NASA/Goddard Space Flight Center/Bill Hrybyk/Flickr, CC BY 2.0)

CHAPTER OUTLINE

8.1 What Is an Interest Group?
8.2 What Are the Pros and Cons of Interest Groups?
8.3 Political Parties
8.4 What Are the Limits of Parties?
8.5 What Are Elections and Who Participates?
8.6 How Do People Participate in Elections?

INTRODUCTION In 1985, twenty-five women decided to raise money to elect democratic women to the United States Congress. A year later, in 1986, Senator Barbara Mikulski of Maryland became the first female Senator to win a seat not by appointment but in her own right during a regular election cycle (Figure 8.1). Mikulski's historic win was thanks in part to the efforts of those twenty-five women, who met and started a political interest group and PAC called EMILY's List.[1] The name, which stands for **E**arly **M**oney **I**s **L**ike **Y**east (it makes the dough rise), was a nod to the understanding that in order to be effective in elections and in politics, people need to pool their interests, activities, and resources. EMILY's List continues to advocate for democratic women who are running for office and encourages its members to raise money for electoral contests.

EMILY's List is just one example of the interwoven relationship between interest groups, political parties, and elections. This chapter will explore the role of interest groups in politics, their pros and cons, how political parties mobilize their own organizational agendas, and how these group-level activities intersect with political

elections.

8.1 What Is an Interest Group?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define interest group.
- Discuss types of interest groups.
- Explain and differentiate among different theories about how and why interest groups form.
- Explain and differentiate among different theories about how and why interest groups influence government.

In the early 1980s at the start of the HIV/AIDS epidemic in America, government response to the increasing need for medical research and assistance to HIV/AIDS patients was scant. In the absence of a federal or state-run public health response, public interest advocacy groups such as The Gay Men's Health Project provided services for AIDS patients, gathering donations for food and securing shelter for those afflicted by the disease. Almost a decade later, with still no public health response from the federal government, a group named the Lavender Hill Mob vocally criticized the Centers for Disease Control and Prevention's handling of the epidemic, storming the agency's planned convention on the epidemic and demanding research into drugs and treatment. Soon other groups such as ACT UP formed, calling on the government to respond to the need for more public education to prevent the disease and more resources for further research into ending it.[2] President Ronald Reagan ultimately created the Presidential Commission on the HIV Epidemic in 1987 in response to citizen activism and public calls for governmental involvement. The history of group mobilization around HIV/AIDS illustrates how interest groups can harness the cooperation and collaboration of individuals in pursuit of a common goal, but also how multiple groups can work in concert to pressure the government to act.



FIGURE 8.2 ACT UP protests the National Institutes of Health (NIH) (credit: modification of "ACT UP Demonstration at NIH" by NIH History Office/Flickr, Public Domain)

Interest groups are groups of people who organize in order to seek to influence a political outcome or seek to alter public policies on the basis of a common interest or concern. The universe of **interest groups** is as vast in number as it is in scope. For example, in the United States, AARP has nearly 38 million members and advocates on behalf of Americans aged 50 and older on issues such as drug prices, health insurance, taxes, and retirement.[3] An example of a much smaller interest group is the San Francisco Democratic Party, which has 250,000 members and seeks to "engage, inform, and mobilize San Francisco Democrats."[4] Interest groups are not unique to American politics. In Britain, UK Youth is a group, founded in 1911, that works with 4,000 youth

organizations and reaches four million youths, lobbying for investment in a variety of youth-oriented leadership, skill acquisition, and health and wellness programs.[5] The French organization La Quadrature du Net works for a "free, decentralized, and empowering Internet"[6] and was part of a complaint filed against Amazon in Europe that led to an $888 million fine against the Internet commerce site for violation of customer privacy and data protection measures.[7]

Types of Interest Groups

Interest groups can be organized into two general categories: **economic groups** and public interest or **noneconomic groups**. Economic groups focus on issues such as wages, industry protections, job creation, and profit maximization, to name a few, and can be further sorted into subcategories such as business, labor, agricultural, and professional. For example, the United States Chamber of Commerce is a **business group** that describes itself as the world's largest business organization, representing companies of all sizes and advocating for policies that help create jobs and grow the economy.[8] In Canada, the Canadian Federation of Independent Businesses lobbies for lower tax rates on small businesses and credit card rate reductions, among other issues.[9] Other types of economic groups include **labor groups** like the Service Employees International Union (SEIU),[10] which represents the interests of workers in health care, public services, and property services. In Germany, which has a long history of labor groups in politics, the German Trade Union Confederation (DGB - Deutscher Gewerkschaftsbund) acts as an umbrella organization for eight labor groups and represents the interests of close to six million German workers. It is the largest labor group in Germany and one of the largest trade organizations in the world.[11]

Interest groups like the Irish Farmers Association,[12] which works on behalf of agricultural workers in Ireland, are referred to as **agricultural groups**. In the United States, the National Farmers Union has worked with Congress to make school lunches permanent and to increase country-of-origin labeling protocols, to name a few of their policy initiatives.[13] Other types of interest groups include **professional groups** like the American Medical Association (AMA),[14] which promotes the interests of working medical professionals such as surgeons and physicians in the United States, and the Japan Medical Association,[15] which, with 170,000 members, is considered the largest and most politically powerful medical lobby in Japan.

Noneconomic groups do not organize themselves around economic or business-oriented purposes, instead working to advance noneconomic issues such as the environment or education. One example is Greenpeace International, an umbrella organization representing Greenpeace offices in 27 regions and 55 countries that all work together to promote environmental protections.[16] Varieties of noneconomic groups include public interest groups, single-issue groups, civil rights groups, and ideological groups. The Trust for Public Land, a registered nonprofit that creates public parks and preserves outdoor spaces for public use, can be considered a **public interest group**.[17] The Toronto Public Space Committee, another public interest group, advocates for ecologically responsible, advertisement-free public spaces in Toronto.[18] As their name suggests, **single-issue groups** champion solitary policies or issues. The Japan Rice Millers Association focuses on just that—the milled rice industry. Founded in 1969, it promotes the interest of rice producers in Japan and advocates for government assistance in ensuring increased production and distribution.[19] Groups such as the National Association for the Advancement of Colored People (NAACP)[20] and the Congress of Aboriginal Peoples (CAP)[21] are **civil rights groups** that work to champion the rights of specific minority groups. Because the tenets of democratic socialism drive its work and focus, the Democractic Socialists of America is considered an **ideological group**. Another example of an ideological group was the Civil Human Rights Front, a pro-democracy group in Hong Kong that protested for democratic representation and voting rights in Hong Kong. Members of the Civil Human Rights Front were arrested and prosecuted by the Beijing government, which claims that pro-democracy protesters are "inciting violence."[22] In the face of an intensified crackdown on dissent, the group was forced to disband in August 2021.[23]



FIGURE 8.3 The Assembly of First Nations works to protect and advance the rights and interests of First Nations people in Canada. In this photo, A-in-chut (Shawn Atleo), hereditary Chief of the Ahousaht First Nation, returns to his home village on July 31, 2009, after being elected Grand Chief of the Assembly of First Nations. (credit: "A-in-chut (Shawn Atleo) returns to his home village of Ahousaht" by Ecotrust Canada/Flickr, CC BY 2.0)

Theories of Interest Group Formation

How and why do interest groups such as the NAACP or La Quadrature du Net form? Three major theories about interest group formation allow us to better understand how interest groups form and how they function within the political sphere. The first of these, **pluralist theory**, posits that multiple and diverse interests compete for attention and resources and that political power is distributed amongst these various interests. Competition among interests allows for the representation of a diversity of views rather than solely those of elite interests, and it prevents single issues from dominating public discourse. In other words, individual interests can be advanced through collective action[24] (e.g., "You and I both want more open spaces in the city; let's get together and advocate."), and multiple groups compete for attention to promote change. Thus, according to pluralist theory, interest groups form as a means for individuals to engage in collective action in support of common goals.

Columbia University professor David Truman's work on **disturbance theory** suggests that interest groups form in response to the changing complexity of government and society. In other words, external factors, or "disturbances," cause people to form new groups. These factors can be changes in social norms, environmental factors, or changes in technology.[25] For example, 50 years ago, the idea of legalizing marijuana was unthinkable. As social and medical norms around the use of cannabis have changed, groups such as NORML, the Marijuana Policy Project, and the Drug Policy Alliance have formed to promote the legal use of marijuana in a controlled market and to reduce "the harms of both drug use and drug prohibition."[26] As global climate change continues to make media headlines, newer and more radical groups also continue to form, such as Britain's Extinction Rebellion, which engaged in "the biggest act of peaceful civil disobedience seen in London for decades."[27]

The third major theory, **transaction theory**, refutes the idea of pluralism. In *An Exchange Theory of Interest Groups*, renowned political scientist Robert H. Salisbury argues that political actors are not influenced by groups that have mobilized to enact change so much as they are responding to the interests of narrowly focused elites, and that the relationship between interest groups and government is that of an exchange.[28] As University of Maryland professor Mancur Olson has argued, this idea rests on the notion that, because of the idea of **collective goods** and the **free rider problem**, individuals will not exert extra energy to mobilize into

groups.[29] In other words, while an interest group works to provide its members with collective goods (goods or services that all members can share), there is no incentive for all members to work for those goods. Free riders gain the benefits of membership without action.

8.2 What Are the Pros and Cons of Interest Groups?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Discuss the pros and cons of interest groups.
- Discuss the role interest groups play in government.
- Explain how interest group activity is regulated.

The next time you go to a restaurant, look at your waitstaff. They could be making less than minimum wage, or what is called a "subminimum wage" of $2.13. This is due to the assumption that diners will leave a 15 to 20 percent tip that will add to their pay. It doesn't take a calculator or a genius to see how unstable this wage is. Some diners simply don't tip, and tip distribution varies from restaurant to restaurant: while "front of house" workers (people who primarily work with diners) might receive an equal share from a pooled tip at the end of the evening, what about line cooks or dishwashers? What if you are a server who provides excellent service—why should you split your tip with someone who barely bothered to say hello to their customers? The advocacy group One Fair Wage points out that the restaurant industry is the fastest growing sector of the economy but the lowest paying and that subminimum wage practices disproportionately hurt women and minority workers.[30] During the global COVID-19 pandemic, One Fair Wage was quick to point out how the virus obliterated income for these workers and how, in order to protect the industry, the workers also needed protections. The group continues to advocate for strict health and safety measures for restaurant workers.

Pros of Interest Groups

Interest group participation in politics has its benefits. In *Federalist Paper* No. 10, James Madison argued that while the threat of factions exists, a healthy representative government will ensure that no single interest monopolizes the government's attention and that competition among interests (pluralism) will ultimately enhance democracy. From this perspective, the model of interest group activity can be seen as an ideal way to serve the common good because it allows more voices to engage in the political process, which is part and parcel of self-governance.

Ultimately, citizen participation in government is essential in part because political actors have difficulty discerning what is important to the public unless the public itself is involved in the process. Interest group activity is one way the people help the government understand which issues are of greatest concern. Additionally, the act of citizen mobilization is thought to produce **social capital**, whereby relationships forged in political and other social networks help citizens resolve collective problems. Finally, like HIV/AIDS activists in the early 1980s, interest groups can take up issues that are marginalized by traditional political actors.

Cons of Interest Groups

Theoretically, pluralism should work to protect the interests of the many: when multiple interests strive to be heard by governmental actors, multiple interests are also addressed. However, this can bring about problems of **factionalism**, where small groups of people with shared interests work to have their wishes represented in government despite majority interests. In other words, as Madison addressed in *Federalist Paper* No. 10, while a multitude of interests may be represented, not all are heard or responded to equally, and a narrow interest may hijack political attention at the expense of the majority's needs. Further, the more socially, monetarily, or institutionally resourced an interest, the more influence it enjoys, regardless of how narrow or seemingly obscure it might be.

This latter problem, known as **economic bias**, is a weakness of the interest group system. As Wesleyan University professor E. E. Schattschneider explains, "The flaw in the pluralist heaven is that the heavenly

chorus sings with a strong upper-class accent."[31] Groups that represent business or professional interests tend to be better resourced, and though lower-class interests can be represented, interest group membership itself is mostly skewed toward those who make up the upper-middle and upper classes, as individuals who make up these groups tend to have more time and resources to commit to this type of political activity. In addition, there is a "chicken or egg" characteristic in interest group membership in that, as long as upper-middle-class and upper-class interests are represented, these groups naturally attract individuals from these populations and not those in more disadvantaged groups.

The theory of **interest group liberalism** highlights another noted weakness of the interest group system.[32] Instead of a pluralistic ideal whereby issues important to various groups jostle within the public realm for governmental response, interest group liberalism suggests that officials respond to well-organized groups not because they are good for society but because well-organized interests simply do a better job of demanding governmental action.

VIDEO

What Is An Interest Group?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/8-2-what-are-the-pros-and-cons-of-interest-groups)

Any group that shares an interest can form an interest group to try to advance their goals.

How Do Interest Groups Influence Government, and How Are They Regulated?

The formal work of interest groups is referred to as **lobbying**, the attempt by a group to influence a political outcome. Lobbying can take on different forms, and groups often lobby different branches and types of government. Lobbying itself can be further divided into two categories, **inside lobbying** and **outside lobbying**.

MEET A PROFESSIONAL

Andy Chasin, Vice President of Federal Policy and Advocacy for Blue Shield of California

Please explain what you do for your organization.

I run federal policy and advocacy for Blue Shield of California, a nonprofit health insurer with more than four million members. My job is to provide strategic advice to the company on what's happening in Washington, DC. I used to work in the Senate on health care policy and now lobby both houses of Congress and work to influence the constant flow of rulemakings coming out of administrative agencies like the Department of Health and Human Services. My company has a political action committee (PAC) that our employees voluntarily support to allow us to attend events with lawmakers. Giving money doesn't mean that a member of Congress will do what you want, but it does often provide an opportunity to share your perspective on important issues. Ultimately my work is to ensure that health care is affordable and accessible for our members and to urge lawmakers to provide a way to get everyone in America covered in the least disruptive way possible.

What did you study in school?

I went to law school and studied politics, philosophy, and economics as an undergraduate.

What did you learn as an undergraduate that helps you in this position?

The ability to write, think critically, and understand the point of view of different stakeholders is something I use every day.

Inside lobbying occurs when interest groups cultivate contacts and relationships within government. Examples of inside lobbying include lobbying the legislative branch of government, such as the United States

Congress, in order to provide testimony, suggest items for consideration, aid in the crafting of legislation, or mobilize constituents to write their members of Congress to support or vote against certain bills. Interest groups also lobby other parts of government, including the executive branch. They do so by working with federal agencies, executive appointees, and in the case of the United States, even the White House to do much of the same work they do when lobbying Congress. This work includes identifying or introducing specific pieces of legislation that will further their cause, providing information for or writing drafts of policy proposals, and mobilizing constituent support. Groups such as the aforementioned One Fair Wage lobby state and local governments to raise state minimum wages for tipped workers, for example.

Interest group lobbying of the judicial system differs from lobbying of other branches because the courts do not write or pass legislation. As such, groups work to influence the judicial branch in other ways. The first is connected to ways groups lobby the other two branches in that interest groups can try to influence judicial appointments by suggesting possible appointees for the other two branches to nominate and confirm. Interest groups also use *amicus curiae,* or friend of the court, briefs, to lobby the judiciary. Using *amicus curiae* briefs, groups file official positions to make known to judges and justices their official positions on cases being heard before a court. Depending on the case and the group, interest groups can also use their resources to file cases in lower courts or have appeals heard in higher courts such as the Supreme Court. A recent example is *Sierra Club v. Trump*, in which the American Civil Liberties Union (ACLU), acting on behalf of the Sierra Club and Southern Border Communities Coalition, filed suit against President Trump for his use of executive power to fund and build a wall on the southern border of the United States.[33] In this instance, three interest groups joined in a case against the executive branch of the government.[34] The case, which started in a lower district court, was appealed and made it to the Supreme Court, though the case was dismissed after President Biden rescinded Trump's executive order to divert funding for the wall.[35]

Interest groups also utilize tactics such as **outside lobbying**, also known as **indirect lobbying** or **grassroots lobbying**, which entails rallying public support in order to pressure political actors to consider their causes. In outside lobbying, groups call upon their own members as well as the general public to take up the mantle of their cause through a show of public support. The movement to recall California Governor Gavin Newsom is an example of this type of grassroots lobbying.[36] The arrest and conviction of the Kings Bay Plowshares 7, a group of activists who entered Kings Bay military facility in the state of Georgia to protest the use of the government's nuclear arsenal, is an example of how protests and radical activism can be considered a more extreme form of grassroots lobbying.[37] Members of Extinction Rebellion go to extreme measures such as gluing themselves to planes in order to call attention to the climate crisis.[38]

Inside and outside lobbying can look different in Europe. In Switzerland, for example, **ballot initiatives**, where constituents vote directly on pieces of legislation, alter how interest groups work. The recall effort of California Governor Newsom is also an example of a ballot initiative. Interest groups may be less reliant on policy makers and inside lobbying when they have the option to appeal directly to the public, though studies have shown that the work of lobbying groups tends to be more negative than positive in nature. In other words, instead of lobbying for legislative change, interest groups in Switzerland can act as gatekeepers, working to block laws that are not in the group's interests.[39]

In addition to lobbying, interest groups also work to raise and donate funds to directly decide the outcomes of elections. A group's official fundraising arm is called a **political action committee (PAC)**. PACs can accept up to $5,000 from any single individual and can contribute the same amount to a single candidate or $15,000 to a party. PACs, like interest groups, cover all sorts of interests. For example, when you bite into a hard taco or a gordita from Taco Bell, did you know that you could be contributing to a political candidate? Between 2018 and 2020, the political action committee for Taco Bell, called TACO PAC, raised and donated over $100,000 dollars to Republican candidates and $2,500 to Democrats.[40] The PAC describes itself this way: "TACO PAC provides a way for individuals to join their contributions and voice with those of other supporters in the quick-serve franchise restaurant industry including owners and operators."[41] Taco Bell is not the only fast food franchise to contribute to political candidates. In the same election cycle, Wendy's contributed over $100,000, while

McDonald's gave $500,000.[42] PACs such as TACO PAC are regulated in how much they can give to candidates and parties, and they are required to fully disclose their donors. Unlike PACs, **super PACs** are fundraising groups that can raise and spend unlimited funds provided they do not explicitly coordinate with a candidate.

In the 2020 election cycle, super PAC spending totaled over $2 billion.[43]

Super PAC Spending	
2010	$125 Million
2012	$1.2 Billion
2014	$390 Million
2016	$1.5 Billion
2018	$822 Million
2020	$2.1 Billion
Total	**$6.5 Billion**

TABLE 8.1 Year-over-year super PAC spending (source: Center for Responsive Politics)

Super PACs are not without controversy. Also referred to as independent expenditure-only committees, super PACs can raise unlimited sums of money from corporations, unions, associations, and individuals and then spend the money to campaign for or against candidates or ballot initiatives. The "birth" of super PACs came about in 2010 as a result of *Citizens United v. Federal Election Commission*,[44] when the Supreme Court ruled that "limiting 'independent political spending' from corporations and other groups violates the First Amendment right to free speech."[45] Critics of this ruling complain that it has led to the rampant rise of super PACs, which empower the wealthiest donors and receive **dark money**, which is when super PACs receive donations from shell corporations (companies or corporations that exist only on paper for monetary purposes and that, while they have no office and no employees, may have bank accounts) or donors who do not disclose their identities. Super PAC and dark money donations have only grown since the *Citizens United* ruling.

Interest groups and their lobbyists—as well as wealthy elites—fuel PAC and super PAC activity. As such, part of regulating interest group activity means monitoring lobbyists and the work they perform, be it inside or outside lobbying. However, the number of lobbyists that work to influence the government is a point of contention. Between 2009 and 2019, the number contracted from roughly 13,000 to around 11,000, but American University professor James Thurber refutes these numbers, explaining that they represent registered lobbyists rather than the entirety of the lobbyist population, which he calculates to be closer to 100,000.[46] The latest attempt to reform lobbying practices, the Honest Leadership and Open Government Act of 2007, placed tighter restrictions on campaign contributions through PACs and on campaign travel and adjusted definitions of what constitutes a lobbyist, whether an "in-house" lobbyist who works within an organization or an "outside" lobbyist who is hired to represent interest groups. Among other changes, the act included so-called "revolving door bans," which require elected officials to wait at least a year after serving in government before joining a lobbying firm, and limited the monetary value of gifts lobbyists can receive.[47] On January 20, 2021, President Biden signed an executive order further strengthening lobbying regulations, pledging an executive branch "revolving door ban" of two years and banning **golden parachutes**, exit bonuses

that reward executives leaving private companies upon entering federal government positions, among other restrictions.[48]

The United States is not the only government to contend with the ethics of lobbyists. While the EU developed the European Transparency Initiative (ETI) in 2005 to enhance transparency in EU policy making and boost confidence in decision-making processes, scholars like University of Pittsburgh law professor William Luneburg point out that these regulations are not enforced and require minimal information (who they represent, for example) on the part of the lobbyist, and in countries such as Germany, Georgia, Lithuania, and Poland, lobbyist registration is wholly voluntary and thus lacks teeth in terms of acting as an enforcement measure.[49]

8.3 Political Parties

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define political party.
- Explain the purpose and activities of political parties.
- Differentiate among different types of political parties and systems.

The Scottish National Party (SNP) is Scotland's largest political party. It describes itself as "center left and social democratic."[50] The SNP supports policies such as expanding government-provided health care and removing Britain's nuclear submarine program off the shores of Scotland, but it is also increasingly associated with a single focus, Scottish independence from Britain. Though a recent Panelbase poll indicated that support for Scottish independence has cooled, numbers also illustrate that 70 percent of Scotts under the age of 35 think Scotland should abandon the United Kingdom.[51] After winning three consecutive majority terms in Scottish parliament, current SNP leader Nicola Sturgeon has promised a **referendum**, an election in which the voters decide whether to overturn existing law or policy, on Scottish independence in 2023.

VIDEO

What Happens if Scotland Leaves Britain?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/8-3-political-parties)

This video from *The Economist* considers the movement for Scottish independence and the potential consequences if it is successful.

What Are Political Parties?

How do **political parties** work? Political parties are groups that organize around a shared political ideology, with the primary goal of electing party members to positions in government. Political parties have a lot in common with interest groups. Like interest groups, political parties operate to influence policy makers. However, political parties differ from interest groups in one crucial way. While PACs donate to certain candidates, interest groups ultimately work with any elected official if they feel doing so will meet their policy ends. In contrast, political parties seek to control the government from within by getting as many of their party members elected as possible.

Like interest groups, parties form in response to the need for collective action. Their activities allow candidates to reach and mobilize individual voters, or as Indiana University professor Marjorie Randon Hershey writes, political parties are a means by which people agree to behave cooperatively over the long term so as to secure benefits that they would not have been able to gain as individuals.[52] Tufts University professor Jeffrey Berry and Georgetown University professor Clyde Wilcox contend that political parties act as counterweights to interest groups, curbing too much external influence over government.[53] Political parties and interest groups

can be seen as partners in many of their activities when it comes to getting candidates elected. For example, the Republican Party in the United States has long maintained ties with conservative Christian groups in order to recruit and organize voters, and the election of President Trump was no exception; some claim that since the 1970s, no Republican candidate could win a nomination for president without the mobilization efforts of religious figures such as televangelist Jerry Falwell.[54]

In the United States, political parties have taken different forms and different names, but the country has steadily maintained a two-party system. However, Japan, one of the oldest democracies in Asia, is an example of a party system where a single dominant party (the Liberal Democratic Party, or LDP) has been in place for decades despite a fully competitive electoral system.[55] This contrasts with China, which has one ruling party (the Chinese Communist Party) but has no democractic elections.

THE CHANGING POLITICAL LANDSCAPE

Women in the US Congress



FIGURE 8.4 Nancy Pelosi, Speaker of the US House of Representatives (credit: "IMG_5003" by Senate Democrats/Flickr, CC BY 2.0)

Leading up to the general election in 2020, the United States saw a sea change in the makeup of candidates seeking political office, in which almost half of the candidates seeking congressional seats were women (204 of 435.)[56] Considering the adage "You can't win if you don't run," it is significant that so many female candidates sought elected office, reflecting trends in representation in society in general. Women now make up just over a quarter of the members of the 117th Congress, a record in American history and a 50 percent increase from a decade ago.[57] Additionally, the Speaker of the House, Nancy Pelosi, is not only the first woman to hold the position, she is the only woman to hold it twice.

Central Party Activities

In addition to working to choose and elect candidates, parties serve other practical functions. Political parties, like interest groups and their PACs, raise money for campaigns. By electing members of their parties to government, parties work to garner a majority coalition in order to direct policy outcomes, and in the United States, money in elections continues to grow. In the 2020 election cycle, both parties raised close to $2 billion to distribute to various candidates and their campaigns.[58] In 2018, the aforementioned Liberal Democratic Party raised ¥2.46 billion (or roughly $22 million) to fund campaigns in Japan despite the assumption that the party would continue to dominate the political system.[59]

Parties are instrumental in identifying potential members, and registering new voters is a key component of

their work. Because American voters are not automatically registered to vote and, depending on their state of residence, may be required to register with a party in order to vote in a political primary, political parties shoulder the important burden of finding new voters to participate in elections. While close to half of voters in the United States register to vote in their states when they apply for a driver's license, political parties try to make up the difference by registering as many members to their own parties as they can. In the 2020 election cycle, the Republican Party added close to 150,000 new voters in Florida and 30,000 additional voters in Arizona.[60] However, the gains the party made during the run-up to the election were lost after the Capitol Hill riots on January 6, 2021, with the *New York Times* reporting that 140,000 members left the Republican Party in the 25 states that have readily available data.[61] The death of George Floyd in early summer of 2020 may have spurred additional Democractic registration throughout several states including Michigan and Minnesota.[62] However, the Brennan Center for Justice at New York University Law School notes that overall registration pales in comparison to 2016 for both parties in large part due to the COVID-19 pandemic. The center found that voter registration decreased by 38 percent in 17 of 21 states it analyzed.[63]

SHOW ME THE DATA

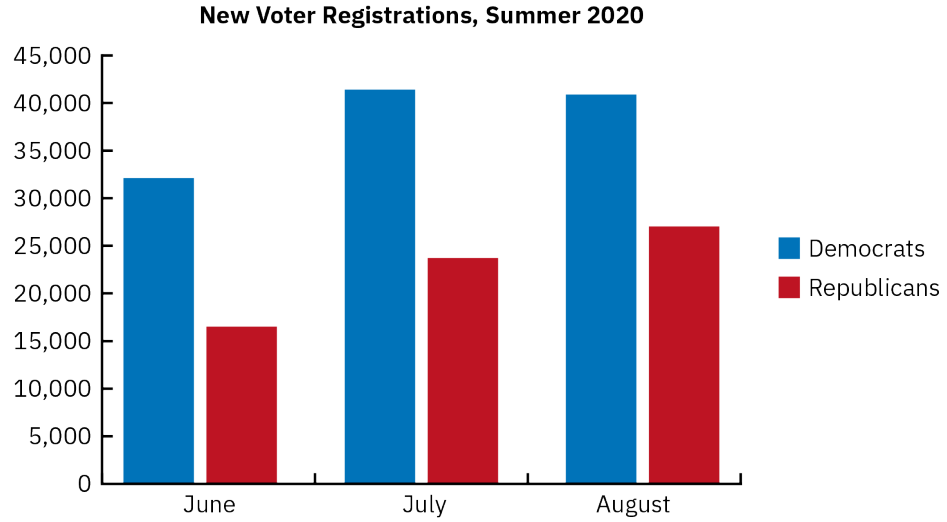


FIGURE 8.5 Minnesota voter registration rose in the summer of 2020 in reaction to the murder of George Floyd. (source: https://insights.targetsmart.com/september -15-2020-democrats-voter-registration-advantage-increases-in-midwestern-states-home-to-protests.html; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Political parties also vet and recruit candidates for election, and a party that cannot nominate candidates is toothless in its power.[64] Univerity of Illinois professor Lester G. Seligman echoed this sentiment, calling candidate recruitment a basic function of a political party.[65] The extent to which parties perform this function varies by country. The United Kingdom is an example of a parliamentary system where parties play an important role in candidate recruitment, with elected officials often cutting their teeth in local government before being considered for a seat in Parliament.[66] In the United States, candidate recruitment is increasingly seen as a responsibility political parties and interest groups share, with the latter taking on more of the gatekeeping role in recent years thanks to their organizational powers and ability to gather resources and mobilize supporters.[67]

Contemporary Party Systems

Throughout its political history, the United States has had what is considered a **two-party system**. Over time the two parties have taken on different forms and names, starting with the Federalists and the Democratic

Republican parties, then the Whigs and the Democrats, and now the Democrats and Republicans. While third parties like the Green Party and Democratic Socialists certainly exist, the United States is considered a two-party system since only two parties have a realistic chance of wielding political control. Similarly, in the United Kingdom, the Conservative Party (Tories) and the Labour Party enjoyed long-standing dominance throughout the 20th century. However, the emergence of the Liberal Democrats, Reform UK (or the "Brexit Party"), and smaller influential parties at the local and regional level has altered the United Kingdom's traditional two-party system, making it look more like a **multiparty system**.[68] Germany provides another interesting example of a multiparty system. Prior to Adolf Hitler's rise, over a dozen political parties held seats in the German government. After the rise of Nazi Germany, the country became a single-party government (Third Reich), and this single party structure remained in place from 1933 to 1945, until the end of the Second World War.[69] Germany subsequently broke into two separate countries, East and West Germany. A single party, the Socialist Unity Party of Germany, ruled East Germany. During this era, several parties grew in West Germany, including the Christian Democratic Union, and after the reunification of Germany in 1990, Christian Democratic Union majority party leader Helmut Kohl led the government. Then, in 2016, the outcome of the German election led to a "six-party government,"[70] with power sharing between the Social Democrats, Alternative for Germany (AfD), the Christian Democrats, the Left, the Green, and the Free Democrats. Single-party systems still exist today; though China has multiple registered minority parties, it is considered a **single-party system** where the Communist Party has controlled all levers of government since its rise to power in 1949.[71] Similarly, Cuba has been a single-party Communist state since 1959.[72] Eritrea, in Northeast Africa, has also been ruled by a single party, The People's Front for Democracy and Justice, and a single leader, President Isaias Afwerki, since 1993.[73]

8.4 What Are the Limits of Parties?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain trends showing the decline of the party system.
- Discuss the weaknesses of the party system in the United States.
- Describe patterns of party decline around the world.

Historically, political parties have held considerable power in recruiting candidates, mobilizing voters, and securing funds for nominees. Many Americans' image of party politics involves William Tweed, or "Boss Tweed," a 19th-century Democratic Party operative who used corrupt methods to exert power and influence within New York City politics. He remains a significant figure in American political history as an example of the height of both the potential corruption and power of the party system, a system that some argue has begun its descent in terms of its ability to fulfill its basic roles.

The Decline of Parties and the Rise of Candidate-Centered Campaigns in the United States

What is the current state of political parties? University of California professor Martin Wattenburg and Harvard University professor Thomas E. Patterson argue that since the late 1980s, the United States has seen a rise in what is called the **candidate-centered campaign**. This is the idea that the declining influence of political parties and their decreased ability to mobilize voters' opinions and actions has set voters politically adrift, and that candidates themselves have stepped in to fill the power vacuum.[74] These types of "entrepreneurial" candidates further weaken party influence in that they do not need to depend on the party for resources in order to launch a campaign or reach voters.[75] There is no better example of a candidate-centered campaign than that of Ross Perot, a self-made billionaire who funded his own run for president as a third-party candidate against George H. W. Bush and Bill Clinton in 1992.[76] Perot did not win the election, but he managed to take 20 percent of the popular vote. Yale University professor Ian Shapiro bemoans this trend in candidate-centered campaigns and the weakening party system. According to *Yale News* reporter Mike Cummings, "the transfer of political power to the grassroots has eroded trust in politicians, parties, and democratic institutions,

culminating in the rise of divisive, populist politics in the United States and abroad."[77] Former President Donald J. Trump is also an example of a candidate who ran outside of the traditional Republican Party platform, who was able to garner media attention despite his inexperience with politics, and who very much manifested this idea of the candidate-centered campaign.



FIGURE 8.6 Ross Perot (right), shown here with Presidents Bill Clinton (left) and George H. W. Bush (center), was a third-party candidate for president in 1992. (credit: "P37161-12" by George H.W. Bush Presidential Library and Museum, Public Domain)

The Decline of Political Parties Around the World

Political parties have weakened not just in the United States, but across the globe. European University Institute professor Peter Mair and Leiden University professor Ingrid van Biezen found both that levels of party membership have declined as a proportion of the electorate and that there has been a major decline in the absolute numbers of party members across all the long-established European democracies.[78] University of Essex professor Paul Whiteley likewise describes a well-documented, long-term decline in party activism across Europe and attributes this trend to parties being too close to the state and no longer working to recruit and rely on membership for their work.[79] Other reasons for the global decline of parties include the rise of candidate-centered campaigns (as in the United States), economic factors like deindustrialization, and the rise of communications technologies as an alternative to traditional groups.[80] The declining salience of class as an identity in political mobilization is also a factor in the decline in party identification, as seen in the United States and in countries like France and Britain, where left-wing parties have seen a decline in working-class voters. In all three countries, voters with low incomes and lower levels of education had tended to support left-of-center parties, while high-income, highly educated voters had aligned with those of the right; however, as London School of Economics and School for Advanced Studies in the Social Sciences professor Thomas Piketty has pointed out, this is no longer the case. Party alliance has flipped: those with higher education and income levels tend to be more liberal and support candidates on the left while working-class and less educated voters support conservative policies.[81] The outgrowth of this trend has, according to Piketty, also led to a rise in **populism**, or the appeal on the part of public leaders to the belief by ordinary people that established elite groups disregard their concerns.[82]

In countries such as Venezuela and Peru, the collapse of the party system is attributed to a myriad of causes including but not limited to corruption, lowered party identification, weakened party organizations, and ideological underrepresentation.[83] Seawright notes that in the case of Venezuela, traditional parties dominated politics throughout the 1980s before losing power in the 1990s and culminating in the rise of Hugo

Chávez, a charismatic, populist leader who took the country from moderate US ally to "confrontational populist leftism."[84] Similar party weakening has occurred in Indonesia. While party coalitions were meant to facilitate cooperation among different parties, the party system in Indonesia was ultimately weakened by its reliance on **patronage** (giving government jobs to family and supporters), an institutional failing that academics suggest led to the rise of populist leaders such as President Joko Widodo.[85]

8.5 What Are Elections and Who Participates?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define the term election.
- Explain why elections are important to democracy and popular participation.
- Describe some weaknesses of popular elections.
- Discuss who votes in elections.

Elections take many forms, from student body **elections** where a group of peers elect one of their own to represent their interests within their school, to a national election that selects a country's president. An election is a formal decision-making process in which groups determine which individuals will hold public office. In certain states and countries, elections are a means for citizens to select among policy preferences. As Rutgers University professor Gerald Pomper writes, elections are a positive means by which groups can seek particular goals.[86]

Why Are Elections Important to Representative Democracy?

Frequent elections are a hallmark of any representative democracy because they allow elected members of government to understand the will of the people and they give people the opportunity to select these representatives and policies based on their preferences. From an American perspective, as Madison writes in *Federalist Paper* No. 52, "Frequent elections are unquestionably the only policy by which this dependence and sympathy can be effectually secured."[87] In other words, if voters are expected to depend upon and trust their representatives, frequent elections are necessary to ensure the government understands the electorate's needs. Elections can also be seen as competitions where interest groups and political parties use their resources to convince groups of voters to vote for certain candidates over others.[88] The competitive nature of elections allows voters to "comparison shop" and forces candidates to be open about their objectives and plans. Competitive elections encourage voters to make electoral decisions, and these collective decisions should work to move elected officials in one direction over another in order to maintain their roles.

WHAT CAN I DO?

Social Responsibility and Elections



FIGURE 8.7 "I Voted" sticker (credit: "I Voted" by The Marmot/Flickr, CC BY)

As students of political science, we are often challenged with explaining how the various fields, theories, and topics we study can translate into something tangibly relevant to the world outside of political science. This link is particularly clear when studying elections since elections give us the opportunity to directly take part in the democratic process through a particular form of civic engagement: voting. Voting, however, is not the only form of civic engagement related to elections. Individuals can also volunteer to work at the polls on Election Day, they can work to help register voters, and they can also volunteer to support the campaign of a preferred candidate. By participating in elections, we each have a chance to have our own voice heard within the halls of power through the selection of elected officials as well as voting on referenda and constitutional amendments. Each of us should strive to understand the role we play in our own community, how our communities intersect with other communities, and the importance of engaging in the civic life of all levels of government.

What Are Some Problems with Elections?

Elections are not without their problems. In economics, the theory of **adverse selection** refers to the idea that sellers, not buyers, have the upper hand when it comes to information, especially when it comes to product quality. For example, when a family goes to a shelter to select a puppy, they tend to know relatively little about the puppy's lineage, what kind of environment it was born or raised in, and what the puppy is like day to day. The family has only limited information to help them decide which puppy to select, much as limited information impairs voters' ability to make choices about policies and candidates. For example, a recent ballot initiative in California asked voters to decide if drivers of rideshare services such as Uber and Lyft are employees or contractors. The two companies spent $205 million dollars to persuade voters to exempt them from treating their drivers as workers.[89] Since voters cannot fully educate themselves on everything they must vote on, the information asymmetry can often benefit the candidate or, in this case, the companies that can spend the most on communicating with potential voters. This example also sheds light on the problematic costs of elections. As mentioned, the last presidential election cost $14 billion, all to persuade voters to cast a ballot a certain way. As we will discuss later in the chapter, how and when elections occur varies around the

world, but the high cost of elections is a uniquely American problem.

Elections also shed light on the problems of **moral hazard**. In terms of elections, a moral hazard is the risk a voter takes that a chosen candidate may not, once elected, act in the way the voter hopes, or as Pomper notes, "Elections have been held harmful because they actually promote the unqualified." In this way, voting is an act of faith and one that may bring you, the voter, risk or disappointment down the road, particularly if a voter decides to take a chance on a candidate without experience or a candidate who performs well in an election but is not necessarily equipped to govern. Voters may consciously or subconsciously react to the problems of adverse selection and moral hazards by not voting at all. **Voter suppression** is defined as election practices or policies that discourage or prevent specific groups of people from voting and is another problem voters face in elections around the globe. For example, 17 million EU citizens live and work in another EU country, yet "voting patterns in Italy, Hungary, Poland, and Greece show the extent to which EU expatriates' political rights have been eroded. Illiberal ruling parties know that these diaspora groups could hurt them electorally and avoid encouraging, or have taken steps actively to discourage, their political participation."[90] The United States has a regrettable history with voter suppression, as illustrated with Jim Crow laws in the South that barred minorities from voting through the use of literacy tests, poll taxes, and mass purges of Black voters from registration lists. States continue to engage in voter suppression, and the Brennan Center for Justice reports that between January and May of 2021, 14 states enacted 22 new laws that restrict access to the polls, including restrictions on mail-in ballots, making mail-in ballot deadlines earlier, and making voter ID laws stricter.[91] Opponents of these laws explain that minorities are often the targets of such laws, as they do not have the time or resources to fulfill the necessary voter ID requirements or onerous time deadlines imposed by such laws. Voter suppression has been cited as a cause for lower turnout among minorities in states that enact these regulations.

Who Participates in Elections?

The number of eligible voters who cast a ballot in an election is referred to as **voter turnout**. Note that there is a difference between **eligible voters** and **registered voters**. In the United States, the **voting eligible population (VEP)** is all citizens who have reached the minimum age to vote, regardless of registration status, excluding people who are not eligible to vote, such as noncitizens and, in certain states, convicted felons. Registered voters, on the other hand, are voters who have reached the legal voting age, have their names on a voter registration list, and meet the requirements set by their state or jurisdiction in order to vote. The number of registered voters in the United States is lower than the number of eligible voters, and the number of registered voters who actually vote is lower still. The number of adults who participated in elections in the United States in the last 20 years hovered between a low of 52 percent and a high of 66 percent in the 2020 presidential election.[92] America has low voter turnout relative to other democratic countries, ranking 30th out of 35 OECD (Organization for Economic Cooperation and Development) countries.[93]

SHOW ME THE DATA

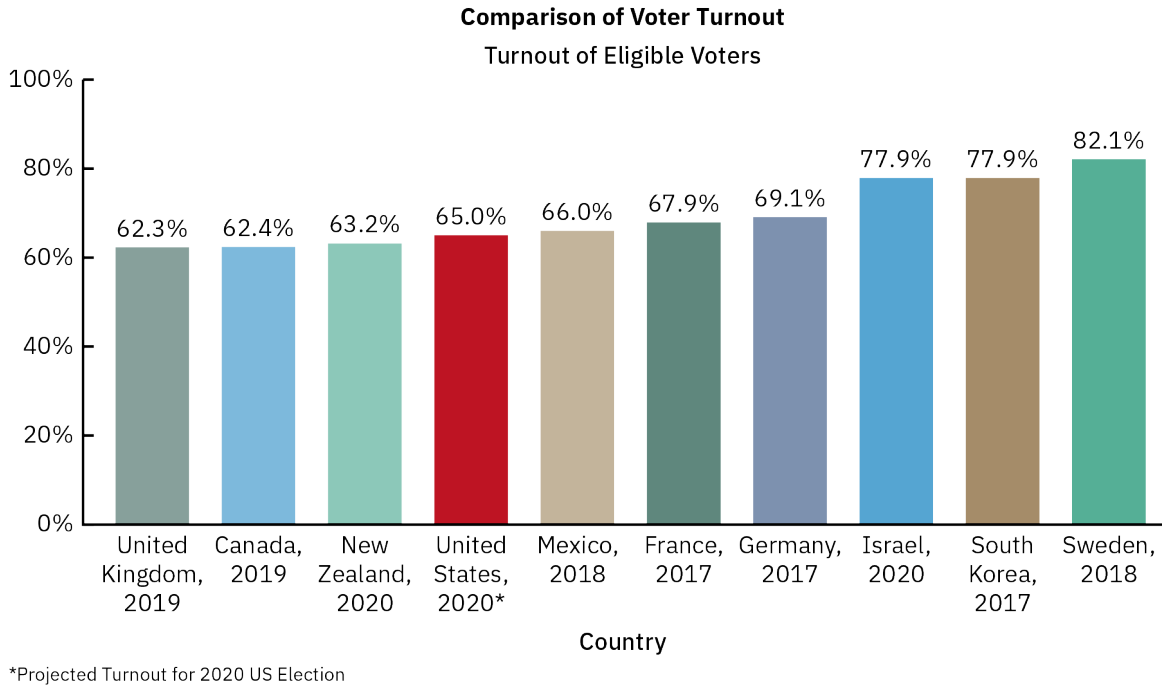


FIGURE 8.8 Country-by-country comparison of voter turnout (source: Pew Research and Global News Reports; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Who votes in American elections? In short, wealthy, older, educated Whites are the most likely demographic group to turn out to vote, while Asians, Hispanic Americans, those with less than a high school degree, and voters under the age of 24 have among the lowest turnout rates. Though the number of eligible voters has grown throughout the nation's history, the disparity among groups still exists for many reasons.

SHOW ME THE DATA

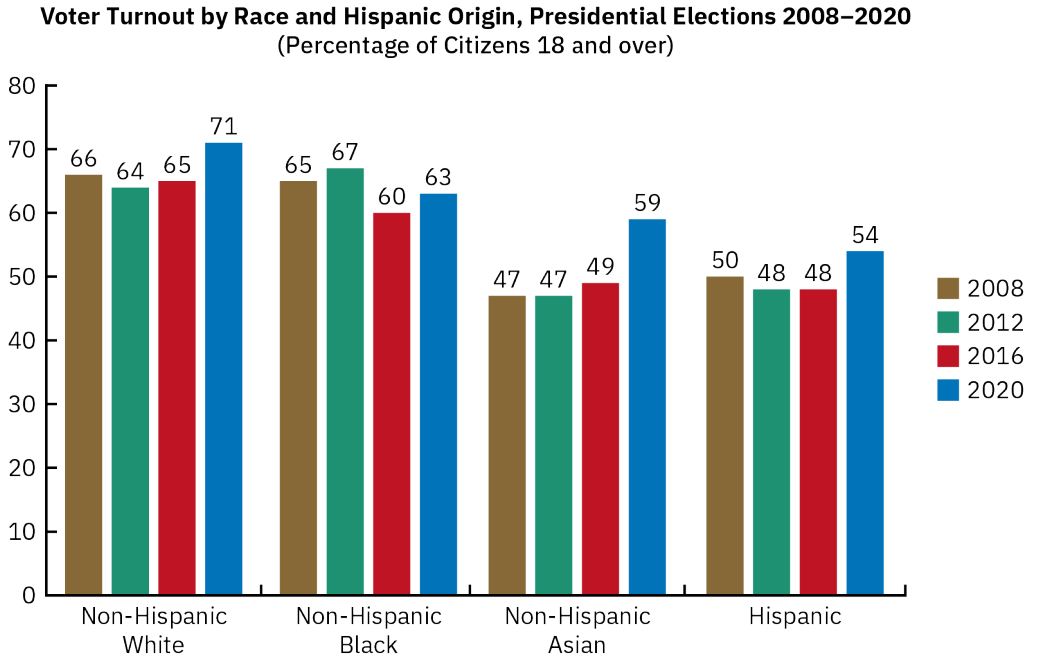


FIGURE 8.9 Voting in the United States by demographic group (source: US Census Bureau, Current Population Survey, November Supplement, 2008 to 2020; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

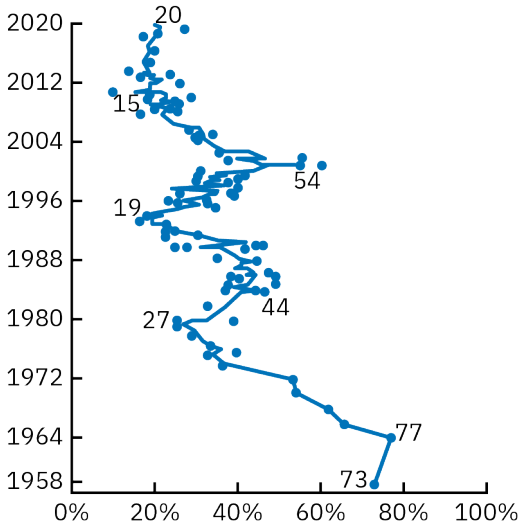
In his seminal work on voter participation, University of California professor Arend Lijphart provides insights into the multiplicity of reasons for low voter turnout in the United States. These include the frequency of elections, off-year elections, holding elections on weekdays, and voter registration rules.[94] The frequency of elections leads to what some call **voter fatigue**, whereby the demands of multiple elections leave voters feeling apathetic or disengaged. With presidential elections every four years, congressional elections every two years, plus a multitude of local, state, and special elections, Americans face too many choices too many times. Subsequent studies have supported the claim that the frequency of elections depressed voter turnout in other countries as well.[95] In the United States, there is also a marked drop-off in participation during off-year elections, when there is no presidential race, only state and local races. Election frequency is also posited as the reason for low voter turnout in Switzerland, which at roughly 40 percent turnout and *despite* compulsory voting, has one of the lowest percentages of voting-eligible people in a developed country who cast ballots in a national election.[96] Some suggest that an **Election Day holiday**, where voting day is a national holiday or voters vote on a weekend, would boost turnout in the United States. Typically, US elections are held during the week, when most people have work or school commitments, whereas countries such as Japan vote on Sundays. The set of conditions voters must meet and be able to prove in order to be eligible to vote, known as **voter registration requirements**, are also often cited as a reason for low voter participation in the United States. Unlike in other countries, such as Japan, China, and most of Europe and South America, where voter registration is automatic, voter registration is not compulsory in the United States. Many argue that leaving the onus of registration on the voter prevents easy access to the polls. Voter registration requirements also vary widely across states. Twenty-one states allow individuals to register and vote on the same day, while five states have automatic voter registration systems. The remaining states require voters to register anywhere between a week and 30 days prior to the election.[97]

In addition to institutional barriers, there are other explanations for why people do not vote, including declines

in social capital and trust of government. Communities with higher social capital, or relationships forged in political and other social networks that help citizens resolve collective problems, enjoy lower levels of crime and higher levels of trust in government.[98] Higher levels of social capital are also associated with the willingness to vote. Researchers argue that encouraging individuals to join groups leads to increased community involvement and thus civic participation,[99] and this has been shown in studies of Italy,[100] as well as multiple democratic countries.[101] As levels of trust in the government have fallen, participation has fallen, and the perception of the lack of integrity in the electoral system has also been correlated with lower turnout.

SHOW ME THE DATA

Public trust in federal government near historic lows for more than a decade
% who say they trust the federal government to do what is right just about always/most of the time



Note: From 1976–2020 the trend line represents a three-survey moving average.

FIGURE 8.10 Changing levels of trust in government among US adults (source: Survey of US adults conducted July 27-Aug. 2, 2020; trend sources: Pew Research Center's American Trends Panel (2020), Pew Research Center phone surveys (2019 and earlier), National Election Studies, Gallup, ABC/Washington Post, CBS/New York Times, and CNN Polls; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

8.6 How Do People Participate in Elections?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain how elections take place in the United States and abroad.
- Describe the regulations that govern elections in the United States and abroad.
- Compare United States elections and regulations with those in other countries.

On October 8, 2004, "against the backdrop of extremists' threat, difficult terrain and sometimes adverse weather conditions," Afghanistan's first-ever democratic presidential election took place.[102] Despite public warnings from a former Taliban supreme leader who threatened violent attacks should citizens vote in the first-ever direct democracy election in Afghanistan, Afghan politician Hamid Karzai was elected out of 17 presidential candidates.[103] Roughly a month later, on November 3, Karzai was officially elected president with 55.4 percent of the vote.[104] In a region US military forces had occupied after the 9/11 terrorist attacks, the election of Karzai was an incredible achievement and, perhaps most significantly, "the election, contrary to

expectations, was not marred by ethnic, ideological and linguistic cleavages so characteristic of the Afghan society. Karzai's government will be better advised to facilitate the creation of a 'balanced party system' in Afghanistan."[105] Global media carried pictures of jubilant Afghans, their thumbs stained with purple ink that signified they had voted, and these pictures reminded all of us how important elections are in a democracy.



FIGURE 8.11 Ink on a finger symbolizes that a vote has been cast. (credit: "_DSC0091" courtesy USAID/ISAF Public Affairs/Flickr, CC BY 2.0)

Electoral Districts and Plurality and Proportional Representation

In the United States, Americans vote in what are called **electoral districts**, which are all roughly equal in size in terms of population. The United States House of Representatives, state legislatures, and local governments all have their own districts from which a single representative is elected, though this was not always the case. At the writing of the Constitution, Article I, Section 4 simply stated that both Congress and state legislatures would determine how elections for members of Congress would occur. Congress first passed the law dictating that House members be elected by district in 1842, and by 1872 they had expanded its scope, articulating the need for equal districts.[106] In the case of the United States Senate, each state is the equivalent of a district, though each state obviously has a different number of residents. When the Constitution was drafted, state legislatures elected Senators, but by 1913 the 17th Amendment was passed and ratified in order to allow the election of Senators by direct popular vote.[107]

The president of the United States is elected through the **Electoral College**, a system of electors the number of which is equal to the total number of Senators (two from each state) and House members, plus electors from Washington, DC.[108] Each state is a district. States choose electors using different methods including state conventions, state party central committees, appointment by state governors, state primary, or nomination by the party's candidate. Electors are expected to vote on behalf of their party and according to the popular vote. However, as we have seen in recent elections, the winner of the popular vote is not always the winner of the Electoral College.[109] This is because, with the exception of Maine and Nebraska, states utilize a "winner-take-all" approach to allocating electoral votes. This means that no matter the margin, the candidate who wins the popular vote in a state wins all of that state's Electoral College votes. Maine and Nebraska allocate one electoral vote to each of their congressional districts, and the winner of each of those districts is awarded one electoral vote. The winner of the statewide vote is then awarded the state's remaining two electoral votes. This allocation of Electoral College votes is referred to as the **congressional district method**.

Most American elections are won by **plurality rule**, whereby the candidate with the most votes wins. Some states, such as Georgia, require candidates for statewide office to win at least 50 percent of the vote, which is called **majority rule**. If a candidate cannot secure 50 percent of the vote, the election goes into what is called a run-off election, where the field of candidates is whittled down to a smaller number and the election is held again.



FIGURE 8.12 Georgia Senate candidates Raphael Warnock and Jon Ossof stand at either side of Senator Chuck Schumer. (credit: "Senate Majority Leader Chuck Schumer (D-NY), Senator Jon Ossoff (D-GA) and Senator Reverend Raphael Warnock (D-GA)" by Senate Democrats/Flickr, CC BY 2.0)

The main alternative to plurality rule is **proportional representation**, a concept that is often suggested as an alternative to the "winner-take-all" approach of the Electoral College. In proportional representation, the proportional breakdown of votes cast by the electorate for each party determines what proportion of the governing body is made up of members of those parties. In other words, if one party were to win 60 percent of the vote and another party were to win 40 percent, the government would consist of 60 percent of the first party and 40 percent of the other. Notably, America does not employ proportional representation at any level of elections, and according to Duverger's Law, this is the reason why the United States also still has only two main parties; plurality rule encourages a dichotomous party system, whereas proportional representation encourages multiple parties to form.[110]

Not all countries have the same type of elections. While the United States has a president who is elected indirectly by an electoral college and a legislature that is bicameral and directly elected, Japan, for example, has a directly elected national Diet (parliament made up of the House of Representatives and the House of Councilors). In the House of Representatives, the larger legislative body, the majority of members are elected by plurality vote in single-member constituencies to serve four-year terms, while some members are elected through a closed-list proportional representation system, whereby voters can pick a party but not individual candidates.[111] In elections for the House of Councilors, voters mark their preferences for both a candidate and a party, and members are elected through an open-list proportional representation system. The head of state is the prime minister, who is appointed by the Diet. Japan is considered a long-running and stable democracy with regular elections determined by popular vote. However, not all countries have completely free and fair elections. Thailand, for example, has a bicameral legislature, but the entirety of the Senate is appointed by the military while the prime minister is appointed by the king. The House of Representatives are elected by a plurality vote through a closed-list proportional representation system. North Korea is the most drastic case of a controlled election; voting for the Supreme People's Assembly (SPA) is compulsory, and people have no choice of candidates.

Direct Democracy: Ballot Initiatives and Referendums

Ballot initiatives and referendums are examples of a different type of election, often referred to as **direct democracy**, where instead of elected representatives deliberating upon policies, citizens vote on those policies directly. A ballot initiative introduces a new piece of legislation or a law (e.g., whether Maryland should allow gambling in all counties), while a referendum asks voters to support or terminate an already-existing law or policy. A **recall** is a type of direct democracy that provides voters with the opportunity to end the term of an already-elected member of government.



FIGURE 8.13 In 2021, California Governor Gavin Newsom survived a recall election that would have removed him from office. (credit: "IMG_1974" by Charlie Nguyen/Flickr, CC BY 2.0)

These types of direct democracy are present in 26 US states and multiple local municipalities, 10 EU countries, and Taiwan.[112] Direct democracy is often lauded as fully representing the will of the people, but ballot initiatives, referendums, and recalls are also criticized for their costs and lack of deliberation.

Election Regulations in the United States

In the United States, the federal government plays only a limited role in regulating campaigns and elections. This is due in part to the idea behind the federal system of American government, which balances power between the federal government and the states. As such, states are free to oversee their own election processes so long as they do not violate existing federal laws or state statutes. For example, since 1998 Oregon has used mail-in ballots, where all registered voters receive ballots three weeks before Election Day.[113] In Maine, voters are allowed to use a ranked-choice method to select candidates, with the lowest-ranked candidates eliminated in each round until there are only two candidates left. The candidate who wins more than 50 percent of the vote in the final round is declared the winner.[114] States also differ in other methods and regulations around voting. For example, recent proposed changes in the Georgia legislature would make Sunday voting more difficult for Georgians wishing to cast early votes. This type of regulation is decided at the state level, though opponents allege that this measure is aimed squarely at minimizing Black turnout since, historically, southern churches have encouraged their congregants to vote on Sundays.[115]

While state election commissions and agencies largely set their own parameters around when, where, and how people can vote, the federal government is primarily concerned with supporting states in administering elections and with campaign finance—that is, with limiting the amount of money that flows into and out of campaigns. More specifically, congressional agencies are tasked with regulating or overseeing campaign finance, election administration, election security, redistricting, qualifications and contested elections, and voting rights, though the primary role of administering elections is left to the states and their jurisdictions, reflecting the American tenets of federalism. While the Election Assistance Commission and Federal Election

Commission are two federal agencies devoted to overseeing campaigns and elections, the Justice Department administers and enforces some election statutes. The Department of Homeland Security is also now more involved with elections.[116]



WHERE CAN I ENGAGE?

Working the Polls

Poll workers are sometimes called "the gatekeepers of American democracy" because they are often the first people to greet a voter who has arrived on Election Day to exercise their right to vote.[117] Poll workers make sure that people who vote can check in and provide ID (in some states). They share important information about how to fill out ballots and make sure the voting process moves smoothly. Any place that serves as a polling station (in other words, a place to vote) needs poll workers. Most states provide training and payment for these important positions, but a lack of poll workers is an ongoing problem for many local jurisdictions. Nonprofit organizations such as All Voting Is Local train and recruit poll workers to ensure fair election practices and to encourage all Americans to participate in their democracy.[118] The more we participate, the more we understand how politics impacts us. To find out more about being a poll worker, you can contact your state election board or read more at the US Election Assistance Commission website (https://openstax.org/r/uselectioncommission).[119]

Election Regulations around the World

Election rules differ around the globe. In comparison to the United States, France imposes very strict regulations on how elections are run. In France, elections themselves are very brief (two weeks leading up to the casting of ballots and one week in between two separate ballots), and all media involving campaigns can only be aired during a three-month run up to an election. In addition, starting from the night before polls open, it is illegal to publish or in any way broadcast any type of communication that can be categorized as electoral propaganda. However, television stations can show candidates voting (along with other citizens) as long as all candidates in the election are included and provided no candidate transmits any sort of campaign message on camera. French law also prohibits the media from publishing, broadcasting, or commenting on any kind of electoral poll. Finally, election results, even partial ones, cannot be published or broadcast before the last polling place closes on Sunday.[120] The state also caps both campaign donations and expenditures, a special commission monitors campaign expenditures, and the state can reimburse up to 50 percent of certified elections.[121]

In Britain, the prime minister can call an election at will. These are called **snap elections**. A prime minister might call a snap election on the back of good news, for example, in order to bolster his or her majority within the Parliament. Elections in the United Kingdom are also short compared to those in the United States. Tony Blair, the leader of the Labour Party, famously announced his candidacy for prime minister one month before the election.[122] Unlike the fixed election calendar America follows, the system in the United Kingdom is more flexible; Parliament is "dissolved" after five years and 25 days before a general election. However, as stated previously, these elections can be called at any time during a prime minister's term. Citizens in the United Kingdom vote for members of Parliament (MPs) from their district, and the party with the most seats elects the prime minister from among their ranks. However, the prime minister is officially appointed by the Queen, though she typically follows the majority party's choice for who should fill the role.[123] A **vote of no confidence**, when the majority of the legislature indicates that they can no longer support the Prime Minister and their government, can make way for a new leader and governing body through a general election.

Summary

8.1 What Is an Interest Group?

An interest group is an organized collection of individuals who work to influence government and policy. There are several different types of interest groups. Economic groups can be divided into categories such as business groups, labor groups, agricultural groups, and professional groups. Noneconomic groups include public interest groups, single-issue groups, civil rights groups, and ideological groups. Various theories explain why interest groups form. Pluralism suggests that diverse interests represent a variety of views and demands and that political powers are distributed among these various groups. Disturbance theory, on the other hand, asserts that interest groups change in response to complex issues in society and calls on the government to react to these changes. Transaction theory refutes pluralism, arguing that government actors only respond to a narrow set of interests.

8.2 What Are the Pros and Cons of Interest Groups?

Interest groups are important to the political process because they bring a diversity of views and demands before the popularly elected government. Interest groups also foster the development of social capital, or the maintenance of relationships and networks that allow citizens to solve collective problems. However, interest groups have their downsides. One is factionalism: while a multitude of interest groups may represent many problems, only a small number of them garner the government's attention. This may be due to the economic bias in the interest group system, where moneyed interests are more likely to be represented and catered to. Interest groups work to influence government through inside lobbying, which is when groups create formal relationships with governmental officials. When interest groups rally public support for policies or political candidates, they engage in outside lobbying. The last attempt to reform lobbying activity was in 2007, though in 2021 President Biden signed a series of executive orders limiting lobbyist involvement in the executive branch.

8.3 Political Parties

A political party is a group of people who share a common political ideology and work to get their members elected into government. In addition to scouting and electing candidates, political parties raise money and work to influence governmental policy. Parties are also heavily involved in registering new voters. Party systems take on different forms. In the United States, we have what is called a two-party system, where there are two major political parties involved in government activity. In contrast, much of Europe uses a multiparty system where the government is made up of multiple parties that must share power. Single-party systems, like those in China and North Korea, are political systems that consist of only one party.

8.4 What Are the Limits of Parties?

Some scholars argue that political parties play a decreasing role in US politics due to the rise of the candidate-centered campaign. In candidate-centered campaigns, candidates are increasingly less reliant on parties to run for office. These candidates may be independently wealthy, and in recent years there has been a rise of populist candidates who are less reliant on traditional political structures. Lower voter registration rates, declines in party activism, economic factors, and the rise of communication technologies illustrate a weakening of party systems around the world.

8.5 What Are Elections and Who Participates?

Elections are formal decision-making processes in which groups determine which individuals will hold public office. Elections are a vital part of democracy that rests on the idea of popular will since they are the mechanism by which people express their preferences, and they are one of the most important ways people influence politicians to move in one direction or the other in terms of policy. Elections face problems in that sometimes voters do not have all the required information to make decisions that best represent their interests. Moneyed interests can have a heavy influence on election outcomes, and the people's will can be

misrepresented when political actors choose to make decisions that differ from voters' intentions. Relative to other countries, America has low voter turnout; a significant number of people registered to vote do not actually turn out on Election Day to cast a ballot. There are a variety of reasons for this, including voter fatigue, the lack of an Election Day holiday, onerous registration requirements, and low levels of social capital.

8.6 How Do People Participate in Elections?

Americans vote in electoral districts that are drawn to be roughly the same size in terms of population. The people vote directly on members of the House and Senate, whereas the president is elected through the Electoral College. Elections are won either by plurality rule (most votes) or majority rule (at least half). Ballot initiatives and referendums represent direct democracy, in which people select policy preferences rather than relying on elected officials to vote on them. Some consider them a more democratic form of participation. In the United States, the federal government plays a limited role in administering elections, leaving the states to create their own rules and regulations in terms of when people can vote and how. Elections are run differently around the world. In many countries, voter registration is automatic, and in some countries it is even compulsory. While Election Day is a fixed day on the US calendar, in other countries elections can be called at any time.

Key Terms

adverse selection the concept, borrowed from economic theory, that voters cannot fully educate themselves on everything they must vote on and that this information asymmetry can often benefit the candidate or issue group that controls the distribution of information

agricultural groups economic interest groups that work on behalf of agricultural interests

ballot initiative a mechanism by which voters can directly introduce pieces of legislation and vote to enact them

business group an economic interest group that works on behalf of business interests

candidate-centered campaign the idea that the declining influence of political parties and their decreased ability to mobilize voters' opinions and actions has set voters politically adrift and that candidates themselves have stepped in to fill the power vacuum

civil rights groups noneconomic interest groups that work to promote and defend the civil rights of a particular group

collective goods goods or services that all members of a group can share

congressional district method a method of allocating electoral votes, used in Maine and Nebraska, where the winner of each congressional district is awarded one electoral vote and the winner of the statewide vote is awarded the state's two remaining electoral votes

dark money money received by super PACs from shell corporations or donors who do not disclose their identities

direct democracy a democratic system in which citizens make direct policy choices rather than leaving them to elected officials

disturbance theory a political theory that suggests that interest groups form in response to the changing complexity of government and society

economic bias a system in which interests that may be very narrow or seemingly obscure enjoy considerable influence the more socially, monetarily, or institutionally resourced they are

economic groups interest groups that focus on economic issues such as wages, industry protections, job creation, and profit maximization

Election Day holiday where voting day is a national holiday or voters vote on a weekend

elections formal group decision-making processes that elect individuals to public office or, in certain states and countries, allow citizens to select among policy preferences

Electoral College the system of electors, based on the total number of United States Senators, House members, and electors from Washington, DC, by which the president of the United States is chosen

electoral districts in the United States, districts of roughly equal population size in which Americans vote
eligible voters those United States citizens who are aged 18 and older and meet state residency requirements and rules for voting
factionalism when groups of individuals work collectively to promote a narrow, shared interest, possibly at the expense of the majority
free rider problem the phenomenon that occurs when individual members of an interest group benefit from the group's activities even if they do not personally participate
golden parachutes exit bonuses that reward executives leaving private companies upon entering federal government positions
grassroots lobbying lobbying that involves groups utilizing public pressure to force governmental action; also called outside lobbying or indirect lobbying
ideological group a noneconomic interest group that focuses on promoting interests that align with a particular ideology
indirect lobbying lobbying that involves groups utilizing public pressure to force governmental action; also called outside lobbying or grassroots lobbying
inside lobbying lobbying in which interest groups cultivate contacts and relationships within government in order to seek to influence a political outcome
interest group a group of people who organize in order to seek to influence a political outcome
interest group liberalism the theory that officials respond to well-organized groups not because they are good for society, but because well-organized interests simply do a better job of demanding governmental action
labor groups economic interest groups that work on behalf of workers' interests
lobbying the attempt by a group to influence a political outcome
majority rule a system in which candidates for statewide office must win at least 50 percent of the vote to win an election
moral hazard the risk a voter takes that a chosen candidate may not, once elected, act in the way the voter hopes
multiparty system a system of government where multiple political parties take part in national elections
noneconomic groups interest groups that work to advance noneconomic issues such as the environment or education
outside lobbying lobbying that rallies public support in order to pressure political actors to consider a cause; also known as indirect or grassroots lobbying
patronage the act of hiring or using state resources in a partisan manner in order to reward political support
pluralist theory a political theory that posits that multiple and diverse interests compete for attention and resources and that political power is distributed among these various interests
plurality rule an election system in which the candidate with the most votes wins an election
political action committee (PAC) an interest group's official fundraising arm
political parties groups that organize around a shared political ideology, with the primary goal of electing party members to positions in government
populism the appeal on the part of public leaders to the belief of ordinary people that established elite groups disregard their concerns
professional groups economic interest groups that work in the interests of a particular profession
proportional representation an electoral system in which votes cast by the electorate are reflected by the same proportions within the governing body
public interest group a group that benefits a narrow constituency or policy issue (such as the American Association of Retired People) and works to achieve benefits for the larger population, not just for their own members
recall an election in which voters decide whether or not to end the term of an elected official
referendum an election in which voters decide whether to overturn existing law or policy
registered voters voters who have fulfilled the necessary requirements set by the government in order to be

able to cast a vote

single-issue groups groups that focus their work on a single issue in order to acquire or maintain benefits for their members (for example, the National Rifle Association)

single-party system an electoral system where one party makes up the government

snap election in Britain, an election the prime minister can call at any time

social capital relationships forged in political and other social networks, resulting from citizen mobilization, that help citizens resolve collective problems

super PACs independent political action committees that can raise unlimited funds in order to campaign for candidates but are barred from directly coordinating with either candidates or parties

transaction theory a political theory, espoused by Robert H. Salisbury, that argues that political actors are not influenced by groups that have mobilized to enact change so much as they are responding to the interests of narrowly focused elites, and that the relationship between interest groups and government is that of an exchange

two-party system an electoral system where two main parties control power in government

vote of no confidence a way for a legislative body to indicate that they no longer support the leader of the government (such as a prime minister) and their cabinet

voter fatigue a phenomenon in which the demands of multiple elections leave voters feeling apathetic or disengaged

voter registration requirements a set of conditions voters must meet and be able to prove in order to be eligible to vote

voter suppression a strategy or in some instances local laws that work to prohibit certain groups from voting

voter turnout the number of eligible voters who cast a ballot in an election

voting eligible population (VEP) the population that is eligible to vote, regardless of registration status, not including persons that are not eligible to vote, such as noncitizens and, in certain US states, convicted felons

Review Questions

1. What is the definition of an interest group?
   a. A group of people who work to get a candidate elected from a certain party
   b. A group of people who work to influence policy and support candidates regardless of party
   c. A group of bipartisan voters
   d. None of the above

2. Which of the following is not a type of interest group?
   a. Economic groups
   b. Labor groups
   c. Civil rights groups
   d. Demographic groups

3. What do pluralist theory, transaction theory, and disturbance theory all have in common?
   a. They explain why candidates need interest groups.
   b. They explain why interest groups are no longer important in politics.
   c. They explain how interest groups are formed.
   d. They explain whether and how interest groups hurt politics.

4. Which of these is an advantage of interest groups?
   a. They argue against substantive policy change.
   b. They allow people with strong opinions on relevant issues to try to affect policy.
   c. They increase the amount of dark money in politics.

d. None of the above

5. Which of these is a disadvantage of interest groups?
a. Interest groups represent multiple viewpoints about how people want government to act.
b. Interest groups raise money for candidates so that their policies can be implemented.
c. Interest group activity can lead to a minority rather than a majority being heard in government.
d. Interest groups play no role in government.

6. Which of these activities are examples of the ways in which interest groups influence government?
a. Inside lobbying, outside lobbying, and ballot initiatives
b. Inside lobbying, outside funding, and electoral reform
c. Outside lobbying, log-rolling, and vote counting
d. None of these

7. What is a political party?
a. A group that forms based on a political ideology
b. A group that forms to make sure as many members of their own party get elected as possible
c. A group that forms to influence policy outcomes in government
d. All of the above

8. Which combination of activities do political parties engage in?
a. Printing ballots, drawing district lines, and recruiting candidates
b. Fundraising, recruiting candidates, and registering voters
c. Registering voters, purging registration rolls, and counting ballots
d. Recruiting candidates, discouraging incumbents from running, and creating polls

9. Which of these is an example of a current party system?
a. Multiparty system
b. Single-party system
c. Two-party system
d. All of the above

10. Which of these trends best illustrates the declining influence of political parties?
a. The rise of the media
b. The rise of fundraising demands
c. The rise of candidate-centered campaigns
d. The rise of liberal candidates

11. Which of these is the best example of a current weakness of the US party system?
a. The inability to mobilize voters' opinions
b. The inability to raise enough money
c. The inability to garner media attention
d. None of the above

12. Party decline around the world can be seen through:
a. Economic factors such as deindustrialization
b. Rise of communication technologies
c. Decline of class as a factor in political mobilization
d. All of the above

13. What is an election?
   a. A time when people vote for who they want to hold office
   b. A formal decision-making process involving a group of voters
   c. A way in which groups try to achieve formal goals
   d. All of the above

14. Why are elections important for a democracy?
   a. They allow members of society to express opinions and preferences to elected officials.
   b. They allow candidates to raise and spend money to get elected.
   c. They are important for the media to report on.
   d. None of the above are correct.

15. What do adverse selection, moral hazard, and voter suppression have in common when it comes to elections?
   a. They show how important elections are to parties.
   b. They explain the weaknesses of ballot initiatives.
   c. They illustrate some problems of elections in general.
   d. They speak to the growing concerns around fundraising in elections.

16. Which of these groups is most likely to vote in an election?
   a. A group of minorities who have frequent elections
   b. Nonminority males with higher incomes
   c. People who have not yet registered to vote
   d. None of these groups are likely to vote

17. In the United States, elections involve:
   a. Electoral districts
   b. The electoral college
   c. Plurality or majority rule
   d. All of the above

18. Around the world, elections:
   a. Look very different from those in the United States
   b. Look exactly like elections in the United States
   c. Are always held on the same day
   d. Are only held in democracies

19. In the United States, elections are mostly regulated by:
   a. The federal government
   b. Cities and localities
   c. State governments
   d. A nonpartisan, nongovernmental body

20. Which of the following characterizes elections in Britain?
   a. Snap elections
   b. Brief election periods
   c. Non-fixed election dates
   d. All of the above

Suggested Readings

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Legislatures

9



FIGURE 9.1 The Congress of Peru is a unicameral legislature in which legislators are selected to represent each regional district as well as two special districts, for Lima Province and Peruvian citizens abroad. Seats are assigned based on population in multimember districts. (credit: "Presidente del Congreso en Sesión Solemne" by Congreso de la República del Perú/Flickr, CC BY 2.0)

CHAPTER OUTLINE

9.1 What Do Legislatures Do?
9.2 What Is the Difference between Parliamentary and Presidential Systems?
9.3 What Is the Difference between Unicameral and Bicameral Systems?
9.4 The Decline of Legislative Influence

INTRODUCTION A **legislature** is a deliberative body that is granted the authority to create laws to govern a society. When the term legislature comes up, people often think of national legislatures, such as the US Congress or the National Congress of Argentina. However, city councils and state legislatures also play a significant role in governing our everyday lives, and supranational legislatures, such as the European Parliament, can have a profound impact by setting policies on trade and migration across many countries. Though legislatures are deliberative bodies generally focused on passing laws, their role is much more complex.

This chapter will explore what it is that legislatures do, examine the impact that differences in legislative structure can have on the political system, and consider the challenges that legislatures face.

9.1 What Do Legislatures Do?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe the different aspects of a legislature's work.
- Discuss the general components of the legislative process.
- Outline how legislatures organize to accomplish their work.
- Define different ways legislators represent constituents.

Setting aside the challenge of running for reelection, there are many tasks involved in a legislator's job, including creating new laws to solve emerging policy problems; evaluating existing arrangements to make sure they still work; staying in touch with constituents, both to keep them up to date with legislative work and to find out what they think about current issues; and overseeing other parts of the government to ensure that the will of the legislature is being carried out. This section will examine each part of a legislator's job in greater detail to better understand the roles that legislatures play in the political world.

Not all legislatures around the world have the same powers and functions. Some legislatures, particularly in non-democracies, have limited roles in governing but provide other important functions. In some systems, the legislature can serve a more consultative role, even if it doesn't have final decision-making power. Still other legislatures are endowed with powers that make them coequal with the various branches of government. Finally, there are some legislatures that are the supreme decision makers when it comes to policy making. Recognizing that these differences exist is an important component of understanding the roles legislatures play in society. Because legislatures play a particularly important role in democratic systems, much of this chapter focuses on those systems.

WHAT CAN I DO?

Critical Thinking and Legislative Analysis



FIGURE 9.2 Somali women lawmakers attend a workshop in Mogadishu aimed at empowering lawmakers to protect and promote the rights of women, children, and other marginalized groups. (credit: "2018-02-28 Somali Women Legislators-2" by AMISOM Public Information/Ilyas Ahmed/Flickr, CC0 1.0)

When people study legislatures, they often examine why members of a legislature voted a certain way on a particular piece of legislation, why a certain member was chosen to serve on a particular legislative committee, or even why some policy elements were or were not included within the text of a proposed piece of legislation. Being

able to answer and explain the *why* requires one of the most important skills that studying political science helps you develop—critical thinking. When you learn how to explain why someone voted yes or no on a piece of legislation, you are really developing the ability to explain anything, in any field or specialization. Critical-thinking skills are among the skills employers value most.[1] The ability to explain complex situations, to solve problems, and to make sense of situations that seemingly defy rational explanations provides the foundation on which you can build many diverse career paths.

Passing Laws: Who Comes Up with Ideas?

One of the legislature's main jobs is to pass laws in order to solve policy problems. Ideas for these laws come from many places. Constituents might go to members of legislatures for help solving a problem in their community, such as a need for more school funding. A newspaper might publish an investigation that brings attention to an important issue. Often, organizations that work on a particular issue reach out to legislators. A president or prime minister, or another member of the executive branch, routinely offers policy proposals to the legislature for their consideration. Finally, ideas can come from the legislators themselves. It is quite common for a member of a legislature to develop a passion for and expertise in a particular policy area.

In order for a law to be created or changed, a legislator or group of legislators must be willing to work to solve the problem. Often, the person who introduces a piece of legislation is known as its **sponsor**. The sponsor—or, if a group of legislators introduces legislation, the cosponsors—argues on behalf of a piece of legislation in debate and meets with other legislators to try to get their support for the bill.

Once legislators realize there is a problem they need to solve, they set out to learn more about the policy area. They can do this a number of ways, including by reading research and reports. Often, they hold **hearings** in which they consult policy experts. Hearings can be useful for bringing many different stakeholders and perspectives together in one place.

How Are Ideas Debated?

Following the information-gathering process, legislators decide how to proceed to fix the problem. In most cases, they decide that the best way to solve a problem is to pass a law. Laws concerning the relationship between the government and individuals that apply to all people are called **public laws**. The Patient Protection and Affordable Care Act is a good example of a public law, as it made changes to the health care system in the United States that affected US society as a whole. Public laws cover a huge range of topics, including the economy and government operation, health care and civil rights, defense and foreign policy, and everything in between. The process of writing a law involves taking all the ideas proposed and all the information gathered and turning them into a formal text to circulate and debate.



FIGURE 9.3 Members of the Colorado state senate debate the budget in 2011. Members listen as their colleague makes a speech, but they also have conversations and look over reference material. Budgets are critical pieces of legislation, as money is vital for government agencies and programs to operate. (credit: "Budget Debate 2011" by Colorado Senate GOP/Flickr, Public Domain)

The exact process of debate differs across legislatures, but most require a public debate—that is, a debate that is open to all members—before the legislature votes on the proposed piece of legislation. Most systems have a set of **parliamentary procedures**, or rules that govern the structure of debate. Common procedural components include the right of the minority to speak in a debate, every member having the right to a vote, and only one piece of business being addressed at a time.[2]



FIGURE 9.4 Members of the European Parliament debate and vote on the withdrawal agreement of the United Kingdom from the European Union. (credit: "Members Debate and Vote on the EU-UK Withdrawal Agreement" by European Parliament/Flickr, CC-BY-4.0: © European Union 2020 – Source: EP)

How Do Laws Get Passed?

Following the conclusion of debate, legislation is put to a vote to determine whether it will become law. For the passage of ordinary laws, most countries require a bill to gain the votes of a majority of legislators. One of the basic principles of democratic societies is **majority rule**, or the idea that the decision of the majority—50 percent of the chamber's membership plus one member—determines the decision of the chamber on most items of business.

However, in some instances, change cannot take place without a **supermajority**. Supermajority voting rules require more than a majority to pass legislation. These rules come into play most often for decisions that are considered especially important or consequential. For example, countries that allow the legislature to amend the constitution usually require supermajorities to pass such amendments. Supermajority voting rules for constitutional amendments can require anywhere from three-fifths to three-quarters of the chamber's membership to agree to the proposed measure. For example, changes to the Japanese constitution require the support of two-thirds of each chamber in the Diet (the Japanese national legislature) and a majority in a public referendum.

Countries where the parliament can call early elections also require a supermajority to agree to these elections. In the United Kingdom, at a minimum, parliamentary elections must happen every five years. However, if two-thirds of Parliament agrees, the legislature can be dissolved and early elections will be held. A supermajority may also be required to remove individuals from office. In the United States, the process of impeachment, which is the first step in removing a member of the executive or judicial branch from office, requires only a majority vote in the House of Representatives to move forward to trial in the Senate. Once the trial takes place, however, two-thirds of the Senate must vote in favor of conviction for the individual to be removed. So while the vast majority of laws and legislative action require the support of a simple majority of legislators, some instances require that a higher threshold be met.

In some cases, legislatures implement rules that create supermajority requirements for ordinary legislation. In the United States Senate, there is a tradition of unlimited debate on legislation. This means that a legislator can delay or prevent a vote on a piece of legislation by insisting that there is still more to debate, a practice commonly referred to as a **filibuster**.[3] In the modern Senate, any member can declare that they are filibustering, or still debating an issue, which stops the issue from coming to a vote. A vote only happens when 60 senators vote in favor of a **cloture motion** to end the debate.[4] Because any member can invoke a filibuster for any reason, there is essentially a de facto supermajority requirement for legislation to pass in the United States Senate.

The process discussed here—in which ideas come freely from all actors, are debated seriously, and can result in changes—is most characteristic of legislatures in democratic regimes. Legislatures in authoritarian countries may be far less independent, far less capable of policy making and representation, and far more responsive to the authoritarian leader. They do, however, play important roles in their political systems, such as making their governments more stable than authoritarian governments without legislatures.[5] Authoritarian legislatures provide a venue where key social groups may make their voices heard in policy debates, encouraging that stability.[6] Additionally, the legislature maintains a role in the policy process, as the authoritarian leader may choose to delegate decision-making authority in particular policy areas to actors with their own policy preferences.[7] Although legislatures exist on a spectrum of power and independence, with legislatures in democratic systems tending to be more powerful and independent than legislatures in authoritarian regimes, all legislatures play a significant role in their systems of government.

Organizing the Legislature's Work

The work of legislatures requires a large number of people to collaborate. Every legislator has their own goals, things they want to take credit for, and blame they are trying to avoid—and everyone thinks they are right. Even when individuals agree that a particular policy is worth working on, they may disagree on the exact solution. Legislatures must create structures to keep their members moving productively in roughly the same direction.

Political Parties

One of the main ways legislatures organize themselves is through political parties (which are discussed in detail in Chapter 8: Interest Groups, Political Parties, and Elections). Political parties are groups of people who typically have similar ideas on policy that they use to help candidates run for election and govern.[8] One of the ways political parties help govern is in determining decision-making authority. Because most votes require a

majority to pass, many political systems give additional decision-making and leadership authority to the political party that holds a majority of seats. The **majority party**, or the political party that holds more than 50 percent of seats in the chamber, is often granted the ability to set the schedule for what bills get debated. They also typically control more seats on **legislative committees**, and because of these powers, they are typically more likely to get their preferred policies enacted into law. A **minority party** is any political party that does not have more than 50 percent of seats in the chamber. In democracies, minority parties can play an important legislative role, as they provide official expression of political and policy ideas that differ from those of the majority. They present their ideas in debate and vote against legislation they disapprove of, even when that legislation is likely to pass and become law.[9]

The exact nature of the relationship between the majority and the minority depends on the number of parties in the legislature, and that number depends on what electoral system is in place. Some systems result in the dominance of two main political parties. In the US government, for example the Democratic and Republican Parties have primary control. Other systems make it easier for many parties to end up with seats in the legislature. In legislatures where many political parties hold seats, parties often need to join together in **coalitions** to create a majority in the chamber. For example, in the 2020 Irish elections, no single party gained a majority. The party that gained the most votes, Fianna Fáil, joined with two supporting parties, Fine Gael and the Green Party, to form a majority coalition.[10] Coalition governments can be more fragile than outright majority governments because if the relationship between the parties in the agreement breaks down, a party might withdraw its support from the coalition, throwing the balance of power in the legislature back into question.

VIDEO

Ireland Coalition Deal: Fiana Fáil, Fine Gael, and Greens to Form Coalition Government

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/9-1-what-do-legislatures-do)

Why might some parties want to be a part of a coalition government? Why might some parties not want to be in a coalition government? In this news segment, members of the Irish parliament from different parties discuss what their parties were looking for from a new governing coalition following the 2020 elections.

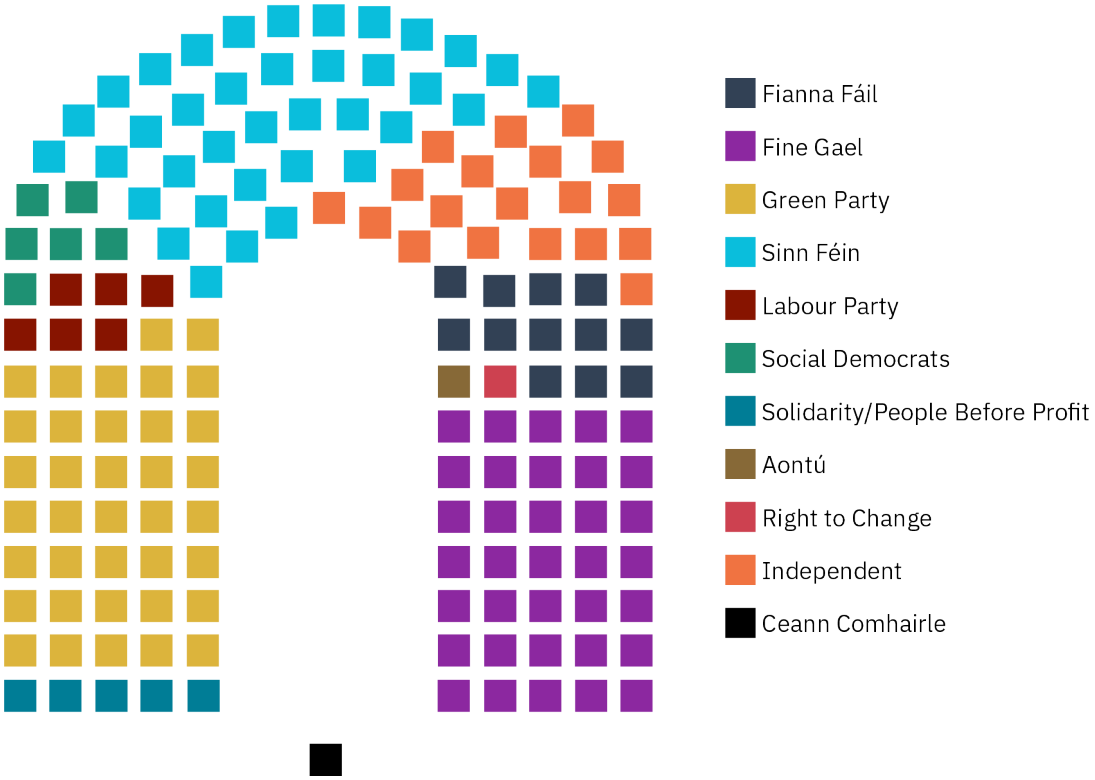


FIGURE 9.5 Following the 2020 elections in Ireland, no single party had enough seats in the Dáil Éireann, the lower chamber of the Irish legislature, to form a majority government. Instead, the largest party, Fianna Fáil, created a coalition to govern the country with the backing of Fine Gael and the Green Party. Note: This figure represents the numbers of seats each party secured, but not necessarily the actual seating arrangement. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Committees

Another way legislatures organize is through **legislative committees**, groups of lawmakers who work together on the same policy area. Legislatures try to have enough committees to cover all major policy areas, and while the number of members on each committee varies, most systems require that all parties be allowed space on a committee. That means individual members of small parties typically serve on more committees than members of bigger parties, which can afford to spread their members around.

Organizing legislative work through committees facilitates **specialization** and **legislative delegation**. When individual legislators specialize, they delve more deeply into one or two policy areas and develop expertise on those issues. This expertise helps them better understand the nature of the problem and analyze different solutions. Legislative delegation goes hand in hand with specialization: when a legislator is tasked with voting on an issue outside their areas of expertise, rather than having to do extensive research, that legislator can rely on the opinion of members of their political party who are on the relevant policy committee. If those members support the legislation, it can help the legislator decide whether they should support the legislation, too. The party delegates responsibility for learning about that issue to party members who sit on the relevant committee.

Often, when people think of legislators, they think of people for whom writing laws and doing the work of government is a full-time job. While that may be true in many situations, not every legislature is a **professional legislature**. Professional legislatures meet year-round. The work of the legislature is the legislators' only or primary job, they have paid professional staff, and they earn a salary that reflects the status of the office and the effort it requires. For example, the California State Assembly, the lower chamber of the California State Legislature, is in session from January to September every year; during the September to December period,

members are often in their home districts, continuing to do work and preparing for the next legislative session. Members earn a salary of approximately $115,000 per year plus per diem.[11] In contrast, **nonprofessional legislatures**, sometimes also called citizen legislatures, are part-time legislatures where members meet for a set period of time and then, once the legislative session ends, go home to their districts to the job they held prior to the session or to other work. The Texas Legislature is an example of a nonprofessional legislature: members meet starting on the second Tuesday in January for 140 days in odd-numbered years and make $7,200 per year plus a per diem when in Austin, the state capital.[12] The governor, who has the power to recall the legislature to special sessions for 30 days at a time, generally handles any decisions that need to be made in between sessions. This tends to make governors in states with nonprofessional legislatures very powerful.

Legislative professionalism can have a substantial impact on a legislature's capacity to do its work. Short legislative sessions limit the amount that legislatures can accomplish in a given session, requiring clear prioritization and swift leadership. Proponents of nonprofessional legislatures argue that shorter sessions help constrain the cost of legislators' salaries and the size of their staffs and that they prevent the expansion of government.[13] While each government must decide for itself whether a professional or a nonprofessional legislature is the correct fit, it is certainly true that the capacity of nonprofessional legislatures is limited.

Representation of Constituents

Every member of a legislature has **constituents**, the people they are elected to represent. The connection between legislator and constituent can take many forms, and the particular form can have a substantive impact on the relationship.

Single-Member Districts versus Multimember Districts

The way in which legislators are assigned to their districts affects the legislator-constituent relationship. In some systems, each legislator is elected to represent a specific geographic district. For example, in Canada, the House of Commons represents 338 ridings. The member of Parliament elected from Halifax, Nova Scotia, is only responsible for representing the constituents in Halifax, and only the voters in that district can vote in the election to select the representative for that district. This type of system can allow a legislator to become familiar with the particular issues that affect their district and to potentially be more responsive to their constituents; however, it can also heighten geographic differences and potential tensions between regions.

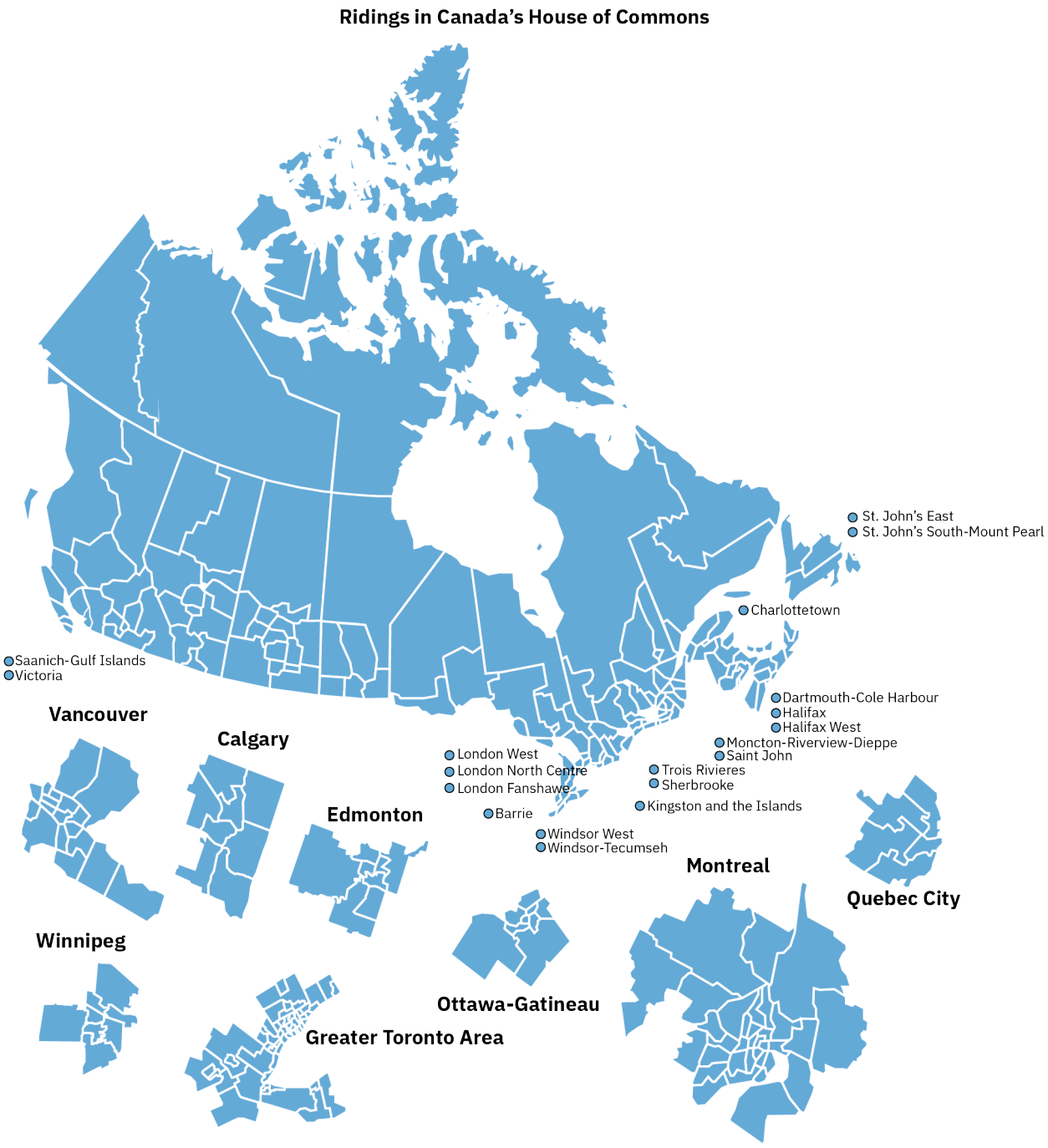


FIGURE 9.6 Each area outlined represents one riding, or federal electoral district, in Canada and is represented by one member of Parliament in the House of Commons. (credit: modification of work by IntrigueBlue/derivative of work by TastyCakes/Wikimedia Commons, Public Domain)

This contrasts with countries such as Mozambique or Israel, where the legislature represents the country as a whole, without any geographic divisions. For example, in Israel, voters indicate their preferred party, and regardless of whether they are voting in Eilat in the south or Haifa in the north, they are voting for and will be represented by the same politicians. In these systems of national legislatures, members are less likely to have particular regional loyalties that could affect policy making; however, political parties often play a larger role, so whether specific geographic or national legislative districts produce better representation is debatable.[14]

Whether or not members of the legislature are elected from specific geographic districts, there is considerable variation in the number of legislators who can represent a single district. National-level districts such as

Mozambique, where every member of the legislature could potentially be elected by every voter, are the extreme, but many systems have **multimember districts**, where multiple legislators represent a single geographic district. Depending on the rules of the system, these members may be elected at the same time or at different times, and they may be from the same party or different parties. For example, in the United States Senate, each state is its own electoral district with two members, each of whom is elected on separate six-year cycles. These two members may or may not be of the same political party. After the 2020 electoral cycle, Jon Tester, a Democrat who will be up for reelection in 2024, and Steve Daines, a Republican who will be up for reelection in 2026, both represented Montana.

The number of seats allotted per district can vary considerably in multimember districts. In the Folketing, or Danish Parliament, there are 12 constituencies. The smallest constituencies have two seats in Parliament, and the largest district has 20 seats. The division of seats across constituencies is often done to recognize differences in population density. One of those smaller constituencies is Bornholm, which had 31,214 voters in 2019 and elected two members to Parliament, one each from the two largest parties in the legislature: Venstre, also known as Denmark's Liberal Party, and Socialdemokratiet, or the Social Democrats.[15] Compare this with the largest constituency in the country, Sjællands, which had 628,910 voters and divided 20 seats across eight different political parties based on the percentage of the vote that each of those parties received in the constituency.[16]

By contrast, some electoral systems use **single-member districts**. In these systems, the legislature is made up of many geographic districts, with only one legislator representing each district. The US House of Representatives uses a single-member district system in which the total number of seats in the chamber is distributed across the states based on population, with more populous states receiving many more seats. Each state can decide how it wants to draw its individual districts.

The relationship between the legislator and the constituent, which varies depending on whether a political system uses single-member or **multimember districts**, has been the subject of considerable research. Some scholars argue that geographically based single-member districts can better represent racial and ethnic minorities because members of a community who are clustered together can elect a representative from that community,[17] but scholars have also found that multimember districts can better ensure that women are elected to public office because each community can select more than one representative.[18] Some scholars contend that multimember districts can result in poorer representation of constituents overall, as the greater the number of seats in a district, the harder it is for constituents to monitor legislator behavior—and the greater the likelihood that legislators will make decisions that are not in line with the majority of constituents' preferences.[19]

THE CHANGING POLITICAL LANDSCAPE

The Changing Face of Legislatures

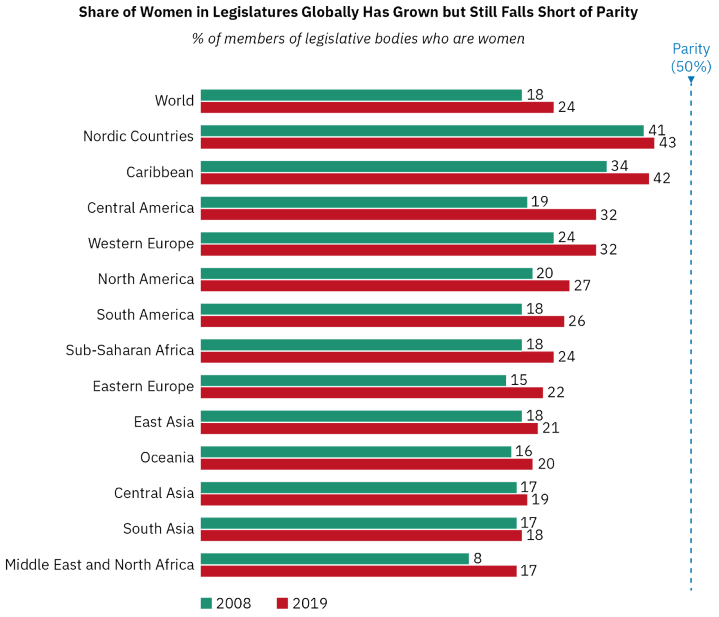


FIGURE 9.7 The numbers of women in legislatures around the world are increasing. (source: Pew Research Center analysis of data from Inter-Parliamentary Union; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

As discussed in Chapter 8: Interest Groups, Political Parties, and Elections, in the 21st century, the US Congress has grown more and more diverse. In 2001, only 12 percent of members of Congress were people of color, and 13 percent were women. By 2021, 24 percent of members identified as people of color, and 27 percent identified as women.[20] Indeed, this pattern of increasing representation is true in most places around the world. For example, the percentage of seats held by women in legislatures globally has increased from 18 percent in 2008 to 24 percent in 2019.[21] Though the membership of the US Congress is not yet as diverse as the US population, the trend in membership demographics echoes the country's growing diversity. Why is this increasing diversity important? Increased diversity translates to a greater variety of life experiences and perspectives. A woman whose parents came to the United States as refugees will have a different perspective on the world from that of a man whose family has been in the United States for generations. Representatives bring their life experiences and nuances to policy making, potentially better representing their constituents. The idea that underrepresented minorities receive better representation from people with similar demographic characteristics is called **descriptive representation**. In contrast, **substantive representation** is the phenomenon in which people are represented by legislators who hold the same ideological or policy beliefs, regardless of demographic characteristics. There is no guarantee that a match between a legislator's ethnicity or gender and some subset of their constituents means the legislator will represent the political interests of that constituency—or that a *mis*match between a legislator's demographic identity and their primary constituency means they will *not* represent their constituents' interests. However, descriptive representation has been found to improve the probability that a demographic group's interests will be represented.[22] A legislator's identity may help them represent their constituents, but it is not a guarantee; a legislator may also effectively represent individuals of genders, races, and ethnicities other than their own.

Types of Representation

In democracies, those who are elected to office are entrusted with acting in the interest of the people they

represent, but *how* do elected officials decide what is in the best interests of those constituents? Edmund Burke, a political philosopher who served in the British Parliament in the 18th century, posited two primary ways legislators can act to represent their constituents.[23] In one view, the legislator is a **delegate** of the people who elected them. The legislator's obligation is to learn the people's policy preferences and their views about different issues and to directly convey those preferences via legislative action. The delegate model rests on the ideas that people understand politics and policy well enough to form thoughtful opinions and to convey them to their representatives and that the legislator's personal preferences should be set aside.

Alternatively, the legislator can be a **trustee** for their constituents. In the trustee model, though the legislator should still learn about the voters' preferences, once in government they must use their own judgment and knowledge of policy to decide what is in constituents' best interests, even if it is contrary to those constituents' views. The trustee model is based on the idea that the average voter is either not sufficiently informed about politics and policy or does not have enough time to develop that knowledge in order to know what is actually in their best interests. Consequently, the representative, whose job it is to learn these facts, is better situated to make these decisions.

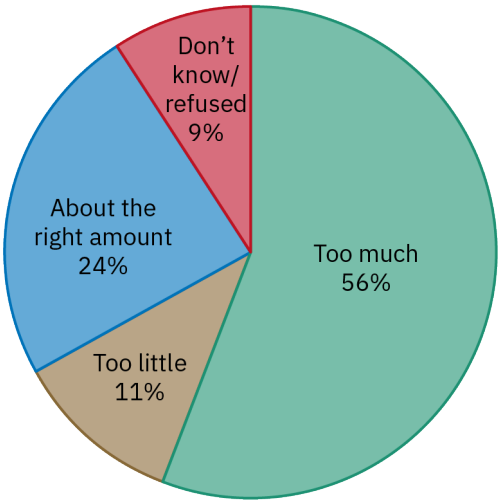
If the delegate and trustee models are at opposite ends of the spectrum, in practice, most legislators fall somewhere in between the two extremes. This kind of representation, where the legislator seeks a balance between delegate and trustee approaches, is sometimes also called the **politico** model of representation.[24] In this model, a legislator relies on the delegate approach, weighing the opinion of their constituents quite heavily in their decision-making, particularly when their constituents feel strongly about an issue, but in policy areas where either the legislator has more policy knowledge or there is a lack of public interest, they will rely on their own judgment.

The issue of foreign aid in the United States provides a classic example of this dichotomy. When asked in opinion polls, Americans often say the United States government spends too much on aid to other countries.[25] However, in reality, foreign aid accounts for only about 1 percent of the federal budget and has broad support from both Democrats and Republicans in Congress.[26] Despite the expressed opinions of constituents, members of Congress often support these policies because of a discrepancy in information between legislators and constituents, where the legislators have far more information than the average constituent about the costs and benefits of the programs.

SHOW ME THE DATA

Information Can Change Perceptions about Amount Spent on Foreign Aid

Do you think the US is now spending too much, too little, or about the right amount on foreign aid?



What if you heard that about one percent of the federal budget is spent on foreign aid? Would you still think that the US is spending too much, too little, about the right amount on foreign aid, or would you now say that the US spends too much, too little, or about the right amount?

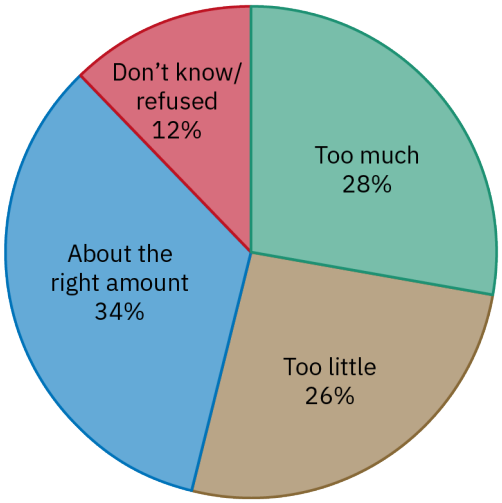


FIGURE 9.8 Information can change perceptions. (source: Kaiser Family Foundation Health Tracking Poll (conducted December 2-9, 2014); attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Foreign policy demonstrates the complexity of delegate representation. Many Americans have only a little bit of knowledge about how much the United States spends on foreign aid, generally believing that the United States spends a significant portion of the budget in that policy area. However, when Americans are presented with information about how much the United States actually spends, their opinions tend to change, with more respondents saying that the United States spends either "too little" or "the right amount." This gap between constituents' knowledge and their opinions means that legislators must decide when, on which policies, and to what degree to weigh their constituents' preferences against their own.

A fourth type of representation, **partisan representation**, differs from the other three. In delegate, trustee, and politico representation, the primary relationship is between the elected official and the constituent. In partisan representation, the primary relationship is between the legislator and the political party. Partisan representation relies on the idea that legislators must always vote with their political party. Depending on the wishes of the constituents, partisan representation can appear very similar to delegate or trustee representation, but it is motivated not directly by the desires of the constituents about a particular policy area but instead by a legislator's belief that their constituents want them to be a loyal party member across all issues.[27] The prevalence of partisan representation varies across countries, as in some political systems, the baseline expectation is that legislators will vote with their parties the vast majority of the time, while in other political systems, members are allowed more freedom from their political parties.[28]

WHERE CAN I ENGAGE?

Contact Your Representative



FIGURE 9.9 Prime Minister Roosevelt Skerrit of Dominica (center) meets one-on-one with residents of Sineku in 2017. Most politicians want to hear from their constituents, as this can help them understand the issues that people are facing and the areas that might benefit from additional government work. (credit: "PM Meets One-on-One with Residents in Sineku" by Roosevelt Skerrit/Flickr, Public Domain)

In many democracies, members of the legislature care what their constituents think about various issues. They want to know which issues their constituents think are important, whether there is support or opposition for particular pieces of legislation, and whether or not their constituents approve of their performance in their job. This means that it is very important for constituents to reach out to their representatives. There are a number of ways you can contact your representative: via letter, email, or phone call. Check USAGov (https://openstax.org/r/USA_Gov) to find contact information for national, state, and local representatives. While every legislator prioritizes what kinds of communications they take most seriously,[29] research suggests that many forms of contact will have at least some effect on legislators.[30] It's easy these days to find contact information for your legislator on the Internet, so use your voice to reach out. Some key things to keep in mind: be polite, be clear about which issue or concern you are contacting them about and whether you support or oppose it, and remember: you are most effective when you are contacting your own representative!

The Legislature's Oversight Role

The process of regularly monitoring and reviewing the actions of agencies or other political actors, **oversight**, is important in democracies where a system of checks and balances between the different branches of government is designed to ensure that power is shared across the system. In these democracies, legislative oversight of the bureaucracy provides an important check on the power of the executive branch.[31]



FIGURE 9.10 Members of the European Parliament hold a hearing on the suitability of incoming members of the European Commission. (credit: "Hearings: Ylva Johansson (Sweden) Home Affairs" by European Parliament/Flickr, CC-BY-4.0: © European Union 2020 – Source: EP)

Hearings

Just as committees hold hearings to learn more about policy areas, they can also hold hearings to conduct legislative oversight. In these hearings, committees can gather information to ensure that an agency's actions are in line with that agency's assigned mission. Committees and agencies are often paired up based on relevant policy jurisdiction. For example, in the UK Parliament, the Health and Social Care Select Committee has jurisdiction over the Department of Health and Social Care and its 29 agencies and public bodies, which include the National Health Service (NHS). The committee regularly holds inquiries into issues in its domain, which in 2020 included the delivery of core NHS services during the COVID-19 pandemic and the safety of maternity services in England, among others.[32]

Parliamentary Questions

Hearings are not the only way legislatures get information. In many systems, particularly parliamentary systems, a formal process allows legislators to ask questions of the bureaucracy that the bureaucracy is then required to answer. This process can take many forms. In some countries, there is a designated time during the week when legislators can question ministers, including the prime minister, in person. In other countries, legislators must submit questions in writing, but they can do so at any time, and the bureaucracy must respond in writing by a specific deadline. Sometimes governmental systems have a mechanism for both in-person and written questions. For example, in the German Bundestag, after every weekly cabinet meeting, ministers are available to answer questions about current policy for 35 minutes. This is followed by a two-hour question-and-answer session relating to questions submitted in advance.[33]

VIDEO

Prime Minister's Questions (PMQs), 28 April 2021

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/9-1-what-do-legislatures-do)

In this video, Prime Minister Boris Johnson of the United Kingdom takes questions from the leader of the opposition and other members of Parliament about policy and government administration.

Parliamentary questions have one key advantage over hearings: any individual legislator may submit a question. One way or another, hearings require the cooperation of multiple members of Parliament. That cooperation may be passive, as when members of the committee who are not interested in the issue choose not

to participate in the hearing, or it may be active, as when members help organize the panel of witnesses or reinforce a line of questioning after a colleague's time to speak expires. Questions, whether written or oral, do not require cooperation from any other member of the legislature. This makes questions a potent tool for members of minority parties.[34] They can launch inquiries into issues via questions in cases where they might not be able to get cooperation for a hearing in a committee.

In addition, any member of a legislative body can ask a question related to any policy area. They need not be a member of the relevant committee to participate in parliamentary questioning.[35] This means that legislators are not restricted from participating in policy areas that interest them simply because of jurisdiction.

Budgets

In many democratic systems, the legislative branch is in charge of what is sometimes referred to as the **appropriations process**, whereby the legislature allocates the government's money to the various agencies in charge of implementing policy.

This "power of the purse" is both a carrot and a stick that legislatures can use to gain compliance with their policy-making priorities.[36] A legislature is likely to allocate more money to those agencies that follow the legislature's direction and do what members of the legislature consider important work—and to cut the budgets of those agencies that either do not follow the legislature's directives or do work the majority of legislators consider relatively unimportant. For agencies, this is critical; nothing gets done without money. The legislature's budgetary authority can be one of its greatest tools to ensure the compliance of the agencies of the executive branch.

9.2 What Is the Difference between Parliamentary and Presidential Systems?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define parliamentary and presidential systems and give examples of each.
- Articulate the differences in member selection in different types of systems.
- Describe how the relationship between the legislature and the executive changes depending on the type of governing system.

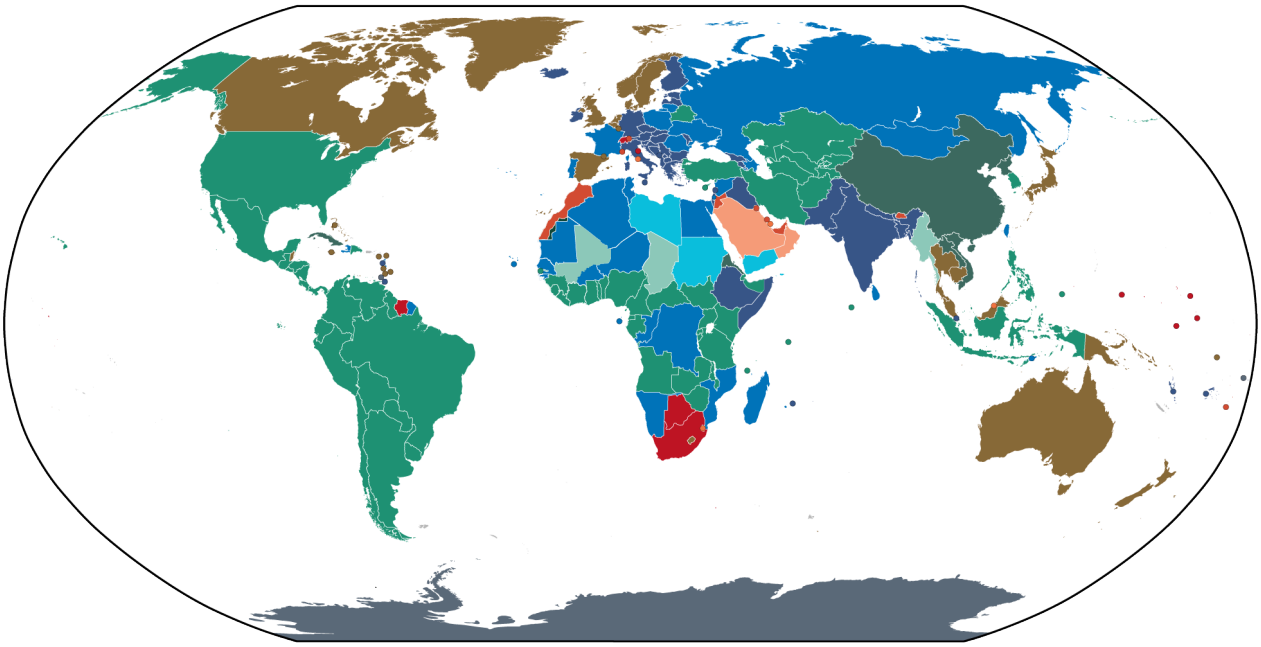
At this point, it should be clear that there is considerable variation across legislatures in terms of what they do and how they do it. Two institutional features can play a substantial role in influencing the legislature's role in a political system: the type of system and the number of chambers. This section focuses on the first of these two features—namely, the differences between parliamentary and presidential systems.

In most democracies, there are three main branches of government: a legislative branch, which makes laws; an executive branch, which oversees the implementation and enforcement of laws; and a judicial branch, which decides whether the actions of individuals, groups, and institutions align with those laws and determines whether those actions, as well as any laws, are in conflict with the constitution. The differences between the main types of systems center on how the legislative and executive branches relate to each other. In a **parliamentary system**, there is a very close relationship between the legislative and executive branches, as the head of the executive, often called the prime minister, is also a leader in the legislative branch. In a **presidential system**, there is a much stronger separation of powers between the legislative and the executive. In these systems, the head of the executive, often called the president, has only a limited role in the legislative process. A system with both a president and a prime minister is called a **semi-presidential system**. These systems share some features of both parliamentary and presidential systems. Because the differences between parliamentary and presidential systems are profound, the chapter will discuss these two types of systems in more depth.

How Members Get Selected

Who has the power to pick the people who make the laws? Does the public elect the members of the legislature, or do other directly elected legislators appoint them? Are legislators selected via executive appointment? The answers to these questions matter because the method of selection can indicate whose interests a legislator will represent, as the person or people who put someone in power can have a decided impact on whose values and preferences shape law.

Types of Governments Around the World, 2021



- **Presidential republic:** Head of state is the head of government and is independent of legislature.
- **Semi-presidential republic:** Head of state has some executive powers and is independent of legislature; remaining executive power is vested in ministry that is subject to parliamentary confidence.
- **Parliamentary republic with an executive presidency nominated by or elected by the legislature:** President is both head of state and head of government; ministry, including the president, may or may not be subject to parliamentary confidence.
- **Parliamentary republic with a ceremonial presidency:** Head of state is ceremonial; ministry is subject to parliamentary confidence.
- **Constitutional monarchy:** Head of state is executive; monarch personally exercises power in concert with other institutions.
- **Constitutional parliamentary monarchy:** Head of state is ceremonial; ministry is subject to parliamentary confidence.
- **Absolute monarchy:** Head of state is executive; all authority is vested in absolute monarch.
- **One-party state:** Head of state is executive or ceremonial; power is constitutionally linked to a single political movement.
- ***Countries in which constitutional provisions for government have been suspended (e.g., military dictatorships).***
- ***No constitutionally defined basis to current regime (e.g., transitional governments).***
- ***Dependencies without a government.***

Note: This chart represents *de jure* systems of government, not the *de facto* degree or democracy. Several states that are constitutional republics are in practice ruled as authoritarian states.

FIGURE 9.11 In 2021, most countries had some form of presidential, parliamentary, or semi-presidential

government. (credit: modification of "Forms of Government 2021" by Newfraferz87/derivative of work by Slirski/ Wikimedia Commons, CC0 1.0)

Legislative Elections

Most legislatures around the world select members via public elections, in which citizens vote for either a candidate or a political party to represent them in the legislature. There are three main types of direct legislative election systems: proportional representation systems, plurality or "first past the post" systems, and mixed systems. Within each of these sets of electoral rules, there are many variations, but all the political systems within a given type share certain common characteristics.

Electoral systems in which the relative level of support for political parties in the population is reflected in the legislature are **proportional representation** systems. If 10 percent of the public supports a particular political party and shows up to vote for them, that party can expect to hold roughly 10 percent of the seats in the legislature. The principle behind this system is that all preferences should be reflected in government, not just those views that have majority support. There are many different variations of proportional representation, often based on the way in which votes are translated into seats in government. Most variations of proportional representation require multimember districts in order to have seats to divide among the winners. In the lower house of Brazil's National Congress, the 26 federal states and the federal district are each allotted between 8 and 70 seats, based on population.[37] The electoral result in each district determines the number of seats the party will receive in the legislature; this combines proportional representation by party, in which the amount of support a party has determines the amount of seats they receive, with proportional representation by population, in which more populous regions receive more representation than less populous regions. Additionally, most systems have a minimum threshold of votes needed to gain seats in the legislature, ranging from 3 to 5 percent of the electorate in most countries. So although proportional representation allows smaller parties to gain seats, minimum threshold requirements are thought to prevent small fringe political parties from gaining seats in the legislature.[38]

VIDEO

France Legislative Elections: How Does It Work?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/9-2-what-is-the-difference-between-parliamentary-and-presidential-systems)

The French Parliament uses a variant of plurality voting in which it is not enough to get the most votes of any candidate; the winning candidate must get a majority of the vote. This sometimes means that legislative elections require two rounds of voting: the first round to narrow the field to two candidates, and the second round to determine the winner.

In **plurality** or first-past-the-post electoral systems, voters cast a vote directly for the candidate of their choice, and the candidate with the most votes wins the election, regardless of the percentage of the vote share they secure. Because there is a direct relationship between votes cast and election outcomes in these systems, they are generally considered more straightforward than proportional representation systems. However, in these systems, it is extremely difficult for small parties to gain political power. Additionally, legislators can take office in these systems even if the majority of their constituents voted for someone else. For example, in the 2020 United States Senate race in Minnesota, Democratic candidate Tina Smith won reelection with 48.74 percent of the vote. However, because Republican Jason Lewis got 43.5 percent, Kevin O'Connor of the Legal Marijuana Now Party got 5.91 percent, and Oliver Steinberg of the Grassroots Legalize Cannabis Party got 1.78 percent, a larger total percentage of voters selected someone other than Tina Smith, the winner of the race.[39] While plurality voting is most commonly used in single-member districts, it can also be used in multimember districts. In those systems, voters are allowed to pick as many candidates as there are seats up for election, and the candidates with the most votes win. For example, in a race with three open seats, voters may pick three candidates, and the three candidates with the highest vote totals win the election.

Mixed systems combine aspects of proportional representation and plurality voting systems. While every **mixed system** is slightly different, the South Korean National Assembly, where 253 seats are elected by plurality voting in single-member districts and an additional 47 seats are elected at the national level using proportional representation, provides a clear example of how these systems can work. Often, mixed systems use proportional representation seats to help balance out distortions in representation that arise from plurality voting. For example, if a party gained 44 percent of the vote nationally, but due to results in individual districts it received more than 51 percent of the plurality voting seats, the proportional representation–based seats could be adjusted to compensate for the less representative plurality results.[40]

In all of these systems, the direct election of legislators creates a system in which legislators are beholden to the people who elected them. That responsibility may be to the people who voted in support of their political party or to the constituents of their geographic districts, but regardless of the voting system, legislators who ignore the will of the people do so at their peril. Some systems offer more protection for individual legislators, such as proportional representation systems in which party leaders select individuals to fill seats, but ultimately, a legislator or party that routinely fails to respond to constituents' desires loses the support of the people. Remember parliamentarian and philosopher Edmund Burke from the earlier discussion of representation? He practiced his idea that the proper role for a legislator was to be a trustee for his constituents and was voted out of office because people felt he did not sufficiently represent them.

The type of electoral system has a significant effect on the number of competitive parties in the political system. That relationship can be summed up by **Duverger's law**, which states that political systems with plurality voting *and* single-member districts will have two competitive political parties in each race.[41] In these systems, many voters are less inclined to vote for candidates representing smaller parties, fearing that doing so would amount to "wasting" their vote given the slim chance those candidates have of winning.[42] This phenomenon occurs at the district level; for example, in a race for the United States Senate seat representing Illinois, only two political parties will be competitive. Duverger's law does not guarantee that there will only be two competitive parties in the legislature. In some settings, two dominant parties do emerge in the legislature, as is the case with the Democratic and Republican Parties in United States politics, but in other settings, there may be different competitive parties around the country. Following the 2019 elections for the Lok Sabha, the lower chamber of the Indian Parliament, 37 political parties won seats. Yet in individual states, the parties that were most competitive varied considerably. In Gujarat, a state on the western border with Pakistan, the two most competitive parties were the Bharatiya Janata Party and the Indian National Congress, which together received over 95 percent of votes in the state. In the state of Andhra Pradesh, the two most competitive parties were the Telugu Desam Party and the Yuvajana Sramika Rythu Congress Party, which accounted for approximately 90 percent of votes in that state.[43] Additionally, Duverger's law does not guarantee that the two competitive parties will stay the same over time, as parties can cycle in and out of power. In the United States, the current Democratic and Republican party system[44] replaced the Democratic and Whig party system, which replaced the Democratic-Republican and Federalist party system.[45]

VIDEO

What Is Duverger's Law?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/9-2-what-is-the-difference-between-parliamentary-and-presidential-systems)

In this video, Eric Sanders and Aaron Hamlin of the Center for Election Science explain Duverger's law and explore why third parties have so little success in the United States.

In some systems, members of the legislature are elected not by the people but by other elected officials. The United States Senate used to be structured this way; members of the state legislatures, who were directly elected by the public, had the power to vote for members of the Senate. Though this practice ended in the United States in the early 20th century, similar practices still exist around the world. In the National People's

Congress in China, members of the national legislature are elected by the provincial-level legislatures, who are elected by lower levels of assemblies. This means that a successful delegate in the National People's Congress must rise through many rounds of voting at successively higher levels of government, though the first level they must pass through is the public.[46] This electoral design likely means that members of the National People's Congress are more closely aligned with other elected officials and the political party than they are with ordinary voters.

Appointment Selection

In some systems, the executive has the authority to appoint members to legislative chambers. In systems with either an absolute monarchy or another supreme leader, that leader is empowered to appoint members to the chamber without any public input. Depending on the exact relationship between the leader and the legislature, the appointed members may have the power to propose and pass legislation that originates in the chamber, or they may only be able to approve or reject legislation created by others. Additionally, some places have institutions that claim to be legislatures but lack any independent legislative authority. For example, in Bahrain's National Assembly, the members of the lower chamber, the Majlis al-Nuwab or Council of Representatives, are elected by the people, while the Majlis al-Shura, also known as the Consultative Council, is made up of 40 seats directly appointed by the king.[47] All legislation originates in the Council of Representatives, but in order to become law, it must also be approved by the Consultative Council. However, because of the king's role in selecting and reappointing members, members of the Consultative Council may feel an obligation to support or oppose a piece of legislation based on the king's preference, rather than their own. Brunei, on the other hand, only has one chamber, a legislative council whose members are appointed by the sultan. That council does not have any independent lawmaking authority, in part because the sultan, the crown prince, and the cabinet are also on the legislative council.[48] Instead, the sultan creates all laws, and the function of the council is to be a venue for the sultan to discuss different policy ideas.

In other systems, legislators are appointed by a chief executive, such as a president or a prime minister, who is directly accountable to the people. In the Parliament of the Bahamas, the governor-general, in consultation with the prime minister and the leader of the opposition, appoints members to the 16-person Senate. The prime minister alone gets to select nine members, the leader of the opposition gets to select four members, and, after consulting with the leader of the opposition, the prime minister selects an additional three members.[49] While the public does not directly select the members of the chamber, the leaders who appoint them routinely face public elections. Although public accountability is more distant, a change in the Bahamian public's support for a political party would result in significant changes to the membership of the Senate, which may help make those senators more responsive to the public.

Executive appointments can also be used to fill a vacancy between elections. In the United States Senate, a state governor can appoint an individual to fill a vacant seat for the remainder of the term.[50] The appointed senator then must go up for reelection, so although there may be some sense of obligation between the senator and the governor who appointed them, the upcoming election increases the likelihood that the appointee will be responsive to their constituents.

Legislative–Executive Branch Relations

While the power of a legislature is greatly shaped by the method used to select its members, that power is also strongly influenced by the relationship between the executive and legislative branches. Remember, most systems have some sort of legislative, executive, and judicial branch structure, but the relationships among the branches and the powers they have can vary widely. Perhaps the most important of these relationships is that between the legislative and the executive. In democratic systems, the key differences between presidential and parliamentary systems relate to the degree of independence of the legislative and executive branches and how much power each has to oversee the actions of the other.

Independence

In presidential systems, there is a clear separation of powers between the legislative and the executive. That separation of powers means that one branch makes decisions independently of the other branch, and certain types of authority, such as the authority to raise taxes or declare war, are strictly reserved for one branch. The strength of this separation of powers is that it prevents the aggregation of power in the hands of any one part of government. The weakness, however, is that policy making can be difficult, particularly when different political parties control the branches, which can lead to heightened political conflict and even gridlock, preventing the government from functioning effectively.

Parliamentary systems, on the other hand, have no separation of powers between the legislative and the executive. In fact, the process of selecting an executive comes directly through the legislature. In a parliamentary system, the process starts when the public elects a legislature. Whatever party or coalition gains the majority in the legislature then has the power to pick the prime minister. Prime ministers are part of both the legislature and the executive, exemplifying a complete interdependence of legislative and executive decision-making. The strength of the parliamentary system is that because a legislative majority is required to have executive authority, it is much easier to pass legislation. The weakness of the parliamentary system is that the stability of the government relies on a party or coalition maintaining its control. If there are conflicts within a party or coalition, a vote of no confidence or members defecting can break the majority, which can require new elections, potentially resulting in a new legislature *and* a new executive.



FIGURE 9.12 In Sri Lanka, the prime minister and the president are partners in governing, as Sri Lanka is a semi-presidential system. In this photo from 2010, then prime minister Manmohan Singh speaks with then president Mahinda Rajapaksa. (credit: "Photo WA-5486L" by Public.Resource.Org/Flickr, CC BY 2.0)

Semi-presidential systems blend the structures of presidential and parliamentary systems. Every semi-presidential system is slightly different. The blending of the systems leads to some areas of independence, though not the complete independence of a presidential system. Semi-presidential systems often have an independently elected president and a prime minister who is the leader of the legislative majority. In some systems, the two individuals share policy-making power. This is the case in France, where the president and prime minister both have policy-making authority.[51] In semi-presidential systems, the president's authority is not dependent on the legislature, but because of the shared power and responsibilities, the president must still work with the legislative branch to accomplish their goals.

Oversight

Earlier, the chapter discussed oversight as it relates to the power the legislature has to oversee the bureaucracy, but oversight can also refer to the powers of the legislative and executive branches to supervise and limit each other's powers. This type of oversight aims to prevent an institution from securing too much

power and exerting a corrupting influence.

These concerns are fundamental to the presidential system, which was first created in the United States in response to colonists' experience of being subject to the absolute authority of the English monarchy. In a presidential system, each branch has powers separate from those of the other branches, but each also has powers that overlap with the other branches', allowing one branch to step in to stop the excesses of the other. The legislative veto is one example of this kind of oversight. In a typical presidential system, the legislature must pass a piece of legislation, and the president must sign off on it before it goes into effect and becomes a law. A president who does not agree with the legislation can veto the bill, which sends it back to the legislature, providing a check on the legislature's power. In many presidential systems, if the legislature passes the bill again, which usually requires a supermajority, the bill becomes law without the president's support, which is a clear check on the president's power. The two branches are each empowered to oversee and correct the actions of the other.

Oversight in parliamentary systems, and thus the relationship between the legislature and the executive, is much different. Because the executive is a part of the legislature, the minority party, rather than another branch of government, is primarily responsible for conducting oversight. Minority parties can use methods such as question time to interrogate the majority's government and then take that information to the public to gain their support. Because parliamentary governments rely on public support to maintain power, a minority party that is able to sway public opinion and potentially get members of the majority to defect on votes can seriously check the power of the majority party. When a majority party is so large, with such strong public support, that the minority party's threat to go to the public is rendered ineffective, the majority party can hamper the minority party's oversight efforts.

9.3 What Is the Difference between Unicameral and Bicameral Systems?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define unicameral and bicameral legislature.
- Outline which types of legislative systems exist in different parts of the world.
- Analyze the relative advantages and disadvantages of each type of legislative system.

One key structural component of legislatures is the number of chambers that they have. The two most common options for chamber structure are unicameral and bicameral. A **unicameral** legislature has only one chamber, or body, that makes decisions. A **bicameral** legislature has two chambers, often with different procedures and powers, that ultimately must work together to make policy and exercise other legislative powers and responsibilities.

Strengths and Weaknesses of a Unicameral Legislature

One of the main strengths of unicameral legislatures is that they create a more efficient legislative process. In a unicameral legislature, bills only need to go before and be debated by one set of decision makers, whereas in a bicameral legislature, both chambers must debate and approve bills in order for them to have a chance of becoming laws. This legislative efficiency is particularly valued in more homogenous societies, where having venues for different voices and perspectives is not seen as particularly important. In these societies, political parties are considered sufficient to protect diverse interests.

Unicameral systems do not lend themselves to oversight and checks on the power of the legislature. In bicameral systems, the need to pass legislation through another chamber is a natural "veto point"; if there is support for legislation in one chamber but not the other, that may reflect broad concerns of a segment of the public, so the public's preferences are better served when both chambers weigh in and consider a piece of legislation. The lack of a natural "veto point" is particularly apparent in unicameral parliamentary systems, where a prime minister with a strong governing majority faces almost no constraints from either a separate

chamber or an effective minority opposition.

Strengths and Weaknesses of a Bicameral Legislature

Bicameral systems make up approximately one-half of legislatures around the world. Bicameralism is largely thought to allow the structures of a political system to reflect different voices and priorities. In bicameral systems, there is often a lower chamber, more closely associated with the perspective of the people, and an upper chamber, which might reflect different territories or classes.[52] For example, in the German parliamentary system, the lower chamber, the Bundestag, is directly elected by the public, while the upper chamber, the Bundesrat, is supposed to represent the 16 Länder, or states. While each state has between three and six votes on legislation, all of a state's votes in the Bundesrat must be cast as a bloc, either for or against a piece of legislation.[53] The idea is that the vote should represent the state's interests, not the interests of the individuals representing the state. The two chambers create a system of checks and balances within the legislative branch so that any legislation that can survive the legislative branch process is much more likely to succeed.



FIGURE 9.13 Student journalists participate in a 2017 celebration of youth journalism taking place on the floor of the German Bundesrat. Note how the names of the Länder are affixed to the desks, highlighting the importance of representing a particular region. (credit: "Preisverleihung - SZWdL17" by Jugendpresse Deutschland/Timon Suhk/Flickr, CC BY 2.0)

There are important weaknesses to bicameral systems. First, the legislative process is inefficient. After a bill has been investigated, debated, and voted on in one chamber, it must go to a second chamber and complete the whole process again. This can both significantly extend the time it takes for a piece of legislation to pass and dramatically raise the odds that a piece of legislation will die before it gets to a vote, as at every stage along the way there are two sets of decision makers who can choose not to proceed with a piece of legislation. This phenomenon played a significant role in preventing comprehensive immigration reform in the United States in the first two decades of the 21st century. One nuance of the American legislative process is that bills that haven't passed both chambers of Congress expire at the end of each two-year session. Although a number of different pieces of immigration legislation were introduced between 2000 and 2020, and some passed either the House or the Senate, no comprehensive immigration legislation was signed into law.[54] Additionally, both chambers must pass the exact same text of legislation. As many systems allow both chambers to amend legislation, a piece of legislation can bounce back and forth between the two chambers until they can agree on a final version. That can also add significant time and inefficiencies to the legislative process.

Another weakness of bicameralism is that it can suffer from gridlock when different parties hold the majority in each chamber, particularly when the two parties in charge have significant policy and ideological disagreements.

The strengths and weaknesses of bicameralism are two sides of the same coin. A system that, by design, allows for more voices can become a system where nothing can happen, as disagreement in the legislature can cause everything to come to a screeching halt.

SHOW ME THE DATA

Frequency of Unicameral and Bicameral Legislatures around the World

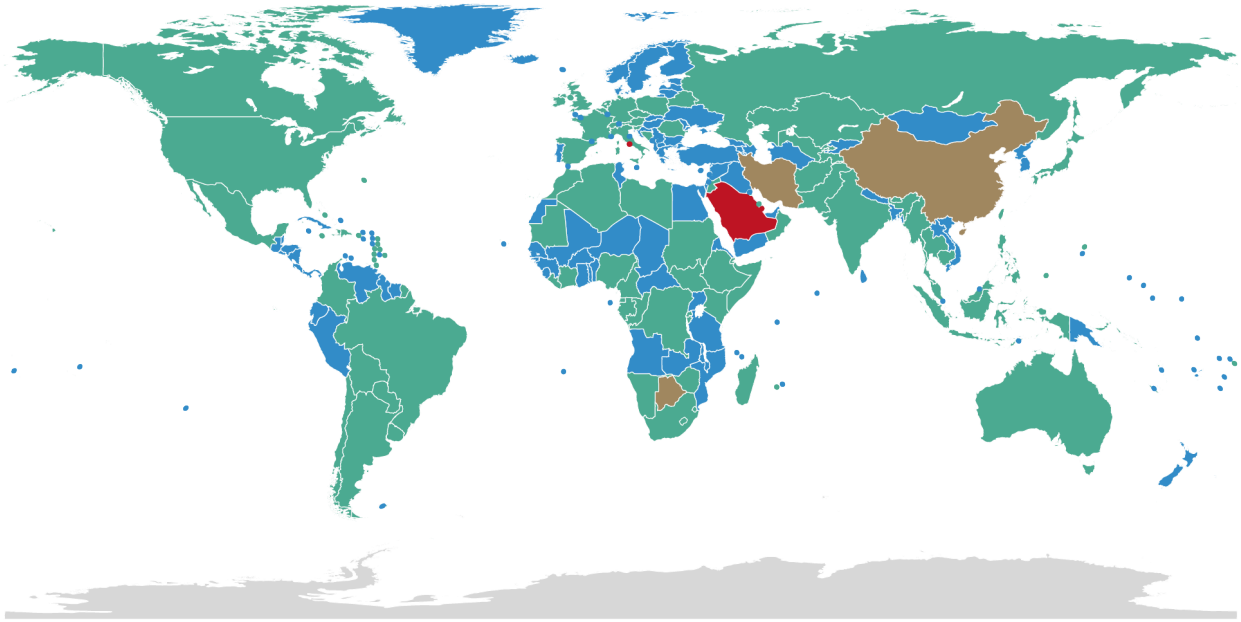


FIGURE 9.14 Approximately half of the countries around the world have bicameral legislatures (in green), while the other half have unicameral legislatures (in blue). A few countries, for example China and Iran, have unicameral legislatures with separate advisory bodies (brown), and a couple others have no legislature at all (red). (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

A quick look around the world shows some interesting patterns. Many large countries have a bicameral legislative system. In part, this reflects the influence that the United States and European countries have around the globe. But a significant number of countries, including countries in western and southern Africa, Central America, the Middle East, and northern Europe, as well as many island nations, have unicameral legislatures. What characteristics do you think influence countries to adopt one structure of legislature versus the other?

9.4 The Decline of Legislative Influence

LEARNING OUTCOMES

By the end of this section, you will be able to:

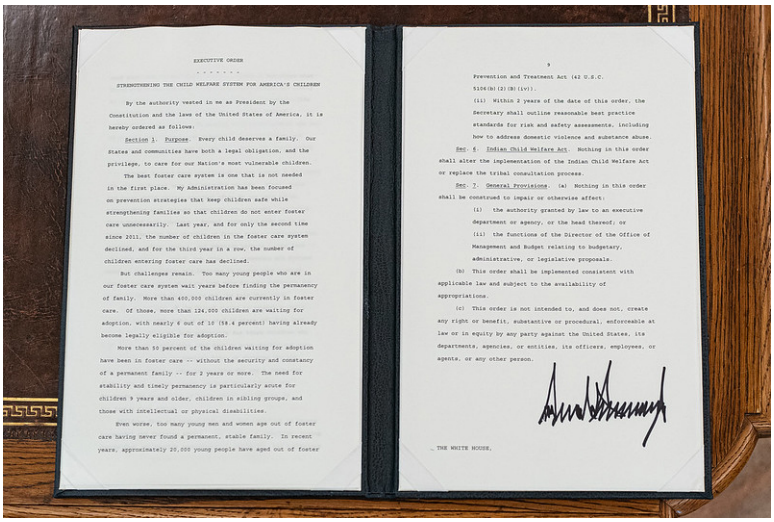
- Identify the different challenges legislatures face.
- Articulate the reasons why different types of legislatures may face different challenges.
- Define party polarization.

The political world is in constant flux, with institutions constantly evolving to meet the moment. In many places around the world, despite all the powers that legislatures have and the vital role they play in our political structures, legislatures face significant challenges to their ability to play their prescribed role. Some of these challenges are internal, some are the result of external forces, and some are broader challenges that affect the larger political system. Let's consider three major challenges legislatures face in the 21st century: executive dominance, legislative deference, and polarization.

Growth in Executive Dominance

Executive dominance is the phenomenon in which leaders, particularly in systems with an executive that is separate from the legislature, expand their powers and justify those expanded powers so that many see them as legitimate and acceptable. Episodes of **executive dominance** may occur incrementally, with executives taking actions over time that individually represent small expansions of power but ultimately result in large changes. In other cases, executives radically expand their authority, sometimes but not exclusively in times of crisis, and have sufficient support from others in the government, the media, or the public to prevent any effective reprisals for their actions. Regardless of the method of expansion, the act of executive dominance is gradually normalized, forming a new basis for understanding that executive's powers.

Executive dominance is a form of external threat to the legislature, as the increased power of the executive often reduces the power of the legislature. For example, in the United States, recent presidents have used executive action, such as executive orders, memoranda, and proclamations, to achieve their policy goals with increasing frequency when they have been unable to accomplish desired policy changes via Congress. Presidents Obama and Trump both relied on executive action to shape immigration and border policy, with President Obama using it to create the Deferred Action for Childhood Arrivals (DACA) program and President Trump using it to secure funding for a border wall between the United States and Mexico. Executive dominance also occurs outside the United States. At the beginning of 2020, Russian president Vladimir Putin put forward a number of legislative proposals that successfully changed the Russian constitution to extend his term in office, raising the possibility that he could remain in power for the rest of his lifetime.[55] Scholars who have analyzed this legislation highlight that it increases the president's power over the legislature and the judiciary and reduces the power of the Federal Assembly.


EXECUTIVE ORDER

STRENGTHENING THE CHILD WELFARE SYSTEM FOR AMERICA'S CHILDREN

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Purpose. Every child deserves a family. Our States and communities have both a legal obligation, and the privilege, to care for our Nation's most vulnerable children.

The best foster care system is one that is not needed in the first place. My Administration has been focused on prevention strategies that keep children safe while strengthening families so that children do not enter foster care unnecessarily. Last year, and for only the second time since 2011, the number of children in the foster care system declined, and for the third year in a row, the number of children entering foster care has declined.

But challenges remain. Too many young people who are in our foster care system wait years before finding the permanency of family. More than 400,000 children are currently in foster care. Of those, more than 124,000 children are waiting for adoption, with nearly 6 out of 10 (58.4 percent) having already become legally eligible for adoption.

More than 50 percent of the children waiting for adoption have been in foster care -- without the security and constancy of a permanent family -- for 2 years or more. The need for stability and timely permanency is particularly acute for children 9 years and older, children in sibling groups, and those with intellectual or physical disabilities.

Even worse, too many young men and women age out of foster care having never found a permanent, stable family. In recent years, approximately 20,000 young people have aged out of foster

Prevention and Treatment Act (42 U.S.C. 5106(b)(2)(B)(ix)).

(ii) Within 2 years of the date of this order, the Secretary shall outline reasonable best practice standards for risk and safety assessments, including how to address domestic violence and substance abuse.

Sec. 6. Indian Child Welfare Act. Nothing in this order shall alter the implementation of the Indian Child Welfare Act or replace the tribal consultation process.

Sec. 7. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

THE WHITE HOUSE,

FIGURE 9.15 Modern presidents of the United States have relied more and more heavily on executive action in the last 40 years, particularly as the two political parties in Congress have grown more polarized, making policy change via legislation more difficult to accomplish. (credit: "President Trump Signs an Executive Order on Strengthening the Child Welfare System for America's Children" by Trump White House Archived/Andrea Hanks/Flickr, Public Domain)

Whatever the nature of the political system in which it occurs, executive dominance diminishes the power of the legislature, both in terms of the branch's own responsibilities and in terms of its power to check the executive. In most democratic countries, the legislature is responsible for making policy. To justify their efforts to gain more policy-making authority, executives may note the absence of legislation in a particular area. When the executive takes on that authority, legislatures are often unable to gather the necessary support to regain control of that policy area. Additionally, as these kinds of actions become more normalized in the political system, it can become more difficult for legislatures to check the power of the executive, as the more often these actions occur, the less responsive the system becomes to what would have been considered

executive overreach in the past. Over time, acts of executive dominance accumulate to shift the balance of power away from the legislature.

Growth in Legislative Deference

Legislatures also face internal threats in the form of **legislative deference**. Legislative deference occurs when legislatures give power to another branch of government, either by refusing to take action or by approving anything the other branch wants. A legislature may refuse to take action because the executive wants to handle an issue themselves or because the legislature fears being blamed for an unpopular policy. Or the legislature may simply approve, or "rubber stamp," any proposal put forward, usually by the executive. Legislative approval that comes when the legislature has no option other than to approve the measure reflects the weakness of the legislature and poses a clear threat to legislative independence.

Executive dominance and legislative deference are distinct but often connected, as it is difficult for an executive to expand their powers without some level of legislative deference, and it can be hard for the legislature to step back and let others make decisions if the executive is not willing to take the lead. Yet the existence of one threat to legislatures does not guarantee the presence of the other. Legislatures can, for example, support an executive's proposal on climate change without actually giving more power to the executive. Legislative deference and executive dominance are more about patterns of behavior over time than about any single decision.

Growth in Polarization

One of the biggest challenges threatening legislatures is the rise in **polarization**. Polarization occurs when people or groups are divided between two extremes on an issue or position. Polarization is a systemic threat that can affect politics all across a political system. Often, polarization starts with political actors taking more partisan and ideological positions,[56] but over time, voters tend to become more polarized as well, identifying more strongly with a political party or ideology.[57] Party polarization in legislatures can threaten the ability of a legislature to be effective. Many legislatures around the world have seen a rise in the number of seats held by far-right and far-left parties, including the European Parliament following the 2019 elections, which you can learn about in the video below. Polarization has also occurred when parties in the legislature have stayed the same, but the positions those parties hold have become more extreme. In legislatures with either slim majorities or coalition governments, polarization can lead to gridlock, as support will only come from co-partisans; if a party attempts to pass a piece of legislation and faces any internal opposition, the proposal is dead on arrival, as members of minority or opposition parties will often refuse to support the majority's legislation. For much of the 20th century in the United States, members of the Democratic and Republican Parties worked together across party lines on legislation. However, since the early 1980s, that has become less and less common, with members increasingly only supporting legislation if it comes from their own party.[58] Parties have had to rely more heavily on parliamentary maneuvers to pass any significant legislation, as bipartisan cooperation is anywhere from difficult to near impossible to secure.

VIDEO

Populist Parties Make Gains in European Parliament Elections

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/9-4-the-decline-of-legislative-influence)

In this segment from CBS News following the results of the European Parliament elections in 2019, journalists analyze what the rise of both right and left populist parties might mean for trans-European legislation and politics.

Even in legislatures where one party has a large majority, polarization is still a risk, as it can make the legislation that gets passed more extreme. If public support for that legislation or party dwindles, there is heightened risk that the next election will be a disaster for the current majority, causing control of the

legislature to swing from one extreme to another. Political parties with clear positions and differences are useful for winning elections and for public accountability.[59] However, it is dangerous for legislatures when the gap between the parties grows so large that effective legislating grinds to a halt.

CONNECTING COURSES

Public Speaking



FIGURE 9.16 Members of the SPD political party listen to a speech by former leader of the European Parliament Martin Schulz in Cologne, Germany. (credit: "SPD Supporters at a Speech by Martin Schulz in Cologne" by Marco Verch/Flickr, CC BY 2.0)

Before running for office, many legislators have other careers. Some are lawyers or businesspeople, while others are doctors, policy advocates, or members of the armed forces. No matter what path people travel before they run for office, all legislators need to develop public speaking skills. Whether on the campaign trail or debating a piece of legislation, the ability to get up and share one's thoughts with a group of people is critical for the successful aspiring legislator or policy advocate. There are a number of different ways you can develop those skills; your school might offer courses in public speaking or debate, but an acting class in the drama or theater department may also offer you the chance to practice your oratory skills. Additionally, campus activities such as moot court or Model United Nations can serve as an excellent way to stretch your public speaking skills while also learning about aspects of political science.

Summary

9.1 What Do Legislatures Do?

Legislatures do a lot of different things, but their primary jobs are to make laws, represent constituents, and oversee other parts of government. These jobs exemplify the fundamental reasons a political system needs a legislature. When the people empower a branch of the political system to make the rules governing their relationship with their government, the political system is equipped to resist the ways that power can corrupt. Legislative institutions must require cooperation and consensus to ensure the health of the political system.

9.2 What Is the Difference between Parliamentary and Presidential Systems?

At the national level, there are two primary types of governing systems, parliamentary and presidential. The largest difference between the two types of systems relates to the relationship between the legislative and executive branches of government. In a parliamentary system, the executive power, or the power to see that the laws are followed, is vested in a prime minister, who is also the head of the legislative branch. This means that power flows from the people to the legislature and then from the legislature to the executive. In a presidential system, the executive, usually in the form of a president, is completely separate from the legislature. The people separately elect the legislature and the executive, so the power flows from the people to the legislature and from the people to the executive.

9.3 What Is the Difference between Unicameral and Bicameral Systems?

There are also two primary types of organizing systems in legislatures. First, there are legislatures with only one chamber, which are called unicameral. Second, there are legislatures with two chambers, called bicameral legislatures. Unicameral legislatures are thought to be more efficient than bicameral legislatures, but bicameral legislatures are designed to take into account a variety of different viewpoints.

9.4 The Decline of Legislative Influence

Legislatures face a number of challenges to their power and independence. Some of those challenges are external, such as executive dominance, in which the growing power of presidents and prime ministers threatens to overtake the power of the legislature. Other threats are internal, particularly legislative deference, in which because of either an inability to come together and act or a desire to avoid difficult issues, the legislature gives up power to other branches. Finally, some threats are systemic, such as increasing polarization, which has shown up both in the public and in legislatures. Without considering the threats to the legislature, it is impossible to understand the full scope of its work and its place in the political system.

Key Terms

appropriations process the process by which governments decide how they will spend money
bicameral describes a legislature with two chambers, usually an upper chamber and a lower chamber
cloture motion a vote to end a filibuster and force a vote; typically requires a supermajority to enact
coalition two or more different parties that decide to cooperate in order to form a majority in a legislative chamber
constituents the people whom a legislator represents
delegate a model of representation in which a legislator acts based on the preferences of their constituents
descriptive representation a type of representation in which the representative shares demographic characteristics with the people they represent
Duverger's law a principle that states that electoral systems with plurality systems of voting and single-member districts will have two main political parties
executive dominance a phenomenon in which leaders expand their powers beyond their prior limits and are able to justify those expanded powers so that they are seen by many as legitimate and acceptable
filibuster a set of parliamentary rules designed to extend debate to delay or stop legislation from receiving a vote

hearings sessions in which members of a legislature talk to and question a panel of people, likely made up of experts and bureaucrats, about a particular issue or piece of legislation

legislative committees groups of lawmakers who work together on a particular policy area

legislative deference a phenomenon in which legislatures cede power to another branch of government, either by refusing to take action or by approving anything the other branch wants

legislative delegation a system of cooperation between members of the same political party for when a legislator must vote on an issue outside their areas of expertise; rather than doing additional research, the legislator can rely on the opinions of members on the relevant policy committee

legislature a deliberative body that is granted the authority to create laws that govern a society

majority party the party that holds more than 50 percent of seats in a chamber

majority rule the idea that the support of more than 50 percent of a voting body is required to come to any decision

minority party any party that does not hold more than 50 percent of seats in a chamber

mixed systems electoral systems that combine features of proportional representation and plurality election systems

multimember districts legislative districts that are represented by multiple legislators

nonprofessional legislatures legislatures that meet for limited periods of time and provide members only limited pay, reflecting the part-time nature of the job

oversight the process of regularly monitoring and reviewing the actions of agencies or other political actors

parliamentary procedures the rules that are followed in a political system to structure and guide debate

parliamentary system a political system in which the executive, often a prime minister, is also a part of the legislature

partisan representation a model of representation in which legislators are expected to vote with their political party

plurality an electoral system in which the candidate who receives the most votes wins the election

polarization the division of people or groups between two extremes on an issue or position

politico a model of representation in which a legislator seeks a balance between delegate and trustee approaches

presidential system a political system in which the executive, often a president, is separate from the legislature

professional legislatures legislatures that meet year-round, have professional staff, and pay legislators a professional wage so that legislating is their primary job

proportional representation an electoral system in which the relative support that political parties receive from the population is reflected in the makeup of the legislature

public laws laws governing the relationship between a government and individuals that apply to all people

semi-presidential systems political systems that have some characteristics of presidential systems and some characteristics of parliamentary systems

single-member district a legislative district that is represented by only one legislator

specialization the idea that individual legislators will focus on one or two policy areas to develop expertise on those issues, rather than learning about all issues

sponsor a legislator who introduces a piece of legislation and who is often instrumental in its passage

substantive representation a type of representation in which a representative shares policy and ideological beliefs with the people they represent

supermajority a given proportion of a voting body greater than 50 percent that is required to agree in order to come to a decision; typically reserved for especially important or consequential decisions

trustee a model of representation in which a legislator relies on their own judgment when it differs from that of their constituents

unicameral describes a legislature with a single chamber

Review Questions

1. Most ordinary laws require what percentage of the vote to pass?
   a. 75 percent
   b. 60 percent + 1 vote
   c. 50 percent
   d. 50 percent + 1 vote

2. What occurs most commonly when no party wins a majority of seats in a legislature?
   a. New elections are called.
   b. The legislature is disbanded.
   c. The largest party is given control.
   d. Parties form a coalition.

3. In democracies, where do ideas for new laws come from?
   a. Members of the legislature
   b. The public
   c. Groups that do work in a particular policy area
   d. All of the above

4. The rules that structure debate in a legislature are called:
   a. Sponsors
   b. Majority rules
   c. Parliamentary procedures
   d. Debate regulations

5. Which of the following is not a reason that committees are formed in legislatures?
   a. They allow legislators to specialize in certain policy areas.
   b. They allow legislators to delegate decision-making to others who are more knowledgeable.
   c. They give legislators more authority in that policy area than the executive.
   d. They give legislators an opportunity to take on leadership roles.

6. A legislator who uses a trustee model of representation will primarily rely on _____ to make decisions.
   a. their own knowledge and opinions
   b. their constituents' opinions
   c. their political party's stance on issues
   d. the opinion of the executive

7. Which of the following is the best example of descriptive representation?
   a. A White politician elected from an ethnically diverse district
   b. A Latino politician elected from a heavily Latina/Latino district
   c. A female politician elected from a district that is 50 percent male and 50 percent female
   d. A Republican politician elected from a district that voted strongly for the Republican candidate in the last presidential election

8. An electoral system in which seats are awarded based on the percentage of the vote that each party wins is called a _____ system.
   a. plurality
   b. first past the post

c. descriptive representation
d. proportional representation

9. Duverger's law states that a _____ will result in two main political parties.
a. plurality electoral system with single-member districts
b. proportional representation system with multimember districts
c. plurality electoral system with multimember districts
d. proportional representation system with a fluctuating number of seats

10. A semi-presidential system has:
a. A king and a president
b. A premier
c. A prime minister
d. A president and a prime minister

11. What are the two primary differences between parliamentary and presidential systems?
a. Oversight and voting rules
b. Independence and selection
c. Oversight and independence
d. Independence and coalition formation

12. In a _____ system, the executive and the legislature are separate from each other.
a. parliamentary
b. semi-presidential
c. authoritarian
d. presidential

13. A legislature with only one chamber is called a(n) _____ legislature.
a. bicameral
b. unicameral
c. proportional
d. representational

14. Which of the following is a common reason for countries to have a bicameral legislature?
a. Bicameral legislatures ensure a better citizen-to-elected-official ratio.
b. Bicameral legislatures produce more thoughtful and durable legislation.
c. Bicameral legislatures help give voice to different segments of society.
d. Bicameral legislatures help make legislating faster and more efficient.

15. Which particular set of interests is represented in the German Bundesrat?
a. The interests of the youth
b. The interests of the members of the foreign service and the military
c. The interests of the rural areas
d. The interests of the states

16. Approximately what percentage of countries in the world have a unicameral legislature?
a. 15 percent
b. 25 percent
c. 50 percent
d. 70 percent

17. Which of the following is not a challenge facing legislatures today?
   a. Legislative deference
   b. Polarization
   c. Executive dominance
   d. Legislative dominion

18. A phenomenon in which leaders expand their powers beyond prior limits is called:
   a. Executive dominance
   b. Polarization
   c. Oversight
   d. Constituents

19. Executive dominance can occur:
   a. In the United States only
   b. Primarily in systems where the legislature and the executive are separately chosen
   c. Primarily in systems where the executive is a part of the legislature
   d. In Russia only

20. What challenge is occurring when people or groups divide between two extremes on an issue or position?
   a. Polarization
   b. Prioritization
   c. Oversight
   d. Legislative deference

Suggested Readings

Arter, David. "Introduction: Comparing the Legislative Performance of Legislatures." *Journal of Legislative Studies* 12, no. 3–4 (2006): 245–257. https://doi.org/10.1080/13572330600875423.

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Huber, John D. "The Vote of Confidence in Parliamentary Democracies." *American Political Science Review* 90, no.2 (June 1996): 269–282. https://www.jstor.org/stable/2082884.

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Executives, Cabinets, and Bureaucracies

10



FIGURE 10.1 President Jimmy Carter met with Egyptian President Anwar Sadat in 1977. (credit: "[President Jimmy Carter and Egyptian President Anwar Sadat surrounded by the media at the White House, Washington, D.C.] (https://openstax.org/r/jimmycarter)" by Trikosko, Marion S./Library of Congress)

CHAPTER OUTLINE

10.1 Democracies: Parliamentary, Presidential, and Semi-Presidential Regimes
10.2 The Executive in Presidential Regimes
10.3 The Executive in Parliamentary Regimes
10.4 Advantages, Disadvantages, and Challenges of Presidential and Parliamentary Regimes
10.5 Semi-Presidential Regimes
10.6 How Do Cabinets Function in Presidential and Parliamentary Regimes?
10.7 What Are the Purpose and Function of Bureaucracies?

INTRODUCTION

> *When things go bad you get entirely too much blame. And I have to admit that when things go good, you get entirely too much credit.*
>
> —President Jimmy Carter[1]

When Jimmy Carter made the statement quoted at the beginning of this chapter, he was still enjoying relatively high public approval ratings due to the success of the Camp David Accords, which resulted in a framework for peace in the Middle East, in September 1978.[2] In less than a year, his public approval ratings would tumble due to a problematic economy and a belief that Carter did not provide strong leadership.[3]

Early in 2020, the world faced the beginning of the COVID-19 pandemic, and countries struggled to respond.

The pandemic shaped our world in ways that we are still attempting to grapple with and understand, and it revealed the nature of politics and governmental systems. Almost immediately, each country's citizens expected and demanded action. This was true both in countries with presidential regimes and in those with parliamentary regimes. Each country turned to its chief executive for leadership, and leaders were judged by the effectiveness of their actions.

While political systems are complex and nuanced, most citizens' approach to politics, especially during a crisis, is simple and straightforward—they look to the chief executive to solve the problem. Whether or not executives have the power to solve the problem, the public tends to assume they do. Oftentimes, how people view a single individual—the chief executive—shapes how they view the entire government.

10.1 Democracies: Parliamentary, Presidential, and Semi-Presidential Regimes

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Identify the three types of democratic regimes.
- Distinguish between the roles of "head of state" and "head of government" and describe how each is typically selected by regime.
- Describe and evaluate the importance of the head of state for government legitimacy and national unity.

Democratic regimes are typically classified into three categories: presidential, parliamentary, and semi-presidential.[4] The keys to understanding the differences among the three are (1) how the head of government is selected and (2) if there is a separate head of state who is popularly elected to a fixed term of office. In **presidential regimes**, heads of government are popularly elected to fixed terms and do not depend on legislatures for their power. Presidents also serve as heads of state. In **parliamentary regimes**, the head of government, the **prime minister**, is selected by the legislature. Semi-presidential regimes include a popularly elected head of state and a legislature selected head of government. In **semi-presidential regimes**, both presidents and prime ministers wield political power. See Table 10.1 and Table 10.2.

Head of Government			
	Presidential	Parliamentary	Semi-Presidential
Selection Method	Popular election	Selected by the legislature	Selected by the legislature
Fixed Term?	Yes	No	No
Responsible to Legislature?	No	Yes	Yes

TABLE 10.1 Heads of Government in Democratic Regimes

Using Witten/Herdecke University professor Nils-Christian Bormann and Penn State University professor Matt Golder's classification and supplementing the data with former Dublin City University professor Robert Elgie's list of semi-presidential countries, approximately 36 percent of democracies are parliamentary, 25 percent are presidential, and 39 percent are semi-presidential. (See Figure 10.2.) Following a traditional approach within comparative politics, this chapter will focus primarily on parliamentary and presidential regimes and not semi-presidential ones. Even though semi-presidential regimes comprise a large category, they are not easily defined and have considerable variation.[5]

Head of State			
	Presidential	Parliamentary	Semi-Presidential
Selection Method	Typically, the head of government is also the head of state.	There is considerable variation, including elected (e.g., Germany) and unelected (e.g., Great Britain) methods.	Generally, the head of state is selected by popular election.
Fixed Term?	Yes	Depends if position is elected or unelected. Elected are fixed term; unelected are not fixed term and include hereditary monarchies (e.g., Belgium).	Yes
Responsible to Legislature?	No	Yes	In select situations, potentially. Enjoys dual authority with prime minister, but there is considerable variation across countries regarding the scope of authority the head of state has.

TABLE 10.2 Heads of State in Democratic Regimes

SHOW ME THE DATA

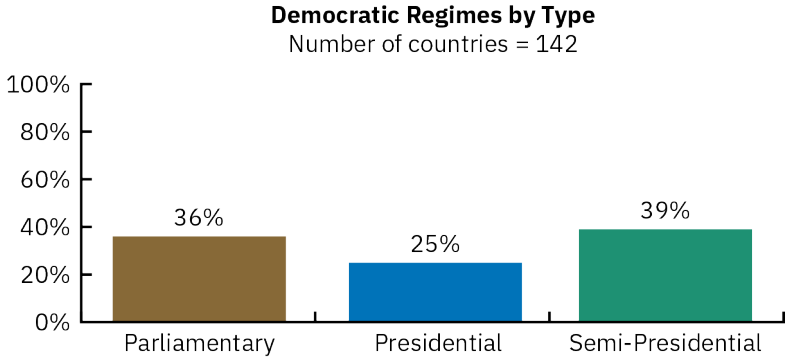


FIGURE 10.2 As of 2018, presidential systems were the least common regime type among democratic countries. (data source: Nils-Christian Bormann and Matt Golder. "Democratic Electoral Systems around the World, 1946–2011." *Electoral Studies* 32 (2013): 360–369; Robert Elgie. "Up-to-Date List of Semi-Presidential Countries with Dates." *The Semi-Presidential One* (blog). Last updated June 28, 2018. http://www.semipresidentialism.com/up-to-date-list-of-semi-presidential-countries-with-dates/; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

The Roles of Chief Executives within Democratic Regimes: Head of State

Chief executives play two general roles: **head of state** and **head of government**. Head of state is a ceremonial role, while head of government is a political one that confers real power. Within a presidential regime, the president is both head of state and head of government. In a parliamentary regime, however, the roles are

separate, with a president (as in Germany or India) or emperor (as in Japan) serving as head of state and the prime minister (or, in Germany, the chancellor) serving as head of government.

While the position of head of state is largely ceremonial, images and symbols are extremely important, and the head of state provides a national symbol for a country's citizens that works to unify a country. It would be a mistake to view the head of state as a mere figurehead. Heads of state attend national celebrations, host events such as state dinners, and often play a role in sporting events. For example, Queen Elizabeth II opened the 2012 Olympic Games in London. Similarly, Japan's Emperor Naruhito opened the Summer 2020 Olympic Games held in Tokyo from July to August 2021. Their visibility is important to national identity.

VIDEO

Heads of State Open the Olympic Games

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/10-1-democracies-parliamentary-presidential-and-semi-presidential-regimes)

In this video, heads of state—including a führer, kings, a queen, a duke, an emperor, a chairperson, a governor-general, a vice president, and multiple presidents—preside over Olympic opening ceremonies.

Illustrating the unifying role a head of state provides, one of the more memorable moments of President George W. Bush's first administration was when he threw the ceremonial first pitch in game 3 of the 2001 World Series. Taken just a few short months after 9/11, the pictures of him at the mound, throwing a strike, are iconic. Presidents are the most recognizable leaders of their countries, and one of the key roles they play is to symbolically represent the state. Additionally, sports are intricately woven into each country's cultural fabric. Baseball is known as "America's pastime." When President Bush threw the ceremonial first pitch, he stood as a unifying symbol relatable to people across party lines. As noted author David Fisher observed: "I didn't vote for him. But at that point, my personal feelings about him as a politician [were] gone. I watched him, and he was my representative. And I had never felt that way before."[6] Nineteen years later, writing for *Newsweek*, Marina Watts commented on the power of imagery: "That night, the first pitch meant more than just 'play ball.' It meant moving forward. It meant unity. With that throw, Bush helped heal a city and a nation."[7]

VIDEO

President George W. Bush's Opening Pitch at Yankee Stadium after 9-11

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/10-1-democracies-parliamentary-presidential-and-semi-presidential-regimes)

This video portrays the ceremony and symbolism of a leader acting in the role of head of state.

Heads of state also provide legitimacy to a government. While all states have coercive power, democratic governments depend upon citizen recognition that the authority the state has and the power it exerts are legitimate. When the head of state is separate from the head of government, the head of state can play a significant role in establishing and reinforcing the legitimacy of that government.



FIGURE 10.3 Queen Elizabeth II opens Canada's 23rd Parliament in the Senate Chamber, Ottawa, Ontario. (credit: "Her Majesty Queen Elizabeth II opens Canada's 23rd Parliament in the Senate Chamber, Ottawa, Ontario" by Library and Archives Canada, Public Domain)

In Great Britain, the Queen invites the winning party's leader to form a government, and the Queen then gives a speech prepared by that new government laying out the government's policy agenda and legislative initiatives. The new government has immediate legitimacy based on both winning elections and the visible support of the Crown. Often, the Queen's representative performs her duties as head of state in the 16 Commonwealth realms, like Australia and New Zealand, but early in her reign Queen Elizabeth II traveled more extensively and performed more of those duties in person.

The Roles of Chief Executives within Democratic Regimes: Head of Government

As head of government, the chief executive has both the power and the authority to take action. Both presidents and prime ministers serve as heads of their governments as they take the lead in setting policy agendas, crafting legislation, and responding to crises. As previously noted, they are the ones people look to for solutions to a nation's problems and the ones citizens hold accountable. An April 2020 Al Jazeera headline puts it bluntly: "COVID-19 pandemic is testing world leaders. Who's stepping up?"[8]

To illustrate how people evaluate a leader based on that leader's response to a crisis, consider the cases of Chancellor Angela Merkel of Germany and President Donald Trump of the United States. In their summer 2020 Global Attitudes survey, Pew Research found that 88 percent of Germans reported that their country had "done a good job dealing with the coronavirus outbreak." For the United States, only 47 percent of Americans responded the same.[9] Pew also found that 76 percent of Germans reported confidence in Merkel "to do the right thing regarding world affairs," the highest such rating among world leaders. Within her own country, Merkel's approval rating was 72 percent.[10] Nevertheless, as the pandemic raged on, her support fell, and her party "fared poorly" in elections.[11]

In the United States, Donald Trump's approval ratings make clear voters' perceptions of how his administration responded to the pandemic. In September 2020, Trump's 44 percent approval rating was nearly identical to the percent of respondents who believed the country was doing a good job dealing with

COVID-19.[12] In November 2020, Trump was defeated in his bid for reelection. In exit polls, 17 percent of respondents indicated that the coronavirus was the most important issue affecting their vote. It was the third most frequently mentioned issue, behind the economy and racial inequality. Of those respondents who indicated coronavirus as the most important issue, 81 percent voted for Joe Biden.[13] While Trump's handling of the issue was only one factor in his defeat, it was a significant factor. Prior to the election, 55 percent of respondents indicated that the pandemic was a very important issue to how they would vote.[14]

10.2 The Executive in Presidential Regimes

> *This will always remain one of the best jokes of democracy, that it gave its deadly enemies the means by which it was destroyed.*
>
> —Joseph Goebbels, former minister of propaganda for the Nazi Party[15]

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define populism and analyze why presidential regimes may be more vulnerable to populist leaders gaining power.
- Distinguish between formal powers and informal powers.
- Describe the term "bully pulpit" and illustrate why it is a significant power that presidents have.
- Explain why a president's public approval rating is important as well as its connection to a president's power to persuade.

In some ways, presidential regimes are easy to understand. Voters elect a single individual who they can hold accountable. The system also has the appearance of stability due to the regularity of elections.[16] Except for unique structures like the Electoral College in the United States, the direct election of presidents is viewed as more democratic than the indirect selection of prime ministers by a parliament.[17] Nevertheless, there are downsides to popularly elected presidents, as the rise of populism in the 21st century has demonstrated.

Presidential Regimes and Elections

As Univeristy of California professor Arend Lijphart notes, the distinctiveness of presidential regimes is that the head of government is a single individual who is popularly elected.[18] The election is either direct (for example, in Brazil and the Philippines) or indirect through an electoral college (for example, in the United States). Presidents serve fixed year terms and are typically term-limited. For example, Argentina, Brazil, Kenya, and the United States allow two terms. Some countries, like Colombia and the Philippines, only allow presidents to serve a single term. After serving their terms, presidents are usually ineligible to be reelected. Even so, some countries, like Argentina, simply require the individual to "take a break," and then the person is reeligible to run for president. In Argentina, the president can serve two four-year terms, sit out for a four-year term, and then be eligible for another two four-year terms.[19]

Presidential Regimes and Populism

Targeting the masses with emotional appeals, **populism** promises individuals a political voice in a system perceived to be ruled by elites. In the early part of the 21st century, the rise of populism and leaders who border on the definition of demagogues pose an increasing threat, with some scholars contending that democracy is in crisis.[20] Indeed, democracy provides the opportunity for demagogues and populism. As University of Chicago professor William G. Howell and Stanford University professor Terry M. Moe note: "In ancient Athens, thinkers of the age recognized that their novel system of democratic self-governance lived in constant danger—because by its very nature, in allowing the masses to freely choose their own leaders, it contained the seeds of its own destruction."[21] The Goebbels quote that opens this section alludes to this same point. The essence of populism is "a suspicion of and hostility toward elites, mainstream politics, and established institutions."[22] To what extent do democratic systems—presidential and parliamentary—encourage the rise of populist movements and allow populists to remain in power? Do

presidential regimes provide greater opportunities for populist leaders to emerge than do parliamentary ones? Which regime type provides greater safeguards against the potential harm that demagogues can inflict once in office?



FIGURE 10.4 (From left) Former Prime Minister of Slovakia Mikulás Dzurinda, Prime Minister of Slovenia Janez Janša, former Prime Minister of Albania Sali Berisha, and Prime Minister of Hungary Viktor Orbán talk at the European People's Party Summit in 2010. (credit: "EPP Summit 25 March 2010 (125)" by European People's Party/ Flickr, CC BY 2.0)

The experiences of the United States and Brazil offer two examples for presidential regimes. The United States has a long history of populism, stretching back to the late 1800s and William Jennings Bryan. President Trump is simply the most recent American populist example. When he began his run for the presidency, Trump struck a populist tone as one who stands against elitists who don't have ordinary people's interests in mind; in a *Wall Street Journal* opinion column, he asked, "How has the 'system' been working out for you and your family?"[23] While in office, Trump appealed to specific groups within the electorate, emphasizing a key populist theme: government is ineffective, but he would usher in a new age of responsive and effective government.[24] Similarly, elected in 2018, President Jair Bolsonaro of Brazil, who has been called the "Trump of the tropics," echoes an antiestablishment rhetoric that populists embrace.[25] Nevertheless, parliamentary regimes have also seen populist leaders emerge. Arguably, this has happened in the Czech Republic (Andrej Babiš), Greece (Alexis Tsipras), and Hungary (Viktor Orbán).[26] Additionally, within the last 20 years, some semi-presidential regimes have seen populists emerge in leadership positions (for example, in Poland with Jarosław Kaczyński and in Slovenia with Janez Janša).

Presidential Regimes as Incubators for Populism

It can legitimately be argued that populism is more likely to gain ground in a presidential regime than in a parliamentary one. At the very least, presidential regimes serve as incubators. In presidential regimes, government leaders appeal directly to the voters and enjoy a constituency separate from the legislature. Because parties are weaker in presidential regimes, they do less to constrain government leaders. At the candidate selection stage, presidential regimes tend to be candidate centered rather than party centered. In other words, the candidates choose to run for president rather than the party selecting them. In 2016, Donald Trump received no major Republican endorsements prior to the primary season. Yet, he won the Republican nomination and was elected president. To be fair, however, as political commentator Fareed Zakaria notes, a single leader can usurp power within either a presidential or a parliamentary regime.[27] The point is that democracy itself, and not simply a particular expression of democracy, is open to its own exploitation. So, on the first question, presidential regimes are slightly more prone to populism. But populists can also arise within parliamentary regimes.

Safeguards against Populism

Some scholars argue that parliamentary regimes are better able than presidential regimes to respond to the conditions that give rise to a populist movement.[28] Parliamentary democracies not only tend to have stronger welfare systems, but they are also more able to respond with policies that address underlying issues like systemic inequities and inefficient government. And, interestingly enough, the leaders of populist parties in Eastern Europe appear to be losing favor.[29]

This does not mean, however, that presidential regimes do not also possess safeguards. Presidential regimes possessing strong institutions and a consolidated democracy have the ability to address the problems demagogues cause even if they do not prevent their emergence. Though the United States has a long history of populist movements, the influence of individual populists in the United States has thus far proven to be rather short lived.

VIDEO

What Makes a Populist?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/10-2-the-executive-in-presidential-regimes)

This brief clip highlights common traits many populist politicians share.

Still, populism does prove to be attractive. Recall that Donald Trump was not the only candidate in recent US election cycles who could be characterized as a populist. In both 2016 and 2020, Senator Bernie Sanders offered a populist alternative from the left. While Sanders did not ultimately win the Democratic nomination in either election cycle, his presence demonstrates populism's potential appeal across the political spectrum, even if the goals of alternate varieties of populism may differ. The conditions that gave rise to Trump as well as the European populist movements remain, which means that populist movements from both the left and right may arise.[30]

Finally, the Goebbels quote also illustrates the threat demagogues pose to democracies. Once in office, demagogues have the ability to attempt to change the system by which they were elected. For example, in a tweet, President Trump questioned the legitimacy of voting procedures and whether the 2020 elections should be delayed.[31] However, while individuals matter, institutions matter as well. Democracies with strong institutions have always been able to withstand challenges to the democratic process. Not only was the 2020 election held when scheduled, but the aftermath of the election, with its many court cases, also illustrated that institutions provide the necessary safeguards against demagogues.

Executive Power in Presidential Regimes: Formal and Informal Powers

Presidents have both formal and informal powers. Veto power, the power to nominate Supreme Court justices (as in the United States), or the power to convene the National Assembly and specify issues the assembly needs to address (as in Ecuador) are all examples of **formal powers**. Formal powers vary greatly from country to country. Presidents also have **informal powers**. Informal powers are those that emerge through tradition or custom or that are inherent in the office. It is often said that presidents have a "**bully pulpit**," which means that, by virtue of their position, presidents have opportunities to speak on issues with the assurance that their voices will be heard. In doing so, presidents can offer direct appeals to citizens to persuade those citizens (and legislatures) that the chief executive's approach is the correct one. Along these lines, presidential scholar Richard Neustadt states that a president's greatest power may be his power to persuade.[32]

WHAT CAN I DO?

Empirical Analysis and Executives



FIGURE 10.5 Former US President Donald Trump, Canadian Prime Minister Justin Trudeau, Former British Prime Minister Theresa May, and Indian Prime Minister Narendra Modi greet one another at the G20 Summit in 2017. (credit: "President Trump's Trip to Germany and the G20 Summit" by Shealah Craighead/Trump White House Archives/Flickr, Public Domain)

When people think about empirical and quantitative analysis, the image that often comes to mind is of a large spreadsheet with rows and rows of often-indecipherable data. While numerical analysis is a component of empirical analysis, it is not the only component. When you analyze the longevity of particular coalition governments or compare the policy outputs of presidential and parliamentary systems, you also engage in empirical analysis. At its core, the idea of empirical analysis is to look at any observable fact—something that is empirical—and gain an understanding of something larger than that one individual fact. Empirical analysis aims to put that fact into a larger context. Do presidential systems tend to represent the policy preferences of the citizens in their societies better than other systems? By studying executives, you hone empirical analysis skills that can be applied in many different contexts. For example, empirical analysis skills can be useful if you decide to become a teacher and you are trying to determine which teaching method may be most successful in your classroom. These skills are also helpful if you are a web designer and want to determine which format will appeal most to visitors to your site.

A key component of a president's power to persuade is the president's public approval rating. In today's political environment, a great deal of attention is given to this number. In the United States, Gallup conducts multiday surveys to compute a president's ongoing job approval rating. The importance of the public approval rating has even shown up in popular movies such as the 1995 film *The American President*. In the film, fictional President Alan Shepherd and his Chief of Staff A. J. MacInerney discuss the prospect of the president dating.

> Shepherd: I don't want to check a polling sample to see if this is okay, like I'm asking permission to stay out an hour past curfew. This isn't the business of the American people.
>
> MacInerney: Mr. President, the American people have a funny way of deciding on their own what is and what is not their business.

While the movie is fiction, it illustrates an important point—the impact a drop in polls will have on the president's legislative agenda.

Consider the first administration of President Bill Clinton. Upon taking office, one issue Clinton focused on was gays in the military. For his first few months in office, this contentious issue consumed considerable attention, launching a national debate that culminated in Clinton's "Don't ask, don't tell" policy. At the time, the country was evenly split and deeply divided on the issue (48 percent supported it; 49 percent opposed).[33] In 2011, the policy was formally repealed.[34] When President Clinton took office in January 1993, he had a 58 percent public approval rating. By June it had fallen to 37 percent. It could be argued that his inability to have any major legislative success that first year was, in part, due to his falling approval rating. Clinton's failure to enact major legislation was not simply due to relatively poor approval ratings or "Don't ask, don't tell." But that didn't help. Public opinions polls are not unique to the United States, and neither are their effects. Faced with declining polling numbers in 2021, President Jair Bolsonaro (Brazil) found his message of opposition to the coronavirus vaccine lacked persuasive power. As of mid-August 2021, over 70 percent of Brazilians had received the vaccine.[35] Even his supporters were lining up to get vaccinated.

10.3 The Executive in Parliamentary Regimes

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe how a government is formed in a parliamentary regime.
- Summarize the role of the prime minister in the government.
- Demonstrate why political parties matter more in a parliamentary regime.
- Explain what a confidence vote is and discuss its implications.

Within a parliamentary regime, the voters elect representatives. Based on their electoral choices, a government is formed. It is possible that a single party could win a majority of seats in the legislature. If that happens, the prime minister, who was also elected as a member of the legislature, will be invited to form the government. The prime minister will come from the majority party. If there is no majority party, the bargaining begins as a coalition is built. Compared to presidential regimes, parliamentary regimes place greater focus on political parties and the issue positions they take. The personality of the chief executive is of less importance than it is in a presidential regime, though its significance is not eliminated. Party leaders are well known. Prime ministers have significant executive powers. They have power over their cabinets and the composition of those cabinets, and they have the power to dissolve the government and call for new elections.

Parliamentary Regimes and the Electoral Connection

While parties matter in a presidential regime, they matter more in a parliamentary regime. In a presidential regime, where votes for president do not affect the partisan composition of the legislature, candidates appeal to a broad spectrum of voters in an attempt to get voters to cross party lines. Within a parliamentary regime, the calculus is much different because the chief executive emerges from the party that wins the majority. Even if a coalition government is required, it is likely that the prime minister will be a member of the party that won the most seats. When voters choose whom to vote for, they understand that calculus and vote accordingly.

Within a parliamentary regime, the chief executive is typically known as the prime minister. In Germany, however, the head of government is called the chancellor. Regardless of the title, the chief executive enjoys considerable political power. For example, in Germany, the Federal Chancellery (Bundeskanzleramt) has been referred to as a "superministry." This office provides the chancellor with wide ranging powers and governmental oversight. If a single party gains a majority of seats, then there is a **majority government**. If no party gains a majority, then the leader of the largest party will form a **coalition government** by inviting one or more of the other parties to join. Coalition governments are common and are noted as one of the disadvantages of a parliamentary regime.

Executive Power in Parliamentary Regimes

Because the prime minister is a member of the legislature, his or her power base differs from that of a

presidential regime. Even though parliamentary regimes hold periodic elections, the elections are not necessarily for fixed terms (for example, every four years) as they are with presidential regimes. In fact, over the last 20 years, Italy has held elections 10 times, with the prime minister's average length of office being about 845 days (author's calculation). In a parliamentary regime, any failure of policy could trigger either a confidence vote or new elections, which could result in the removal of the prime minister. Some parliamentary regimes do have fixed-term elections, and others have maximum-term elections, preventing any government from being in power indefinitely.

A **confidence vote**, sometimes referred to as a no-confidence vote, takes place when some members of the parliament no longer support the government. The actual process and wording differ from country to country. A majority is needed to pass a vote of no confidence. If the government loses the vote, one of two things happens: either a new government is formed, or elections take place. If a new government is formed, it will reflect the partisan distribution of the old government, but even if a new government is formed, it is unlikely that the current prime minister will continue to serve. A no-confidence vote could also take place within the majority party or the coalition that holds power. This vote is directed at the prime minister and not the government. While no-confidence votes are rare, in June 2021, Stefan Löfven (Sweden) lost a no-confidence vote and was forced to resign.[36] Nevertheless, instead of new elections being called, coalition talks ensued. Löfven was able to form a coalition and regain power in the vote to form the new government.[37] But coalitions are not so easily built. In 2010, when Nouri al Maliki (Iraq) worked to form a coalition government, it took him almost six months to build a working coalition.



FIGURE 10.6 Then–British Prime Minister Theresa May with the then-president of the European Parliament Antonio Tajani less than a month after May survived a vote of no confidence in the British Parliament amid struggles over Brexit negotiations. (credit: "May at the EP" by European Parliament/Flickr, CC-BY-4.0: © European Union 2019 – Source: EP)

One of the advantages of a parliamentary regime is greater party discipline. Prime ministers can count on the loyalty of party members. Members who choose to go against the party do so at their own political risk. This has a direct impact on public policy and informs how the relationship between the executive and the legislature differs between the two systems. A president is outside the legislature; the prime minister is in the legislature. This means there is consistency between the chief executive's policy agenda and the legislature's.

Within a presidential regime, presidents set the policy agenda (i.e., presidents determine what issues have priority) and craft legislation. Proposed legislation then goes to a legislature that is outside of their control. It's been said that, in the policy-making process, presidents are strong early in the legislative process but weak late in the process. In other words, it is only after the proposed legislation leaves the president's office that it gets negotiated and modified. For prime ministers, however, the opposite is true. Prime ministers and their

cabinets craft legislation as a group from the beginning, with the specifics being negotiated and modified. In this process, the prime minister persuades other ministers to follow his or her lead. Once a course of action is decided or legislation is agreed upon, its passage is certain. The remainder of the party in power will support the prime minister. The unified nature of the government assures this.

10.4 Advantages, Disadvantages, and Challenges of Presidential and Parliamentary Regimes

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Compare and contrast the advantages and disadvantages of parliamentary and presidential regimes.
- Distinguish between government stability and policy stability.
- Explain what a coalition government is and how these governments potentially work within each regime.
- Define political gridlock and political polarization and explain how they may impact public policy.
- Summarize how minor parties are more viable in a parliamentary regime than they are in a presidential regime.

Each system has its advantages and disadvantages. This section will primarily focus on the systems' effects on policy: stability, coalition governments, divided government, and representation of minor parties.

Presidentialism		Parliamentarianism	
Advantages	**Disadvantages**	**Advantages**	**Disadvantages**
Presidents can claim a mandate and take the lead in setting the legislative agenda.	If there is divided government, it can lead to gridlock.	A unified government enables the quick enactment of policies.	Drastic policy change is possible from one government to the next.
During a time of crisis, a president may be able to act quickly.	A president may blame the legislature for policy failures.	A clear line of policy-making responsibility helps define accountability.	Coalition governments may be short-lived, with frequent elections.
Separation of powers may better protect rights of minority groups when an independent judiciary has the power of judicial review.	One individual must play the roles of both head of state and head of government.	Minority parties are frequently represented in parliamentary legislatures.	Minority groups have relatively fewer protections.
	Party discipline tends to be weak. Strong presidents or populist leaders can emerge, presenting challenges to democracy.	Political parties and party discipline tend to be strong.	

TABLE 10.3 Comparison of Advantages and Disadvantages of Presidential and Parliamentary Regimes

Governmental Stability versus Policy Stability

Any discussion of the advantages and disadvantages of presidentialism and parliamentarianism begins with the hypothesis, first posited by Yale University professor Juan Linz, that parliamentary regimes are more stable than presidential regimes and that "the only presidential democracy with a long history of constitutional continuity is the United States."[38] To Americans, the claim that parliamentary regimes are more stable may appear strange. As already noted, while parliamentary regimes have regular elections, they are not necessarily fixed-term elections. This means an election can happen at any time, opening up the possibility for multiple elections within a relatively short period of time. From 2018 to 2021, there were four separate elections in Israel.[39] In April 2020, Benjamin Netanyahu again was given the opportunity to form a new coalition government.[40] Ultimately, however, he was unable to do so and was ousted as prime minister.[41]

To Americans, this may seem like the very definition of instability. Within this context, stability refers to the stability of the political system itself and not the stability of any particular government within that system. Parliamentary regimes may experience multiple elections in a short space of time, but that does not mean the system itself is unstable. It could simply reflect current electoral politics. In that respect, the current demographics of a particular country could work against a majority emerging and encourage coalition governments. Deep divisions within the Israeli electorate have made the formation and maintenance of a coalition government difficult. Nevertheless, the political system remains stable and in place, even if the ramifications of Israel's crisis in determining its leadership do raise some concerns for aspects of the system. Any instability provides the opportunity for political change.

Instability can also take the form of policy change. Policy swings are more likely in parliamentary regimes. Because there are no set elections, elections could take place at any time. While public opinion does tend to move rather slowly, it changes over time and when triggered by events that cause the public to rethink key issues. Within a parliamentary regime, changing demographics or changing attitudes among the public could bring in a new government that has a very different majority than the old government. That new government could bring sweeping policy changes. Whether an individual sees the changes as a sign of political instability or a sign that the government reflects the will of the people may depend upon whether that individual agrees with the new policies. What one person might view as instability, someone else might see as needed policy change.

Coalition Governments

Generally, coalition governments are shorter-lived than majority governments.[42] The sheer duration of a government provides no indication as to its efficiency or its effectiveness in enacting public policy. The stability of a system can also be interpreted as policy change because the electorate may interpret the system as responsive and adaptable. Georgetown University visiting researcher Josep Colomer found that governments with more parties experienced greater stability with respect to policy change.[43]

VIDEO

Israeli Opposition Parties Strike Deal to Form New Government

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/10-4-advantages-disadvantages-and-challenges-of-presidential-and-parliamentary-regimes)

In this clip, DW News reports on the deal opposition parties struck to form a coalition government, resulting in the ouster of Israeli prime minister Benjamin Netanyahu.

Forming a new government within the existing parliamentary structure does not require a fundamental change to that structure or its institutions. Consider what happens when a new US president is elected. That president forms a new administration. Similarly, after congressional elections, there may be new leadership in either or both of the houses if there have been significant partisan shifts, with one party losing majority status and the other party gaining it. The 2020 presidential election illustrates the point well. Joe Biden won the

presidency and chose a cabinet. Similarly, Democrats gained a slim majority in the Senate and put in place a new majority leader, Senator Charles (Chuck) Schumer. The government was new, but the structure of the branches of government and its institutions did not change.

Coalition governments can be considered a disadvantage of parliamentary regimes, but they can also be a potential advantage. One argument in favor of a parliamentary regime with proportional representation is that more parties are represented. While presidential regimes do not inherently result in a two-party system, there is no doubt that the presidential regime in the United States works that way. Indeed, in the United States, no third-party candidate has ever won the presidency. Theodore Roosevelt came closest in 1912. While he managed to finish second and collect 88 Electoral College votes, he effectively split the Republican vote and helped to ensure the election of Woodrow Wilson, who received less than 45 percent of the popular vote. In a parliamentary regime, it is conceivable that Theodore Roosevelt would have been able to build a coalition with the Republican Party and form a government. So, not only is one more likely to have viable third parties in a parliamentary regime, but those third parties could hold significant power within a government.

Gridlock

One of the primary disadvantages of presidentialism is the possibility of gridlock. Political **gridlock** is when governments are unable to pass major legislation and stalemates between competing parties take place. Certainly, gridlock can occur within parliamentary regimes, but because presidential regimes have separate institutions, they often result in divided government and are biased against coalition building. Generally speaking, neither of those conditions is typical of a parliamentary regime. These conditions in presidential regimes appear to make them more conducive to gridlock.

Over the years, there has been considerable debate over whether divided government causes gridlock. Yale Emeritus professor David Mayhew argues that gridlock is not inevitable in divided government and that important legislative productivity takes place within both divided and unified governments.[44] That is not to suggest, however, that gridlock does not take place. Brookings Institution fellow Sarah Binder notes that the 2011–2012 Congress ranked "as the most gridlocked during the postwar era."[45] When gridlock does happen, it tends to be highly visible, with each side publicly posturing and blaming the other side for the impasse, and gridlock eventually ends. That gridlock ends suggests a self-correcting aspect; the two political parties do not diverge from each other all that much or for all that long.[46] At the same time, presidential regimes carry a risk of polarization. While political polarization is not unique to presidential regimes, they are prone to its development.

The last 30 years in particular have seen an increase in political polarization.[47] The extent to which it exists both within political parties and within the electorate has been the subject of heated debate.[48] Political polarization is a disadvantage of presidential regimes that presents a cause for concern for the enactment of public policy. But does polarization cause a systemic breakdown in the legislative process? The short answer is that perhaps it can. Dodd and Schraufnagel have demonstrated a curvilinear relationship between polarization and legislative productivity.[49] Higher levels of polarization tend to be more likely to interfere with the policy-making process. But interestingly enough, low levels of polarization also result in low levels of productivity. It is when polarization is somewhere in the middle that legislative progress is most likely to occur. Indeed, Dodd and Schraufnagel note that attention should be given to the "virtues of divided government." So, while presidential regimes work against coalition building, Manning J. Dauer Eminent Scholar in Political Science at the University of Florida Lawrence C. Dodd and Northern Illinois University professor Scot Schraufnagel conclude that divided government may provide both parties "some incentive to embrace sincere negotiation, timely compromise, and reasonable, responsive policy productivity by government, since each is responsible for one branch of government and could be held accountable by the public for obstructionist behavior by its branch."

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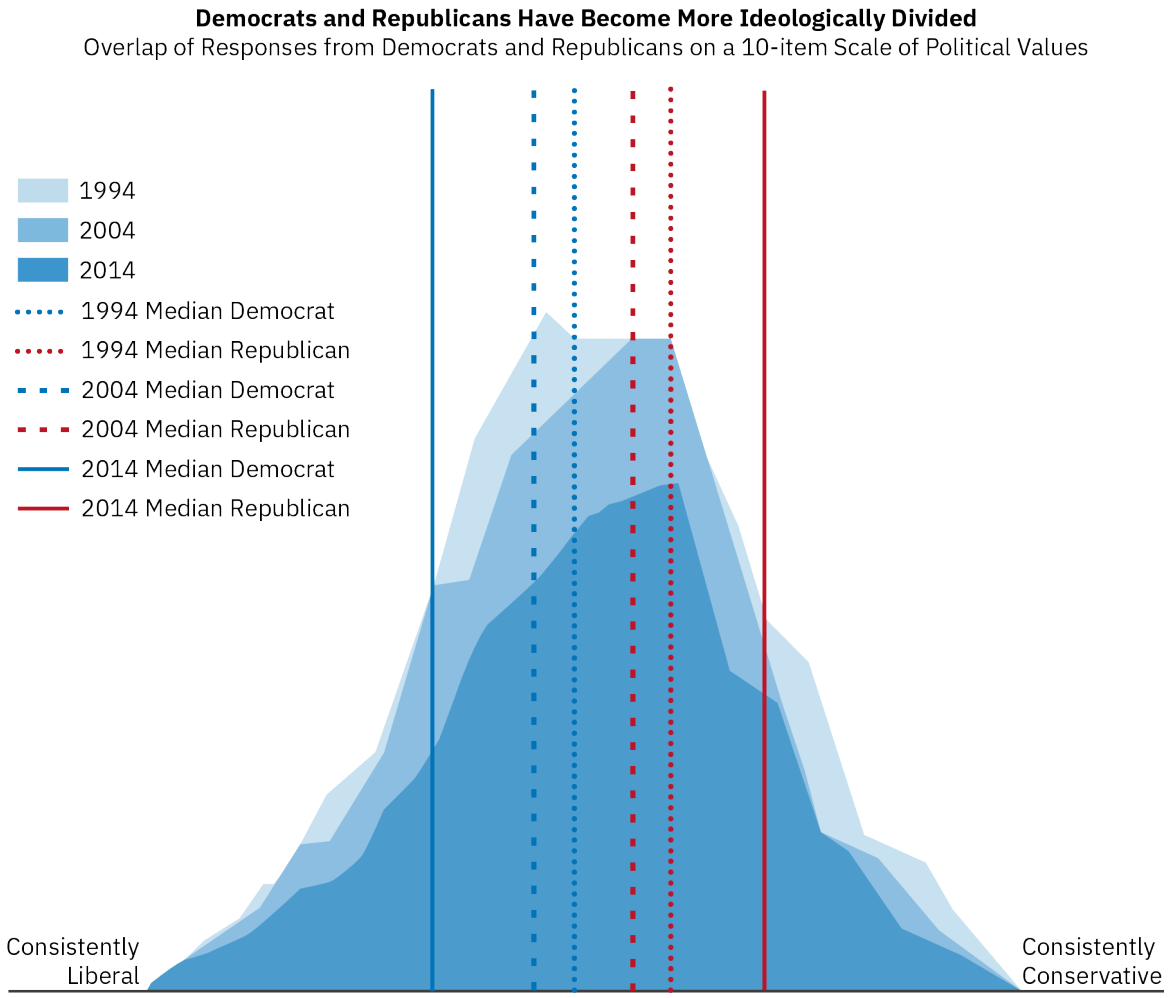


FIGURE 10.7 Between 1994 and 2014, ideological division in the United States grew. (data source: 2014 Political Polarization in the American Public, Pew Research; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Viable Third Parties

In any democracy, third parties or minority parties play important roles. Presidential regimes tend to encourage the formation of a two-party system, resulting in a weaker role for third parties than in most parliamentary regimes that have proportional representation. The reasons presidential regimes are more prone to result in a two-party system are twofold. The first is due to voting procedures. While there is considerable variation in how elections are held across countries, a common approach is **plurality voting** (also known as "first-past-the-post"). With plurality voting and **single-member districts** (one person being elected per geographic area), a two-party system is likely to emerge (this is known as Duverger's law and was covered in Chapter 9: Legislatures). The presidency is "the most visible single-member district."[50] While Duverger's law is not determinative because it does not guarantee a two-party system, it encourages its development. In addition to voting procedures, presidents have to appeal to voters across groups and form a coalition. Political parties are simply coalitions of varied groups. In order to appeal to as many voters as possible, political parties are more likely to broaden their scope of appeal rather than to define themselves more narrowly.

Third parties are much more viable in a parliamentary regime—that is, they have actual representation and

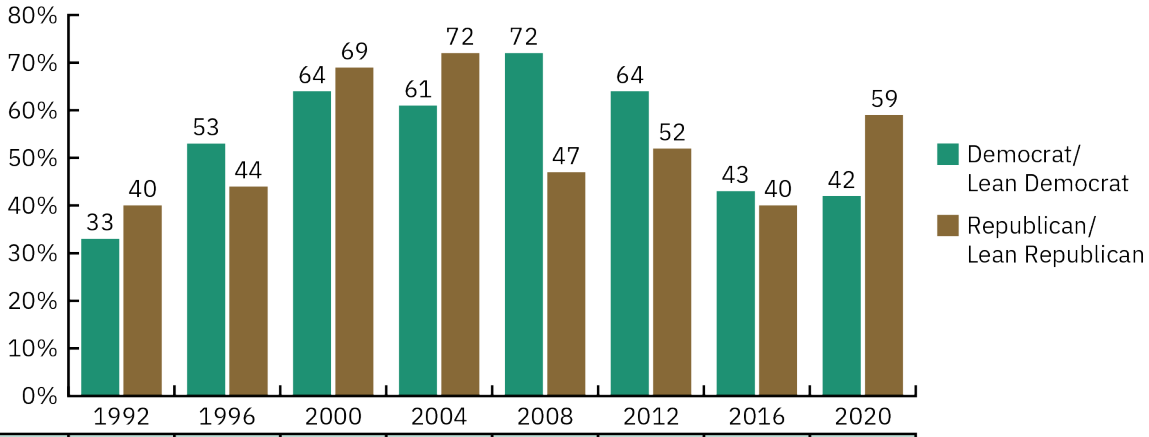
voice within the national government. The 2018 elections in Italy resulted in over a dozen parties being represented in its parliament. Generally, this is a positive because voters are much more likely to vote for their first choice. Within a two-party system, however, voters may vote for their second choice because they do not wish to waste their vote. In a parliamentary regime with proportional representation, the threshold for representation within the parliament can be quite low at less than 5 percent. Once elected, the minority party could potentially find itself holding some power. In a parliamentary regime, a minority party may find itself with a disproportionate amount of power as it aligns itself with one of the larger parties. While it is possible to exaggerate the power the minority party holds in the partnership, it cannot be dismissed out of hand.

In a presidential regime, however, large numbers of voters face the unenviable task of voting for a candidate who is less than their first choice, and voters often frame that choice as voting for the "lesser of two evils." In the 2016 US presidential election, 46 percent of Republicans indicated that neither of the major-party candidates would make a good president. For Democrat respondents, that percentage, while lower, was also substantial at 33 percent.[51] In recent presidential elections, the percent of voters indicating satisfaction with the candidates has never been higher than 72 percent and has been as low as 33 percent. See Figure 10.8.

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Voter Satisfaction with Presidential Candidates

Survey Respondents Who Said They Were Very or Somewhat Satisfied with Presidential Candidates



	1992	1996	2000	2004	2008	2012	2016	2020
Dem Cand	Clinton	Clinton	Gore	Kerry	Obama	Obama	Clinton	Biden
Rep Cand	Bush	Dole	Bush	Bush	McCain	Romney	Trump	Trump
Other Cand		Perot						

Note: Based on registered voters. Volunteered and don't know responses not shown. Data for prior years from June surveys.

FIGURE 10.8 These data from 1992 to 2020 suggest that the party with a larger percentage of registered voters who say they are satisfied with their party's presidential candidate often—but not always—wins the election. (data source: Pew Research; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

10.5 Semi-Presidential Regimes

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Summarize the structure of semi-presidential regimes.
- Explain how semi-presidential regimes differ from presidential and parliamentary regimes.
- Outline the apparent connection between the various democratic regimes and freedom.

A third type of system is semi-presidentialism. While a semi-presidential country can be democratic (for example, Austria, Iceland, and Poland), many semi-presidential countries are not democratic (for example,

Rwanda and Syria). This section briefly defines semi-presidentialism and some of its basic characteristics and then examines the connection between governmental systems and political freedom.

Defining Semi-Presidential Regimes

Semi-presidential regimes can be viewed as a hybrid, sitting between parliamentary and presidential regimes. Even though they are ill defined, it is possible to can make some general observations. Basically, in semi-presidential regimes power is divided between the prime minister and the president, with both executives having political power. Typically, each executive's respective powers are clearly defined, but that is not always the case. As in presidential regimes, in semi-presidential regimes the people directly elect the president. Unlike in parliamentary regimes, however, the president usually appoints the prime minister. Once appointed, the prime minister must gain a majority in the parliament. If there is already a majority present, the president must simply select the leader of the majority party, regardless of whether the individual is of the same party as the president. That means the president could be of one party and the prime minister of a different party. This has happened in France. They referred to it as "cohabitation."

Semi-Presidential Regimes and the Connection to Freedom

Semi-presidential regimes appear to be less free than parliamentary or presidential regimes. Correspondingly, they appear to give greater opportunity for authoritarian rule to emerge. Russia and Vladimir Putin is the best contemporary example of authoritarian rule in a semi-presidential regime. Nevertheless, there is considerable variation among semi-presidential countries. Freedom House gives France, which also has a semi-presidential regime, a high global freedom score of 90. It is interesting to see the association between regime type and countries' Freedom House scores.[52] The global freedom score goes from 0 to 100, with higher scores indicating greater freedom. See Figure 10.9.

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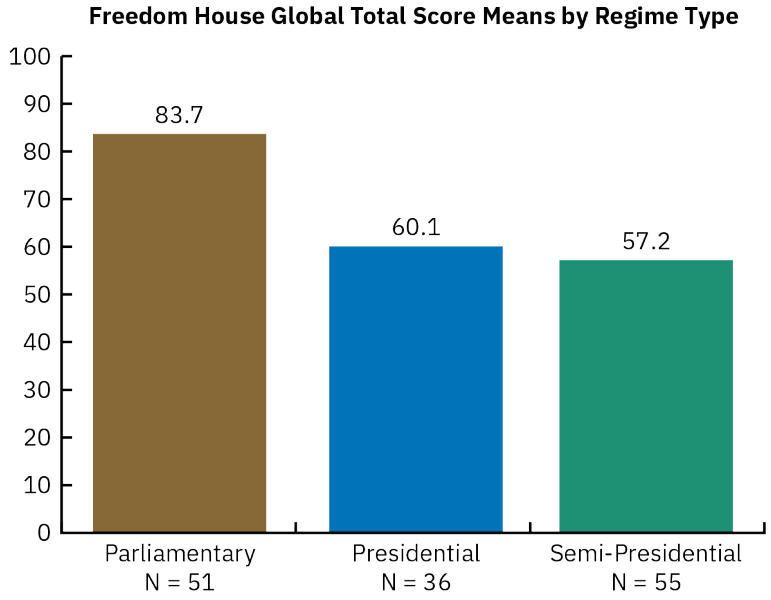


FIGURE 10.9 Freedom House mean global freedom scores by regime type (higher scores = higher levels of freedom) suggest that parliamentary systems tend to be remarkably freer than either presidential or semi-presidential systems. N indicates the number of countries of each regime type. (data source: "Countries and Territories." Freedom House. https://freedomhouse.org/countries/freedom-world/scores; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Freedom House also categorizes countries as not free, partly free, or free. Eighty percent of parliamentary countries are categorized as free, while only 39 percent of presidential regimes and 38 percent of semi-presidential regimes are categorized as free. See Figure 10.10.

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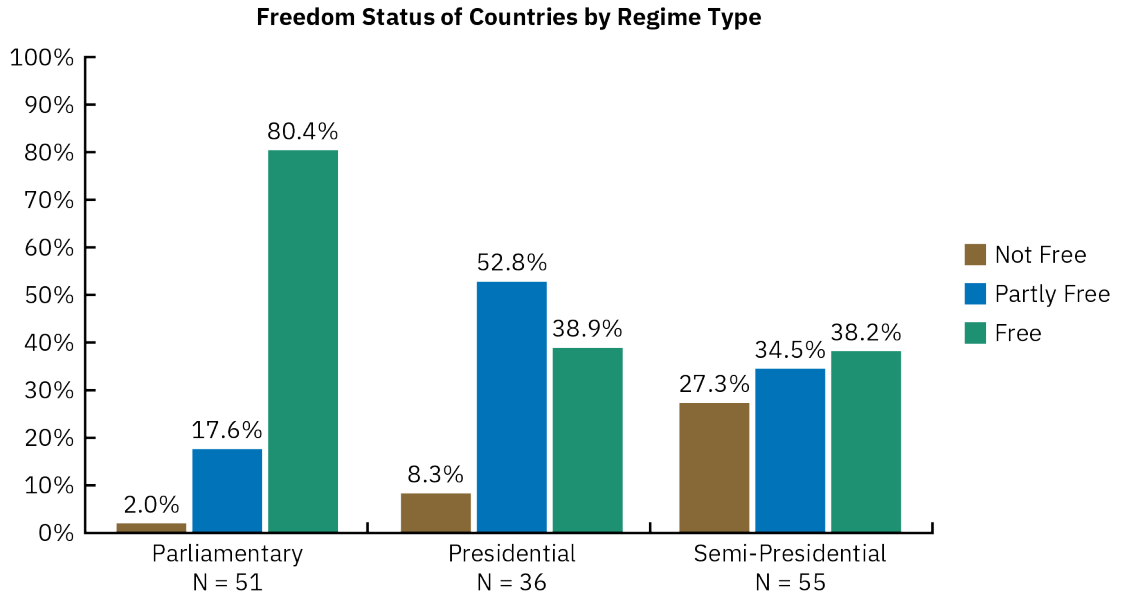


FIGURE 10.10 Based on how Freedom House defines "free," "partly free," and "not free," the vast majority of parliamentary systems are free, while less than half of presidential and semi-presidential systems are free. In fact, more than half of presidential systems are only partly free, and more than a quarter of all semi-presidential systems are not free. N indicates the number of countries of each regime type. Regime type is coded by the author. (data source: "Countries and Territories." Freedom House. https://freedomhouse.org/countries/freedom-world/scores; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Another way of thinking about the data is to examine only those countries rated as "not free." Nineteen countries are defined as not free. Of those 19 countries categorized "not free," only one is parliamentary (Thailand), three are presidential (Burundi, Nicaragua, and Venezuela), and the remaining 15 are semi-presidential.

Finally, an intriguing picture emerges as one moves from parliamentary regimes to semi-presidential ones. As shown in the scatter plot below, scores for parliamentary countries are much more concentrated (i.e., less dispersed) as well as located toward the top of freedom scale, while semi-presidential regimes are dispersed all along the scale. Indeed, the lowest score for a parliamentary regime is 30 (Thailand). For semi-presidential regimes, 10 countries fall below the score of 30, with one of those countries earning a score of 1 (Syria). The three presidential countries that fall below 30 are noted above (Burundi, Nicaragua, and Venezuela). See Figure 10.11.

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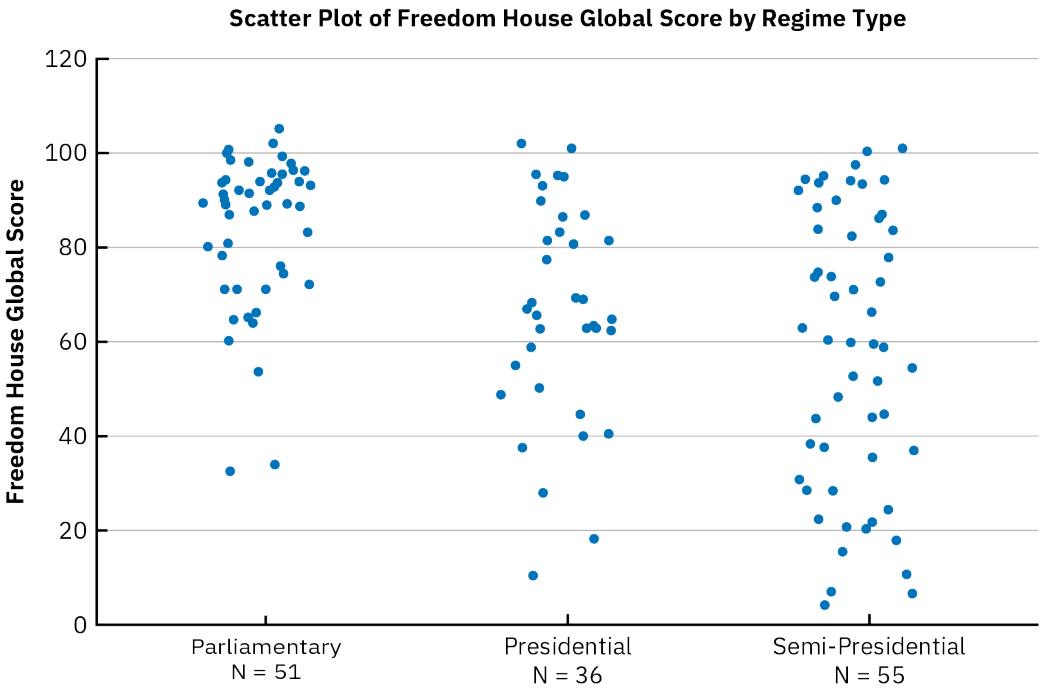


FIGURE 10.11 Based on Freedom House criteria, countries with parliamentary systems tend to have similar—and high—freedom scores, while the scores for countries with presidential and semi-presidential systems are more broadly distributed. N indicates the number of countries of each regime type; each dot represents one country. (data source: "Countries and Territories." Freedom House. https://freedomhouse.org/countries/freedom-world/scores; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

10.6 How Do Cabinets Function in Presidential and Parliamentary Regimes?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe the scope and selection of cabinet members.
- Explain how cabinets function within their political environment.
- Discuss the relationships between cabinets, the public, and legislatures in presidential and parliamentary regimes.
- Analyze the personalization of chief executives and how that impacts cabinet governance.

Presidents and prime ministers are surrounded by individuals who provide them with information and advice that informs their decisions. The most visible of those groups are their **cabinets**. A cabinet's functions in a presidential regime can be significantly different from those of a cabinet in a parliamentary regime. In presidential regimes especially, both the quality of a cabinet and its impact on presidential decision-making varies significantly from one president to the next. Within parliamentary regimes, however, there is more consistency across governments in terms of cabinet members' expertise and the expectation that cabinet members will have substantive input into executive decision-making.

The Scope of Executive Cabinets

In the United States, the president's cabinet is comprised of the vice president and the heads of the 15 executive departments. The leaders of each department, with the exception of the Department of Justice, are called secretaries. The scope of their power, however, is much more related to their role within the bureaucracy

than it is to their role as advisors to the president. Indeed, President Barack Obama didn't hold his first full cabinet meeting until three months into his presidency, and President Trump was six months into his presidency when he met his cabinet for the first time. Cabinet meetings take place more for optics than as meetings to formulate policy. That is not to suggest cabinet members do not influence the president. On an individual level, they may have tremendous access and influence. But the access and influence they enjoy is due to the personal relationship they have with the president and not necessarily due to the inherent power in the cabinet position they hold. As mentioned earlier in the chapter, individual actors matter.

In parliamentary regimes, members of the cabinet are also ministers or members of the parliament. Typically, though not always, they belong to the same party as the prime minister. In these systems, cabinet members play a significant role in the government and in the formation of public policy. Prime ministers must consult their cabinet members regarding any proposed course of action. Within this framework, the prime minister is "first among equals."

The Selection of Cabinet Members

Regardless of the system, political events always play a role in the selection of cabinet members. Presidents and prime ministers must be aware of the politics of the day. Prime ministers choose their cabinet ministers from the government. Cabinet ministers are expected to have the necessary expertise in the area they head. In presidential regimes, appointments are political and highly visible. In these systems, it is common for appointees to come from both inside and outside the political arena. Figure 10.12 provides a comparison across the three most recent US presidents.[53] While a majority of appointed individuals possess a government background, other areas are represented. Indeed, Trump's cabinet is notable for its relatively low inclusion of individuals from the government and high inclusion of those from business. Any appointees who are members of Congress at the time of their appointment must resign their elected position to take the cabinet post. In the United States, members of Congress are constitutionally prohibited from holding other offices (Article I, section 6).



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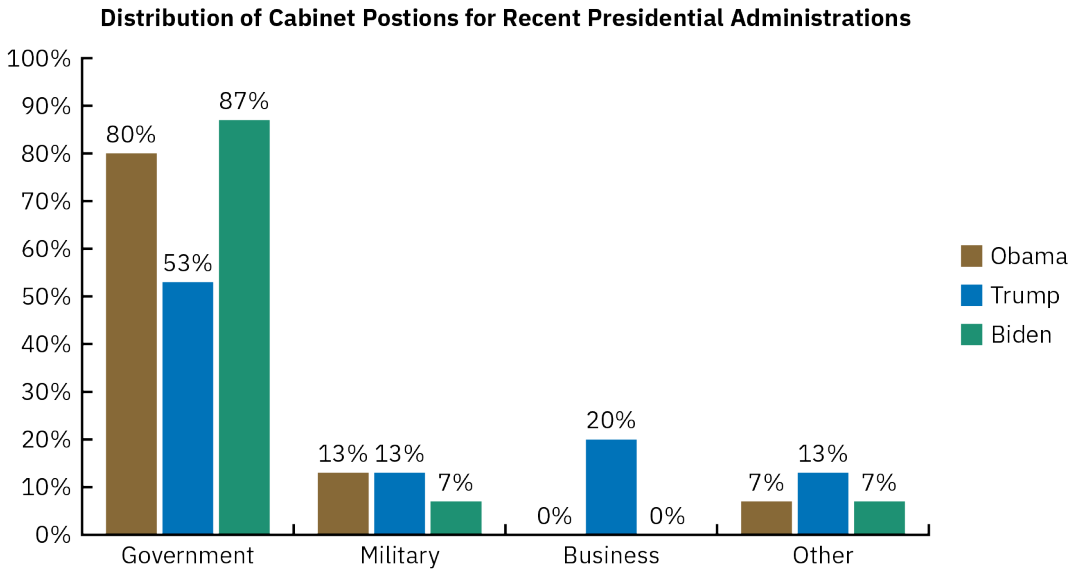


FIGURE 10.12 Both Barack Obama and Joe Biden pulled the majority of the members of their cabinets from those with experience in government. Donald Trump, a populist, looked outside government for almost half of his cabinet. (data source: Danielle Kurtzleben, "How the Donald Trump Cabinet Stacks Up, in 3 Charts," *NPR*, December 28, 2016, https://www.npr.org/2016/12/28/506299885/how-the-donald-trump-cabinet-stacks-up-in-3-charts; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Presidents appear to consider a number of factors when selecting cabinet members, not the least of which can, at times, be political loyalty and ideological similarity. For example, President Donald Trump chose former Texas governor Rick Perry to be his Secretary of the Department of Energy even though, during a 2011 Republican primary debate, Perry indicated he would abolish the department. Other presidents, like George H. W. Bush and George W. Bush, placed greater emphasis on finding cabinet members with relevant experience than on ideological similarity. Presidents Clinton and Obama also emphasized expertise. Their cabinets tilted toward academia, with 24 percent of President Clinton's cabinet and 23 percent of President Obama's cabinet holding a PhD.[54] Trump's apparent criteria for selecting cabinet members represented a departure from established norms,[55] demonstrating how much presidential character and preferences, rather than the institution itself, determine selections. This seems to be considerably less so in parliamentary regimes.

The Independence of Cabinet Members

In considering the independence of cabinet members, the differences between presidential and parliamentary regimes could not be starker. Cabinets play an important role in both systems, but the formation of the cabinets and their relationships to the executive differ in significant ways. In a presidential regime, and especially in the United States, while cabinets have substantive areas of oversight, they are not included in presidential decision-making. Cabinet meetings are rare and mostly ceremonial. As one scholar put it, in presidential regimes, "it is cumbersome and unproductive to meet with the cabinet as a whole, let alone to rely on its collective judgment."[56] Even though cabinet secretaries may play a limited role in presidential decision-making, they are important to the policy-making and policy implementation process. Consider Donald Trump's Secretary of Education, Betsy DeVos. During her tenure, she had a significant impact on education policy. Most notably, under her guidance, the Department rewrote Title IX regulations, providing more protections for the accused.



FIGURE 10.13 In Japan's parliamentary system, the prime minister is the head of the Cabinet, and the Cabinet is subject to the prime minister's authority. Prime Minister Yoshihide Suga is pictured here, first row center, surrounded by his cabinet in 2020. (credit: "Commemorative Photo 2" by Prime Minister's Office of Japan https://www.kantei.go.jp/jp/99_suga/actions/202009/16suganaikaku.html, Government of Japan Standard Terms of Use (Version 2.0))

Within parliamentary regimes, cabinet members do not enjoy the same level of independence, and there is a greater understanding that cabinet ministers' positions are tied to the fortunes of both the prime minister and the party, which means that cabinet ministers have a vested interest in supporting the prime minister. Additionally, prime ministers can demote or even fire their cabinet ministers. This dynamic helps to reinforce a desire for unity and cooperation. That is not to say cabinet ministers do not have their own scope of authority

or are not free to offer contrary opinions. Similar to department secretaries in a presidential regime, cabinet ministers have defined areas of oversight. For example, the position of Foreign Secretary in Great Britain is analogous to the Secretary of State in the United States. These positions deal with foreign or international matters and relationships among countries.

How Cabinets Function in Their Political Environments

Cabinet function in presidential regimes is idiosyncratic. Because cabinet members are appointed and Senate approval assumed,[57] cabinets reflect each president rather than the system itself. In other words, the president is largely able to select individual cabinet members and define their roles. Any generalities about cabinet function in the United States are easily undercut by specific examples of how a president did not conform to that generality. In essence, each cabinet is unique. Moreover, various presidents as well as prime ministers have had two cabinets, an official one and an unofficial one (the so-called "**kitchen cabinet**"). The origin of the term can be traced to President Andrew Jackson, who relied upon a small circle of trusted associates that included some official cabinet members as well as friends. Prime ministers have also utilized kitchen cabinets. For example, Australian Prime Minister Kevin Rudd's (2007–2010, 2013) kitchen cabinet was also known as the "Gang of Four." Critics typically view these groups as attempts to bypass traditional institutions and processes.

In a parliamentary regime, cabinets are integral to the legislative process, and cabinet ministers have close relationships with their prime ministers. Members of the cabinet are also members of the parliament. While parliamentary cabinets may seem far less idiosyncratic than those in presidential regimes, it would be a mistake to assume that parliamentary cabinets are uniform across prime ministers. Prime ministers' relationships with their cabinets can vary considerably. For example, Margaret Thatcher was known to have a relatively combative relationship with her cabinet and relied upon a few ministers in making policy decisions. Indeed, in 1981 she fired three cabinet ministers and demoted a fourth over a disagreement on monetary policy.[58] By contrast, her successor, John Major, was known for taking a more traditional approach to cabinet government.

The Relationship among Cabinets, Legislatures, and the Public

In a presidential regime, there is little to no connection between cabinets and legislatures. In parliamentary regimes, the link is presumed to be strong. In attempting to emulate a parliamentary regime, Woodrow Wilson unsuccessfully advocated for a constitutional amendment that would have required presidents to include the leaders of the majority party as cabinet secretaries.[59] This was in his writings prior to becoming president and was intended to enhance the power of Congress, especially the House of Representatives.

Typically, in either a presidential or a parliamentary regime, cabinet members work largely in the background, but political events may heighten their visibility. This is especially true in a presidential regime, where heads of departments have power apart from the executive. Without a doubt, the most far-reaching plan by a department head was the Marshall Plan. Proposed by Secretary of State George Marshall in 1947, the plan provided aid to rebuild Western Europe after World War II.

Cabinets and the Personalization of Chief Executives

Some have argued that parliamentary regimes are, for practical purposes, beginning to resemble presidential regimes.[60] There is no doubt that prime ministers today appear to be more presidential and cabinets have become less important. From Margaret Thatcher to Angela Merkel, who has been described as the world's most powerful woman, prime ministers have asserted themselves, with their parties' political fortunes riding on their personalities.

While observing that traditional cabinets in the United Kingdom have enjoyed a considerable amount of authority within their departments, Australian National University professor Keith Dowding acknowledges that prime ministers have grown in power in relationship to their ministers, arguing there has been "a growing

centralisation of policy-making" that benefits the prime minister.[61] Dowding's argument is interesting because he writes against the idea that prime ministers have become presidential. Dowding argues that, most likely, two things are happening. The first is the growing personalization of the chief executive, which reinforces Neustadt's conception of presidential power and suggests the model can be applied to prime ministers. The second is the identification of cabinet officials with the departments they run, thereby viewing them as connected to bureaucracies rather than as political leaders.

10.7 What Are the Purpose and Function of Bureaucracies?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain the purpose and characteristics of bureaucracies.
- Differentiate between patronage (politically based appointments) and civil service (merit-based appointments) within bureaucracies.
- Explain how bureaucracies function within their political framework.
- Describe the rulemaking process and its importance to policy formation.
- Analyze how individual actors play a role or have an impact in bureaucratic rule.



FIGURE 10.14 The Nuclear Regulatory Commission (NRC) meets to discuss decommissioning a nuclear power plant in 2014. (credit: "NRC Discusses Nuclear Power Plant Decommissioning - July 15, 2014" by Nuclear Regulatory Commission/Flickr, CC BY 2.0)

Bureaucracies present a challenge to the claim that individual actors matter. The term **bureaucracy** literally means "rule by desks." It is an institution that is hierarchical in nature and exists to formulate, enact, and enforce public policy in an efficient and equitable manner. Of all governmental structures, bureaucracies likely have the most negative image. Their functions and operation have been described using terms like "red tape," "mindless rules," "impersonal," and "slow-moving." Indeed, in the movie *Zootopia*, DMV workers are portrayed as sloths. Yet, bureaucracies perform important tasks, allowing governments to function effectively and efficiently.

The Importance of Bureaucracies

Before the 1900s, especially in Europe and the Americas, government employees were small in number, and their impact was minimal. In China, however, bureaucracy has a long history, stretching back to the Qin dynasty (221–207 BCE). Many of the characteristics of modern day bureaucracy were present then.[62] Today, in all parts of the world, government employees are significant in number, and bureaucracy affects people's daily lives. For example, bureaucrats in Brazil number over nine million. There are even individuals known as

despachantes, or "expediters," who help individuals navigate the maze of Brazilian bureaucracy. Indeed, in Brazil the government is the largest employer.

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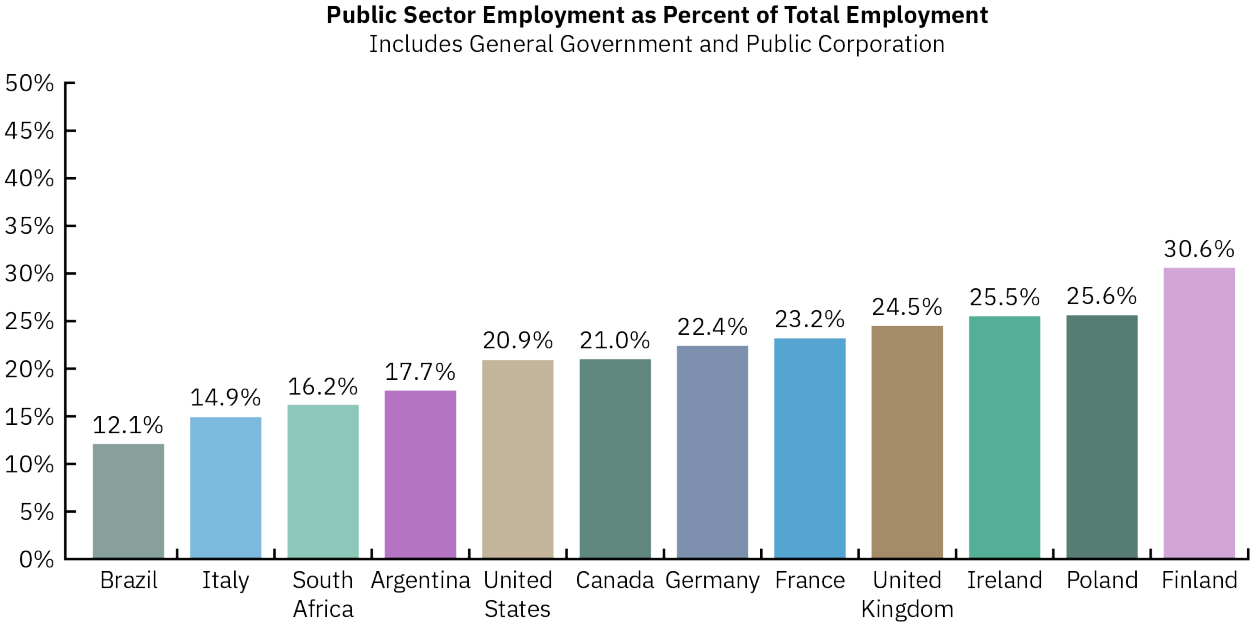


FIGURE 10.15 The public sector is often the largest employer in a country, and it may employ upwards of 25% of all workers. (data source: Worldwide Bureaucracy Indicators, The World Bank; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

In the United States, the largest private employer is Walmart, with about 2.2 million employees. By contrast, when employment across all levels of government is considered (local, state, and federal), the number of government employees in the US, excluding military personnel, is more than 10 times the number of Walmart employees. As Figure 10.15 shows, the United States is not unique in having a sizable bureaucracy.

The Characteristics of Bureaucracies

German sociologist and political economist Max Weber identifies six characteristics of a bureaucracy:[63]

- Hierarchy or hierarchical authority
- Job specialization or division of labor
- Formalized rules
- Maintenance of files or records
- Impersonality
- Professionalization

In addition to the above characteristics, a key bureaucratic concept that emerged with civil service is "neutral competence." Embracing these characteristics, bureaucracies function to both form and implement policy. Additionally, the characteristics make sure that bureaucracies function efficiently and provide the services that people need.

Hierarchy, or **hierarchical authority**, refers to a chain of command whereby officials and units at the top of a bureaucracy have authority over those in the middle, who in turn control those at the bottom. The primary benefit of a hierarchy is that it speeds action by reducing conflict over the power to make decisions.

Division of labor, or **job specialization**, refers to how responsibilities for all positions are explicitly defined.

Within an organization, each position is clearly delineated and distinguished from other positions. Division of labor fosters efficiency because each individual is required to concentrate on a particular job.

Often called standard operating procedures (SOP), **formalized rules** are established regulations within a bureaucracy. These rules explicitly state how an organization conducts its operations. The advantage of formalized rules is that they enable workers to make quick and consistent decisions because those decisions are made on the basis of preestablished guidelines rather than individual deliberation or personal inclination.

In a systematized manner, bureaucratic agencies are required to accurately and precisely maintain files or records. Records are archived and made retrievable. These records provide a body of knowledge that can be utilized in informing future policy decisions as well as in providing service to clients of agencies. In dealing with clients, bureaucrats follow the norm of **impersonality** by treating all individuals fairly, equally, and impartially. This reinforces the system's legitimacy because there is no favoritism based on perceived economic, political, or social status. Throughout the bureaucracy, an overarching norm is professionalization. Bureaucratic agencies are professional inasmuch as they make hiring and firing decisions based on merit. Related to impersonality and professionalization is the concept of **neutral competence**. In making decisions and administering policies, bureaucrats are policy experts following set procedures and do not consider personal, political, or professional loyalties in performing their responsibilities.[64]

Political and Merit-Based Approaches to Filling the Bureaucracy

Not only has the size of the bureaucracy changed considerably over the years, but how one enters government employment has also changed. Within the United States, the process of filling bureaucratic positions has moved away from being extremely political to becoming more of a **merit system**. In the 1800s, the process was known as the "**spoils system**." Attributed to New York Senator William Marcy, the phrase "to the victor belong the spoils" describes the patronage of the spoils system.



FIGURE 10.16 This Thomas Nast political cartoon from 1877 criticizes the spoils system associated with President Andrew Jackson. (credit: "In memoriam—our civil service as it was / Th. Nast." by Nast, Thomas/Library of Congress, Public Domain)

Under the **patronage** system, government jobs were awarded based on political loyalty. One of the reasons individuals would work for a candidate's election was the hope of obtaining a government position because presidents had the ability to hire and fire individuals at will. President Andrew Jackson believed that this approach would result in a government that was both less corrupt and more democratic. It also suggests that government jobs did not require specialized knowledge and that virtually anyone could do the job. Of course, there were a few problems with this approach, not the least of which was that Jackson was incorrect about both the need for expertise and the hope for a more honest government.

In 1881, a disgruntled individual who did not receive the government position he believed he was promised assassinated President James Garfield. In the wake of the president's assassination, Congress passed the Pendleton Act of 1883, creating the civil service system through which a large percentage of government jobs are filled today. That system bases hiring and promotion decisions on merit rather than on political affiliation. Hiring decisions are now determined by formal competitive examinations. They are based not on "who you know," but instead on "what you know."

The United States is not unique in adopting formal, competitive examination to fill its bureaucracy. Throughout Western Europe and parts of Asia, formal examination is used to fill civil service positions. Indeed, data demonstrate that some countries exceed the United States in terms of the professionalism of their bureaucracies. France, Germany, the United Kingdom, and the Nordic countries all score slightly higher on a bureaucratic professionalism scale.[65] In Germany in particular, bureaucrats are highly respected for their expertise and professionalism.

How Bureaucracies Function within the Political Framework

Essentially, there are three policy stages: policy formation, policy implementation, and policy enforcement. It would be natural to view the policy formation stage as belonging only to legislative bodies, with bureaucracies charged with the tasks of implementing and enforcing policies, and to be sure, bureaucracies do carry out those responsibilities. But it would be a mistake to assume bureaucracies do not form policy.

The relationship between executives and bureaucracies is a complicated one. In a hierarchical and command sense, bureaucracies typically fall under the authority of the executive branch. On the one hand, one could think of the president as the CEO of a large corporation with many departments that, on paper, report to them. On the other hand, Congress creates bureaucracies themselves through legislative action. As such, bureaucracies have more than one parent, with the legislative branch being the creator and the executive branch being the administrator. Nevertheless, bureaucracies tend to take on a life of their own and are likely to decide for themselves how best to proceed. In this sense, they have been viewed as the "prodigal child" because they are perceived to have rejected both parents and have decided what is best for themselves.[66] As Truman noted: "I thought I was president, but when it comes to these bureaucrats, I can't do a damn thing."[67]

While bureaucracies function within set procedures and guidelines, they also have relationships with other political actors. In particular, they interact with interest groups and legislatures to form and implement policy. A traditional approach to describing the relationship is the **iron triangle**.

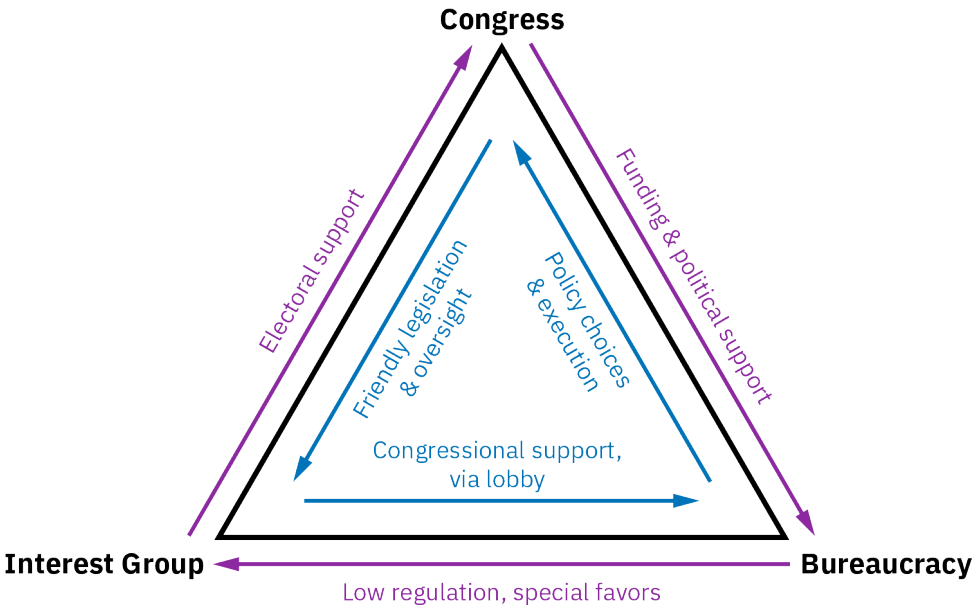


FIGURE 10.17 The iron triangle represents the interdependent and cooperative relationships among members of Congress, interest groups, and bureaucrats. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Iron triangles have the following characteristics: (1) the actors have specialized knowledge, (2) the actors work in cooperation with one another rather than in opposition, and (3) they are very stable over time. As noted in the graphic, each actor receives benefits from the other actors, which contributes to a desire to maintain the status quo. Iron triangles have been justly criticized for being fairly closed to outsiders and new information, for working in relative obscurity, and for being undemocratic. Additionally, iron triangles form around a shared interest and protecting that interest, rather than around addressing an issue. In other words, membership is defined by possessing that interest. The classic example revolves around agriculture. Members of the agriculture triangle include the USDA (bureaucracy), the House Committee on Agriculture (Congress), and the American Farm Bureau (interest group). When determining policy, discussion centers on the best course of action to protect their shared interest. Of course, that is not the only way to view these relationships.

An alternative concept is **issue networks**. While not denying the reality of iron triangles, the idea of issue networks recognizes that all public policy will not neatly fit into that schema. In fact, issue networks are more common today because of the multitude and complexity of public policy issues that confront a modern society. And each year seems to bring new public policy issues that could not have been anticipated. This means the concept of the iron triangle is inadequate to explain the public policy process today. Similar to iron triangles, actors in issue networks have specialized knowledge. But unlike iron triangles, issue networks are open to input from a variety of sources (such as members of the media) and are likely to include individuals with opposite viewpoints. Moreover, issue networks tend to be temporary and to form around the issue rather than around a shared interest.

Bureaucracies and the Rulemaking Process

When legislatures pass legislation, they often do so in broad strokes, with the process of filling in the details delegated to administrative agencies. At times, legislation may be vague. Through their rulemaking authority, agencies issue regulations following set procedures that include opportunity for public input. In the United States, the process is fairly straightforward and systematized. Once the president signs legislation into law, that law is assigned to an administrative agency. Agencies then propose rules providing specificity to the legislation. The proposed rules appear in the *Federal Register*, which is the "official journal of the United States Government" and is "published every Federal working day."[68] See Figure 10.18.

Issued in Seattle, Washington, on *January 10, 2011.*

Robert Henry,

Acting Manager, Operations Support Group, Western Service Center.

[FR Doc. 2011–1082 Filed 1–19–11; 8:45 am]

BILLING CODE 4910–13–P

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Part 4

[Docket No. TTB–2011–0002; Notice No. 116]

RIN 1513–AA42

Proposed Addition of New Grape Variety Names for American Wines

AGENCY: Alcohol and Tobacco Tax and Trade Bureau, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Alcohol and Tobacco Tax and Trade Bureau proposes to amend its regulations by adding a number of new names to the list of grape variety names approved for use in designating American wines. In addition, TTB proposes to include separate entries for synonyms of existing entries so that readers can more readily find them and to correct one existing entry.

DATES: TTB must receive written comments on or before March 21, 2011.

ADDRESSES: You may send comments on this notice to one of the following addresses:

- *http://www.regulations.gov* (via the online comment form for this notice as posted within Docket No. TTB–2011–0002 at "Regulations.gov," the Federal e-rulemaking portal);
- Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, P.O. Box 14412, Washington, DC 20044–4412; or
- *Hand delivery/courier in lieu of mail:* Alcohol and Tobacco Tax and Trade Bureau, 1310 G Street, NW., Suite 200E, Washington, DC 20005.

See the Public Participation section of this notice for specific instructions and requirements for submitting comments, and for information on how to request a public hearing.

You may view copies of this notice, selected supporting materials, and any comments TTB receives about this proposal within Docket No. TTB–2011–0002 at *http://www.regulations.gov.* A direct link to this docket is posted on the TTB Web site at *http://www.ttb.gov/wine/wine-rulemaking.shtml* under Notice No. 116. You also may view copies of this notice, all supporting materials, and any comments TTB receives about this proposal by appointment at the TTB Information Resource Center, 1310 G Street, NW., Washington, DC 20220. Please call 202–453–2270 to make an appointment.

FOR FURTHER INFORMATION CONTACT: Jennifer Berry, Alcohol and Tobacco Tax and Trade Bureau, Regulations and Rulings Division, P.O. Box 18152, Roanoke, VA 24014; telephone 540–344–9333.

SUPPLEMENTARY INFORMATION:

Background

TTB Authority

Section 105(e) of the Federal Alcohol Administration Act (FAA Act), 27 U.S.C. 205(e), authorizes the Secretary of the Treasury to prescribe regulations for the labeling of wine, distilled spirits, and malt beverages. The FAA Act requires that these regulations, among other things, prohibit consumer deception and the use of misleading statements on labels, and ensure that labels provide the consumer with adequate information as to the identity and quality of the product. The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers the regulations promulgated under the FAA Act.

Use of Grape Variety Names on Wine Labels

Part 4 of the TTB regulations (27 CFR part 4) sets forth the standards promulgated under the FAA Act for the labeling and advertising of wine. Section 4.23 of the TTB regulations (27 CFR 4.23) sets forth rules for varietal (grape type) labeling. Paragraph (a) of that section sets forth the general rule that the names of one or more grape varieties may be used as the type designation of a grape wine only if the wine is labeled with an appellation of origin as defined in § 4.25. Under paragraphs (b) and (c), a wine bottler may use the name of a single grape variety on a label as the type designation of a wine if not less than 75 percent of the wine (or 51 percent in certain limited circumstances) is derived from grapes of that variety grown in the labeled appellation of origin area. Under paragraph (d), a bottler may use two or more grape variety names as the type designation of a wine if all the grapes used to make the wine are of the labeled varieties and if the percentage of the wine derived from each grape variety is shown on the label (and with additional rules in the case of multicounty and multistate appellations of origin). Paragraph (e) of § 4.23 provides that only a grape variety name approved by the TTB Administrator may be used as a type designation for an American wine and states that a list of approved grape variety names appears in subpart J of part 4.

Within subpart J of part 4, the list of prime grape variety names and their synonyms approved for use as type designations for American wines appears in § 4.91 (27 CFR 4.91). Alternative grape variety names temporarily authorized for use are listed in § 4.92 (27 CFR 4.92). Finally, § 4.93 (27 CFR 4.93) sets forth rules for the approval of grape variety names.

Approval of New Grape Variety Names

Section 4.93 provides that any interested person may petition the Administrator for the approval of a grape variety name and that the petition should provide evidence of the following:

- That the new grape variety is accepted;
- That the name for identifying the grape variety is valid;
- That the variety is used or will be used in winemaking; and
- That the variety is grown and used in the United States.

Section 4.93 further provides that documentation submitted with the petition may include:

- A reference to the publication of the name of the variety in a scientific or professional journal of horticulture or a published report by a professional, scientific, or winegrowers' organization;
- A reference to a plant patent, if patented; and
- Information pertaining to the commercial potential of the variety, such as the acreage planted and its location or market studies.

Section 4.93 also places certain eligibility restrictions on the approval of grape variety names. TTB will not approve a name:

- If it has previously been used for a different grape variety;
- If it contains a term or name found to be misleading under § 4.39 (27 CFR 4.39); or
- If it contains the term "Riesling."

Typically, if TTB determines that the evidence submitted with a petition supports approval of the new grape variety name, TTB will send a letter of approval to the petitioner advising the petitioner that TTB will propose to add the grape variety name to the list of approved grape variety names in § 4.91 at a later date. After one or more approvals have been issued, a notice of proposed rulemaking will be prepared for publication in the **Federal Register** proposing to add the name(s) to the § 4.91 list, with opportunity for public

FIGURE 10.18 This page from the *Federal Register* illustrates the process of announcing proposed rules. (credit: "The Federal Register" by The U.S. National Archives and Records Administration, Public Domain)

To illustrate how bureaucracies fill in the details, consider the Federal Alcohol Administration Act (FAA Act). In part, the FAA Act protects consumers against deception and ensures "that labels provide the consumer with adequate information as to the identity and quality of the product."[69] In 2011, the Alcohol and Tobacco Tax and Trade Bureau proposed new regulations to add "a number of new names to the list of grape variety names

approved for use in designating American wines."[70] The announcement included instructions for where to submit comments (online, by mail, or in person) as well as the time frame for comment submission. After the comment period, final rules were promulgated. In requesting a new name be adopted, petitioners were required to demonstrate that (1) the new grape variety is accepted, (2) the name of the variety is valid, (3) the variety is used in wine making, and (4) the variety is grown and used in the United States.[71] Demonstrating that not all changes are substantive, the new rule corrected a misspelling in the previous regulations: Agawam had been misspelled as Agwam. Once proposed rules are published, the public has between 30 and 60 days to comment. Agencies are required to consider them and to respond to significant comments.[72] A significant comment is one made by more than one individual or group. Even so, agencies are not obligated to implement any suggestions made during the comment period.

This provides a wonderful opportunity for participatory democracy in which citizens can potentially have a direct impact on public policy. It must be emphasized that this is not a perfunctory process. While policies are generally not changed wholesale, policies do get tweaked or modified. The key questions are who participates and who influences. Generally, business groups comment at much higher rates than individuals and are the most influential groups.[73] The process demonstrates that individual actors play a role, even if that role needs be funneled through group activity.

The Relationship between the Bureaucracy and the Public

Besides involvement in the comment period, the public interacts with the bureaucracy in a number of different ways. One commonly overlooked example of this interaction is the "street level" bureaucrat. Enforcement is an important part of the policy process. While regulations may be specific in their nature, they still need to be applied and enforced in the field. Think of the speed limit on a road people regularly drive. If it's an interstate highway, away from cities, the speed limit might be 70. But on any given day, the actual speed limit varies depending on the state police patrolling that day. Some days, a police officer might decide that anything under 80 mph is not worthy of receiving a ticket. The next day, that may not be true. It is the police officer, as a street-level bureaucrat, who determines the policy each day.

VIDEO

Arkansas Department of Transportation Inspector Who Failed to Report I-40 Bridge Damage Fired

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/10-7-what-are-the-purpose-and-function-of-bureaucracies)

As the situation described in this news report suggests, the rules and procedures governing the bureaucracy are often in place for good reason.

A routine bridge inspection of the Hernando de Soto Bridge in Memphis, Tennessee, in 2021 dramatically illustrated the potential power of individual bureaucrats. In the course of that inspection, an engineer discovered a nearly severed beam that could have resulted in catastrophic failure. Immediately, the engineer called 911 and had the bridge shut down until further inspection and necessary repairs could be made.[74] The individual who had previously inspected the bridge was soon fired "because he wasn't following proper protocol."[75] Again, within a system as standardized and structured as a bureaucracy, the individual actor matters a great deal. In this case, it is not an exaggeration to suggest that the engineer who discovered the crack saved lives. This example also illustrates that rules and protocols are essential even if they are often frustrating (as, for instance, when you wait for your financial aid to be finalized or as you stand in line to get your driver's license renewed).

Summary

10.1 Democracies: Parliamentary, Presidential, and Semi-Presidential Regimes

Democratic systems are classified into three categories: presidential regimes, parliamentary regimes, and semi-presidential regimes. Within each regime, there is a head of government as well as a head of state. In presidential regimes, the head of government is directly elected by the citizens and also serves as the head of state. In parliamentary and semi-presidential regimes, the head of government and head of state are separate individuals, and the legislature selects the head of government. Generally, the head of state is a ceremonial role, while the head of government holds political power and takes the lead in setting the policy agenda.

10.2 The Executive in Presidential Regimes

The single greatest distinctiveness of presidential regimes is that the chief executive is popularly elected. This individual serves as both head of government and head of state and serves fixed terms. More so than parliamentarianism, presidentialism provides the opportunity for populism to emerge. Populism is a political approach that uses emotional appeals to the masses and promises the masses a political voice in a government that is perceived to be ruled by elites. As is the case with all chief executives, presidents possess both formal and informal powers. Formal powers are those granted to the president by statute or constitution. Informal powers arise from custom or tradition. The power to persuade is most likely the greatest power a president has and is connected to the president's approval ratings. Through the use of the bully pulpit, presidents have the opportunity to shape public opinion and convince the public that the president's policies are the best approach to address issues facing the nation.

10.3 The Executive in Parliamentary Regimes

In parliamentary regimes, the head of government is typically termed the prime minister and is a member of parliament. The parliament selects the prime minister after party elections have taken place. If one party earns a majority of the seats in parliament, the majority party selects the prime minister. If no party earns a majority of the vote, then two or more parties will form a coalition and the coalition will select the prime minister. Prime ministers hold considerable political power such as the power to select members of the cabinet. Nevertheless, prime ministers can be removed by a confidence vote. Sometimes called a "no confidence vote," this is a procedural move in a parliamentary regime in which ministers vote to continue to support the prime minister. If the prime minister loses the confidence vote, new elections take place.

10.4 Advantages, Disadvantages, and Challenges of Presidential and Parliamentary Regimes

The main advantage of presidentialism is that presidents can claim a mandate and act quickly during a time of crisis. The judiciary is separate from the executive in presidential regimes, an arrangement that may help protect the rights of minority groups. The main disadvantages of presidentialism are that it may lead to gridlock, there is a relative lack of accountability, and the chief executive performs the roles of head of government and head of state. Within presidentialism, political parties are weaker. The advantages of parliamentarianism are unified government, clear lines of accountability, the representation of minority parties in the parliament, and stronger political parties. Parliamentarianism's disadvantages include drastic policy change from one government to the next, coalition governments resulting in more frequent elections, and relatively fewer protections of minority rights.

10.5 Semi-Presidential Regimes

Often viewed as a hybrid of presidentialism and parliamentarianism, semi-presidential regimes are difficult to define. In their most basic expression, the legislature selects the head of government (the prime minister) and citizens directly elect the head of state (the president). Both the prime minister and the president hold political power. In semi-presidential regimes, there is a wide discrepancy in the amount of freedom citizens have within their countries. This suggests that authoritarianism is more likely to be associated with semi-presidential regimes, but while the connection between the two is interesting and noteworthy, causality (i.e., a

semi-presidential regime causes authoritarianism) cannot be determined or inferred.

10.6 How Do Cabinets Function in Presidential and Parliamentary Regimes?

Within both presidentialism and parliamentarianism, cabinets serve as formal advisors to their chief executives and oversee specific departments. As the head of the department, an individual typically holds the title of secretary. Within parliamentarianism, cabinet secretaries are also members of parliament. In presidentialism, cabinet secretaries typically are not members of the legislature. It is common for secretaries to have a background in government as well as an expertise in the area their department oversees. Nevertheless, in presidentialism this is not always the case, and political loyalty and shared ideology are often considered when presidents make appointments to the cabinet. In parliamentary regimes, cabinets are more commonly integrated into the executive decision-making process, while in presidentialism, cabinet secretaries tend to be more independent and are not always included in presidential decision making. Within both parliamentarianism and presidentialism, it is not unusual for chief executives to form informal groups they turn to for advice. Historically, these informal groups of advisors have been called "kitchen cabinets."

10.7 What Are the Purpose and Function of Bureaucracies?

Since the 1800s, bureaucracies have grown in both scope and number and now affect the daily lives of all citizens. In many countries, government bureaucracy is the country's number one employer. Bureaucracies share a number of characteristics such as hierarchical authority, job specialization, formalized rules, impersonality, professionalization, and the maintenance of files or records. Today, the recruitment and retention of employees are usually based on merit, as most countries have adopted a civil service system emphasizing competence and rejecting selection or promotion based on partisanship. In the 1800s, however, it was not unusual for countries to follow a "spoils" system in which positions were awarded based on partisan loyalty. Even though the public tends to have a negative view of bureaucrats, these bureaucrats perform essential functions, ensuring governments run smoothly and that citizens are kept safe.

Key Terms

bully pulpit the national podium presidents have to speak on issues they believe are important and from which they can attempt to gain support for their position

bureaucracy an institution that is hierarchal in nature and exists to formulate, enact, and enforce public policy in an efficient and equitable manner

cabinets formal groups of advisors to the chief executive

coalition government within a parliamentary regime, a government in which two or more parties have aligned together to rule

confidence vote a procedural move in a parliamentary regime in which ministers vote on whether to continue to support the prime minister; sometimes called a "no confidence vote"

formal powers powers specifically granted an executive by statute or by the country's constitution

formalized rules established regulations within a bureaucracy, often called standard operating procedures (SOP)

gridlock a stalemate between competing parties that prevents governments from passing major legislation

head of government performed by a country's leader, a political role in which the individual leads the country's government

head of state performed by country's leader, a ceremonial role in which the individual symbolically represents the country

hierarchical authority the chain of command that exists within a bureaucracy; officials at the top have authority over those in the middle, who have authority over those at the bottom

impersonality within bureaucracies, treating individuals fairly, equally, and impartially

informal powers powers that emerge through tradition or custom or are inherent in the office

iron triangle the relationship among bureaucratic agencies, interest groups, and Congress that works to

fashion public policy; focuses on the shared interest the members have and protecting that interest

issue networks relationships among varied actors—policy experts, bureaucrats, and media—that form to address an issue and affect public policy; unlike iron triangles that form around a shared interest, issue networks form around an issue and attempt to address the issue through public policy

job specialization the explicit definition of job responsibilities within bureaucratic organizations; also referred to as division of labor

kitchen cabinet an informal group of advisors to a chief executive

majority government within a parliamentary regime, when one party holds a clear majority and forms the government

merit system the hiring and promotion of individuals based upon formal, competitive examination

neutral competence the idea that bureaucrats are policy experts who follow set procedures and do not consider personal, political, or professional loyalties in performing their responsibilities

parliamentary regimes democratic government systems in which the chief executive is selected by the legislative body and is a member of that legislature

patronage the hiring and promotion of individuals based upon political loyalty

plurality voting a voting system in which the winning candidate is the one who receives the most votes even if the candidate does not receive more than 50 percent of the vote; also known as "first-past-the-post"

populism political approach that uses emotional appeals to promise the masses a political voice in a system that has been perceived to be run by elites

presidential regimes democratic governments in which the chief executive is selected separately from the legislative body and there exists a separation of powers between the presidency and the legislature

prime minister the chief executive and head of government in a parliamentary regime

semi-presidential regimes democratic government systems in which executive power is split between a prime minister (selected by the legislature) and a president (directly elected by the citizenry)

single-member districts electoral districts in which only a single individual is elected to represent an area

spoils system primarily used in the 1800s, this system filled government positions based on party loyalty; see patronage

Review Questions

1. In this type of regime, the head of government is selected by the legislature. The selection of the head of state, however, varies, and the head of state's duties are largely ceremonial.
   a. Parliamentary
   b. Presidential
   c. Semi-presidential
   d. Authoritarian

2. In this type of regime, the head of government is selected by the legislature and the head of state is popularly elected for a fixed term.
   a. Parliamentary
   b. Presidential
   c. Semi-presidential
   d. Authoritarian

3. In this type of regime, the head of government is popularly elected and serves a fixed term. The head of government also serves as the head of state.
   a. Parliamentary
   b. Presidential
   c. Semi-presidential
   d. Authoritarian

4. As of 2018, which type of democratic regime is most numerous in the world?
   a. Parliamentary
   b. Presidential
   c. Semi-presidential
   d. Authoritarian

5. Which of the following best describes an event or function that the head of state might perform?
   a. Signing into law legislation that was passed by the legislature
   b. Selecting members of the chief executive's cabinet and conducting meetings with that cabinet
   c. Responding to a crisis like COVID-19 and proposing policies to address the crisis
   d. Hosting a state dinner where leaders of other countries are in attendance

6. True or False: Similar to the United States, presidents in all countries are term limited, can serve only two terms, and then are ineligible to be president again for life.
   a. True
   b. False

7. Which of the following is typically seen as an element of populism?
   a. It uses rational arguments that appeal to elites.
   b. It supports established institutions and embraces mainstream politics.
   c. It uses emotional appeals directed at the masses.
   d. It was most relevant in the late 1800s and is rarely seen in the 21st century.

8. According to political science scholars, which of the following provide(s) an opportunity for populism to arise within a country?
   a. Inefficient government
   b. Strong political parties
   c. Systemic inequities
   d. All of the above
   e. A and B but not C
   f. A and C but not B

9. True or False: Populism is uniquely associated with politicians on the political right.
   a. True
   b. False

10. True or False: Well-structured democracies with established political institutions have always been able to withstand any political threats populists have posed to the democratic system.
   a. True
   b. False

11. This term or phrase refers to an informal power presidents have and suggests presidents are in a unique position to shape public opinion.
   a. Podium of ponderance and strategy
   b. Spin doctor
   c. Puppet master
   d. Bully pulpit

12. According to political scientist Richard Neustadt, which of the following is possibly the president's greatest power?

a. The ability to declare war
b. The power to persuade
c. The power to appoint members to the cabinet
d. The ability to sign legislation into law

13. In a parliamentary regime, the prime minister is chosen by the legislature. Before being selected, what institution are prime ministers a member of?
a. If the country has a monarchy, they are part of the royal family.
b. When the citizens voted, they directly elected their prime minister.
c. Before becoming prime minister, they served in the judiciary to learn the laws of the country.
d. The prime minister is a member of parliament.

14. Consider the following parties and the percent each party won in an election. In a parliamentary regime, which party would the prime minister be from?
a. Conservative Party—25 percent
b. Liberal Party—55 percent
c. New Democratic Party—15 percent
d. Green Party—5 percent
e. From the information provided, it cannot be determined which party the prime minister would come from. The prime minister could come from any of the above parties or a party not listed.

15. If no party gains a majority of the vote, then a _____ government is formed.
a. majority
b. coalition
c. confederation
d. merger

16. True or False: Similar to presidential regimes, elections in parliamentary regimes are fixed term elections and happen every four years.
a. True
b. False

17. This type of vote takes place when some members of the parliament no longer support the government.
a. Confidence vote
b. Retention vote
c. Maintenance vote
d. Recall vote

18. Which of the following is considered an advantage of presidentialism?
a. The government is unified, and policy is enacted quickly.
b. The president can claim a mandate.
c. There exists a clear line of policy making.
d. Both the head of state and the head of government are the same person, increasing efficiency.

19. Which of the following is considered an advantage in presidentialism?
a. Lack of accountability means the president can never be blamed.
b. The legislature and the presidency are assured to be held by the same party.
c. Separation of powers may provide minority groups protection of their rights.
d. Political parties and party discipline are very strong.

20. Which of the following is considered an advantage in parliamentarianism?
   a. Coalition governments are possible, which means fewer elections due to more representation of groups in parliament.
   b. During a time of crisis, prime ministers can act much more quickly than presidents can.
   c. Prime ministers always enjoy majority support of the parliament.
   d. Frequently, minority parties are represented in the parliament.

21. Which of the following is considered an advantage in parliamentarianism?
   a. Political parties and party discipline are very strong.
   b. Separation of powers is strong and includes an independent judiciary.
   c. Prime ministers can claim a mandate.
   d. Parliamentary regimes allow for far-reaching policy change from one government to the next.

22. True or False: A country with a parliamentary system having frequent elections does *not* mean their political system is unstable.
   a. True
   b. False

23. Generally, coalition governments _____.
   a. are shorter-lived than majority governments
   b. are longer-lived than majority governments
   c. have about the same lifespan as majority governments
   d. are extremely rare

24. When governments are unable to pass major legislation and stalemates between competing parties occur, this is known as _____.
   a. politics as usual
   b. party polarization
   c. captive politics
   d. gridlock

25. In presidential regimes, what type of voting is typically used and has the effect of supporting the development of a two-party system?
   a. Ranked-choice voting
   b. Plurality voting
   c. Instant-runoff voting
   d. Cumulative voting

26. These types of regimes are viewed as a "hybrid" and include aspects of other regimes.
   a. Parliamentary
   b. Presidential
   c. Semi-presidential
   d. Authoritarian

27. True or False: In a semi-presidential regime, the head of government can be from one party and the president from another party.
   a. True
   b. False

28. Of the following regimes, which one has the most countries categorized as "free" by Freedom House?

a. Parliamentary
b. Presidential
c. Semi-presidential
d. Authoritarian

29. In France, what term describes the situation in which the president and prime minister are from different parties?
a. Synchronicity
b. Cohabitation
c. Coexistence
d. Co-occurrence

30. Of the following countries, which one best represents the type of authoritarian rule that can emerge in a semi-presidential country?
a. Burundi
b. Nicaragua
c. Thailand
d. Russia

31. This is the formal group of advisors to the head of government.
a. Consulate
b. Embassy
c. Commission
d. Cabinet

32. In which regime are members of the cabinet also members of the legislature?
a. Parliamentary
b. Presidential

33. In which regime would one be more likely to see the selection of a cabinet member based on political loyalty and ideological similarity to the head of government?
a. Parliamentary
b. Presidential

34. In which regime are cabinet meetings rarer and tend to be ceremonial rather than substantive in nature?
a. Parliamentary
b. Presidential

35. Chief executives often have an informal group of advisors. Collectively, this group is often referred to as _____.
a. the advisory commissioners
b. the specialty consultants
c. the kitchen cabinet
d. the portico leaders

36. This characteristic of a bureaucracy suggests that all job positions should be explicitly defined and labor be divided.
a. Hierarchical authority
b. Job specialization
c. Formalized rules

d. Impersonality
e. Maintenance of files and records

37. This characteristic of a bureaucracy suggests there exists a "chain of command" in which officials at the top of a bureaucracy have authority over those in the middle, who in turn control those at the bottom.
a. Hierarchical authority
b. Job specialization
c. Formalized rules
d. Impersonality
e. Maintenance of files and records

38. This characteristic of a bureaucracy suggests that there are standardized operating procedures and established regulations by which a bureaucracy conducts its business.
a. Hierarchical authority
b. Job specialization
c. Formalized rules
d. Impersonality
e. Maintenance of files and records

39. This characteristic of a bureaucracy suggests people are to be treated fairly and impartiality, without regard to a person's social status or political party affiliation.
a. Hierarchical authority
b. Job specialization
c. Formalized rules
d. Impersonality
e. Maintenance of files and records

40. True or False: The bureaucracy only helps to enforce policy by ensuring people comply. The bureaucracy is never involved in the policy formation process.
a. True
b. False

41. Under this bureaucratic system, government positions are filled based on political loyalty.
a. The spoils system
b. The merit system
c. The civil service system
d. The warrant system

42. Under civil service or the merit system, what is the primary concept at work?
a. The concept of established partisanship
b. The concept of individual faithfulness
c. The concept of detached devotion
d. The concept of neutral competence

43. The iron triangle is composed of what three groups?
a. Congress, the presidency, and the bureaucracy
b. Parliament, the crown, and interest groups
c. The bureaucracy, interest groups, and nonprofits
d. Congress, the bureaucracy, and interest groups

Suggested Readings

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Courts and Law

11



FIGURE 11.1 Lady Justice is traditionally shown wearing a blindfold to indicate impartiality, holding scales to weigh the evidence of guilt against the presumption of innocence, and wielding a sword as a symbol of power. (credit: "Golden Lady Justice, Bruges, Belgium" by Emmanuel Huybrechts/Flickr, CC BY 2.0)

CHAPTER OUTLINE

11.1 What Is the Judiciary?
11.2 How Does the Judiciary Take Action?
11.3 Types of Legal Systems around the World
11.4 Criminal versus Civil Laws
11.5 Due Process and Judicial Fairness
11.6 Judicial Review versus Executive Sovereignty

INTRODUCTION On May 25, 2020, Minneapolis police officers stopped George Floyd, a Black man, for allegedly using counterfeit money. During his arrest, one of the officers, Derek Chauvin, knelt on Mr. Floyd's neck for more than nine minutes while the other officers looked on, leading to Mr. Floyd's death. Several people witnessed the event, including one person who recorded it on her phone, and these witnesses immediately spoke out against the officers' actions.

The death of Mr. Floyd prompted demonstrations protesting police conduct to spread across the United States and worldwide, with protestors demanding immediate action against the officers.[1] However, it was the Minnesota judicial system that would determine the legality of the officers' conduct and whether and how they would be punished. Like all others in the United States, this judicial system must follow a constitutionally ordained process in every case, no matter how people may feel about the parties involved. Following these constitutionally required procedures, Minnesota law enforcement investigated George Floyd's arrest and

death, and prosecutors with the Minnesota state attorney general's office prosecuted Chauvin for three crimes: third-degree murder, second-degree murder, and second-degree manslaughter. News sources reported on the pretrial process, and the trial was carried live on television.[2] Throughout the trial process, viewers saw the order, procedures, and vocabulary of the United States judicial system at work.

Many people have less personal, everyday experience with the courts than they have with the legislative and executive branches of government. The court system uses a specialized vocabulary that can be intimidating until you learn it, but understanding a country's court system is central to understanding how that country's government and society work. This chapter will discuss court systems and their processes to help you understand the operations of judicial systems and their purpose in society.

11.1 What Is the Judiciary?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Distinguish between rule of law and rule by law.
- Identify the responsibilities of a judicial system.
- Compare and contrast the different methods states and countries use to select judicial officers.
- Discuss major criticisms of each method of judicial selection.

In Chapter 4: Civil Liberties, you learned that law is a body of rules of conduct, with binding legal force and effect, that is prescribed, recognized, and enforced by a controlling authority. In the world today, that authority is usually the government of a particular area. However, multiple levels of government may have authority in a given place. The power of a governmental body to exercise the highest authority in an area is called **sovereignty**. If a government has sovereignty over a particular region, that government can create and impose rules on people within the region.

Chapter 4: Civil Liberties also introduced the **rule of law**, the principle that the government is beholden to its laws, not to any individual or group. Throughout history, many individuals and small groups have become dictators with the sole power to create laws and punish people as they wished, thus employing **rule by law**. There are still some dictators in the world today, as in North Korea. Dictatorships are oppressive, and dictatorial regimes are prone to corruption. By following the rule of law, robust democracies try to avoid these injustices.

VIDEO

Court Shorts: Rule of Law

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/11-1-what-is-the-judiciary)

In this brief video, United States judges who preside over different types and levels of courts discuss the meaning of the rule of law and the role it plays in our everyday lives.

Recall the four principles of the rule of law:

1. Accountability: The government and private actors are accountable under the law. No one is above the law.
2. Just laws: The laws are clear, publicized, stable, and applied evenly, and they protect fundamental rights, including the security of persons and property and certain core human rights.
3. Open government: The processes by which the laws are enacted, administered, and enforced are accessible, fair, and efficient.
4. Accessible and impartial dispute resolution: Justice is delivered in a timely manner by competent, ethical, independent, and neutral decision-makers who have adequate resources and reflect the communities they serve.

These principles demonstrate that the government and the people are in a **social contract**, a voluntary agreement whereby the people consent to abide by specific rules while living in the territory and the government consents to limit itself to acting in accordance with certain standards. This creates a symbiotic relationship between the government and the people, rather than a system based on fear and oppression.

In each democratic country, a constitution sets up the framework for government operations that adhere to these four principles. The constitution formalizes how the country's government will wield authority and implement powers under that authority. The constitution may be written or unwritten, in one document or several, and titled *constitution* or *basic laws*. Whatever its form or title, a constitution establishes the basic government structure for the government's sovereign territory. It usually creates branches with differing powers that have the ability to check each other in the exercise of those powers. One of the branches that carries out the rule of law in a country is the judicial branch.

The **judicial system** or **judicial branch** is the court system that interprets, defends, and applies the law in the government's name. It is the mechanism for peacefully resolving disputes between individuals. Sometimes people refer to this branch of government as the judiciary, but that can be confusing because the **judiciary** also refers to the people who work in the judicial branch. Therefore, this chapter will consistently refer to the branch of government as the judicial branch and the people who work in that branch as the judiciary.

The judicial branch serves different purposes in different political systems. For example, in a political system that prioritizes civil rights and liberties, the judiciary working within the judicial branch checks government action and protects individual rights and liberties. In a system in which there is a separation of powers between the branches of government, the judiciary has **judicial independence**. In these systems, often the courts can perform a judicial review to check government actions. In **judicial review**, a judge interprets and implements the constitution to ensure that the other branches of government do not violate what it says. Judicial review will be explored later in this chapter.

In contrast, some political systems rely on adherence to strict religious or political standards, creating authoritarian law regimes. In these systems, the judicial branch and the judiciary help impose the government's approved viewpoint on the citizens through rule by law. In these systems, the judiciary has little independence. The judicial system acts as a source of government control over individual citizens.[3] Tom Ginsburg and Tamir Moustafa identify five primary functions of courts in these authoritarian rule-by-law regimes:

1. To establish social control and sideline political opponents
2. To bolster a regime's claim to legal legitimacy
3. To strengthen administrative compliance within the state's own bureaucratic machinery and solve coordination problems among competing factions within the regime
4. To facilitate trade and investment
5. To implement controversial policies so as to allow political distance from core elements of the regime[4]

VIDEO

Justice Handed Over to Dictatorship from the Film Judgment at Nuremberg

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/11-1-what-is-the-judiciary)

The 1961 film *Judgment at Nuremberg* portrays the military tribunal at which four German judges who served while the Nazis were in power face charges of crimes against humanity. In this clip, the former minister of justice explains changes in the judiciary under the dictatorship of the Third Reich.

In rule-by-law authoritarian regimes, the government suppresses opposition and imposes a specific viewpoint on any part of the government or the population to the extent that human rights violations occur.[5] Iran and North Korea are examples of rule-by-law authoritarian regimes. The dictatorial leader of North Korea is

selected to a lifetime appointment on a state-approved ballot where only one candidate is listed. This leader has control over the judiciary, and all must adhere to the leader's will or face retribution.[6]

Other countries have come to have an **authoritarian-populist judiciary**. This means that, through changes instituted by one ruling person or political party, they have transitioned from a rule-of-law system to a rule-by-law authoritarian subsystem. In Turkey, longtime president Recep Tayyip Erdoğan and his ruling party replaced the governmental system in 2017 and have enacted laws to keep themselves in power. Changes in 2007, 2010, and 2017 gave Erdoğan and his ruling party the ability to appoint and dismiss prosecutors and judges, thus calling into question the independence of the judiciary.[7] A European Commission report in 2020 found that the continued centralization of power in the president was blurring the lines of separation of powers in the branches of government such that few checks and balances remain: "Under these conditions, the serious backsliding of the respect for democratic standards, the rule of law, and fundamental freedoms continued."[8] The report identified significant issues with the Turkish judicial system and its slide into rule *by* law, not the rule *of* law:

> "Turkey's judicial system is at an early stage of preparation and serious backsliding continued during the reporting period. Concerns remained, in particular over the systemic lack of independence of the judiciary. The president announced the Judicial Reform Strategy for 2019–2023 in May 2019. However, it falls short of addressing key shortcomings regarding the independence of the judiciary. No measures were announced to remedy the concerns identified by the Council of Europe's Venice Commission and in the European Commission's annual country reports. There are concerns that dismissals in the absence of respect for due procedures caused self-censorship and intimidation within the judiciary. No measures were taken to change the structure of, and process for, the selection of members of the Council of Judges and Prosecutors to strengthen its independence. Concerns regarding the lack of objective, merit-based, uniform and pre-established criteria for recruiting and promoting judges and prosecutors persisted. No changes were made to the institution of criminal judges of peace so that concerns regarding their jurisdiction and practice remained."[9]

One can thus see the difference between the rule *of* law and rule *by* law. Each judicial system can be assessed on the basis of how well it meets the rule-of-law criteria for protecting the rights of the people from government overreach, manipulation, and the rise of dictatorships.

How the Judicial Branch Differs from the Other Branches of Government

Judicial branches differ from the executive and legislative branches because, unlike in those branches, the judicial system restricts how the courts may act and how the people may express their opinions to the courts. A good description of this restriction appears in *Federalist* no. 78, wherein Alexander Hamilton wrote about the judicial branch as it is described in the US Constitution:

> "Whoever attentively considers the different departments of power must perceive, that, in a government in which they are separated from each other, the judiciary, from the nature of its functions, will always be the least dangerous to the political rights of the Constitution; because it will be least in a capacity to annoy or injure them. The Executive not only dispenses the honors, but also holds the sword of the community. The legislature not only commands the purse, but also prescribes the rules by which the duties and rights of every citizen are to be regulated. The judiciary, on the contrary, has no influence over either the sword or the purse; no direction either of the strength or of the wealth of the society; and can take no active resolution whatsoever. It may truly be said to have neither FORCE nor WILL, but merely judgment; and must ultimately depend upon the aid of the executive arm even for the efficacy of its judgments."[10]

In rule-of-law systems, the judicial branch depends on the other branches and the population's respect for the rule of law to carry out its decisions. An example helps illustrate the differences between the branches and their powers. In the United States, a president alarmed at the number of gun shootings occurring in the

country can create a commission to review the problem and make recommendations to Congress to enact new laws. The president (the executive) can implement some of these recommendations by executive order, a particular type of binding law that only the chief executive can create. The people can express their views on the subject to the president at any time. Congress (the legislature) may also be alarmed about the number of gun killings. They can open an investigation and create a statute to limit some access to guns. Again, the people can express their views on this subject to Congress at any time. In both examples, government officials decide what they want to investigate and what actions they want to take, and the people can freely voice their opinions on the subject. Courts, however, cannot take action on their own in the ways the executive and legislative branches can, and people cannot express their opinion in court unless they meet particular criteria. A court can only take action if it has **jurisdiction** over a specific case. Jurisdiction is the written authority, stated in a constitution or a statute, that authorizes a court to hear a case. Jurisdiction includes both the geographical region and the topics of the court's authority.

WHAT CAN I DO?

Critical Thinking and the Courts

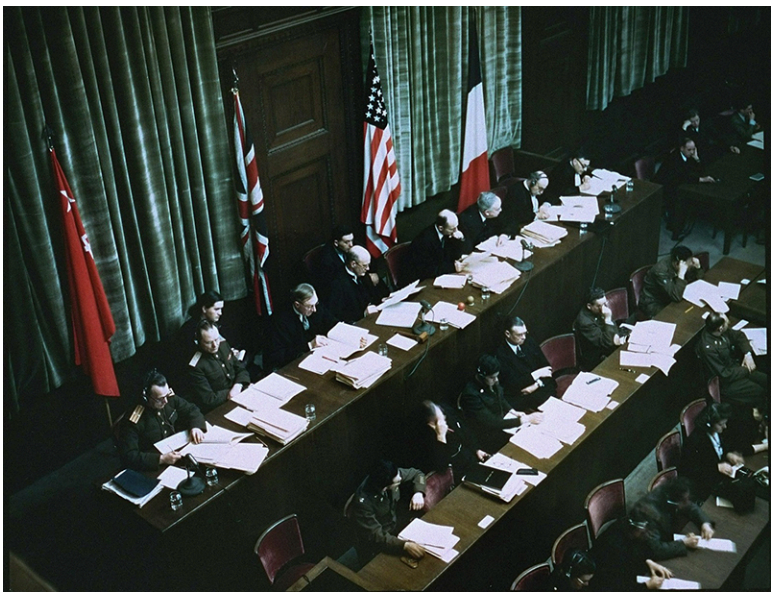


FIGURE 11.2 The judges at the International Military Tribunal at Nuremberg critically examine evidence and testimony. (credit: "View from Above of the Judges' Bench at the International Military Tribunal in Nuremberg" by United States Holocaust Memorial Museum, courtesy of National Archives and Records Administration, College Park, Public Domain)

Every functioning government must have a functioning judicial system. As you study the different forms of judicial systems, how they operate, and elements such as the standards of evidence across different judicial systems, as well as different types of law, you are sharpening your critical thinking skills. Being able to understand and explain *why* someone is found innocent of a particular crime, for example, requires the ability to analyze, evaluate, and synthesize various pieces of information coming from the defense attorney, the prosecutor, the facts of the case, and the components of the law in question. This is the core of critical thinking, and it is a fundamental skill that is utilized in virtually any career. Critical thinking skills are highly valued, and they take work and practice to develop. Studying topics such as courts and judiciary systems is a good way not only to prepare for a career within the legal world—as an attorney, for example—but also to hone general critical thinking skills that are invaluable regardless of what direction your professional path in life takes.

Selecting Judicial Officers

There are as many ways to select judicial officers as there are countries in the world. The particulars of the selection process vary widely by country. The selection process can also differ for different levels or types of courts within a country. All of the selection processes can be sorted into four broad categories:

- Appointment for life
- Appointment for a specified number of years
- Election
- Hybrid, or a combination of these methods (e.g., appointment followed by retention election)

Lifetime Appointments

The US Constitution establishes a Supreme Court of the United States (SCOTUS) and authorizes Congress to create other Article III courts.[11] The judges for these courts are nominated by the president and confirmed by the US Senate. These Article III judges serve for life, as long as they remain on "good behavior." There is no mandatory retirement age. These courts have the power of judicial review and, once appointed, are independent of the other branches of government.

Congress can change any court's jurisdiction except SCOTUS's original jurisdiction. Still, neither Congress nor the president can fire a judge nor stop the judge's salary if they disagree with a decision the judge makes. Thus, the judiciary in the United States has some measure of independence, but judges are often subject to political pressure during the appointment process.

Article III courts include the United States Supreme Court, US circuit courts of appeals, and US district courts. There is only one SCOTUS, but there are 13 circuit courts of appeals and about 100 district courts. All have multiple judges, so the power to appoint judges is a substantial one. Moreover, because these judges are appointed for life, a president can influence the interpretation of the law and the Constitution well beyond that president's term of office. As noted by legal scholar Alexander Bickel, "You shoot an arrow into a far distant future when you appoint a [US federal] justice, and not the man himself can tell you what he will think about some of the problems that he will face."[12]

THE CHANGING POLITICAL LANDSCAPE

Women on High Courts around the World

While gender representation on high court benches across the globe skews toward men, studies suggest that the rate of women on judiciaries in countries around the world rose by about 29 percent between 2011 and 2019. Research suggests that a high court judge's gender may be a better predictor of how they will decide a case than their political leanings and that the gender composition of a court can influence how individual judges view a case.[13]

VIDEO

Ethiopia's First Female Supreme Court Chief Justice: Meaza Ashenafi

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/11-1-what-is-the-judiciary)

In this clip, Meaza Ashenafi, the first ever female Chief Justice on Ethiopia's Supreme Court, talks about how she worked to define sexual harassment and violence against women in the Amharic language, the official language of Ethiopia. She goes on to discuss the importance of the impartiality of the courts and the role courts play in serving their communities.

The lifetime appointment of judges outside the United States is rare. Even in countries that say they appoint certain judges to lifetime terms, these judges are held to a mandatory retirement age.[14] For example, in the

United Kingdom, Supreme Court justices are not subject to term limits, but they must retire by age 70.[15] Additionally, in the United Kingdom, there are minimum requirements for nomination, and a nominating commission reviews applicants. Finally, this type of appointment applies only to a particular court, not to all courts in a broad category, as in the United States.

In Belgium, the monarch appoints constitutional court judges from a list of candidates submitted by Parliament.[16] As in the UK, these judges are appointed for life with mandatory retirement at age 70. The monarch selects judges for the supreme court, the Court of Cassation, from candidates submitted by the High Council of Justice, an independent 44-member body consisting of both judicial and nonjudicial members. Like constitutional court judges, Court of Cassation judges are appointed for life with a mandatory retirement age of 70.[17]

Recent discussions in the United States have debated instating a mandatory retirement age or setting a term limit for Article III judges.[18]

Appointment for a Term of Years

There is a second type of US federal judge: those appointed for a term of years. Congress, in creating these courts, specifies the qualifications of the judge and the term of service.[19] Potential judges apply for the office as one would apply for any other job. A hiring committee selects the judge. Several US states also appoint some of their judges for a term of years. The process for an appointment varies by state.[20]

Many countries appoint some of their judges for a term of years, though the processes by which they do so differ.[21] For example, in Albania, the president alone makes some nine-year appointments.[22] On the other hand, the Chinese legislature, the People's National Congress, appoints the chief justice of their national supreme court for a limit of two consecutive five-year terms.[23] To be considered for most judicial appointments in France, an attorney must pass a series of entrance examinations.[24] They must then attend special classes and pass a series of difficult examinations to be eligible for an appointment as a judge. The Ministry of Justice oversees this process without any executive input.

Appointment by Election

A few US states use a rare process, election, to select some judges. In a 1988 speech, Hans Linde, a former justice of the Oregon Supreme Court, said "To the rest of the world, American adherence to judicial elections is as incomprehensible as our rejection of the metric system."[25]

When judges are directly elected, the judiciary is an agent of the government with limited independence. The voters use their votes to pass judgment on judicial decisions in the same way that they use their votes to weigh in on the actions of the executive and legislative branches. Thus, one of the criticisms of judicial elections is that they incentivize judges to make politically popular decisions that are not necessarily correct interpretations of the law.

Different US states employ different types of judicial elections. A candidate's political party is listed on the ballot in partisan elections, while the candidate's political affiliation is not listed in nonpartisan elections. Many states have moved away from direct elections and toward retention elections. In a retention election, a judge is appointed for a term of years, and at the end of that term, an election is held to determine if the judge should be retained for another term or replaced.[26]

Texas is one of the few states that still holds partisan elections for almost all judgeships in the state.[27] As a result, candidates run for office just like all other elected officials. They align with a political party, receive the majority vote in the party's primary election, and campaign showing their affiliation to the party. Most other states have moved away from this selection style because of issues with partisanship, such as the appearance of impropriety when someone makes a large campaign contribution before appearing before the court and the instability of a process that selects candidates based on political popularity rather than legal expertise.[28] Texas has been the object of scrutiny for allegations of favoritism to campaign donors and political party influence on

judges.[29] As a result, there is pressure from a number of corners, including former and current judges, to change this system.[30] About 13 states still hold nonpartisan elections for some of their judgeships. These states assert that this enables people to have a say in the judiciary while removing political partisanship from the selection process.[31]

VIDEO

Former Chief Justice of the Texas Supreme Court Wallace Jefferson on Electing Judges in Texas

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/11-1-what-is-the-judiciary)

In this clip, former Chief Justice of the Texas Supreme Court Wallace Jefferson weighs in on how he believes the state of Texas should select judges.

Switzerland also holds judicial elections in which the Federal Assembly, their legislative branch, elects judges to six-year terms.[32] A few other countries also hold some judicial elections.

Hybrid or Mixed Selection

Many countries have a **hybrid system**, with a mix of appointments for term and appointments for life depending on the type of court.[33] A couple of countries and a few US states have both appointments and elections. One common hybrid selection system used in several countries is an appointment with review after one term. In Japan, the chief justice of the Supreme Court is designated by the Cabinet and appointed by the monarch, while associate justices are appointed by the Cabinet and confirmed by the monarch. All justices are subject to a popular referendum at the first general election after their appointment and every 10 years thereafter.[34]

Several US states use a hybrid system known as retention or the Missouri Plan. This system has gained popularity in the United States over the last 50 years.[35] In a retention system, the executive initially appoints a judge, with legislative approval, similar to the federal appointment process. The appointed person serves for a term of years. After this initial term, if a judge wants to remain in office, they must run in a retention election. There is no opposing candidate in a retention election; people vote on whether to keep or replace the judge. The judge runs on their record, and their party affiliation typically is not listed on the ballot. A retained judge remains in office for another term. In some states, there is a limit to the number of retention terms a judge may serve. If the judge is not retained, then the process starts again with new nominees and appointments. This style appeals to many Americans because it limits campaigning and political party influence over the judiciary while allowing the people some say over the judicial officers.

11.2 How Does the Judiciary Take Action?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Discuss the way the judiciary works with other branches of government.
- Analyze the power of the judiciary to act.
- Analyze the constraints on judicial action.

A court cannot implement its decisions; the other branches have to turn the court's decisions into written statutes or orders. You cannot go to court to challenge a law just because you disagree with it. You can complain to the legislature or speak out in public, but if it's a law the government enforces—a **criminal law**—you must wait until you are charged with violating that law to complain about it to a court. If a statute gives you the right to make a claim against another person, neither you nor the person you are claiming against can challenge the law until one of you has filed a lawsuit against the other in court. Once a charge or a claim is brought before the court, the people directly affected by the application of the law now have **standing**,

or a direct injury from the effect of the law, to complain about the law before the court in a court case. A **court case** is a specific dispute about the law and its effect on the parties, or the people directly affected. The court can only consider specific questions brought by the parties, and these are called **issues**. The court can only determine if the facts—that is, the **evidence**—meet the criteria specified in the written law and answer the questions the parties have raised.

Let's look at a couple of examples. Each of these concepts will be explored in more detail later in this chapter.

Suppose the government enacts a law prohibiting someone from protesting outside a city hall and makes a violation of that law punishable as a crime. A person may not like this restriction and can complain to the legislature, seeking to change the law. However, the person cannot complain in court at this time. If a person does protest outside city hall and is arrested by the police for violating the anti-protest law, and if the government charges that person by filing a criminal case, then that person can challenge their arrest and the law in court. The government will try to prove that the person should be punished because their actions violate the law as written. In certain systems, a person can also complain that the law is an infringement on their right to free speech and protest and can seek judicial review of the law to have it declared unconstitutional and ultimately struck.

Another example is a civil case, in which two private parties seek the court's assistance in deciding a dispute. For example, say you are driving down the road, and another car hits yours. Both parties in the accident feel the other driver is at fault and should be responsible for the expenses of having both vehicles repaired. You can try to resolve the problem between yourselves; however, if you want a court to assist you in deciding the issue, there must be a statute, or a written law enacted by the legislature, that allows you to file a case in court against each other. The court can only apply the law as written to the facts—the evidence of what happened—in making a decision binding on the two of you. If there is no law on the books relevant to your dispute, the court cannot help you.

Implementation and Impact of Judicial Decisions

Judicial implementation is the process by which a court's decision, or **judgment**, is put into practice and enforced. However, in almost all countries, the courts rely on the executive branch to implement their decisions. A court can issue a judgment, or legal order, but it does not have the power to compel government personnel to carry out or enforce its orders. The executive branch, which carries out daily government operations, is the branch tasked with implementing judgments. Thus, unless other parts of the government recognize the force of the court's decision, the court is powerless to put its orders into practice. The implementation of desegregation orders in the United States in the 1950s and 1960s is an excellent example of the executive enforcing the court's judgment. In these cases, the federal government, including the president, vigorously enforced the Supreme Court's orders for school desegregation, calling out National Guard troops to escort students to school.[36]

The court's most significant power to enforce its decision lies in the people's acceptance of the rule of law. Suppose the people do not respect the judicial system or its authority. In that case, the executive branch must physically enforce the judiciary's orders, which may cause a public backlash against the government. Again, the court's desegregation order in the *Brown v. Board of Education* (1954) decision serves as an example. Even years after the decision was issued, many states and school districts refused to follow the order. This resulted in further litigation and the interventions of Presidents John F. Kennedy and Lyndon B. Johnson to enforce the court's decision. Local politicians and the American public continued to put obstacles in the way of integration for many years. Public resistance can almost always defeat court-ordered action unless the executive and legislative branches back up the court's decision.



FIGURE 11.3 By order of the state governor, the Arkansas National Guard prevented nine Black students from entering Central High School in Little Rock, Arkansas, on September 4, 1957. (credit: "Arkansas National Guard at Little Rock Central High School, Little Rock Central High School National Historic Site, 1957" by US National Park Service, Public Domain)

On September 4, 1957, the governor of Arkansas ordered the Arkansas National Guard to prevent nine Black students from entering Central High School in Little Rock, Arkansas, in defiance of the Supreme Court ruling in *Brown v. Board of Education*.[37] Eventually, on September 24, President Dwight D. Eisenhower sent in nearly 1,000 US Army troops to ensure order and enforce the desegregation order from the court.[38]

At other times, presidents and state governors have refused to obey court orders. These refusals have resulted in many disputes and, at times, **nullification** of the court's decisions. Because the courts cannot implement their own decisions, when a government refuses to obey a court order or statute, that government effectively nullifies the court's decision and the law. A typical example of nullification in the United States today is the federal reaction to individual states legalizing the use of marijuana. Federal law prohibits all growing, selling, and possession of marijuana throughout the United States, and SCOTUS has affirmed this complete prohibition over a state's attempt to legalize medical marijuana.[39] However, even with the federal law and SCOTUS decision, many states are legalizing the sale and use of marijuana. The federal government and courts could enforce the federal law against these states; however, they have chosen not to do so. Instead, the federal government allows state governments to regulate marijuana growth and use within their states, focusing instead on interstate and international drug trafficking. Thus, the federal government itself is actively engaging in the nullification of the law.

Whether or not you support this action regarding marijuana, think about the possibility of nullification in other contexts, such as federal laws prohibiting racial and sex discrimination. What if a state decided to nullify these laws within its borders? Would you support nullification in this example? Nullification damages the rule of law; if states and individuals decide independently that they do not have to obey a law, without following the processes designed to ensure that no one is above the law, then the rule of law itself is weakened. Many argue that a better way to change a law one does not like is to urge the legislature to change it while still respecting the system of government and the rule of law.

The legislative branch can counter a court decision by changing a law the people do not like. The legislative branch can enact a new law that changes the one on which a court based its decision, or it can even propose amendments to the Constitution to achieve the desired result. Take the example of the federal income tax.[40] The Supreme Court initially held that Congress's statutory enactment of a federal income tax was

unconstitutional. In reaction, Congress proposed an amendment to the Constitution to permit a federal income tax, and the states approved the amendment. This action succeeded in making the federal income tax constitutional and defeating the court ruling, all within the framework of the system, all while respecting the rule of law.[41]

Major court decisions may also influence social reform. People can look to court decisions as steps toward desired social reforms and use them to gain public support or change the law incrementally. Again, the *Brown v. Board of Education* decision provides a practical example. Before *Brown*, a series of court decisions held that different types of segregation in education were unconstitutional. These decisions narrowed the court's holding that "separate but equal" accommodations were acceptable in the area of education. By the time *Brown* was decided, the law was primed to abandon segregated education entirely. However, some parts of society were not acting on the reform and challenged the laws for many years, leading to discussions about the judicial branch's role in making public policy.

Can Courts Make Public Policy?

There is no one answer to the question of whether and how courts make public policy. Courts do not openly make public policy, as they only answer questions presented to them in a specific case by interpreting written laws. They cannot look at global events and decide to take action as the legislative and executive branches can. However, by the impact of their decisions, courts can impact law and society, thus nudging social and political policies in a particular direction. Once again, consider the *Brown* decision. In *Brown*, the Supreme Court held that in K–12 education, separate is inherently unequal, and ordered the integration of K–12 public schools. That was as far as the *Brown* decision went, as that was the only question before the court. However, the decision influenced many people to begin questioning segregation in other areas of society, and public officials started to question their role in enforcing segregation laws.

This social influence of judicial decisions is often seen as a beacon of hope by those seeking more comprehensive changes in society. It can bring attention to an issue that may have been at the margins of the majority's conscience. After *Brown*, the nascent civil rights movement gained momentum. This momentum led to Congress enacting the Civil Rights Act of 1964 and the Voting Rights Act of 1965. States also enacted civil and voting rights laws, and numerous individuals openly challenged segregation laws by breaking them and fighting against their constitutionality in court. This extrajudicial influence is not a direct path. There are debates about how much impact judicial decisions have on social movements. There was already a civil rights movement long before *Brown*, but without the activists who filed the *Brown* lawsuit, there would have been no decision to invigorate it. Whatever the effect of the court's decision on the momentum of the civil rights movement, it is clear that a significant court decision that is perceived as a policy-making decision impacts society by bringing the issue to the attention of more people and causing many to think about the issue in a new way. Thus, courts can make policy for society through their decisions when interpreting laws and the Constitution.[42]

11.3 Types of Legal Systems around the World

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe the different types of legal systems and explain how they differ.
- Explain how the rule of law applies in different judicial systems.
- Analyze how different judicial systems operate.

There are five basic types of legal systems in the world. They are civil law, common law, customary law, religious law, and hybrid or mixed systems. Today, mixed or hybrid systems are common. Because each system varies by country, this chapter will focus on the characteristic traits of each kind of system.

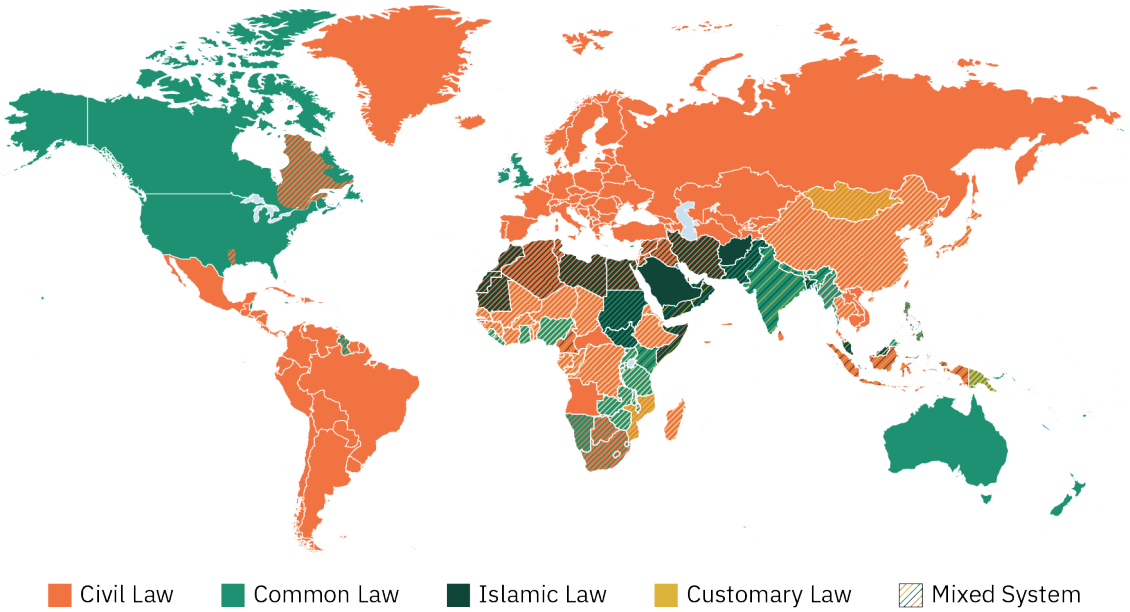


FIGURE 11.4 This map shows the different types of legal systems in place around the world.[43] (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Note that before discussing different law systems, it is important to distinguish between what the term *civil* means in the context of legal systems and what it means in terms of civil versus criminal laws.

Common Law Systems

The US legal system, and other legal systems that emanate from British rule, is a **common law system**.[44] Originally, common law meant judge-made law that filled in gaps when there was no written law. Judges looked to prior decisions to determine the unwritten judge-made law and apply it to new cases. However, today, almost all law is in writing and enacted by a legislature as statutes. Many statutes codify established common law, change it, or abolish it altogether, depending on the topic of the law. There are instances in which some unwritten common law is still enforced, but these are rare.

In a common law system such as the one in the United States, the courts' reliance on **precedent** is referred to as *stare decisis*, or a policy of using judicial decisions made in the past to interpret written laws and appropriately apply those laws to the facts in the present case.[45] The court interprets written laws, and these interpretations and applications of precedent from prior interpretations constitute what is meant by common law today. Precedent is critical for interpreting later cases, and only the same or a higher court can overturn precedent. The court process is adversarial rather than investigatory, with each side trying to win or persuade the court to agree with its perspective.[46]

VIDEO

What Is Precedent?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/11-3-types-of-legal-systems-around-the-world)

This video discusses precedent and its importance in common law systems.

Common law courts are adversarial; that is, there is a winner-takes-all attitude in the court. In an adversarial system, each side determines the issues and questions it wants the court to resolve, conducts its own investigation, and prepares and presents its own evidence. Each side calls witnesses, who are questioned directly and by cross-examination. Each side brings out information it thinks is pertinent to prove its point. In a criminal case, the police and prosecutor work together closely to establish their viewpoint using the

government's resources. Defendants must rely on their own resources to defend against the charges, either hiring an attorney or using a court-appointed one. In a civil case, the procedures are similar; however, each side must rely on its resources to prove its point. If a jury is present, it decides all factual questions while the judge determines the legal issues and moderates the proceedings. In some cases, the judge can act as a fact finder in place of a jury.

Civil Law Systems

Most of Europe and South America use a **civil law system**.[47] A civil law system relies on comprehensive legal codes that contain all laws for the country. Case law—that is, judicial decisions—is secondary to these codes. Decisions are binding only on the parties to the case, not as a precedent for later cases on the same issues. While attorneys will consult prior decisions when advising clients, judges are rarely bound to follow precedent. For this reason, codes of statutes are usually more extensive and detailed than in common law systems.

In civil law systems, court cases are investigations by the court to see how the facts fit into the already established codes applicable to the situation. The court system is set up so that the jurisdiction of each court is a specific type of code: tax courts, administrative courts, maritime courts, constitutional courts, and so on.

The system is more inquisitorial than adversarial. The process is a series of meetings, hearings, and written communications in which the judge takes testimony. The judge crafts the issues to be decided based on discussions with the parties. Typically, the judge questions the witnesses and can include or exclude any queries submitted by the attorneys when crafting questions. Finally, the judge determines the issues and gathers the evidence before announcing a decision.[48] Only at the final hearing do the attorneys and parties make arguments to the judge. If there is a jury, its members usually are not drawn from the general public but are selected for their expertise in the particular area in question. While juries of ordinary people are rare in civil law systems, they are increasingly used in serious criminal cases.

These two systems, common law and civil law systems, are the most widely used legal systems in the world. They differ in terms of the weight they give to judicial precedent and their views on the purpose of the trial process.

Religious Systems

In a **religious law system**, the law relies on religious texts as its primary basis, and the courts interpret the present facts and statutes in light of those religious texts. Many Middle Eastern countries use religious law systems for all or part of their laws.[49] For example, in Saudi Arabia, the legal system is based on sharia law, derived from the Koran, the Islamic religious text, as well as from the Sunnah and the Hadith.[50] The legislature enacts statutes, but all are tested against Islamic tenets. Certain religious leaders can overrule any government act, including court decisions, on religious grounds. The legal system includes general and summary sharia courts, with some administrative tribunals for specific topics. Religious law systems do not use juries, and criminal trials do not present defensive evidence to the same extent as in other legal systems. Each judge, a specialist in the religious sharia text, makes their interpretation of the law and is not bound by any precedent.

Israel also uses some religious laws and courts to determine cases.[51] For example, religious courts in Israel include Jewish rabbinical courts, Islamic sharia courts, Druze religious courts, and ecclesiastical courts of the 10 recognized Christian communities. In Israel, these courts are limited to some specific issues of family law. The secular court system decides all other matters.

Customary Systems

A **customary law system** is a system based on long-standing traditions in a particular community. The traditions have become so ingrained in society that the courts recognize them as enforceable rules. However, it is rare for customary laws to be interpreted and enforced by the government. Instead, select leaders of the group usually implement the customary laws. As a result, customary laws are typically unwritten and revealed only to group members. Today, customary laws are found in closed, isolated communities combined with

common or civil law systems, allowing them to exist alongside government systems in a hybrid system.

Andorra, a small country in the Pyrenees bordering Spain and France, relies partly on customary law. In Andorra, sources of customary law include canon law, the ecclesiastical law of the Catholic Church, Castilian law, French law, and Roman law. Andorra was invaded and under the control of other European powers at different times in its history, and the Andorran legal system now reflects elements of each invader's laws. Today, Andorra is a parliamentary co-principality between the president of France and the Roman Catholic bishop of Catalonia (Urgell). Andorra also has an elected parliament that can enact new laws.[52]

	Common Law	Civil Law	Religious Law	Customary Law
Other Names	Judge-made law; Anglo-American law	Continental law; European law; Roman law	Differs by religion; two prominent ones are sharia (Islamic law) and halakha (Jewish law)	Differs by area, ethnicity, and tribe
Source of Law	Case law and statutes, which may be organized in codes	Statutes organized in codes	Religious texts	Long-standing customs, which may be oral or written
Degree of Judicial Independence	High; important to society that judiciary appears to be independent of executive and legislature	High; important to society that judiciary appears to be independent of executive and legislature	Wide range, from very limited to high	Wide range, from limited to high
Judges	Wide variety of selection and qualification standards	Career position requiring training and testing; civil servants	Religious and legal training	Varies widely with customs of the area
Policy-Making Role	Due to stare decisis, shares power with individuals who come before the court and with government branches	Equal but separate power as the enforcer of codes	Depends on territory and topic area; paramount in some cases, advisory only in others	Depends on territory and topic area; paramount in some cases, advisory only in others
Examples	US (except Louisiana), UK, Canada (except Quebec)	All European Union countries, Quebec, Louisiana	Saudi Arabia, Iran, United Arab Emirates, Israel	Guernsey, Andorra

TABLE 11.1 Differences among Major Legal Systems

The island of Guernsey is another example of a customary law system. Though it is one of the Channel Islands off the coast of England, Guernsey is not part of the United Kingdom. Guernsey's legal system is derived from the medieval power of the monarch, the Duke of Normandy.[53] The ancient duchy law of Normandy is an influential source of law in Guernsey. The duchy laws developed in two periods, the *Ancienne coutume* of 1199–1538 and the *Coutume reformée* of 1538–1804.[54] Guernsey's legal system also has elements of English common law and modern statutory law enacted by the island's elected legislature. Guernsey enjoys almost

complete autonomy over its internal affairs, and the country determines many issues based on ancient customary laws, with elected bailiffs and jurats making decisions.[55]

In the United States, some customary laws may be used in tribal matters on tribal lands recognized by the US government.[56] However, the US government does exercise some control over tribal legal systems in the United States. There is a growing worldwide movement to recognize tribal autonomy and customary legal systems.[57] For example, some Maori customary law is now recognized in New Zealand.[58]

Hybrid or Mixed Systems

A hybrid legal system combines parts of more than one approach to create a system unique to the country. Many countries have mixed legal systems incorporating common, civil, religious, and customary law systems.[59] For example, the US state of Louisiana has a hybrid system. Louisiana uses some common law, but it also utilizes a civil law system for much of its state law and procedures because of its origins as a French territory. Also, on recognized tribal lands, customary laws of the tribe may be used rather than state or federal laws. Another example is the Philippine system, which includes French civil law, US-style common law, sharia law, and Indigenous customary law due to its history.[60] Many African countries include a parallel tribal or ethnic legal system to adjudicate family law matters.[61]

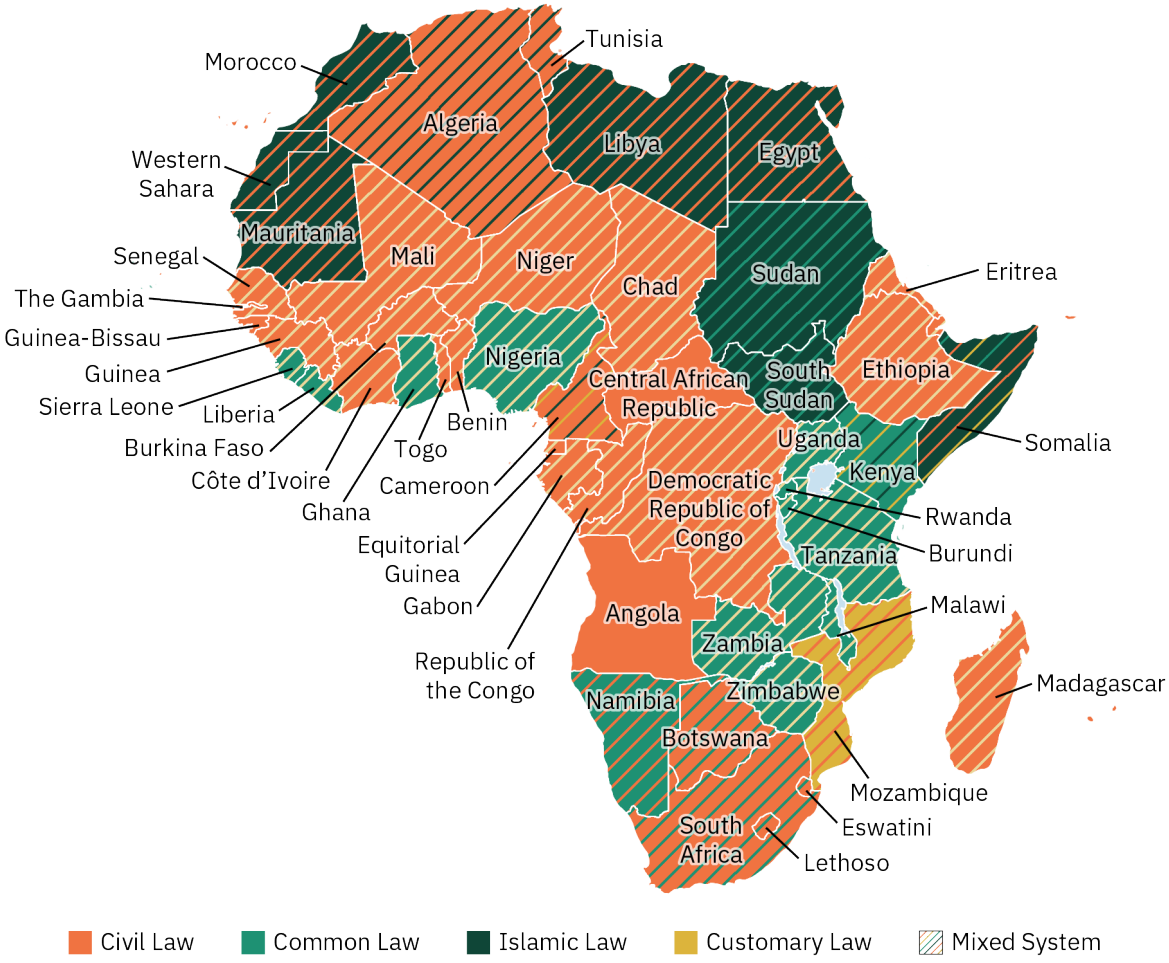


FIGURE 11.5 This map shows the different types of legal systems present in Africa. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

11.4 Criminal versus Civil Laws

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Differentiate between criminal and civil laws.
- Discuss the purposes of criminal laws.
- Discuss the types of criminal laws.
- Discuss the rights of the accused in criminal proceedings in different systems.
- Discuss the use of the death penalty in different systems.

Within a given legal system, there are two major types of law, criminal and civil. Criminal law applies to offenses against the state. The action is punished because it harms society. Criminal law requires a statute to create the offense, its elements, and its punishment. An act is not a crime unless a written law establishes it as one. Only the government can prosecute a criminal case. A criminal case begins with an alleged crime, an arrest by the police, and a charge filed by a prosecutor. Anything that is not criminal law falls under civil law, which applies when one individual is harmed by another and seeks compensation for the harm. In civil law legal systems, civil offenses are only by statute. In common law legal systems, civil offenses can be by statute or case precedent.[62]

The overarching purpose of criminal laws is to protect society as a whole. There are five general purposes of criminal punishment:

1. Incapacitation: Punishment removes the offending person from society, inhibiting their ability to cause further harm to society.
2. Retribution: The punishment of the individual is said to satisfy the public's desire for revenge.
3. Deterrence: Punishing a person for committing an offense is intended to deter others from committing that same offense.
4. Restitution: Punishment for a criminal offense may involve a financial penalty to compensate the victim of the crime monetarily.
5. Rehabilitation: Punishment may attempt to refocus the offender's energy on a more acceptable pursuit to prevent recidivism. Recidivism is the repetition of a crime by an individual already found guilty of and punished for the crime.[63]

Many countries have moved to a focus on rehabilitation as a means of stopping future crime.[64] The use of rehabilitation is common in Europe, especially for nonviolent or drug offenses.[65] The US state of Oregon is enacting similar policies to rehabilitate those who are found guilty of illegal drug use.[66]

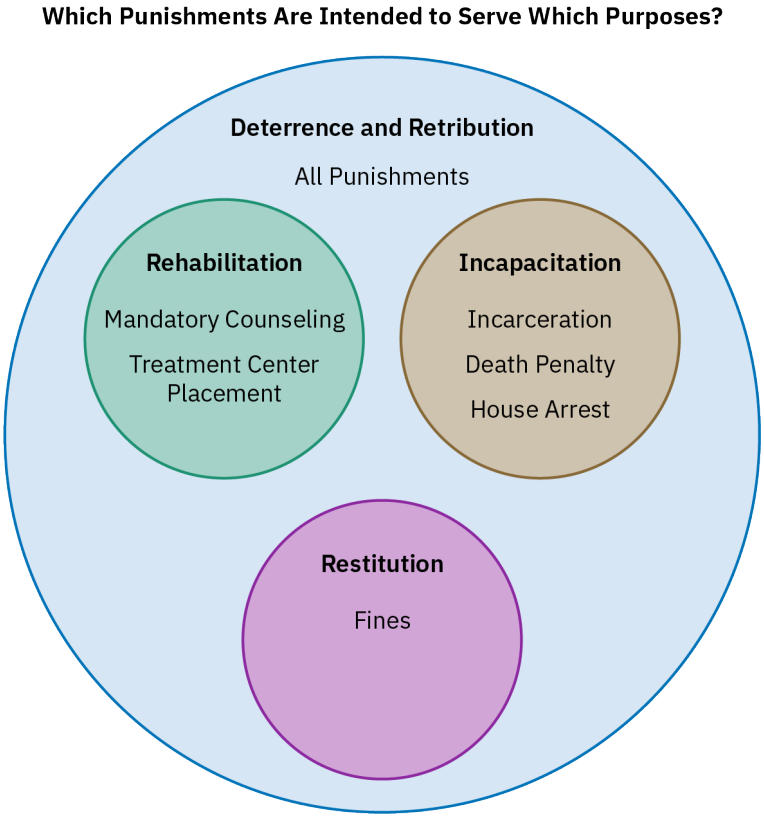


FIGURE 11.6 While all punishments are intended to serve as deterrence and retribution, many common punishments are intended to serve other purposes as well. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

There are two main types of offenses in criminal law: serious offenses, often called **felonies**, and less serious offenses, often called **misdemeanors**. Punishments for serious offenses may involve imprisonment for a term of several years to life—and, in a few countries, the death penalty.[67] Lesser crimes are often punishable by no more than a fine. If a misdemeanor carries a prison sentence at all, that sentence is usually less than a year in length and is served in the local jail. The divisions between serious and lesser punishments and trial processes vary widely by country.[68]

Within serious and nonserious crimes, penalties vary by the perceived severity of the crime. The US categories, both state and federal, are typical, so they will serve as an example. The state categories align with the federal, so we will use the federal sentencing guidelines as a template.[69] In the United States, misdemeanors are commonly divided into three categories:

1. Class A misdemeanor: Punishable by a jail sentence of between six months and one year
2. Class B misdemeanor: Punishable by a jail sentence of between 30 days and six months
3. Class C misdemeanor: Punishable by a jail sentence of between five days and 30 days

Each level also carries a possible fine that can be imposed instead of or in addition to the sentence.

In the United States, felonies, whether state or federal, are broken down into five categories:

1. Capital or class A felony: Punishable by life imprisonment or the death penalty
2. First-degree or class B felony: Punishable by a prison sentence of 25 or more years
3. Second-degree or class C felony: Punishable by a prison sentence of between 10 and 25 years
4. Third-degree or class D felony: Punishable by a prison sentence of between five and 10 years
5. Fourth-degree or class E felony: Punishable by a prison sentence of between one and five years

In all rule-of-law countries, including the United States, the government cannot enact any ex post facto laws.

Ex post facto is Latin for "after the fact." Thus, if something was not a crime when you did it, you cannot later be charged with a crime even if the government changes the law. For example, the posted speed limit on a road is 40 miles per hour. A camera captures you driving 40 miles per hour on Monday. On Wednesday, a new law is enacted that changes the speed limit to 25 miles per hour and is claimed to apply retroactively for the past month. This would be an ex post facto law. New laws can only apply prospectively to the future, not retroactively, to the past. In rule-by-law systems, authoritarian governments often use ex post facto laws and the lack of habeas corpus to jail opponents and keep them in jail indefinitely.

Defendants' rights and the burden of proof for guilt are similar in rule-of-law systems. In all rule-of-law countries, the burden of proof for a criminal offense is beyond a reasonable doubt. In the United States, because a criminal case can impact a person's liberty, the burden of proof is always on the government, and the standard of proof is always **guilt beyond a reasonable doubt**.

In addition, every rule-of-law country has protections for individuals who are accused of crimes.[70] In the United States, individuals accused of crimes have several constitutional protections in criminal cases.

Rights and Liberties in the US Constitution that Apply to Criminal Proceedings

Art. I, sec. 9, cl. 2	Right of habeas corpus
Art. I, sec. 9, cl. 3; Art. I, sec. 10, cl. 1	No ex post facto laws
Fourth Amendment	Right to be secure from unreasonable search and seizure
Fifth Amendment	Right to due process before deprivation of life, liberty, or property Right to indictment by a grand jury when charged with capital crimes Protection against self-incrimination
Sixth Amendment	Right to a speedy trial by an impartial jury Right to a defense attorney
Eighth Amendment	Protection against excessive bail, excessive fines, and cruel and unusual punishment

TABLE 11.2 Rights and Liberties in the US Constitution That Apply to Criminal Proceedings

Rights upon Arrest

In rule-of-law countries, police must advise you at the time of arrest of certain rights. These include the right to have an attorney assist you with your case and the right to be cautioned that anything you say can be used against you in court—what are referred to in the United States as Miranda rights. A Library of Congress report found that 108 countries, including civil law and common law legal systems, require something similar to the US Miranda rights.[71] The European Convention on Human Rights (https://openstax.org/r/European_Convention_on_Human_Rights) and the Universal Declaration of Human Rights (https://openstax.org/r/Declaration_of_Human_Rights) both contain similar provisions.

When a person is arrested in the United States, the arresting officer must read them their Miranda rights, also called a Miranda warning, and advise them of their constitutional rights under the Fifth and Sixth Amendments to the US Constitution. The text of the Miranda warning reads along the following lines:

> "You have the right to remain silent. Anything you say can be used against you in a court of law. You have the right to an attorney. If you cannot afford an attorney, one will be appointed for you. Do you understand each of these rights as I have read them to you?"

There are no magic, specific words police officers must say when informing a person of their Miranda rights, but the gist of the above must be included in a language the person under arrest understands. First, the person under arrest must be allowed to contact an attorney or, upon proving themselves financially unable to afford one, request that an attorney be appointed to them. Second, if the person under arrest wishes to remain silent, they must state that wish. If they speak other than for comfort or to request an attorney, they must reinvoke the right to remain silent. The right to remain silent applies only when an arrested person is being interrogated by police. It does not apply to forensic investigative work, and it does not preclude police officers from speaking in front of the person who is under arrest or trying to trick them into saying something. It only stops them from asking a direct question.

Different rule-of-law countries have slightly different equivalents to the Miranda warning. The following table compares the US and UK versions of this warning.

Warning	United States	United Kingdom
Right to remain silent	At time of detention: "You have the right to remain silent. Anything you say can be used against you in court."	At the time of detention: "You do not have to say anything. But it may harm your defense if you do not mention when questioned something which you later rely on in court. Anything you do say may be given in evidence."
Right to an attorney	At time of detention: "You have the right to an attorney. If you cannot afford an attorney, one will be appointed for you."	The custody officer at the police station must explain the arrested individual's rights. They have the right to receive free legal advice.
Language check	At time of detention: "Do you understand each of these rights as I have read them to you?"	When the custody officer explains the individual's rights, the individual can ask for a notice in their language or an interpreter to explain the notice.
Procedural warnings	Not required in the United States; implied and determined on a case-by-case basis	The custody officer at the police station must explain that the individual has the rights to • tell someone where they are; • receive medical help if they need it; • see the rules the police must follow; and • see a written notice about their rights, e.g., regular breaks for food and to use the toilet.

TABLE 11.3 Comparison of US and British Arrest Warnings

Search and Seizure

Another way rule-of-law systems defend the rights of individuals is through protection against unreasonable searches and seizures. This means that law enforcement may perform reasonable searches and seizures, and much of the litigation in this area deals with the reasonableness of the search and seizure. The UN has created recommendations for best policing practices for all countries, including limiting the police's right to search an arrested individual's person, home, or belongings to this standard.[72] The recommended level of proof to warrant a search is **probable cause** that evidence of a crime will be found in the place to be searched. Probable cause is more than suspicion but a lot less than guilt beyond a reasonable doubt. There is no exact definition of the term *probable cause*, and review is on a case-by-case basis. This protection in rule-of-law countries rests on recognizing a right to privacy and to be left alone by the police.[73] However, many countries do not follow these limitations. In those countries, the police can search a person's home and belongings or interrogate a

person whenever they want to do so.[74] This is particularly true in rule-by-law countries.

Writ of Habeas Corpus and the Right to Appear Before the Court

In all rule-of-law countries, a person held in jail has a right to demand to be brought before the court and told why they are being jailed.[75] In some countries, this process is referred to as a petition for a writ of habeas corpus. In rule-by-law countries, this right is not recognized. In those countries, a person can be held indefinitely, incommunicado, without any right to seek their freedom or to demand that the government prove the charges against them.

In rule-of-law countries, the writ of habeas corpus process usually occurs automatically. Countries that adhere to the UN Charter on Human Rights follow these requirements.[76] The US Constitution and state constitutions protect this automatic procedure, which is called **arraignment**. An arraignment is a type of court hearing held within 72 hours of arrest, at which an arrested individual is notified of the charges against them. In the United Kingdom, a person can be held for 24 to 96 hours before their first hearing, depending on the crime.[77] All rule-of-law countries have some limit on the time a person can be held in custody before appearing in court to hear the charges against them and to have the court reiterate their rights to remain silent and to have an attorney.[78]

At an arraignment in the United States, the arrested person is allowed to enter a plea, and the court sets **bail**. Bail is an amount of money to be paid or an agreement to restrictions on a person's freedom in exchange for release from jail while they are waiting for trial. Bail is not intended to be punitive; it is intended to ensure that the person being charged will appear for their court hearings and trial.[79]

In the United States, if someone is charged with a misdemeanor, the case moves directly from the police to the prosecutor to investigate and prepare the case against that person. If the government wants to charge someone with a felony, they must receive the approval of a grand jury. A **grand jury** is a group of citizens who only hear evidence from the prosecutor and must determine whether probable cause exists to proceed with the charge and trial against the accused. If the grand jury decides there is probable cause, they issue an indictment, the formal charge for the crime. Note that the standard for a grand jury to issue the indictment is only probable cause, well below the standard of guilt beyond a reasonable doubt. Further, a defendant has no right to appear or defend themselves at the grand jury hearing, so it is a one-sided presentation of the evidence.

VIDEO

What to Expect as a Juror

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/11-4-criminal-versus-civil-laws)

Jury duty is a responsibility individuals have to their communities. What should you expect if you are called for jury duty? This short video explains.

Capital Punishment

The death penalty is a form of **capital punishment**. Capital crimes are those for which a person who is found guilty can be sentenced to the death penalty or to automatic life in prison without parole, depending on the laws in a specific country. A person can be found guilty of a capital crime even if the country does not have a death penalty. Some countries that still impose the death penalty can impose it for crimes other than murder and are permitted to impose it on juveniles.[80] These countries primarily include China and countries in the Middle East and Africa.

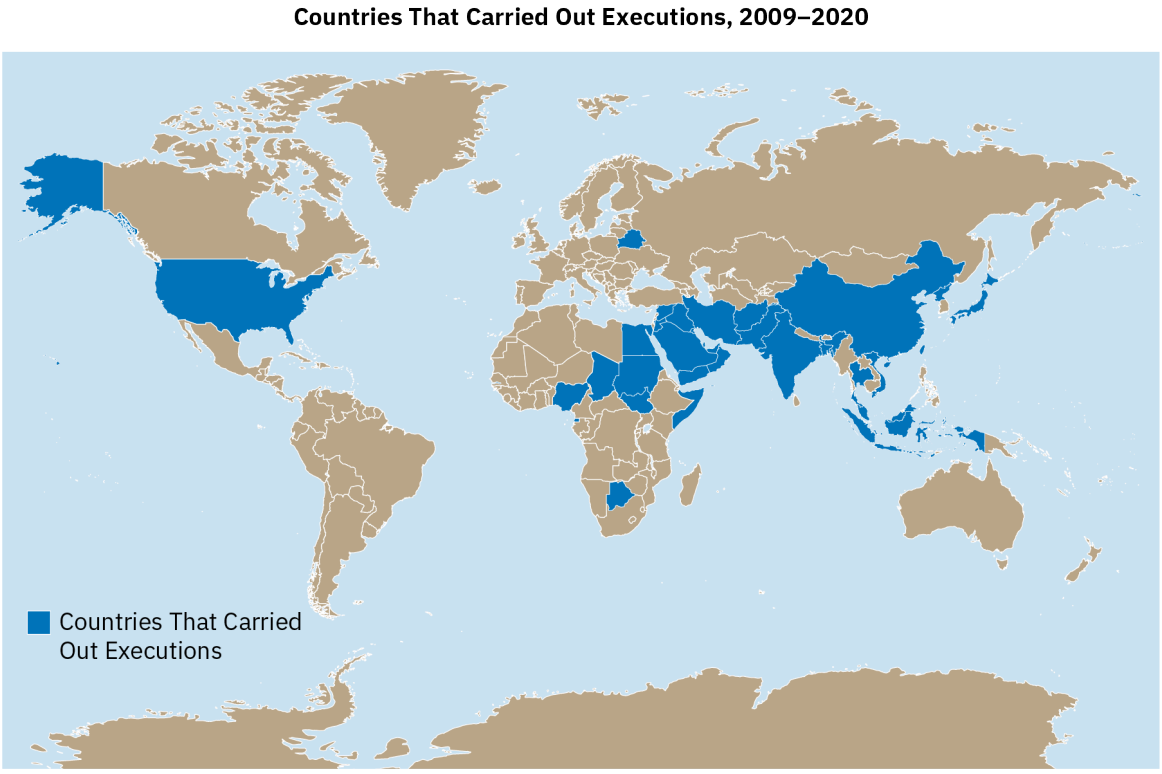


FIGURE 11.7 From 2009 to 2020, about 35 countries, including the United States, Belarus, and several countries in central Africa, the Middle East, and Asia, carried out executions. (source: Amnesty International; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Many countries, including all European countries with the exception of Belarus, have abolished the death penalty.[81] In these places, the maximum sentence is life in prison without parole.

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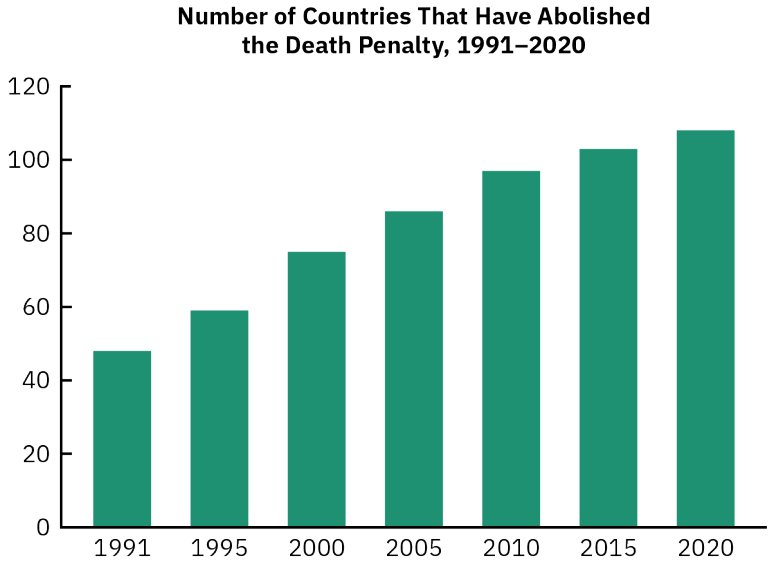


FIGURE 11.8 Since 1991, the number of countries that have abolished the death penalty has more than doubled. (source: Amnesty International; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

In the United States, many assert that the death penalty violates the US Constitution's prohibition of the imposition of "cruel and unusual punishments." In the United States in 1972, the *procedures* for execution being used in some states were found to violate the "cruel and unusual" standard.[82] Some states responded by changing their procedures and reinstating the death penalty. SCOTUS upheld those revisions as constitutional in 1976.[83] Other states decided not to reinstate the death penalty.[84] The federal government did not reinstate the death penalty for federal crimes until 1988 and has rarely imposed the death penalty or carried it out.[85] Since that time, more US states have abolished the death penalty, making a total of 23 states (plus the District of Columbia) without the death penalty and three that are no longer carrying out executions.[86]

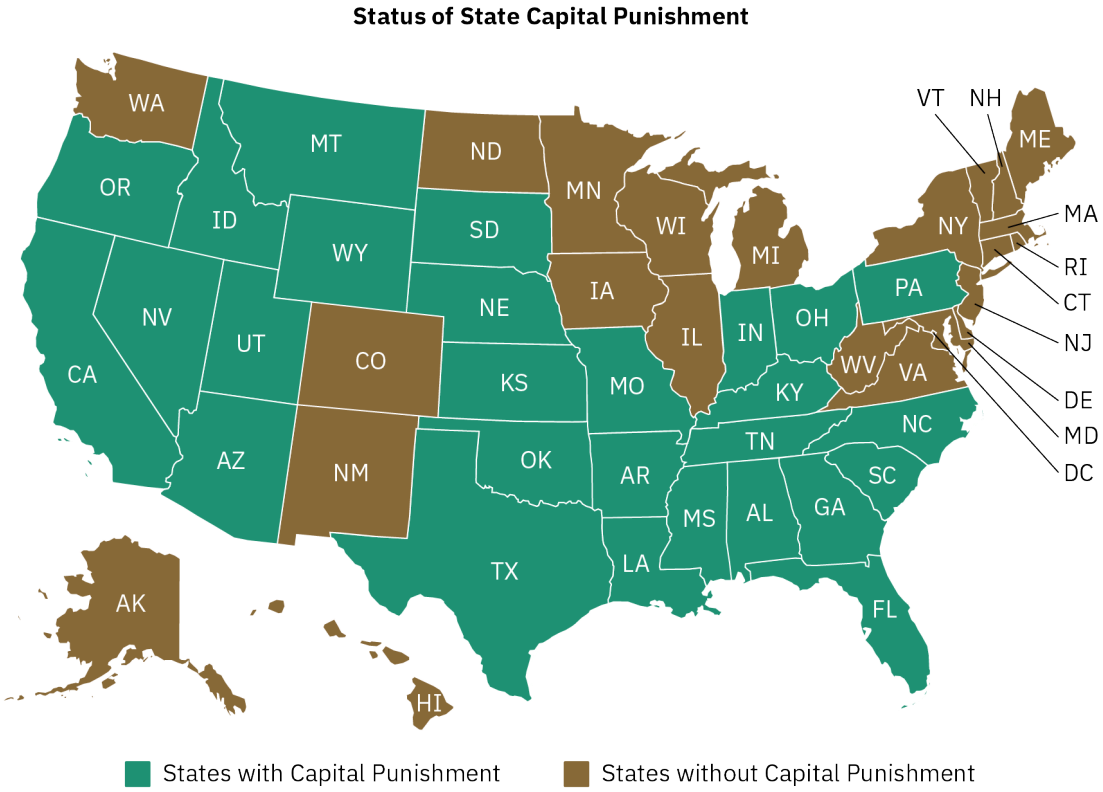


FIGURE 11.9 As of August 2021, 27 of 50 US states had the death penalty, although three of those states—California, Oregon, and Pennsylvania—have imposed moratoriums on executions.[87] (source: National Conference of State Legislatures; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

In the United States, only certain types of murder, such as premeditated murder for hire or murder of certain government officials, qualify as capital crimes.[88] In a few states, if someone is killed during the commission of a felony, anyone involved in committing that felony can be sentenced to the death penalty, even if they are not the one who committed the killing, under a principle called the law of the parties. Many oppose this imposition of the death penalty on someone other than the person who did the actual killing, and state legislatures are reviewing the situation.[89] In the United States, even states that impose the death penalty cannot impose it on an individual who is under 18 or mentally disabled at the time of the crime.[90] The harshest sentence a juvenile can receive in the United States is life in prison without parole. Even in those states that use the death penalty, it is being applied less often.

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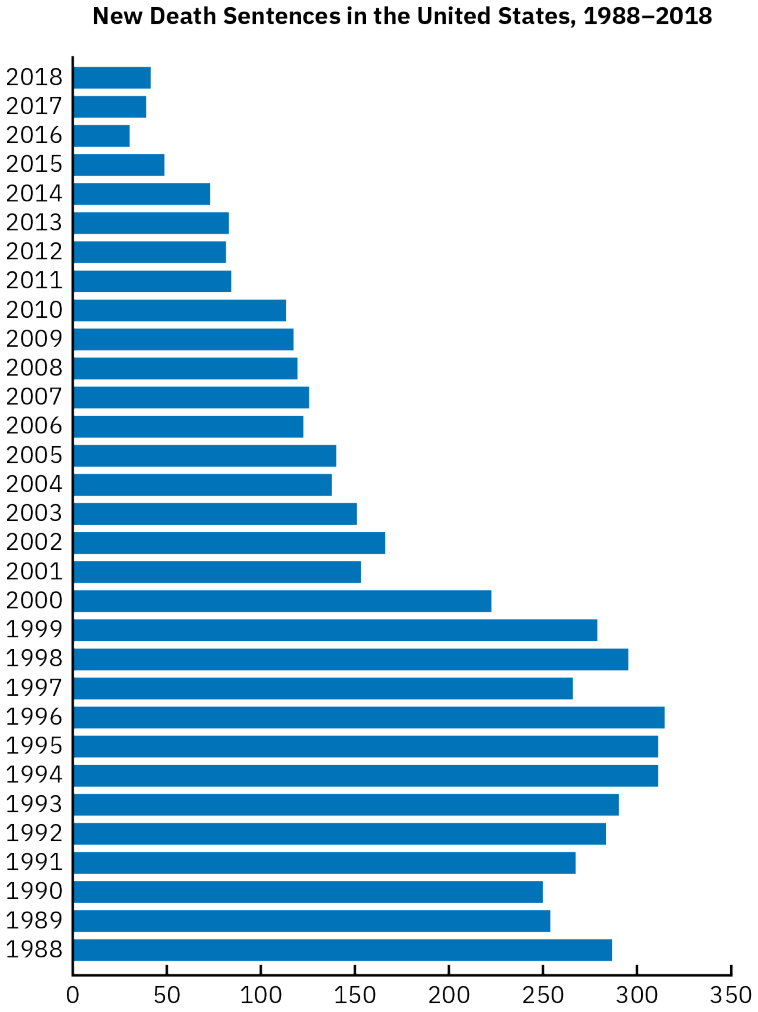


FIGURE 11.10 In the 30-year period from 1988 to 2018, new death sentences in the United States decreased from close to 300 in 1988 to less than 50 in 2018, a reduction of more than 80 percent. (source: Death Penalty Information Center; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

The federal death penalty applies in all 50 states and US territories but is used relatively infrequently. As of November 2021, there were 45 federal prisoners on death row.[91] No federal government executions occurred after 2003 until 2020, when President Donald Trump ordered federal officials to begin carrying out executions. During the remainder of his presidency, 13 federal prisoners were executed.[92]

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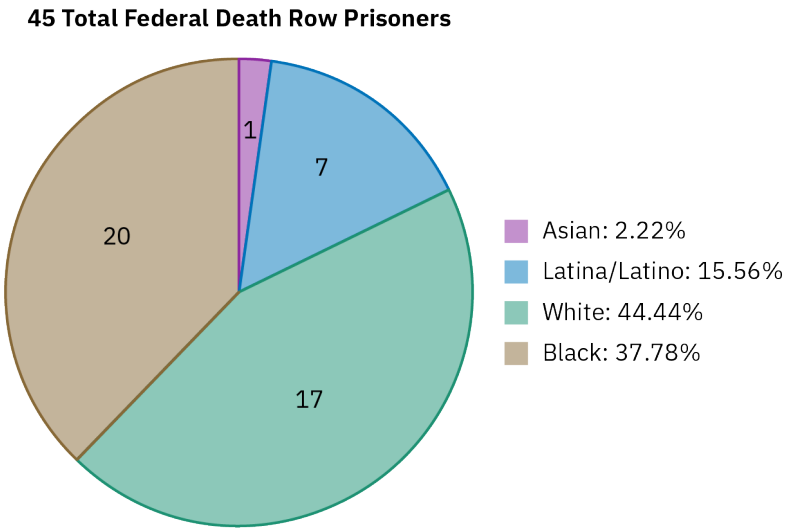


FIGURE 11.11 As of November 2021, there were 45 inmates on federal death row in the United States. (source: Death Penalty Information Center; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

At the end of 2018, 2,567 prisoners were on death row in US states. From 1977 to 2018, 34 states carried out 1,490 executions. Texas carried out 37 percent of those executions. While California has the most people on death row, it has not carried out any executions for many years. Since March 2019, when Governor Gavin Newsom placed a stoppage on executions, all death row inmates in California have effectively been serving life sentences.[93] For more information about the death penalty and executions in the United States since 1978, visit USAFacts (https://openstax.org/r/USA_Facts_unitedstatesofamerica), where you can explore interactive graphics that provide comparative data showing how each state and the federal government has applied the death penalty.

The split internationally and between the states on support for or opposition to the death penalty reflects the general division in society over whether or not the death penalty is intrinsically cruel and unusual under current human rights standards.[94] The US Supreme Court has held that the meaning of "cruel and unusual" rests on society's "evolving standard of decency," and thus there is no set standard.[95] As society's view of the death penalty changes, so can the application of the concept of cruel and unusual punishment.

Those who oppose the death penalty[96] make a number of different arguments. Some argue that life without parole meets the purposes of criminal punishment better than execution. They say that a life without parole permanently removes from society the person who has been sentenced just as much as the death penalty would; thus, the standard of incapacitation of the person to commit another crime is met.[97] Some argue that because investigations have found that some people executed or placed on death row are innocent, injustice cannot be corrected if the death penalty is carried out.[98] Killing someone for the crime of killing has been held up as state hypocrisy. Additionally, there are questions about the equal application of justice in death penalty cases because racial minority defendants tend to receive the death penalty more often than White defendants who are convicted of committing the same or similar crimes.[99] Further, the race of the victim is a factor. A 1990 US government report states that "in 82 percent of the studies [reviewed], race of victim was found to influence the likelihood of being charged with capital murder or receiving the death penalty, i.e., those who murdered whites were found to be more likely to be sentenced to death than those who murdered blacks."[100]

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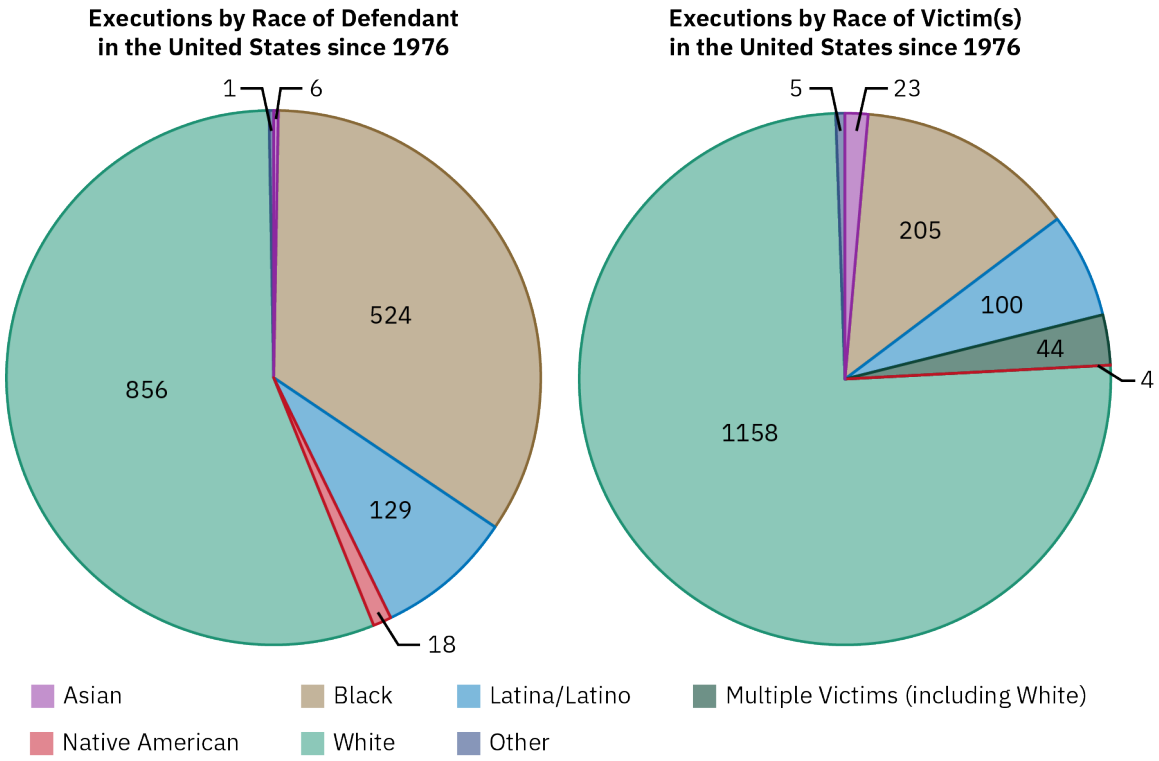


FIGURE 11.12 Historically in the United States, more than twice as many Black defendants have been executed as have defendants in cases in which the victim was Black. (source: Death Penalty Information Center; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Civil Law

Civil law is everything that is not criminal law. Thus, it is wide-ranging and complex, covering everything from family matters (marriage, divorce, adoption, guardianship, probate, etc.) to personal injury, workers' compensation, medical malpractice, and business disputes. Civil law differs from criminal law in that individuals or groups file cases rather than the state. The legislature enacts laws that establish standards of conduct and recognizes relationships. The legislature will establish the duty owed and rights between individuals, what constitutes a breach, and what damages may be recovered for that breach. Because civil law topics are so wide-ranging, the burden of proof for the complaining party similarly varies. It can range from merely a preponderance of evidence to clear and convincing evidence.

	Civil Law	Criminal Law
Definitions	Laws concerned with interpersonal disputes such as divorce, debt, personal injury	Statutes that identify conduct as criminal felonies or misdemeanors; punishable by the government
Cases Filed By	Individuals	The government
Type of Punishment	Monetary damages, disposition of property and/or a relationship	Incarceration, fines, probation
Burden of Proof	Ranges from a preponderance of evidence to clear and convincing evidence, depending on the topic	Always guilt beyond a reasonable doubt
Appeals Filed By	Any dissatisfied party	The defendant
Right to a Jury	Must pay a fee to have a jury	Automatic in some cases, requested in others; no fee charged
Jury Verdict	Does not always have to be unanimous	Must be unanimous

TABLE 11.4 A Comparison of Civil Law and Criminal Law

11.5 Due Process and Judicial Fairness

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe the elements of due process.
- Discuss the need for fairness in a judicial system.
- Discuss the hierarchy of courts.
- Discuss the different types of courts and their operations.

Due process is the legal requirement that the government must respect the rights of the accused and take procedural steps to create a fair system of government action against the accused. The concept of **due process** appeared as far back as the Magna Carta, which held that no noble could be deprived of liberty or property without due process in a hearing before their peers.[101] The Universal Declaration of Human Rights protects people's right to due process before a government can take action against them.[102] The European Convention on Human Rights provides for due process of law by a fair and impartial hearing before the government.[103]

As discussed in Chapter 4: Civil Liberties, there are two due process clauses in the US Constitution: one in the Fifth Amendment, which applies to the federal government, and one in the 14th Amendment, which applies to the states. Other than the entities to which they apply, both clauses are identical. The clauses provide that "no person shall . . . be deprived of life, liberty, or property without due process of law"[104] and "nor shall any state deprive any person of life, liberty, or property without due process of law,"[105] respectively. They apply to all persons, not just citizens of the United States. All rule-of-law systems have similar due process requirements.

To understand the application of due process, one must first ask what procedures are due and what deprivation of "life, liberty, or property" means. There are two types of due process, procedural and substantive. Procedural due process is the steps the government must take before depriving an individual of

life, liberty, or property. The US Supreme Court has held that **procedural due process** at a minimum requires (1) notice, (2) an opportunity to be heard, and (3) an impartial tribunal.[106] When determining if a process is constitutional, courts consider (1) the nature of the right at issue, (2) the adequacy of the procedure compared to other procedures, and (3) the burdens other procedures would impose on the state.[107] These procedures can be seen in criminal and civil cases, where special rules of procedure and evidence apply. These will be discussed in greater detail when the trial process is explored.

Due process that attempts to ensure that the system of laws and courts is fair to all persons is **substantive due process**. Substantive due process applies the protections of individual rights under the Constitution and measures the activities of government to determine if they treat each person fairly and equally, without infringing on those constitutional rights. As the image of Lady Justice that opens this chapter shows, the scales of justice need to be in balance, and justice must be blind so that everyone is equal in the eyes of the law. When reviewing how fair a system is, it is important to consider to what degree the judge and jury are impartial.

One way of looking at judicial impartiality is to examine judicial independence. If the judiciary is not independent of influence, people will not believe it is fair or impartial. You learned about some of these issues in the discussion of judicial selection. There is a high degree of concern about judicial impartiality in some countries because the judiciary in those countries is not independent of other branches of government or oversight by religious leaders. In China, the Chinese Communist Party controls all government offices, including the judiciary. Thus, it is rare for the judiciary to overrule any government action. The Iranian constitution states that the judiciary upholds Islamic law; thus, it is restricted in reviewing government actions against citizens. Further, the judiciary is under the supreme leader and Guardian Council, religious figures who can overrule the court's actions at will.[108] How independent of pressure from the executive can these supreme court justices feel when reviewing government actions against individuals?

In the United States, the president nominates judges to the federal courts. The Senate then reviews these nominations and may confirm or deny them. Federal judges are appointed for life, regardless of who the next president may be. The judiciary is thus said to be independent and neutral of political forces. How impartial and independent it really is remains in question, as presidents tend to nominate persons with political views similar to their own. Even after attaining office, an individual judge may continue to decide cases in keeping with those political views.

Further, how equally are people treated under the same law? For example, there are long-standing concerns in the United States about how fairly the criminal justice system treats racial minorities. Unfortunately, this issue is not limited to the United States but is a problem around the world. It is one that the UN continually works to remedy.[109]

In rule-of-law countries, the standard style of court system is a three-tier hierarchy, although the names of the parts and what they can do vary widely by country.

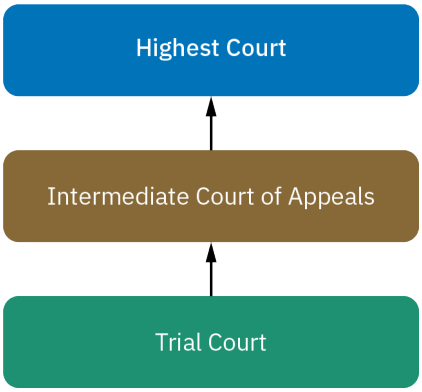


FIGURE 11.13 In the United States, trial courts are subordinate to intermediate courts of appeals, which are subordinate to the highest courts. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

In the US Article III federal court system, there are 94 district courts, which are trial courts organized into 12 circuits or regions.[110] Each circuit has its own court of appeals that reviews cases decided by district courts within the circuit. The US Court of Appeals for the Federal Circuit hears cases of a particular type from across the nation. There are two levels of appeal in the United States, the intermediate court of appeals and the Supreme Court of the United States. Each state has its own court system, but all states use the three-tier hierarchy. The names of the courts vary as well as the types of cases they hear.

Trial Courts

Trial courts are the first level of courts in any system. The common characteristic of trial courts worldwide is that they are courts of original jurisdiction, the first courts with authority to hear a case. The exact process for a trial varies widely by country. In the United States, trial courts are bound by strict procedures and evidence designed to ensure due process.[111] After judgment in a US trial court, the final decision of the case is written down in a document called an order or judgment that an aggrieved party might use to appeal a case to a higher court.

The basic trial court process in the United States is as follows:[112]

1. Filing of complaint and pretrial documents: All cases rest on written pleadings of the parties asserting claims or defenses. In these documents, the specific questions of the case are detailed. Matters that are not mentioned in the pleadings cannot be brought up during the case.
2. Pretrial discovery: This occurs during the investigative stage. The parties seek evidence to support their positions. The evidence must be in a form that can be admitted in court. There are strict rules of evidence; not everything is admissible.
3. The trial: There are several stages to the actual trial.
    - Voir dire: In this stage, the people who have been called for jury duty are questioned to see if they have any prior knowledge or biases that would prevent them from being eligible to sit on the jury for a specific case.
    - Opening statements: The attorneys give synopses of what they hope to prove with the evidence. The jury listens to these synopses but cannot use them in making their decision.
    - Evidence: During this stage, testimony and documents are formally presented in the court. Strict rules ensure truthfulness, the accuracy of the evidence, and that only information related to the questions in the case is presented to the jury. The jury may only rely on the evidence presented in court when making their decision. Each side has an opportunity to call and question any witness. The attorney calling the witness conducts direct examination, asking questions that support their view of the case. The opposing attorney can then cross-examine the witness in an attempt to elicit information supporting their perspective or to discredit the witness's testimony so that the jury may question whether it is reliable.
    - Closing statements: Each attorney summarizes their case and tries to convince the jury that the evidence presented supports their conclusion. The jury listens to the closing statements, but they are not supposed to rely on them in making their decision.
    - Verdict: The jury is given specific questions to answer. They can only answer these questions. Their answer is the verdict, or decision, in the case.
4. Judgment: Judgment is the formal legal acceptance of the decision in the case. The judgment is the document used to enforce the decision on the parties.

VIDEO

How a Trial Works

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/11-5-due-process-and-judicial-fairness)

Criminal and civil common law trials are adversary in nature. Ideally, the combined arguments of the

prosecution and the defense, with the judge's moderation, reveal something close to the truth in a case. The prosecution and the defense focus on the facts of the case, while the judge focuses on proper procedure and the substance of the law.

In a civil case, any party dissatisfied with the judgment can request an appeal, and in a criminal case, a defendant who is found guilty can request an appeal. The government cannot appeal in a criminal case if the defendant is found not guilty due to the US Constitution's prohibition against double jeopardy. All rule-of-law countries recognize some form of double jeopardy. The US Constitution provides that "no person shall . . . be subject for the same offense to be twice put in jeopardy of life or limb."[113] This means that if a person is acquitted, or found not guilty, they cannot be tried again for the same offense at a criminal trial. They can, however, be tried for another offense or in another jurisdiction. For example, if you rob a bank and shoot someone as you are getting away, you have violated both federal and state statutes and can be charged and tried separately by each jurisdiction for the offenses. In this example, you can be charged with and tried for at least two federal and two state charges. Many people mistakenly think this is double jeopardy, but double jeopardy only applies when a person is found not guilty of a crime and then tried again in the same jurisdiction for the same crime. In the above example, if the federal government tried you for bank robbery and you were acquitted, the state could still try you for bank robbery, but the federal government could not try you a second time for that crime.

Appellate Courts

An **appeal** is a higher court's review of a lower court's decision. The workings of the appeals process vary widely around the world. In the United States, an appeal serves only to determine if an error of law occurred in the lower court that may have resulted in the rendition of an improper judgment. An appeal is not a do-over of the original trial. There are strict standards for reviewing the lower court's action, which vary by type of case.[114]



FIGURE 11.14 This photo was taken inside a court of appeals in Annapolis, Maryland. (credit: "Chief Judge Robert Bell's Portrait Unveiling at the Court of Appeals" by Maryland GovPics/Flickr, CC BY 2.0)

No witnesses are called during an appeal, no new evidence is taken, and there is no jury. A panel of judges reviews the written record of the lower court proceeding and compares this to the written law being applied. In judicial review systems, the appellate panel of judges also looks at the precedent of similar cases. Relying on this review of the lower court's proceeding, the law, and, if applicable, the precedent, the judge determines if the lower court made a substantive legal error. If they do not find there was a significant error, they affirm the lower court's judgment. If they find an error, they reverse the case. When they reverse, they can order one of two things, remand or rendition. In reverse and remand, the court instructs the lower court on correcting the

error and sends the case back for a new trial. In the rare instances of reverse and render, the court finds that the error was so serious that they need to enter the correct judgment, and there are no further proceedings in the trial court.[115]

If a case is before an intermediate court of appeals and one of the parties is dissatisfied with the decision, the parties can request that the highest court review the case. SCOTUS is the highest court in the US system. It can hear cases from lower federal courts or from a state's highest court if an issue involving the US Constitution has been raised. SCOTUS is not required to hear any appeal. Instead, they hear cases at their discretion, which is called a writ of certiorari. Thousands of cases from around the country are filed with the court each year, of which they hear and decide less than 100.[116] Thus, the Supreme Court carefully selects its cases to address major issues concerning the entire nation. The people pay close attention to the court's decisions because many of these cases involve important political issues of the day. Once the highest court decides, the case is final, and the judicial review system's decision becomes precedent.

Other countries have similar hierarchical systems. The exact jurisdictions and names of the courts may differ, but the hierarchical style of trial and review applies. A major difference between the countries is whether or not they use judicial review or recognize parliamentary sovereignty.

11.6 Judicial Review versus Executive Sovereignty

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define judicial review.
- Discuss restraints on judicial review.
- Explain who and what is subject to judicial review.
- Explain executive sovereignty.
- Explain who and what is subject to executive sovereignty.

Judicial review is one means of checking to see whether the other branches are following a country's constitution and its principles. In some countries, this review is conducted not by the judicial courts but by a group that reviews proposed laws while the legislature is still debating them. For example, in France, the Constitutional Council reviews all acts of Parliament before they are enacted to ensure that they do not violate the French constitution.[117] If the council finds that a proposal does violate the constitution, Parliament can correct it before enacting the law.

In the United States, the courts perform judicial review.[118] The US Constitution, not a branch of government or an individual, is the supreme law of the United States. The power of judicial review includes the power to make sure that all branches of government at all levels comply with the US Constitution. Even though judicial review exists in the United States, all laws and government actions that come before the court enjoy a presumption of constitutionality. The amount of deference to that constitutionality varies with the type of action and the judge. For example, since World War II, individual and civil rights have been broadened, and courts have been less deferential to government actions restricting personal liberty. Still, courts rarely hold that an act is unconstitutional.[119] As of 2014, out of the millions of actions Congress and the president have taken in the history of the United States, SCOTUS had only ever held 176 acts of Congress to be unconstitutional.[120] Another myth about judicial review is that SCOTUS frequently finds actions of the other branches of state governments unconstitutional. More state laws have been struck, but the percentage is still meager, given that the 50 states take millions of actions each year. Most of the state laws the court has struck since 1960 have involved civil rights, with only 483 state laws declared unconstitutional as of 2019.[121] Using judicial review, the courts check all government actions against the Constitution and ensure that it is the supreme law of the land. In a **parliamentary sovereignty system**, this check is not available.

In an **executive sovereignty system**, a parliamentary sovereignty system, or a legislative sovereignty system,

the courts cannot overrule executive or parliamentary action through judicial review. In executive, parliamentary, or legislative supremacy systems, the legislative body is supreme over all other government institutions. The legislature may change or repeal any law and, in some countries, is not bound by case precedent or a constitution. The United Kingdom is an example of a country with parliamentary sovereignty. In the UK, the monarch initially was all-powerful and could do anything they wanted. Even after a royal parliament had been in place for many years, the monarch retained near-total power and could dissolve the parliament. After the English Civil Wars, Parliament became all-powerful, and since that time, the monarch's role has been largely ceremonial. In the era of parliamentary preeminence, the Houses of Parliament (the House of Commons and the House of Lords), under the unwritten constitutional principles of the UK, hold the right to make or repeal any law. No one can override a parliamentary act. Parliament can make or change any law.

VIDEO

UK Supreme Court Rules Prorogation "Unlawful"

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/11-6-judicial-review-versus-executive-sovereignty)

In 2019, the UK Supreme Court ruled that Prime Minister Boris Johnson acted unlawfully when he stopped the work of Parliament during Brexit debates.

Furthermore, an act of Parliament cannot be challenged in court as unconstitutional, as Parliament is the supreme lawmaker. However, since World War II, the British Parliament's power has been curtailed in some measure by new laws and agreements to be bound by international treaties. Nevertheless, Parliament retains the ability to repeal these laws or consent to any of these international agreements.[122]

Brexit, the recent parliamentary vote and referendum of the people of the UK to leave the European Union (EU), which had bound the British courts to follow specific economic laws and policies effective throughout Europe, provides a prime example of such a repeal. While the parliaments that joined and stayed with the EU bound themselves temporarily to international agreements, a later parliament retained the right to undo the binding and reassert supremacy. Any check on the British Parliament rests in the public perception of and support for the government. If the public loses confidence in Parliament, elections can be called, and new members who agree to vote in line with public sentiment can be voted into office.

Summary

11.1 What Is the Judiciary?

The judicial system or judiciary is the court system for a particular area. Rule-of-law systems make all accountable to the law and attempt to remain politically neutral and to exercise justice as fairness. Rules of procedure limit what the judicial branch can do. In rule-by-law systems, a person or group uses the courts to reinforce their power and worldview in an authoritarian regime. Sometimes countries change from rule of law to rule by law due to a strengthening of one person's or one party's political power.

In rule-of-law systems, the judicial branch depends on the other branches and the population's respect for the rule of law to carry out its decisions. In rule-by-law systems, the courts work with the military or police to enforce compliance with their rulings.

Judicial selection processes fall into four broad categories: appointment for life, appointment for a specified number of years, election, and hybrid, or a combination of these methods (e.g., appointment followed by retention election).

11.2 How Does the Judiciary Take Action?

A court case is a specific dispute about the law and its effect on the parties, or the people directly affected. The court can only consider specific questions brought by the parties, which are called issues. The court can only determine if the facts, or evidence, meet the criteria specified in the written law and answer the questions the parties have raised.

Judicial implementation is the process by which a court's decision, or judgment, is put into practice and enforced. The court must rely on other branches of government, usually primarily the executive branch, to turn its decisions into written statutes or orders.

Courts do not openly make public policy, as they only answer questions presented to them in a specific case by interpreting written laws. Unlike the legislative and executive branches, they cannot look at global events and decide to take action. However, court decisions can impact law and society, nudging social and political policies in a particular direction.

11.3 Types of Legal Systems around the World

There are five basic types of legal systems in the world: civil law, common law, customary law, religious law, and hybrid or mixed systems.

The US and other legal systems that emanate from British rule use a common law legal system. Today, almost all law in common law systems is in writing and enacted by a legislature as statutes. Many statutes codify established common law, change it, or altogether abolish it, depending on the topic of the law.

Most of Europe and South America uses a civil law system, which relies on comprehensive legal codes that contain all the laws for the country. Case law—that is, judicial decisions—are secondary to these codes. Decisions are binding only on the parties to the case and not as a precedent for later cases on the same issues. While attorneys will consult prior decisions when advising clients, judges are rarely bound to follow the precedent. For this reason, codes of statutes are usually more extensive and detailed than in common law systems.

In a religious law system, the law relies on religious texts as its primary basis, and the courts interpret the present facts and statutes in light of those religious texts.

Customary systems are based on long-standing traditions in a particular community that have become so ingrained in society that the courts recognize them as enforceable rules. It is rare for customary laws to be interpreted and enforced by the government. Instead, select leaders of the group usually implement the customary laws. As a result, customary laws are typically unwritten and revealed only to group members.

A hybrid system combines parts of more than one approach to create a system unique to that country. Many countries have mixed legal systems incorporating common, civil, religious, and customary law systems. On recognized tribal lands, customary laws of the tribe may be used rather than state or federal laws.

11.4 Criminal versus Civil Laws

There are two major divisions in law, criminal and civil. Criminal law applies to offenses against the state that are punished because they harm society. Criminal law requires a statute to create an offense, its elements, and its punishment. An act is not a crime unless a written law establishes it as one. Only the government can prosecute a criminal case. A criminal case begins with an alleged crime, an arrest by the police, and a charge filed by a prosecutor. Anything that is not criminal law falls under civil law, such as when one individual is harmed by another and seeks compensation for the harm. In civil law legal systems, civil offenses are only by statute. In common law legal systems, civil offenses can be by statute or case precedent.

There are five general purposes for criminal punishment: incapacitation, retribution, deterrence, restitution, and rehabilitation.

There are two main types of criminal law: serious offenses, often called felonies, and less serious offenses, often called misdemeanors. Punishments for serious offenses may involve imprisonment for a term of years to life and, in a few countries, the death penalty. Lesser crimes are often punishable by no more than a fine. If a misdemeanor carries a prison sentence at all, that sentence is usually less than a year in length and is served in the local jail. The divisions between serious and lesser punishments and trial processes vary widely by country.

In all rule-of-law countries, the burden of proof for a criminal offense is beyond a reasonable doubt. In the United States, because a criminal case can impact an accused person's liberty, the burden of proof is always on the government, and the standard of proof is always guilt beyond a reasonable doubt.

In rule-of-law countries, police must advise an individual at the time of arrest of certain rights, including the right to have an attorney assist them with their case and the right to be cautioned that anything they say can be used against them in court. Rule-of-law systems protect individuals against unreasonable searches and seizures. The UN has created recommendations for best policing practices for all countries, including limiting the police's right to search an individual, their home, or their belongings to this standard. In all rule-of-law countries, a person held in jail has a right to demand to be brought into court and told why they are being jailed. In rule-by-law countries, this right is not recognized.

Capital crimes are those for which a person who is found guilty can be sentenced to the death penalty or to automatic life in prison without parole, depending on the laws in a specific country.

Civil law includes everything that is not criminal law. It differs from criminal law in that individuals or groups file cases. Civil law covers everything from family matters (marriage, divorce, adoption, guardianship, probate, etc.) to personal injury, workers' compensation, medical malpractice, and business disputes.

11.5 Due Process and Judicial Fairness

Due process is the legal requirement that the government must respect the rights of the accused and take procedural steps to create a fair system of government action against the accused.

Procedural due process is the steps the government must take before depriving an individual of life, liberty, or property. Substantive due process attempts to ensure that the system of laws and courts does not infringe on individual constitutional rights. When reviewing how fair a system is, it is important to consider to what degree the judge and jury are impartial.

In rule-of-law countries, the standard style of court system is a three-tier hierarchy. Trial courts are the first level of courts. They are courts of original jurisdiction, the first courts with authority to hear a case. An appeal is a higher court's review of a lower court's decision. The workings of the appeals process vary widely around

the world. In the United States, an appeal serves only to determine if an error of law occurred in the lower court that may have resulted in the rendition of an improper judgment. Strict standards for reviewing the lower court's action vary by type of case.

11.6 Judicial Review versus Executive Sovereignty

Judicial review is one means of checking to see whether the other branches are following a country's constitution and its principles. In some countries, this review is conducted not by judicial courts but by a group that reviews proposed laws while the legislature is still debating them.

Key Terms

appeal a higher court's review of a lower court's decision to determine if an error of law caused the rendition of an improper judgment by the lower court

arraignment the initial court hearing in which an arrested individual is informed of the specific criminal charges against them, bail is set, and the individual is appointed an attorney if they have not already secured one

authoritarian-populist judiciary a system that has transitioned from a rule-of-law system to a rule-by-law authoritarian subsystem through changes instituted by one ruling person or political party

bail court-determined conditions that must be met for an arrested individual to be released from jail, designed to ensure that the individual will appear for all hearings and the trial in a criminal case; may include fines or restrictions on activity

capital punishment the imposition of the death penalty on persons convicted of specific crimes

civil law a system of laws concerned with the peaceful resolution of disputes between individuals rather than with criminal conduct

civil law system a legal system that relies heavily on codes of statutes, in which the judicial process is mainly investigatory rather than adversarial

common law system a legal system that relies on precedent, in which the judicial process is adversarial

court case a specific dispute about a law brought before a court; for a court to act, parties with standing who allege specific issues based on written laws must file a case

criminal law a system of laws establishing minimum conduct of the individual and permitting the government to punish any person who violates such laws

customary law system a legal system based on long-standing traditions in a particular community

due process a legal requirement that the government respect the rights of the accused and take procedural steps to create a fair system of government action against the accused

evidence the materials or statements a court can consider as the proof necessary for any alleged matter in a case

executive sovereignty system a system in which the actions of a parliament or the executive cannot be reviewed for their constitutionality

felonies serious crimes that carry more severe sentences than misdemeanor crimes

grand jury a body of citizens that reviews evidence to determine if there is probable cause to charge a person with a felony

guilt beyond a reasonable doubt the standard required to convict someone of a crime in a rule-of-law system

hybrid system in government, a mixture of any two or more types of legal or judicial selection systems

issues the questions to be answered in a court case; a court cannot decide anything other than the issues raised by the parties

judgment the binding decision in a court case, issued as a legal document

judicial branch the system of courts that interprets, defends, and applies the law in the name of the government; also called *judicial system*

judicial independence the concept that the judicial branch is independent of undue influence or pressure from other branches of government, partisanship, or other interests and that it is free to interpret cases

using certain principles or laws, such as the nation's constitution, without fear of reprisal

judicial review a process in which the judicial branch reviews actions by the other branches of government to ensure that they are following the country's constitution and its principles

judicial system the system of courts that interprets, defends, and applies the law in the name of the government; also called *judicial branch*

judiciary the people who work in the judicial branch of a government; also used as a synonym for *judicial branch*

jurisdiction the authority, in the form of a written constitution or a statute, that authorizes a court to hear a case; includes both the geographical region and the topics of the court's authority

misdemeanors minor criminal offenses that are often punishable by a fine

nullification the willful refusal to obey or enforce a court order or statute

precedent prior court decisions that provide guidance in a current case

probable cause the amount of evidence required for the government to take specific actions against a defendant in a criminal investigation or case; determined on a case-by-case basis

procedural due process the process, procedures, and rules that the government must follow when taking any legal action against an individual so that their rights under the constitution are protected

religious law system a legal system that bases its laws on religious texts or beliefs

rule by law describes political systems in which the judicial branch and the judiciary help impose the government's approved viewpoint on the citizens; the judiciary has little independence and acts as a source of government control over individual citizens

rule of law the principle that the government is one of law, not of any individual or group

social contract a voluntary agreement whereby the people consent to abide by specific rules while living in a territory and the government of that territory consents to limit itself to acting in accordance with certain standards

sovereignty the power of a governmental body to exercise authority by creating and imposing rules on people within the area it controls

standing the status necessary for an individual or group to complain about a law before the court, created by a direct injury to that individual or group as a result of government action

substantive due process the principle that due process applies not only to legal procedures but also to broader government actions, such as the passing of laws, and that such actions are subject to review to ensure that they do not infringe on individuals' constitutional rights

Review Questions

1. The judicial system or judicial branch is _____.
   a. the court system that interprets, defends, and applies the law in the government's name
   b. a mechanism for peacefully resolving disputes between individuals
   c. how the legislature enacts new laws
   d. Both A and B
   e. Both B and C

2. The difference between rule *of* law and rule *by* law is that _____.
   a. rule of law means that no one is above the law, while rule by law means that those in power manipulate the system to increase their power
   b. in rule of law, unlike in rule by law, the laws are clear, publicized, stable, and applied evenly, and they protect fundamental rights such as the security of persons and property and certain core human rights
   c. rule-of-law countries punish citizens for crimes, while rule-by-law countries do not
   d. Both A and B

3. _____ is the authority vested in a court to hear a case.
   a. Judicialism
   b. Jurisdiction
   c. Judiciary
   d. Judication

4. How are judicial decisions implemented?
   a. Courts rely on the other branches of government to implement their decisions.
   b. The people accept the court's decisions and comply.
   c. Private lawyers interpret the court's decisions and write new laws.
   d. The military and police ensure adherence to judicial decisions.

5. Standing in a court case is _____.
   a. rising as a show of respect when the judge enters the courtroom
   b. when a person has a direct injury from the effect of a law, so they can complain about in court
   c. the right of anyone who does not like a law to complain about it in court on principle
   d. complaining about a law to the legislature

6. Nullification is _____.
   a. when people or other branches of government disregard a court decision or statute because they disagree with it
   b. a protected right of the people
   c. a protected right of the executive and legislative branches
   d. All of the above

7. What is a common law legal system?
   a. A system that relies on precedent
   b. A system in which the judicial process is adversarial
   c. A system instituted by one ruling person or political party
   d. Both A and B
   e. None of the above

8. A customary legal system _____.
   a. is based on statutes enacted by an elected legislature
   b. is based on long-standing traditions in a particular community
   c. is based on rules enacted by a monarch
   d. is mainly investigatory

9. The major types of legal systems are _____.
   a. common law, civil law, religious law, customary law, and hybrid
   b. authoritarian law, religious law, customary law, common law, and civil law
   c. common law, traditional law, civil law, British law, and municipal law
   d. case law, civil law, international law, and hybrid law

10. A religious legal system is a legal system that bases its laws on _____.
   a. sacred texts or beliefs
   b. traditional customs of a region
   c. principles of the Enlightenment era
   d. populist sentiment

11. How do civil laws differ from criminal laws?
   a. Criminal laws apply to disputes between individuals or groups, while civil laws apply to offenses against the state.
   b. Criminal laws are intended to protect society, while civil laws are intended to settle disputes and reimburse individuals for damages.
   c. Criminal laws are enforced by the executive, while civil laws are enforced by the courts.
   d. Criminal laws are not subject to appeal, while civil laws may be.

12. What is the purpose of criminal punishment?
   a. To remove the offending individual from society
   b. To satisfy the public's desire for revenge
   c. To deter others from committing crimes
   d. All of the above

13. A court order to a jailer to either tell a person why they are being held or release them is called a _____.
   a. bail bond
   b. writ of explanation
   c. writ of habeas corpus
   d. judicial review

14. Due process means that _____.
   a. a court has the authority to hear a case
   b. the government must respect the rights of the accused
   c. procedural processes must be fair
   d. Both B and C
   e. All of the above

15. Trial courts typically have _____.
   a. original jurisdiction
   b. appellate jurisdiction
   c. plaintive jurisdiction
   d. selective jurisdiction

16. An appeal is _____.
   a. a higher court's review of a lower court's decision
   b. a review in which a higher court checks to see if an error by a lower court caused the trial to render an improper verdict
   c. a defendant's attempt to persuade the jury throughout the duration of a trial, irrespective of the evidence
   d. Both A and B
   e. None of the above

17. Judicial review is _____.
   a. a means by which the judicial branch can evaluate whether the executive and legislative branches are following the constitution and its principles
   b. a means by which the legislative branch can evaluate whether the executive branch is following the constitution and its principles
   c. a means by which the executive branch can evaluate whether the legislative branch is following the constitution and its principles

d. a means by which the people can evaluate whether the judicial branch is following the constitution and its principles

18. In an executive sovereignty system, _____.
a. the courts cannot review the actions of the legislature or the executive for their constitutionality
b. the executive branch can disregard all court decisions at will
c. the legislative branch can disregard all court decisions at will
d. the executive serves on the judiciary

19. Executive sovereignty systems are also known as _____.
a. legislative sovereignty systems
b. parliamentary sovereignty systems
c. independent systems
d. Both A and B

Suggested Readings

Goldman, Sheldon. *Picking Federal Judges: Lower Court Selection from Roosevelt through Reagan*. New Haven, CT: Yale University Press, 1997.

Malleson, Kate, and Peter H. Russell, eds. *Appointing Judges in an Age of Judicial Power: Critical Perspectives from around the World*. Toronto: University of Toronto Press, 2006.

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The Media

12



FIGURE 12.1 Republican Vice President Richard Nixon and Democratic Senator John F. Kennedy participated in the United States' first televised presidential debate in 1960. (credit: "Richard Nixon and John F. Kennedy Debate in Chicago While Being Televised (https://openstax.org/r/naragetarchivenet)" by Richard Nixon Library & Birthplace/ National Archives)

CHAPTER OUTLINE

12.1 The Media as a Political Institution: Why Does It Matter?
12.2 Types of Media and the Changing Media Landscape
12.3 How Do Media and Elections Interact?
12.4 The Internet and Social Media
12.5 Declining Global Trust in the Media

INTRODUCTION It was 1960, and Republican Vice President Richard Nixon stood at the podium, appearing drained and sweaty, while his opponent, Democratic Senator John F. Kennedy (JFK), looked as if he had been ready for this moment, the United States' first televised presidential debate, his whole life. When asked which candidate did better, Nixon's running mate, Ambassador Henry Cabot Lodge, who had watched the debate on television, said he thought JFK did a better job. In contrast, Senator Lyndon B. Johnson, who was running on the Democratic ticket with JFK, listened to the debate on the radio and deemed Nixon the winner. Did Senator Kennedy's good looks and confidence "win" the televised debate over a pale, overtired Nixon? Did the fact that the debate was televised change the outcome of the election? While academics have been unable to definitively answer these questions, one thing is sure: television changed politics that evening in 1960, and as an institution, the media continues to influence how people understand government, candidates, and policies.

VIDEO

How JFK's Clever TV Strategies Helped Him Win the Election

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/12-introduction)

John F. Kennedy's presidential campaign took advantage of the popularity and reach of television.

12.1 The Media as a Political Institution: Why Does It Matter?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain the importance of a free press both in the United States and abroad.
- Describe how the media acts as a watchdog and give examples.
- Understand and define how political information is mediated.

> *Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*
>
> —The 1st Amendment to the United States Constitution

The press is the only profession explicitly protected in the United States Constitution. Many attribute this protection to James Madison and his writings in the *Federalist Papers*, but the idea of a free press stretches back to well before Madison wrote out his ideas on what constitutes a perfect democracy. The origins of the free press in the United States can be traced back to **Cato's letters**, a collection of essays written in the 1720s by two British writers, John Trenchard and Thomas Gordon. Using the pseudonym Cato, they published their articles in the British press, criticizing the British monarchy for its corruption and tyrannical practices. Decades later, American colonists felt the effects of these letters during their own struggles against the Crown,[1] and in 1776, Virginia became the first state to formally adopt a constitutional provision to protect press freedom.[2] Why is the idea of protecting the press so embedded in the United States' concept of government, and why is this concept so important? Do other nations protect the media to the same extent, or even more? The next section will examine these questions.

The Fourth Estate and Freedom of the Press

The importance of a free press can be boiled down to a sentence from esteemed University of Illinois at Chicago lecturer Doris Graber's seminal work *Mass Media and American Politics*: "The mass media . . . serve as powerful guardians of political norms because the American people believe that a free press should keep them informed about the wrongdoings of government."[3] Another common way of defining the media's role is to say that it acts as the **fourth estate**, or the unofficial fourth branch of government that checks the others. The term *fourth estate* is credited to Scottish writer Thomas Carlyle, who wrote, "Burke said there were Three Estates in Parliament; but, in the Reporter's Gallery yonder, there sat a *Fourth Estate* more important far than they all."[4] In other words, people look to the media—the fourth estate—to keep the government in check. The role of the media must be protected if it is to carry out that task.

Throughout US history, the media has fulfilled this role as intended. In the late 1960s, Rand Corporation analyst Daniel Ellsberg provided classified documents to the *New York Times* and the *Washington Post* proving that the government was concealing protracted military involvement in the Vietnam War. The *New York Times* withstood government pressure and a Supreme Court case to go on to publish a series of articles now known as the Pentagon Papers, which revealed the extent to which the American public had been lied to about the country's progress in that war. The Watergate scandal is perhaps the most famous example of press freedom and the role of the press as **watchdog** (another term for the fourth estate). In this instance, a government informant known as Deep Throat fed *Washington Post* reporters Bob Woodward and Carl Bernstein confidential information about then president Richard Nixon's corrupt campaign practices. An ensuing series

of investigative pieces by the two journalists revealed multiple abuses of power in Nixon's reelection campaign, and their reporting ultimately led to the indictment of multiple presidential aides and the eventual resignation of the president himself.

VIDEO

Watergate

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/12-1-the-media-as-a-political-institution-why-does-it-matter)

In this video clip, investigative journalists Bob Woodward and Carl Bernstein, editor Barry Sussman, and former executive editor Ben Bradlee recall how, when they worked for the *Washington Post* in 1972, they broke the story of the Watergate scandal, a story that started with an investigation of a break-in at a Washington, DC, hotel and led to a constitutional crisis, the resignation of President Richard Nixon, and almost 50 criminal convictions.

In the case of the Pentagon Papers, the Supreme Court ruled 6–3 that the president's argument—that prior restraint[5] was necessary in order to protect national security—was not enough "to abrogate the fundamental law embodied in the First Amendment,"[6] and this is the most important First Amendment case because it addresses the sweeping right of the press and press protections in the 20th century. Watergate showed how a protected press is free to serve one of its main purposes, which is to reveal government misconduct. *New Yorker* staff writer Richard Harris wrote at the time that, "The press was potentially Mr. Nixon's enemy—far more than the courts or Congress, because only the press could dig out and tell the story (whatever help reporters might get from the courts or Congress) in a way that would arouse the people to demand an accounting."[7]

Watchdogs do not have to be journalistic behemoths like the *New York Times* or the *Washington Post.* In the United Kingdom, a small, independent newspaper called the *Rochdale Alternative Paper* revealed decades-long abuse allegations against Liberal Party MP[8] Cyril Smith. The exposé in the paper, which had a circulation of 8,000 at its highest,[9] eventually led to both a police and an independent government investigation into a child abuse ring that involved several high-level government officials, including MP Peter Morrison, the private secretary to then prime minister Margaret Thatcher.[10] Another way to understand the watchdog function of the press is through the term **muckraker**, referring to reform-minded investigative journalists during the Progressive Era in the United States (late 1800s to early 1900s) who exposed the wrongdoings of industry leaders. One famous example of a muckraker was Upton Sinclair, who wrote the novel *The Jungle* based on the corrupt and inhumane practices in American meatpacking companies at the turn of the 20th century. The publication of *The Jungle* led to governmental action on food safety. In his 1919 work *The Brass Check*, Sinclair exposed the journalism industry's penchant for **yellow journalism**, or journalism that relies on catchy titles and human interest stories to drive sales over well-researched articles or pieces on civic affairs. Sinclair was not afraid to take on media titans such as William Randolph Hearst, who owned the nation's largest chain of newspapers at the time.



FIGURE 12.2 Muckraker Upton Sinclair exposed unethical and unsanitary practice in the US meatpacking industry in *The Jungle*. (credit: Modification of "Upton Sinclair, portrait bust, studio at 56 Fifth Ave., N.Y. (https://openstax.org/r/uptonsinclair)" by Bain News Service/Library of Congress)

Watchdogs and muckrakers act as a check on government action and corruption. They play an important part in exercising the role of a free press as a cornerstone of a functioning democracy. As Yale University professor and member of the Council on Foreign Relations Timothy Snyder writes, "If nothing is true, then no one can criticize power, because there is no basis upon which to do so."[11] The media allows the public to understand what is happening in government in order to hold elected officials accountable. Or, perhaps more simply put, "A free press is important because it is the freedom upon which all of our other freedoms are contingent."[12]

How free is the press? The answer is not black and white, as evidenced by the 2021 World Press Freedom Index. Published every year by Reporters Without Borders, the Freedom Index measures freedom in 180 countries "based on an evaluation of pluralism, independence of the media, quality of legislative framework and safety of journalists in each country and region."[13] The map in Figure 12.3 below shows that the press is freer in some countries (in pink and purple on the map) than in others (in blue and green).



FIGURE 12.3 According to Reporters Without Borders, the free press faces a difficult or very serious situation in nearly half of all countries around the world. (source: Reporters Without Borders; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

According to the index and as reflected in the map, Norway, Finland, Sweden, and Denmark have the freest presses in the world. Notably, Norway tries to discourage media concentration in order to ensure a variety of outlets, something that will be discussed in later parts of this chapter. The 2021 index ranked the United States 44th, after South Africa (32nd), Botswana (38th), and South Korea (42nd).

George Mason University professor Sam Lebovic explains that two main factors, the rise of concentration in ownership and increased state secrecy, are responsible for the inadequacy of press freedom in the United States, which is an ongoing and serious problem.[14] The modern US media faces unprecedented struggles against declining viewership and revenues, which work to limit the number of outlets and decrease the number of working journalists. At the same time, legislation such as the Patriot Act, passed after the September 11, 2001, terrorist attacks, has made it more difficult for the press to verify state information because of increasing pressure on sources not to cooperate and prosecution of journalists who do ascertain information. In addition, the Trump administration further hampered press freedoms through the prosecution of news sources, public statements that discredited journalists, and encouragement of foreign leaders to take steps to restrict their own media.[15] The future of press freedom in America, while still unstable due to media concentration and surveillance laws such as the Patriot Act, may show some signs of improvement; in a speech on Press Freedom Day in 2021, President Joe Biden decried the imprisonment of 274 reporters worldwide, criticized the lack of local media outlets, and said that the United States "recognize[s] the integral role a free press plays in building prosperous, resilient, and free societies."[16] Despite these laudatory comments about a free press, however, it is clear the United States faces challenges in protecting journalists' ability to fulfill their roles.

A study of the United States and Latin America provides an example of how this idea of the importance of a free press is shared across cultures. In the study, journalists representing both cultures shared a common definition of a free press as one that functions without government pressure and to promote social and economic development.[17] This study considered whether or not a free press is related to increased economic development, a question that to date has not been conclusively answered. While the notion that political freedoms (such as freedom of the press) should naturally encourage economic growth and increased standards of living is a common one, current research has not found conclusive evidence either supporting or refuting the claim.[18]

There is more of a consensus on the benefits of a free press when it comes to preventing corruption. Studies of press freedom around the world, conducted by scholars in England, Argentina, and Australia, confirm this theory.[19] In this way, the watchdog role that the press plays is based on democratic ideals and has real-world effects for the public.

The Mediated Nature of Political Information

The political information most people receive is **mediated information**. What does this mean? Unless they work directly in government, most citizen's understanding of politics comes completely from the media, whether via television news, podcasts, or social media feeds. The media may be a gatekeeper, but it is also a storyteller. As such, it is important to realize that what people see in the media is actually a manufactured view of the political world. Journalists and others who create the news follow routines and are influenced by institutional values that manifest themselves in media content. As Columbia University professor Herbert Gans writes in his study of the American media, "The news does not limit itself to reality judgments; it also contains values, or preference statements. This in turn makes it possible to suggest that there is, underlying the news, a picture of nation and society as it ought to be."[20] Gans acknowledges that professional journalists try to be objective, yet the news does in fact make judgments and value statements. For example, crime news alerts viewers to the idea that there are undesirable actors within society and that criminals should be punished. Judgments and value statements such as these are different from political bias; while some news outlets are overtly liberal or conservative, Gans's study shows that the media produces stories with cultural values that people may not detect because they are so used to seeing stories presented this way. For example, according to Gans, **ethnocentrism** and altruistic democracy are two of the key enduring values in the news. Ethnocentrism in the news refers to the idea that the American media values the United States above all other nations. This manifests most obviously in war coverage, where the press rarely questions American involvement—and to do so would be unpatriotic. In a similar vein, Gans explains that the American news media emphasize an **altruistic democracy**, the ideal held up by the media that politics should be based on public service and for the public interest.[21] In these ways, the news makes statements about what is right and what is wrong and presents political news through these lenses.

Journalists also share other professional values as to what makes a "good" news story, such as proximity, negativity, scope (how big is the story?), timeliness, and unexpectedness (novelty).[22] Because journalists share these professional values, there is a certain homogeneous quality to the news, otherwise known as **pack journalism**. This means that people receive the same type of news story repeatedly, though this has been changing since the advent of online news, a topic that will be discussed later in the chapter. Journalists' common ideas about what should be in the news and why color their coverage and presentation of the news—and, as a result, the public's perception of politics.



FIGURE 12.4 Members of the international press corps vie for the same story. (credit: "Members of the International Press Corps at the White House" by Ben Solomon/US Department of State/GPA Photo Archive/Flickr, Public Domain)

It is important here to note that the concept of news values differs across countries—what is newsworthy in the United States may not be in other nations—and the role of the media differs as well. A study on the news in Japan found that strong cultural forces and local needs drive how news is produced and delivered.[23] Other scholars have found that Western news organizations highlight human interest stories, while Arabic news focuses more on social responsibility and Islamic values.[24] University of Leicester Professor Vincent Campbell echoes the sentiment that news organizations in different countries are fueled by different values and that this influences what stories their audiences see. In authoritarian countries, journalists focus less on performing the watchdog role and more on promoting state activities.[25] This is the case in countries such as North Korea and China, where the state government runs the media.

Related to the idea that the media in large part decides what is a good news story is the concept of the media's **gatekeeping** role and its agenda-setting powers. In other words, according to **agenda-setting theory**, the media decides both what to ignore or filter out and what to show the public. As University of Texas professor Maxwell McCombs and University of North Carolina professor Donald Shaw write, "In choosing and displaying news, editors, newsroom staff, and broadcasters play an important part in shaping political reality. Readers learn not only about a given issue, but also how much importance to attach to that issue from the amount of information in a news story and its position."[26] Whether it is a producer who selects the topics for the evening news or an algorithm that creates a social media news feed, people know what is "news" by what is fed to them, they know what is important based on how often it gets airtime, and they understand that there are lead stories and stories that don't matter very much. The public doesn't make these decisions; professionals within the news industry make them for the public. (Later parts of this chapter will discuss how this power dynamic has changed thanks to social media and how, in many ways, it is no longer media professionals who select what the public sees.)

If the media decides which stories to present, it also has a hand in deciding *how* stories are presented. According to **framing theory**, the way the media frames political information can affect people's understanding of it. University of Illinois professor David Tewksbury and University of Wisconsin professor Dietram A. Scheufele explain:

> "Artists know that the frame placed around a painting can affect how viewers interpret and react to the painting itself. . . . Journalists—often subconsciously—engage in essentially the same process when they decide how to describe the political world. They choose images and words that have the power to influence how audiences interpret and evaluate issues and policies."[27]

For example, a study on gubernatorial races found that female candidates were more likely to be framed in terms of personal characteristics than their male counterparts, who were more likely to be framed in terms of their positions on policy issues.[28] In a separate study, researchers found that one common way the Dutch national media framed news on the European Union (EU) was in terms of assigning responsibility for social problems to the government. This study suggests that the Dutch media's presentation of political news reflects the public expectation that the government will provide social welfare programs.[29] By highlighting certain aspects of a story and ignoring others, frames can affect people's judgments and opinions on policy issues, and just as with agenda setting, elected officials fight to make sure they are framed in the correct light.

The public, and individual viewers, should know that while the media is a critical tool that aids people's political decision-making, it is guided by professional values that dictate the content. Individuals' views on politics can sometimes be out of their control, but they can work to assemble a better picture of the world by turning to a variety of media outlets and becoming aware of what goes into story selection. While internal pressures (such as professional norms) or external forces (such as authoritarian governments) can influence how the media portrays information, ownership can also affect what the public sees. The next section will examine the different types of media—and, perhaps more importantly, who owns them and how this affects their role in the political world.

12.2 Types of Media and the Changing Media Landscape

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Discuss the types of media and their history.
- Explain how ownership affects both media content and consumers and why it is relevant in the study of politics.
- Compare and contrast state versus privately owned media.

The oldest known printed book in the world is the *Diamond Sutra*, a Buddhist text that was printed using fixed wooden blocks in 868 CE.[30] In the 11th century, roughly a thousand years later, Chinese inventor Bi Sheng developed **movable type**,[31] a system of movable letters that could be reused to repeatedly print text. Movable type changed the course of human knowledge and history because it allowed for faster dissemination of information, cheaper printing, and the shareability of printed material. This newfound ability for people to share knowledge challenged traditional authority, and in the 16th century, Pope Alexander VI prohibited unlicensed printing in an attempt to suppress publications that promoted ideas or threatened the orthodox faith.[32]

VIDEO

The Chinese Invention of Printing and Movable Type

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/12-2-types-of-media-and-the-changing-media-landscape)

The Chinese invented paper, printing, and movable type. This video shows how Chinese movable type was developed and how it works.

The pope's actions show that, as English writer and politician Edward Bulwer-Lytton wrote, "the pen is mightier than the sword." That is, the ability to spread information freely was an existential threat to traditional power structures. The mass availability of printed material reflects the democratization of knowledge, as education and books were no longer exclusive artifacts of the elite. The media landscape today is very different from when Bi Sheng first created movable type. This section examines the different types of media that exist today as well as recent significant changes in the media environment—and how these changes affect the media's ability to play the role of gatekeeper and information provider.

Types of Media and Their History

The media can be categorized into four broad groups: print, radio, television, and the Internet. Print media includes newspapers, magazines, and books. This section will briefly discuss the history and current state of each medium as well as how ownership of these industries affects the political world.



FIGURE 12.5 Newspapers continue to thrive in parts of the developing world. (credit: "Day 15: The Press" by Lindsey Turner/Flickr, CC BY 2.0)

According to Cornell University professor Theodore Lowi, Johns Hopkins University professor Benjamin Ginsberg, and Harvard University professors Kenneth Shepsle and Stephen Ansolabehere, print media is important for three primary reasons. First, other media—including television, radio, and now online news aggregators and podcasts—rely on print media to set the news agenda with original coverage. Second, print media provides more context and details than other forms of media. Finally, print media (and its online iterations, such as online versions of newspapers) are the prime information source for the elite.[33] While some have proclaimed that "print is dead," there is plenty of evidence to the contrary: though newspaper circulation has declined, unique visitors to news websites have increased.[34] What has emerged is a symbiosis of print and online media, where traditional flagship news sources such as the *New York Times* and various magazines move online to recapture waning audiences, while some previously online-only sources launch physical magazines. In December 2020, *Forbes* ran an aptly named article titled "Stop Saying Print Journalism Is Dead. 60 Magazines Launched during This Crazy Year,"[35] pointing out that people still like print, and, as University of Texas professor Iris Chyi explains, the reason for this is biological; tangible material leaves a deeper footprint in the brain.[36] A study of democratic European countries confirmed the same phenomenon: print media is still resilient in the face of an expanding online environment.[37] *Commercial Observer* reporter Chava Gourarie explains the phenomenon this way: "It seems print and digital can co-exist after all. The new won't replace the old. The new will hammer the old, deform it, reform it, reconceive, reconfigure, but the old won't disappear."[38] Later parts of this chapter will further investigate the impact of the Internet on traditional media.

Print media has not suffered as much in other parts of the world, particularly in developing countries. A 2011 Pew Research Center study found that "print newspapers are thriving . . . in countries with untapped and

emerging population segments. In some parts of the world, such as India, reading a print newspaper is a prestigious activity, in much the same way that it was for immigrants a century ago in the United States,"[39] and increased literacy in developing countries also contributes to this trend.[40] Newspaper circulation increased by double-digits in South America, Asia, and Africa between 2004 and 2009.[41]

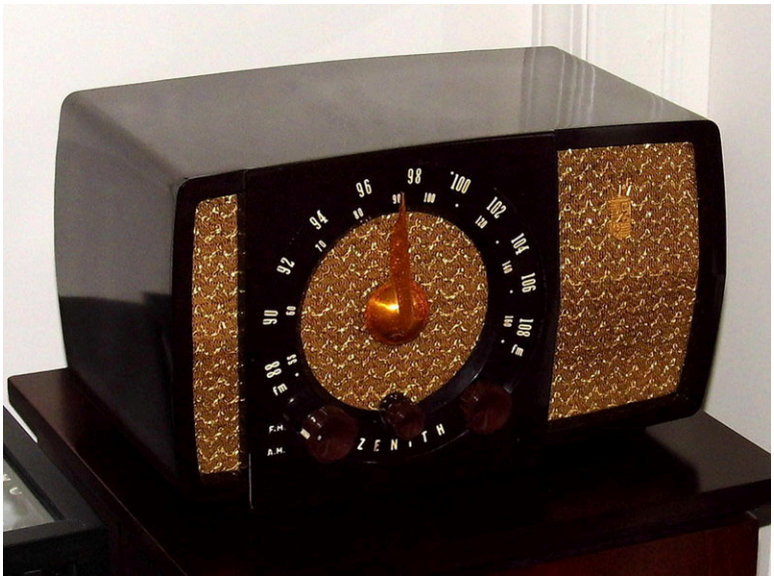


FIGURE 12.6 In the first half of the 20th century, before the rise of television, radio was a prominent source of news and entertainment in the United States. (credit: "Vintage Zenith Bakelite AM/FM Table Radio, 7 Tubes, Model H72372, circa 1951" by Joe Haupt/Flickr, CC BY 2.0)

The first commercial radio station was born in the United States on November 2, 1920, when Pittsburgh's Westinghouse Electric and Manufacturing Company transmitted the first scheduled broadcast, announcing live returns of the presidential election contest between Warren G. Harding and James Cox. Westinghouse obtained the first US commercial broadcasting station license in the same year, and seven years later, the Radio Act of 1927 created the Federal Radio Commission to oversee radio broadcasting, replacing the Department of Commerce in its oversight duties.[42] This marked the beginning of what has come to be known as the golden age of radio, from the late 1920s until the early 1950s, when radio broadcasts were millions of Americans' primary source of news and entertainment.[43] Television would soon overtake radio as the primary form of entertainment in the home, but as of 2019, radio programming still reached more Americans than any other media platform.[44] While the United States is considered the largest and most important radio market, other developed countries constitute important markets for radio broadcasters. The United Nations continues to celebrate the radio on World Radio Day, hailing the humble technology as a "vector of freedom" because radio supplies low-cost information and remains a widely used technology around the globe.[45]

SHOW ME THE DATA

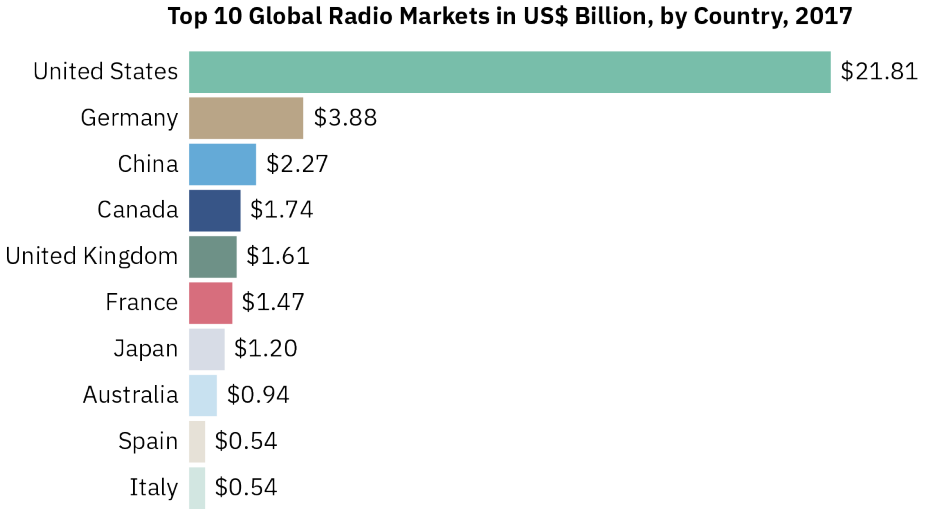


FIGURE 12.7 The United States represents more than half of all annual global radio revenue. (sources: Ofcom, Canadian Radio-Television and Telecommunications Commission, Statista; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

The first black-and-white television was introduced at the 1939 World's Fair,[46] and in 1941, the **Federal Communications Commission (FCC)**, the US government commission that currently oversees radio, television, wire, and now the Internet, authorized commercial broadcasting in the United States.[47] The introduction of color television quickly followed in the early 1950s, and by the 1980s, around 90 percent of American households had a television.[48] This era is what Queensland University of Technology professor Amanda D. Lotz terms "the network era," when three major television networks had a fixed schedule and provided the majority of media content. During this era, most homes had one television, and television was a means of "bring[ing] the outside world into the home."[49] Coaxial cable television was first developed in the 1930s to provide television to rural areas that could not receive broadcast signals. Cable television became more widespread starting in the 1950s and culminating in the 1970s with the introduction of Home Box Office (HBO), which fought with the FCC to be allowed to provide for-fee television content through a cable network.[50] Steady growth of the industry peaked in the early 2000s, and by 2010, more than 105 million Americans—or about 90 percent of homes—paid for cable television services. [51] Yet the number of Americans who said they watched television via cable or satellite plunged from 76 percent in 2015 to 56 percent in 2021,[52] while a recent Deloitte consulting study found that 82 percent of respondents subscribed to a streaming service.[53] The trend of moving from traditional television to streaming or mobile services can be seen elsewhere in the world, though it is progressing at a slower pace. In India in 2018, 197 million households had televisions, while only a fraction of that number (60 million) utilized the country's most popular on-demand media programming.[54]



FIGURE 12.8 At the beginning of the 21st century, only about 3% of the population of Peru had Internet access. The Internet has spread rapidly, and while about 43% of the population of Peru still did not have regular Internet access in 2019, Internet cafés like this one have sprung up in Peru and around the world, connecting people and places like never before. (credit: "Café Internet" by Daniel Lobo/Flickr, Public domain)

The Advanced Research Projects Agency Network (ARPANET), which was established through the US Department of Defense in the early 1960s, built on research conducted by the Massachusetts Institute of Technology to fund and administer one of the first iterations of the Internet.[55] By 1969, ARPANET mainly connected research universities to one another, but at the urging of the telecommunication and computer industry, the government was persuaded to open up the network for public use. In 1993, the European Organization for Nuclear Research (CERN) put the technology into the public domain[56] thanks to the research of MIT professor Tim Berners-Lee, who created the framework for the World Wide Web and the use of links and hyperlinks. The Internet has of course altered the way people interact with every communication medium. Never have people been able to access so much information at once from one place, be it with a laptop or a smartphone. As of 2021, 97 percent of all adults owned a cell phone, and 87 percent owned a smartphone; over 95 percent of Americans ages 18 to 49 reported using a smartphone.[57] A 2018 survey found that, worldwide, a median of 76 percent of the populations of 18 advanced economies had smartphones compared to just 45 percent in emerging economies, with South Korea reporting the highest smartphone adoption rate at 95 percent.[58] In 2020, more than 80 percent of Americans got their news from a smartphone, while only 10 percent got news from a printed newspaper.[59] Of those using online news, more than half of Americans said they get their news from social media "at least sometimes," and a third of Americans stated that they regularly get news from Facebook.[60] Later parts of this chapter will investigate the role of social media in more depth.

Ownership of the Media

Between print media, radio, television, and streaming services, it feels like people have a lot of choice when it comes to media. However, the United States and Europe have what is called **media concentration**, where a few firms own the majority of channels and content. In fact, five companies own and produce 90 percent of what Americans watch today.[61] Another word to describe this type of media ownership pattern, in which a small number of corporations dominate the market, is an **oligopoly**.



FIGURE 12.9 Five major multinational corporations control about 90 percent of US media markets. A similar oligopoly exists in Europe (https://openstax.org/r/european_journalists). (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Is media concentration a cause for concern? Columbia Business School professor Eli Noam argues that larger corporations have the money to invest in good journalists and foster reader loyalty.[62] Since being acquired by Amazon owner Jeff Bezos, the *Washington Post* has increased hiring and has shown profitability, unlike many other newspapers.[63] However, because these companies are privately owned, it is not irrational to assume that they are profit-seeking businesses that look to maximize earnings over other, perhaps loftier, goals. As such, these companies may choose easy-to-sell programming over content with high information value. Providence College professor Matt Guardino writes, "When control over the media is concentrated in fewer and fewer hands, owners may be able to use their corporations' powerful platforms to amplify propaganda driven by their own political views or business interests."[64] In addition, profit maximization can lead to budgetary constraints such as reduced foreign news coverage or other staffing cutbacks, which can affect the content of the news and, by extension, what information citizens and voters can access. A 2018 study found that "ownership chains" had "a homogenizing effect on the content of newspapers' coverage of foreign policy, resulting in coverage across co-owned papers that is more similar in scope (what they cover), focus (how much 'hard' relative to 'soft' news they offer), and diversity (the breadth of topics they include in their coverage of a given issue) relative to . . . papers that are not co-owned."[65] As Senior Research and Teaching Associate at University of Zurich Edda Humprecht notes, "Large media corporations are assumed to offer superficial or scandalizing news content in order to attract large audiences,"[66] and this idea has been backed by various empirical studies that point to the reduction of more serious news in favor of content with what is perceived to be higher entertainment value. Stanford researcher Mark Cooper iterates this point: "Concentration of ownership may foster entertainment variety, but it undermines diversity of information and journalistic enterprise."[67] He also notes that "concentration of media ownership reduces the diversity of local reporting and gives dominant firms in local markets an immense amount of power to influence critical decisions. Consolidation in national chains squeezes out the local point of view."[68] A study of the Sinclair Broadcasting Group, which provides news to more than 70 percent of American households, found that news outlets under

concentrated ownership focused on national news over local interest, produced slightly more politically conservative content, and resulted in a small downward shift in viewership.[69] This is troubling when considered alongside research that finds that smaller station groups produce higher-quality newscasts than stations owned by larger companies—by a significant margin.[70] It is not difficult to see how ownership affects not just what people see but also what they consider important—and how that can affect the public's view of politics.

The picture of media ownership in Europe is similar to that in the United States in that six corporations also own the majority of media content across Europe, prompting the European Union to commission the 2020 report *Monitoring Media Pluralism in the Digital Era*[71] and to issue a warning about the threat that media concentration poses to pluralism and diversity of views. The European Federation of Journalists echoes this concern: "Many politicians, particularly those in the European Parliament, have repeatedly expressed concerns over the growth of huge media companies that are exercising unprecedented levels of political and commercial influence. In the process they threaten diversity and pluralism in society."[72]

Private ownership is not the only media model. In many countries outside of the United States, the media are either partially or wholly owned by the state with positive effects. For example, the British Broadcasting Corporation (BBC), the world's first public broadcaster,[73] draws its funding via the government in the form of a user fee while not having any direct government intervention when it comes to programming or editing. Many hail the BBC as a model for public ownership because of its high-quality news, content, and accessibility. Countries that have strong public broadcasters such as the BBC have been shown to "have higher levels of social trust, and the people who live in them are less likely to hold extremist political views."[74] Public news media continue to play a particularly prominent role in western Europe, where public news stations, including the BBC in the UK, Sveriges Television (SVT) and Sveriges Radio (SR) in Sweden, and ARD in Germany, continue to be top sources for news.[75] However, in poorer, autocratic nations, state ownership of the media has been shown to undermine political and economic rights and freedoms.[76] In the United States, the two highest-profile public news outlets, National Public Radio (NPR) and the Public Broadcasting Service (PBS), rank far lower than private news outlets in terms of listeners and viewership.[77]

12.3 How Do Media and Elections Interact?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe why the media are needed to cover elections and how they do it.
- Explain the importance of the media for candidates running for election.
- Detail the pros and cons of advertising in elections.

VIDEO

The Scream That Doomed Howard Dean

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/12-3-how-do-media-and-elections-interact)

Howard Dean's 2004 presidential campaign had been building momentum until this now-infamous speech doomed his campaign.

Most Americans know about Martin Luther King Jr.'s "I Have a Dream" speech, but do you know about Howard Dean's "I Have a Scream" speech? During the 2004 presidential campaign, Democratic candidate and former Vermont governor Howard Dean led many polls for the Democratic presidential nomination. The press seemed to adore the progressive, anti-war candidate, though he placed third in the Iowa caucus behind Massachusetts Senator John Kerry and North Carolina Senator John Edwards. In order to rally his supporters, Dean gave a speech at Val Air Ballroom in West Des Moines, Iowa. Perhaps trying to project an image of optimism and

future victory, Dean promised that his campaign was "going to South Dakota and Oregon and Washington and Michigan." He then assured the crowd that he would ultimately go "to Washington, DC, to take back the White House"[78]—before releasing a long, shrill scream into his microphone. That scream and that moment, now referred to as Dean's "I Have a Scream" speech, were played 633 times by national networks in the ensuing days,[79] with CNN eventually issuing a formal apology for playing it too many times.[80] Some refer to this event as the first viral political event, and many consider it the moment when the Dean campaign died. What it illustrates is the sometimes adversarial, sometimes symbiotic relationship between elected officials and the media.

Media Coverage of Elections and Elected Officials

As Stanford University professor Shanto Iyengar writes, "For most Americans, the media are their only contact with the world of public affairs."[81] Iyengar explains that one of the media's critical functions is to provide a forum for candidates and parties to discuss their platforms and qualifications. Earlier parts of this chapter have detailed the media's roles as watchdog and storyteller; when it comes to elections, they also act as information provider. Without the media, it would be very difficult for voters to assess which candidates to vote for and whether or not to keep incumbent legislators in office. This means, however, that elected officials can try to manipulate the media to make themselves seem more appealing, and the media also must be careful in how they portray candidates and the electoral process—all topics that will be covered in more detail in the following sections.

One of the most significant powers of the media is determined by both its reach and how it acts as an agenda setter, alerting people to important issues. By constantly putting political issues and elections in their news cycle, the media reinforce the idea that participating in democracy is important. However, while Americans feel informed by coverage of campaigns, they have "lukewarm" feelings about the breadth of coverage, noting a lack of attention to substantial issues.[82] This is a common refrain from scholars as well. Decades of academic research have shown that the news media engage too often in the **horse-race coverage** aspect of elections, reporting on who is ahead and who is behind rather than on substantial issues or policy stances. Harvard professor Thomas Patterson writes that the press is "obsessed with the horse race" of elections, and this, coupled with the unique and prolonged length of the US primaries and general election, makes the coverage seem even more endless in nature.[83] For example, in the 2020 election, the earliest caucus was February 3, and the earliest primary was February 11—nine months before the general election.[84] However, this does not take into account what is called the "invisible primary," when potential candidates begin to raise money for their campaigns, often months before the actual campaign season starts. The US campaign season feels interminable, especially when compared to countries such as Singapore, where general elections must take place in the span of three months once Parliament is dissolved.[85] Horse-race coverage has been linked to greater levels of distrust of both candidates and the media themselves. It gives an advantage to novel candidates (think former professional wrestler Jesse Ventura, who ran for and won the office of Minnesota governor in 1998) and ignores third-party candidates (such as Gary Johnson, who ran for president in 2020 as the Libertarian Party candidate.)[86] This problem is not unique to the United States; a study of 27 European countries found that horse-race coverage was prominent in party systems with close electoral competitions and in countries with large media markets,[87] and another study found similar criticisms of Australian election coverage.[88] Horse-race journalism is not an equally severe problem in all democratic nations; one study of the media in Sweden found that compared to the United States, the Swedish press did a better job with issue-oriented reporting and the production of interpretive news during their elections.[89] Horse-race coverage is problematic not just because it turns off viewers—it also ignores topics in which voters might be interested in favor of coverage of who is winning and who is losing. This undermines the importance of the media as an information provider and watchdog when it comes to the electoral process.

The horse-race approach is not the only problem with media election coverage. A trend since the 1980s, the media's tendency toward negative, critical coverage of candidates remains problematic. As Thomas Patterson writes, this "incessant stream of criticism has a corrosive effect. It needlessly erodes trust in political leaders

and institutions and undermines confidence in government and policy," which "can mislead voters about the choices they face."[90] A study of Canadian elections found that negative media portrayals of candidates and elections can depress a voter's intention to cast a ballot.[91]

When it comes to media and elections, some countries, including democratic countries, face a bigger problem: the lack of press freedom. In 2016, three of Japan's most outspoken news anchors were dismissed from their positions due to governmental pressure in reaction to their criticisms of then prime minister Shinzo Abe. Shortly after their firing, a United Nations representative expressed alarm at the country's declining support for press freedom, while the Paris-based media advocacy group Reporters Without Borders lowered Japan's ranking of world press freedom to 72nd out of 180 nations, between Tanzania and Lesotho.[92] In Mexico, despite promises to regulate the use of government funds for public relations, former president Enrique Peña Nieto spent nearly $2 billion of government money on media advertising in five years during his tenure with the expectation that he would receive positive news coverage in return.[93]

The examples of Japan and Mexico are a reminder of how crucial a free press is in the political process. The media has the capability to quickly reach wide audiences, including elites and the broader public. It can help generate collective action, it provides information that is needed to make political decisions, and it helps candidates reach potential voters.

MEET A PROFESSIONAL

Robert Yoon
CNN Director of Political Research, 1999–2017
Election Analyst, Edison Research, 2018–present

Please explain what you do for your organization.

At CNN, I was responsible for knowing pretty much anything about a candidate or public official that might be relevant for our news coverage. I collected information about their fundraising and their personal finances and their policy positions and whatever notable things they might have said in interviews or on the campaign trail. I've covered politics on a lot of different levels, including the US Senate and House and the Supreme Court and governors and to some extent local races, but my main focus has always been presidential campaigns. Even though presidential elections happen only every four years, someone somewhere is always either running for president or thinking about it. So I had to follow a lot of these micro-developments when most people weren't paying much attention to it. The hardest and most interesting part of my job probably was preparing moderators for presidential debates. I've done more than 30 presidential debates, most recently a 2020 debate for CBS News. My other big responsibility was analyzing election night vote results.

Can you tell me a little about how you got involved in your position?

I was always interested in politics and current events. As a kid, I would always watch the State of the Union and try to name cabinet secretaries as they entered the House chamber. Watching election night coverage was like watching the Super Bowl or the World Series. So when I saw a posting for a job at CNN to help cover presidential elections, I jumped at the chance.

What advice would you give students who want to go into your line of work?

An important thing for any journalist is to consume as much information as you can as regularly as possible, even if it isn't directly related to your main interests. Journalists cover real life, so the more you know and understand the ways of the world, the better. Having a wide range of experiences and being exposed to a wide variety of perspectives makes you a better reporter.

How Do Candidates Use the Media?



FIGURE 12.10 When Donald Trump addressed supporters after finishing in the top three in the Iowa Republican caucuses in 2016, audience members captured his speech on their smartphones. (credit: "Trump Caucus" by Max Goldberg/GPA Photo Archive/Flickr, CC BY 2.0)

The media is an important tool for voters, one that allows them to learn more about candidates and the election process. For candidates, the media also serves as a tool to reach those very same voters, and this section will discuss how candidates use the media in the hopes of winning elections. There are two avenues for candidates to use the media: **free media** and **paid media**. Free media is when a candidate gets press coverage, while paid media refers to media that the candidate and campaign pay for in the form of political ads. (Paid media will be discussed in more detail later in the chapter.) When former Mexican president Enrique Peña Nieto spent nearly $2 billion of government money on media advertising, his actions were particularly nefarious because he used government funds to purchase paid media in order to influence free media coverage.[94] In the United States, for example, presidents can only use money raised through separate campaign entities to fund paid media. Using government funds would be considered not only corrupt but also illegal. In Peña Nieto's case, his flagrant abuse of power was met with defeat at the polls.

In the United States and many other countries, successful campaigns are "increasingly contingent upon candidates' media strategies and media treatment of political events."[95] Savvy candidates understand that they should not simply let the media decide how to cover them and that they need to present themselves in a certain light to potential voters. Candidates aim to control the media narrative and spend significant time and money trying to do so—and this struggle is international. In a study of 97 candidates in 43 elections around the world, scholars found that candidates who employed nastier rhetoric that included personal attacks and appealed to people's fears received wider media attention—media attention that candidates want during an election, especially as the study found that media coverage of personal attacks was correlated with electoral success.[96] Along the same lines, scholars in the UK found that critical, unbalanced media coverage of the EU that focused on the perceived threats of immigrants contributed to Brexit (the British exit from the European Union).[97] Members of the United Kingdom Independence Party (UKIP) sought this type of media coverage in order to influence the outcome of the ballot initiative for UK independence. The Cambridge Analytica scandal highlights the worst of paid media campaigns, as British consultants from Cambridge Analytica scraped Facebook data from users without their knowledge. This questionably—and, in many countries, illegally—obtained data was used to create microtargeted ads (ads tailored to specific users) for the Donald Trump presidential campaign, the Ted Cruz senatorial campaign, and the Brexit campaign. It was also alleged that Russian oil company Lukoil, which has strong ties to the Putin-led Russian government, was involved in funding Cambridge Analytica to influence the outcome of the US presidential election.[98]

Cambridge Analytica illustrates just how far candidates will go to use media (in this case, social media, which

will be discussed in more detail in later parts of this chapter) to win at all costs. In the 2020 presidential election, Donald Trump's campaign bought $2.1 million in Facebook ads alone,[99] though this number pales in comparison to the amount the campaigns spent on television ads. Joe Biden spent more than $600 million on television ads, while Trump spent $400 million, the bulk of it in six battleground states: Florida, Michigan, Pennsylvania, North Carolina, Wisconsin, and Arizona.[100] These massive campaign advertising expenditures are not common in all countries. For example, in 2008, the US presidential election cost candidates $5.3 billion, with a large portion of that going toward media buys. In comparison, thanks in part to a complete ban on political advertising on television, the 2007 Danish election cost only $8 million, including public financing, and had a turnout rate that was 25 percentage points higher than the turnout rate in the US.[101] Germany also bans political advertisements and has a tradition of using political posters as a practical way of influencing voters.[102]



FIGURE 12.11 This photo shows a roadside political poster for the reelection of German Chancellor Angela Merkel. (credit: "Election Poster of Angela Merkel in Hamburg" by TeaMeister/Flickr, CC BY 2.0)

As described earlier in this chapter, media coverage of campaigns that is negative and focuses on the horse-race aspect of elections rather than on issues can have detrimental effects. The same can be said for paid media. A problematic form of paid media is the negative attack ad, the numbers of which have only continued to rise. Campaign finance scholar Fred Wertheimer writes, "Because television appeals to our emotions and magnifies and intensifies what it communicates, the impact of the negative message is much more powerful and damaging on television than if the same message were being communicated through print."[103] Negative advertising is problematic for obvious reasons. It can lead voters to distrust their own decisions, and it breeds contempt for the election process.[104]

SHOW ME THE DATA

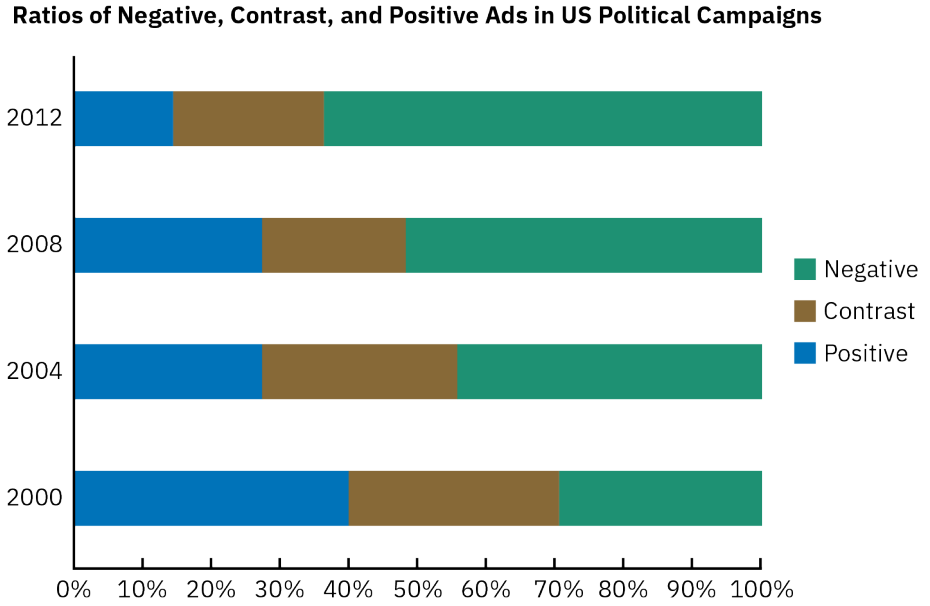


FIGURE 12.12 The percentage of negative ads in US political campaigns has grown steadily since 2000. (source: Wesleyan Media Project; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

The effects of negative ads are still debated, as a number of studies say that they do not necessarily affect turnout because legitimate criticism of candidates can actually *drive* voter turnout.[105] Another reason why negative ads may have little to no effect is that they are only salient to voters who already have low levels of trust in government to begin with; in other words, the ads preach to the choir and have little effect on the overall voting body.[106] Multiple studies[107] have also shown that negative ads may work in the opposite direction,[108] which is to say that the attacker comes away looking worse.

Effectiveness aside, negative or otherwise, the First Amendment protects political advertising as a form of speech separate from commercial speech specifically because it is speech that is political in nature. Political advertisements on television are a vital tool for candidates because they can reach voters quickly, and these ads allow candidates to package and present themselves on their own terms.[109] Given the strong First Amendment protections in the United States, political ads are here to stay.

12.4 The Internet and Social Media

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe how the Internet and social media has changed other forms of media.
- Understand the impact of social media on politics.
- Detail how social media in particular has different effects on how we understand and interact with politics and political information.

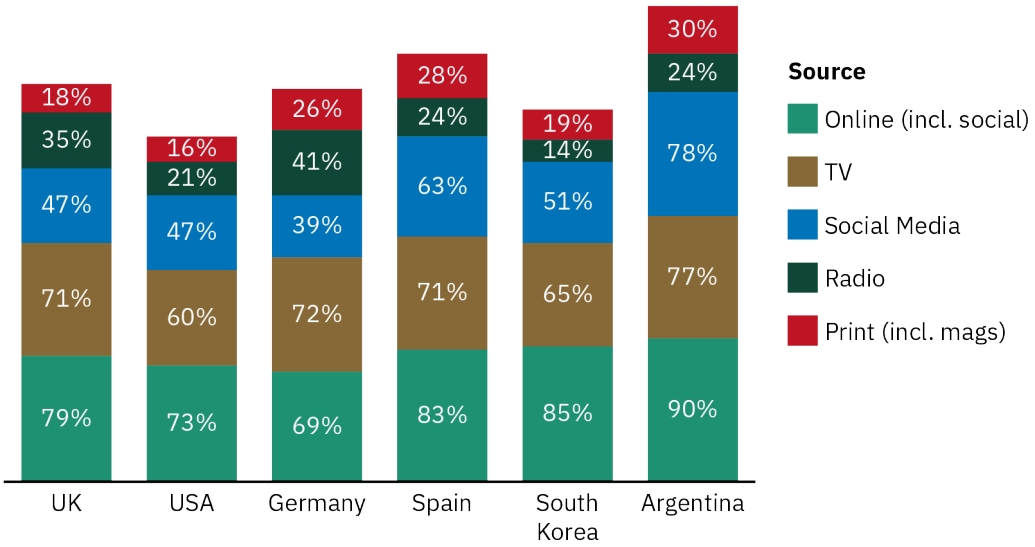
Narendra Modi, Barack Obama, Joko Widodo, Donald Trump, Queen Raina, and Hilary Clinton: What do these names make you think of? Hopefully politics! They also happen to be the most popular politicians on Instagram.[110] Why would politicians want to be on the same platform as dogs dressed up in tutus and one-pot cooking recipes? Because around the world, people spend close to two and a half hours a day on social media, and because never before has anyone been able to reach a global audience so quickly and so intimately. The Internet and social media have changed everything about people's lives, from how they connect to how they

understand politics. This section will discuss how the Internet has transformed traditional media and changed how the news is produced and shared, the impact of social media on politics, and how the effects of social media differ from those of traditional media.

SHOW ME THE DATA

Proportion That Used Each as a Source of News in the Last Week (April 2020)

Selected countries



Q4 (Apr. 2020). Which, if any, of the following have you used in the last week as a source of news?
Base: Total sample: UK = 2191, USA = 1221, Germany = 2003, Spain = 1018, S Korea = 1009, Argentina = 1003.
Note. Figures adjusted to exclude non-news users for comparability.

FIGURE 12.13 In most countries, people rely heavily on online news sources. (source: Reuters Institute Digital News Report 2020; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

In some ways, the table in Figure 12.13 says it all. While circulation and advertising revenue of print media have dropped considerably and viewership of television has also slowed, the share of people who go online for news and entertainment has grown steadily.

The allure of Internet content and social media is easy to understand; the most popular platforms and much of the content are for the most part free, easy to use, highly visual in nature, and dynamic. When it comes to social media, the networked nature of the technology—being connected to multiple other networks of people—is also what makes it so powerful, as this characteristic is what allows users to share information and links quickly and often.[111] The Internet and social media have become *everything*—a tool for information, a tool for entertainment, a way to communicate, and a way to become empowered. At the advent of the technology, many lauded the Internet's transformative nature because it altered the traditional power structure of the media. In traditional print, radio, and television, the journalists, editors, and producers engaged in gatekeeping; they choose what news or entertainment to publish or air based on their own tastes, professional norms, and their interpretation of audience expectations. Because social media allows users to rapidly share—and create their own—content, it has weakened the traditional gatekeeping model of mainstream media. This is possible because the Internet substantially lowers the **barriers to entry**, or the economic cost of a newcomer being part of the process. No longer do people need a professional cameraman, a million-dollar set, editors, high-tech editing equipment, a satellite, or a license to broadcast. All they need is a computer, iPad, or phone. This is not to say that traditional media has fallen away; the most trafficked sites online continue to be old-guard outlets such as the *New York Times* and CNN. At the same time, sites that

started online (as opposed to those that *moved* online), such as Yahoo, BuzzFeed, Mashable, TechCrunch, and many others, stand side by side in popularity with the old guard.[112] The fact that twice as many kids want to be YouTube stars as want to be astronauts[113] is a sure sign of the power of the Internet and social networking platforms. Children and teens are not blind to TikTok influencer Charli D'Amelio's 100 million plus followers,[114] and they envision endless possibilities for themselves. The Internet can feel empowering to individual users in ways that traditional media never could because the potential to become "famous" or viral on social media and the Internet only takes content—not millions of dollars backed by a movie studio or an anchor on a news network. But it also needs the help of an algorithm.

VIDEO

The Young Turks: Building Hope

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/12-4-the-internet-and-social-media)

The Young Turks is a popular YouTube news content channel that started in the living room of creator/host Cenk Uygur.

Simply defined, **algorithms** are mathematical sets of rules. When applied to social media platforms and search engines, algorithms play a critical role in what people see when they search for a topic in a search engine or what comes across their social media feeds. Algorithms search, sort, and rank things based on predictions about what users should see, which means what comes up in one person's search results and social media feed will be different from what comes up in other people's results and feeds. This is accomplished by the use of cookies, or blocks of data that allow web browsers to track and save information about the sites people visit. By utilizing cookies, social media algorithms predict what users want to see in an attempt to keep them engaged online. Because what one person chooses will be different from what any other individual chooses, the content of their social media stream will look different from anyone else's. This represents a monumental shift in how media is presented to users. In the 1970s and 1980s, when there were only four or five television stations to watch, all content was delivered to viewers at the same time, in the same fashion. The most watched television finale in the history of US television was the last episode of *M*A*S*H*, a comedy set during the Korean War.[115] This meant that more than 105 million people watched the finale at the same time—something unimaginable to younger viewers today, who can stream almost anything, from sports to comedies to YouTube videos, on demand. This is due to another unique characteristic of online content, which is that it is **asynchronous content**, or content that can be shared among a network of people outside the constraints of time and space.

For the vast majority of college students (and increasingly for their parents), using social media makes perfect sense—they were born into the technology and cannot remember life without it. Universities and colleges are ground zero for experimentation and political socialization, and increasingly, college students are using social media in ways that promote the creation of social capital and political participation. A study of university students in the United States, Australia, and Britain found that they are adept social media users and that they are aware of both its practical value and its limitations. The study notes that social media platforms are an increasingly significant sphere "for the political messaging, discussion, disruption and the presentation of the political self" among college students.[116] But it is worth it to stop and ask why social media is so useful for politics in general. As New York University professor Clay Shirky notes, for generations, the formation of groups has relied on traditional institutional structures (think political parties or the Freemasons). The advent of social media has transformed group formation and even global cooperation.[117] "Social media," Shirky explains, "have become coordinating tools for nearly all of the world's political movements, just as most of the world's authoritarian governments (and, alarmingly, an increasing number of democratic ones) are trying to limit access to it."[118] One can see the potential of social media as a valuable organizing tool for political movements in the case of the Arab Spring, during which social media users organized wide-scale protests first against the government of Tunisia, with additional pro-democracy movements spreading across much of the Middle East and North Africa. In Egypt, a Google executive named Wael Ghonim created the Facebook page

"We Are All Khaled Said" to protest the murder of a 28-year-old Egyptian man at the hands of Egyptian police. The page, which had 300 users within two minutes of its creation, swelled to 250,000 users within three months.[119] Ghonim was later imprisoned and interrogated for his Facebook activities criticizing the Egyptian government; upon release, he gave a televised speech that led to further protests, which in turn ultimately led to the resignation of Egyptian then president Hosni Mubarak.[120] In China, social media has been a valuable tool of empowerment for political dissidents. Journalist Emily Parker writes that, via social media, "millions of *wangmin*, or netizens . . . are surrounded, at least virtually, by like-minded individuals. They learn the power of collective action. They become parts of networks that extend outside their country's borders."[121] While authoritarian governments such as China's "have long tried to control the spread of information, . . . ordinary citizens have long used creative ways to get around these controls."[122] Contemporary Chinese artist Ai Weiwei, an early Twitter adopter, famously used the social media platform to alert people outside of China to the government's corrupt activities.



FIGURE 12.14 Chinese artist and political activist Ai Weiwei has more than 367,000 followers on Twitter (https://openstax.org/r/twitteraiww). (credit: "Ai Weiwei" by Alfred Weidinger/Flickr, CC BY 2.0)

In this way, social media can create social cohesion, facilitate collaboration, and serve as an indispensable tool for activists. However, the technology has its drawbacks, particularly when it comes to politics. Online environments in which the same opinions are repeatedly voiced and promoted to the exclusion of opposing views, often referred to as **echo chambers**, are a recurring and real problem. For example, Twitter users are, to a great extent, exposed to opinions that agree with their own, and bipartisan users are not rewarded in terms of visibility on the platform.[123] Echo chambers are problematic in that they are linked to **political polarization**, or the divergence of political attitudes toward ideological extremes. Social media is particularly ripe for this problem because the technology allows users to silo themselves off more easily than traditional media does. However, as University of Chicago professor Cass Sunstein notes, citizens within a democratic system require shared experiences, and when individuals can restrict themselves to hearing only voices they agree with—only "louder echoes of their own voices"[124]—this will lead to political fragmentation and political polarization.

This is not a uniquely American phenomenon. A study of the 2011 Canadian election found evidence of political polarization on Twitter,[125] while a 2014 study similarly concluded that Twitter led to more political polarization than it did cross-ideological discourse (though such discourse on Twitter did appear possible).[126] Comparative research on the 2013 US and French presidential elections found polarization among Twitter users in both countries, though at a higher level in France.[127] Research on Facebook usage during the 2014 Thai presidential election also supports the claim that users do not engage in cross-ideological discussion but

instead sequester themselves in politically homogeneous social media pages.[128] Political polarization results in lower levels of trust in institutions, higher levels of suspicion of "the other side," and the inability to work toward compromise.[129] Media concentration (covered in an earlier section of this chapter) can also contribute to political polarization because the media oligopolies have the resources to create a plethora of niche and partisan media. As University of Antwerp professor Peter Van Aelst writes, "The success of partisan news broadcasters, such as Fox News and MSNBC, and online platforms such as Breitbart and The Huffington Post, in the USA, also contributes to the view that there is a trend towards increasing polarization of media content."[130] Research has found that exposure to partisan information makes people more inclined to support their own positions in an entrenched manner.[131]

WHAT CAN I DO?

The Media and Personal Responsibility



FIGURE 12.15 This display of the front pages of newspapers around the world provides "a snapshot view of what's important to people around the planet." (credit: "Newspapers" by Alper Çugun/Flickr, CC BY 2.0)

The media play a critical role in helping people understand the political world around them. For example, the media provide information about what governments are doing and inform voters about candidates running for office. What people often do not think about, however, is how individuals engage with and utilize the information that they receive from the media. Information is one of the most powerful tools available to the public, particularly when thinking about specific information related to government and politics. Do individuals use this information in an ethical manner? Do they think about what choices are available to them based on the information provided? Do they fully understand all of the actions and consequences of those actions based on the information provided? By studying how the media works as a political institution and with political institutions—and how people interact with the media and the information provided by the media—you can begin to understand your own personal responsibility vis-à-vis the media. In an era when social media can spread disinformation almost instantaneously or exacerbate political polarization, it is important to really consider and take into account how your actions concerning media utilization impact those around you.

The loss of the traditional gatekeeper is one explanation for the existence of the echo chambers, polarization, and self-segregation that allow for an alarming increase in **misinformation**, or incorrect information that is

spread regardless of intent to mislead. (Disinformation is misinformation that is explicitly intended to mislead.) As Senior Vice President and the Director of the Technology and Public Policy Program at the Center for Strategic and International Studies (CSIS) James Andrew Lewis writes, "The effect of the internet on the mediation of content is especially pronounced, with a decentralized media displacing the editors and fact-checkers of the past. Social media amplifies the trend toward disintermediation."[132] In other words, when people got political information from the newspaper or television in the past, they knew that there were institutional checks in place, from editors to fact-checkers to the journalists themselves, to ensure its accuracy. Now, anyone with Internet access can be a journalist, and no one needs a news station to create news. In this way, the Internet has democratized news production and empowered previously ignored voices while simultaneously creating a minefield of misinformation. The networked nature of social media platforms makes it easy to pass along misinformation. Studies of Twitter have shown that falsehoods travel further and faster than the truth, thanks in part to the emotional responses they elicit and in part to the novelty of the falsehoods themselves. Perhaps more notably, studies found that it is the work not of **bots** (automated Internet applications that run repetitive tasks such as retweeting) but of people retweeting falsehoods that cause disinformation to spread so quickly.[133] The Center for Countering Digital Hate found that only 12 people were responsible for 65 percent of the misinformation spread online about COVID-19 vaccines.[134] In addition, the Internet and social media make it easier for foreign agents to spread disinformation online. In a report issued for the US State Department in 2019, Russia, China, Iran, and North Korea were highlighted as the worst offenders, spending millions of dollars on state-backed activities designed to actively spread disinformation.[135] Herein lies the paradox of the intersection between social media and politics: the technology can be a revolutionary tool for creating and dispersing information and encouraging broader political participation, but it is this very participation and ease of information production and dissemination that leads to such high levels of misinformation. Media scholars such as Lianne Chin-Fook and Heather Simmonds are hopeful that new gatekeepers will evolve to allow for a healthier information environment on social media platforms in the future.[136]

12.5 Declining Global Trust in the Media

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Detail levels of trust in the media in the US and around the world.
- Discuss why levels of trust in the media have steadily declined.
- Explain why we should care about levels of trust in the media.
- Explain what possible reforms can increase trust in the media.

> *Every time a newspaper dies, even a bad one, the country moves a little closer to authoritarianism.*
>
> —Pulitzer Prize–winning journalist, Richard Kluger

The beginning of this chapter discussed how the press safeguards people's rights and keeps democracy healthy. Authoritarian regimes such as North Korea do not allow freedom of the press because they know that an informed citizenry is a powerful one. Despite the inherent importance of the media, levels of trust in the institution are precariously low both in the United States and globally. This section will examine levels of trust in the media and the causes of mistrust, then go on to examine possible reforms.

Do People Trust the Media?

In order for the media to fulfill its goals as a gatekeeper and purveyor of information, there needs to be trust in the institution. So why do some countries trust the media more than others? A study of 44 countries found that factors such as higher levels of political interest, interpersonal trust, and exposure to television news and newspapers are positively correlated with trust in media, while education and exposure to news on the Internet are negatively associated with levels of trust in the media. The same study showed that ownership also

affects levels of trust: state ownership of television is positively associated with trust in media in democratic societies and negatively associated with trust in media in nondemocratic societies.[137] Other reports have found that levels of democracy and media freedom are not necessarily correlated with trust in the media. Evaluations of the economy also have been suggested as a factor in people's trust in the media.[138]

A 2019 Gallup report on global trust in the media noted that the percentage of respondents who expressed at least some trust in journalists ranged from a low of 12 percent in Greece to a high of 93 percent in Uzbekistan.[139] Most people around the globe trust people they know personally over people they know through online exchanges, and there appears to be a healthy skepticism of online news and content in general.

Some question whether increased political polarization has contributed to lower levels of trust in the media. Given the apparent causal relationship between political polarization and online echo chambers, perhaps the relationship between trust in the media and political polarization is more analogous to the well-worn question about which came first, the chicken or the egg. Wilfred Laurier University professor Anne Wilson, PhD candidate Victoria Parker, and University of Toronto professor Matthew Feinberg describe this as a **polarization feedback loop**, in which increasing polarization among political elites and the media "selectively amplif[ies] the worst the other side has to offer" and ultimately feeds into mistrust of the media and polarization of the electorate.[140] The schism is particularly apparent in the United States, where political partisanship is evident not only across many policy issues but also when it comes to trust in the media.

SHOW ME THE DATA

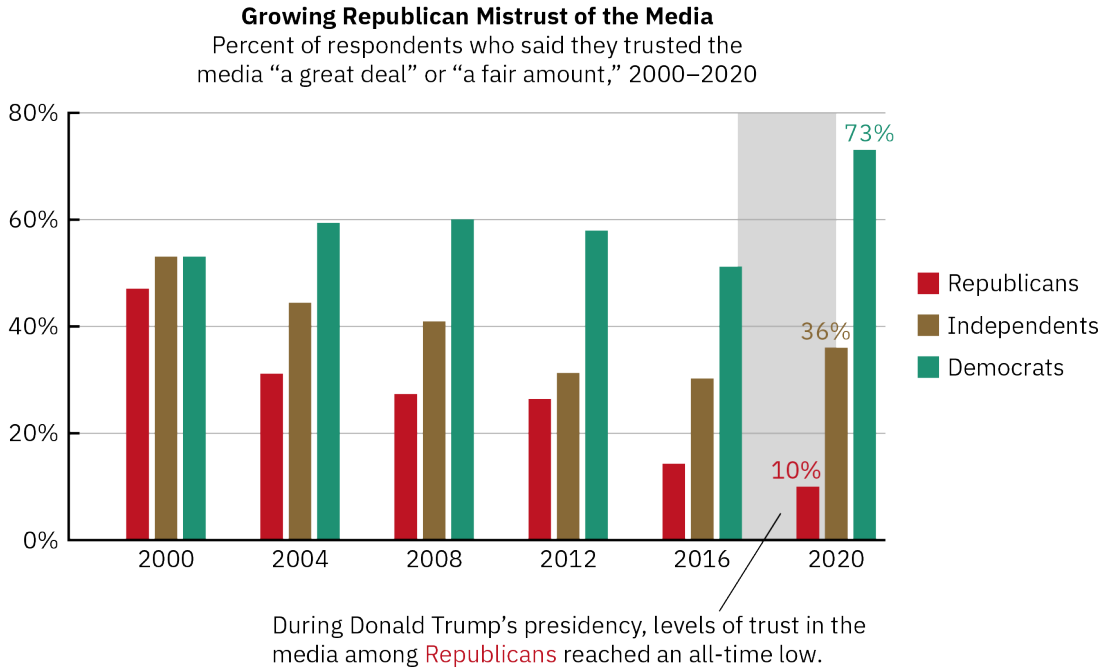


FIGURE 12.16 Republicans' trust in the media decreased significantly between 2000 and 2020. (souce: Gallup; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

When looking at a more detailed breakdown of who doesn't trust the media, the polling website FiveThirtyEight notes that Republicans in the United States have built on their long-held belief that the media has a liberal bias to incorporate an "anti-media" stance into their overall ideology.[141] In 2018, nine in 10 Republicans said they had "personally . . . lost trust in the news media in recent years."[142] As people's choices in media content have increased, it is not surprising that both Republicans and Democrats have sought out news sources that reinforce their political beliefs, and the Internet has made this especially easy. Additionally,

conservatives are more likely to surround themselves with like-minded views online, while liberals are more likely to block friends who do not agree with them on social media.[143] This self-imposed exposure to partisan media ultimately reduces people's overall trust in the mainstream press, regardless of party.[144]

Why Should We Care about Trust in the Media, and How Can We Increase It?

An informed citizenry is a precondition for democracy, and in order for citizens to act collectively and cast votes in their best interests, people should be able to rely on the media as a source of unbiased information. Without a foundation of trust in the media, people will find their information elsewhere. While one cannot assume that all voters will make an effort to make educated choices, the ability to develop informed decisions makes trust in the media a crucial first step. As former United States congressman Lee H. Hamilton writes, "The truth is that for our democracy to work, it needs not just an engaged citizenry, but an informed one."[145] The public's habits and their trust have moved in lockstep with one another, and as people have walled themselves off from news they do not believe in, their trust in institutional media has fallen, as has their ability to remain informed. The decline of trust in both governmental and media institutions has real consequences. The erosion of trust in public institutions damages the credibility of those institutions, further undermining their effectiveness and perpetuating a vicious circle.[146]

What can be done to restore trust in the media as an institution? Organizations in the United States and around the world have proposed numerous strategies for supporting media institutions and promoting trust. The Knight Foundation points out that a majority of respondents in a 2020 survey believed that it is possible to raise levels of trust in the media, and in pursuit of that goal, the foundation makes two substantial suggestions for the media: official corrections (that is, admitting to errors and publicly correcting them) and increased representation.[147] Respondents indicated that when the media issues official corrections, this increases rather than decreases trust, suggesting that transparency is key to raising trust levels. With regard to representation, readers appear to want more representation in newsrooms, with journalists who look like them and more closely reflect their communities.

NPR's public editor suggests that the lack of trust also stems from content quality. "Cable networks . . . prioritized talking heads[148] over reporting. Print media . . . conflated opinion, analysis, and straight reporting."[149] In response to this, the Trust Project, which partners with 200 news outlets across 12 countries, works with media organizations to incorporate what it calls "the 8 Trust Indicators"[150] in order to facilitate improved news quality and increase reader trust.[151] Addressing the issue of media concentration may also encourage higher-quality content and promote a closer relationship with readers and viewers, thus contributing to engendering trust.

The **Organization for Security and Co-operation in Europe (OSCE)**, the world's largest intergovernmental organization dedicated to security, elections, human rights, and press freedom (among other concerns), makes a number of recommendations for improving both content quality and people's trust in the media. The OSCE advises European governments to

- tackle the problem of media concentration by reducing certain taxes for newspaper companies;
- develop guidelines for editorial independence from corporate owners;
- strengthen intellectual property and bargaining rights for journalists; and
- provide "sufficient" salaries for journalists.

Further, the OSCE encourages nations to monitor these recommendations.[152] In the United States, the Federal Communications Commission (FCC) could reverse rules that loosened restrictions on mergers, though as some point out, this would not necessarily prevent smaller media outlets from dying off. One novel suggestion is to require a transaction fee for each merger, with the proceeds going to fund local journalism, especially because it appears that trust is fostered when readers feel that the media outlets they use are tied to their communities.[153]



WHERE CAN I ENGAGE?

Help Stop the Spread of Misinformation

To combat misinformation online, organizations such as First Draft (https://openstax.org/r/firstdraftnews) work globally with journalists to root out misinformation and provide reporters with resources and information to create the most informed content possible and build trust with audiences.[154] The website hosts a free library of training content, including online courses, tool kits, and resources designed to help both journalists and the public build expertise and stay ahead of misinformation. Everyone has the ability to stop misinformation, and by educating yourself on how to stay alert to the spread of false news, you help promote a healthier media.

Summary

12.1 The Media as a Political Institution: Why Does It Matter?

The mass media serve as powerful guardians of political norms because the free press should keep the public informed about the wrongdoings of government. Another common way of defining the media's role is to say that it acts as the fourth estate, or the unofficial fourth branch of government that checks the others. Another term for this role is watchdog. In order for the press to fulfill this important role, however, countries must protect the freedom of the press—and some countries do a better job than others. Protecting the press is also important because it serves as an information conduit between the government and the people. The vast majority of people cannot acquire information on governmental affairs themselves and rely on the press to act as a mediator. However, the media report stories based on their own journalistic values and practices, and this can affect what makes the news agenda and how pieces are framed.

12.2 Types of Media and the Changing Media Landscape

The media can be categorized into four distinct groups: print, radio, television, and the Internet. Each group has its own place in history, and its influence over the audience has ebbed and flowed over time. The majority of the media in the United States and much of Europe is owned by six major firms, and this type of oligopoly can have effects on people's political lives. Concentration of ownership has resulted in homogeneous content, a move away from both local and international news to more entertainment and national news, and (in some instances) a movement toward more conservative political news content. Though private ownership of the media has resulted in an oligopoly, there are other models of ownership across the globe. Countries such as Britain and Japan have well-respected and widely used state-sponsored media channels, although such state-sponsored media are relatively unpopular in the United States.

12.3 How Do Media and Elections Interact?

The media often focuses coverage on the horse-race aspect of elections, ignoring substantive policy discussion. However, the electorate depends on the media as a source of information that can help them make informed decisions. Countries with fewer democratic freedoms and authoritarian regimes severely hamper the press's ability to cover elections fairly. Candidates, on the other hand, understand that controlling press coverage is important in terms of electoral success, and they spend substantial time and money to make sure the public hears their version of the story. Most political speech in the United States is protected by the First Amendment to the US Constitution, and American political candidates spend large sums of money on ads and other attempts to control the media narrative. Many countries around the globe strictly limit not only how much candidates can spend on elections but also how much political advertising they can buy. This notwithstanding, political ads play an important role for candidates as an easy way to reach voters.

12.4 The Internet and Social Media

Social media is ubiquitous. The lowered barriers for entry allow anyone to be a producer of content and purveyor of information, and they also allow people to discuss and coordinate their actions around politics. Citizens in countries with limited political freedom have found the Internet and social media to be powerful and important tools that circumvent both authoritarian regimes and tightly controlled traditional media institutions. The Internet and social media are not without their problems, however. Algorithms play a large part in determining what people see, but individuals still have a significant amount of power to determine what information they seek out, which can create echo chambers and potentially result in political polarization. Misinformation also travels quickly on social media, hampering these platforms' true utility as a reliable source of information.

12.5 Declining Global Trust in the Media

Maintaining trust in the media is important because people need to rely on the media in order to make informed decisions as citizens. Without the media, citizens fall prey to misinformation or no information, and

falling levels of trust signify a troubled relationship. One reason for this falling trust is increasing political polarization. Polarization leads to lower levels of trust, which lead to worse polarization. What can governments and the media do to address this phenomenon? Recommendations from nongovernmental organizations such as the Organization for Security and Co-operation in Europe include official corrections and increased representation in the media, measures to address media concentration, and tax incentives for smaller media companies.

Key Terms

agenda-setting theory the theory that the media's power rests in its ability to decide which topics the public will see and which ones they won't

algorithms mathematical sets of rules that, when applied to the Internet or social media (for example), search, sort, and rank things based on predictions about what users should see

altruistic democracy the ideal held up by the media that politics should be based on public service and serve the public interest

asynchronous content content that can be shared among a network of people outside the constraints of time and space

barriers to entry the economic cost to newcomers in a marketplace

Cato's letters a collection of essays written in the 1720s by British writers John Trenchard and Thomas Gordon under the pseudonym Cato in order to criticize the British monarchy for its corruption and tyrannical practices

echo chambers online environments in which the same opinions are repeatedly voiced and promoted to the exclusion of opposing views

ethnocentrism in the context of the news, the idea that the media of a country values that country above all other nations

Federal Communications Commission (FCC) the US government commission that currently oversees radio, television, wire, and Internet

fourth estate a term for the media that casts it as an unofficial fourth branch of government that checks the other branches of government

framing theory the theory that the way the media frames political information can affect people's understanding of it

free media media coverage that political candidates do not pay for, such as news coverage by local reporters

gatekeeping the process by which information and topics are filtered and selected by the media

horse-race coverage media coverage of political campaigns that focuses on winners and losers rather than policy issues

media concentration the idea that ownership of the media rests in the hands of the few, taking the form of an oligopoly

mediated information information that is not received directly from the source, such as the government, but comes via a third party, such as the media

misinformation incorrect information that is spread regardless of intent to mislead

movable type a system of movable letters that can be reused to repeatedly print text

oligopoly ownership by a few individuals or entities

Organization for Security and Co-operation in Europe (OSCE) the world's largest intergovernmental organization dedicated to security, elections, human rights, and press freedom

pack journalism the idea that journalists sharing professional values can lead to the homogeneous nature of news content

paid media media that political candidates pay for, such as campaign ads on television or the Internet

polarization feedback loop the theory that rising polarization among political elites and the media amplifies the worst of both sides, ultimately feeding into mistrust of the media and polarization of the electorate

political polarization the divergence of political attitudes toward ideological extremes

watchdog the role of the press to act as a check on the government to make sure that it is appropriately serving its purpose

Review Questions

1. _____ is a name for the press that references its role in helping the public make sure the government is working truthfully.
   a. The fourth estate
   b. Watchdog
   c. Both A and B
   d. Neither A nor B

2. The gatekeeping role of the media refers to:
   a. The fact that the media determines what topics the public sees
   b. The media's strict standards for who becomes a journalist
   c. The fact that journalists don't have the power to decide what is in the news
   d. The way the media keeps out certain audiences

3. Framing theory is:
   a. A theory about why the way pictures are framed in the media changes people's perception of the news
   b. The same as agenda-setting theory
   c. A theory about how people frame news stories in their minds
   d. The theory that the way the media frames stories alters how people think about policies or elected officials and candidates

4. The media can be grouped into the following categories:
   a. Print and nonprint
   b. Print, radio, television, and the Internet
   c. Social media and the Internet
   d. None of the above

5. The term *media oligopolies* refers to:
   a. A few firms owning all media content
   b. One firm owning all media content
   c. Many firms owning the media
   d. State- or government-owned media

6. Horse-race coverage focuses on:
   a. Horse racing
   b. Important electoral events
   c. Who is winning an election
   d. The public's trust in the media

7. Negative ads:
   a. Are a form of advertising that candidates use to attack their opponents during an election
   b. May work to turn off voters from candidates who use them
   c. Make up the majority of election ads
   d. All of the above

8. During elections, candidates rely on which types of media?

a. Paid media
b. Free media
c. Both free and paid media
d. Neither free nor paid media

9. Algorithms:
a. Determine what users see in their social media feeds
b. Are mathematical sets of rules
c. Make the media negative in nature
d. Both A and B

10. The term *echo chambers* refers to:
a. The phenomenon in which social media allows people to be surrounded by opinions that mirror their own
b. The way in which the media echoes elite opinions
c. The idea that people echo their own voices on social media
d. None of the above

11. The fact that information and content on the Internet is *asynchronous* means that:
a. It is timely
b. It is not in touch with the public
c. It can be shared without constraints of time or space
d. It is information that is biased

12. Reasons for the decline in trust in the media include:
a. Media bias
b. Political polarization
c. Rising costs of the media
d. Increased regulation of the media

13. Suggestions for increasing trust in the media include:
a. Addressing ownership structures and dismantling oligopolies
b. Making sure that newsrooms are representative of their audiences
c. Having news organizations issue corrections when they make mistakes
d. All of the above

Suggested Readings

Gans, Herbert. *Deciding What's News: A Study of CBS Evening News, NBC Nightly News, Newsweek, and Time*. New York: Vintage Books, 1980.

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Governing Regimes 13



FIGURE 13.1 The New Zealand government distributed pamphlets and hung posters to disseminate information about adjusting to life during the COVID-19 pandemic. New Zealand's lockdown was among the strictest that governments imposed during the pandemic. (credit: New Zealand Government/Wikimedia Commons, CC BY 4.0)

CHAPTER OUTLINE

13.1 Contemporary Government Regimes: Power, Legitimacy, and Authority
13.2 Categorizing Contemporary Regimes
13.3 Recent Trends: Illiberal Representative Regimes

INTRODUCTION Political power is organized in the form of **governing regimes**, or governments. Underlying institutional patterns have emerged among the wide variety of these regimes across different regions of the world and in different periods of time. These different approaches to governance are evident in the ways various regimes seek to address common challenges and achieve desired goals. During the global COVID-19 pandemic, for example, some countries swiftly enacted lockdowns, mask mandates, and other policies aimed at reigning in the spread of the virus, while other countries took more of a wait-and-see approach that prioritized individual freedoms. When you draw distinctions among varying types of regimes and detect trends in contemporary governments, you can come to our own conclusions regarding which regime is best for addressing these kinds of challenges. To these ends, this chapter will look at governing regimes both conceptually and in reference to a range of concrete examples drawn from governments around the world.

13.1 Contemporary Government Regimes: Power, Legitimacy, and Authority

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe the nature of governing regimes.
- Define power, authority, and legitimacy.
- Explain the relationships among power, authority, and legitimacy.
- Discuss political history and contemporary political and legal developments surrounding governing regimes.

A government can be defined as a set of organizations, with their associated rules and procedures, that has the **authority** to exercise the widest scope of **power**—the ability to impose its will on others to secure desired outcomes—over a defined area. Government authority includes the power to have the final say over when the use of force is acceptable, and governments seek to exercise their authority with legitimacy. This is a complex definition, so this section unpacks its elements one by one.

A government both claims the right and has the ability to exercise power over all people in a defined geographic area. The leadership of a church or a mosque, for example, can refuse to offer religious services to certain individuals or can excommunicate them. However, such organizations have no right to apply force to impose their will on non-congregants. In contrast, governments reserve for themselves the broadest scope of rightful power within their area of control and can, in principle, impose their will on vast areas of the lives of all people within the territories over which they rule. During the COVID-19 pandemic, only governments both claimed and exercised the right to close businesses and to forbid religious institutions to hold services. The pandemic also highlights another feature of governments: almost all governments seek to have and to exercise power in order to create at least minimal levels of peace, order, and collective stability and safety.



FIGURE 13.2 China's armed police force imposes government-sanctioned order. (credit: "China Armed Police Force" by Michael Mooney/Flickr, CC BY 2.0)

As German social scientist Max Weber maintained, almost all governments seek to have and to enforce the right to have the final say over when violence is acceptable within their territory. Governments often assert what Weber called a **monopoly on the right to use violence**, reserving for themselves either the right to use violence or the right to approve its use by others.[1] The word *monopoly* might be misleading. In most countries, citizens have a right to use violence in self-defense; most governments do not maintain that they *alone* can exercise the acceptable use of violence. Where the government recognizes the right to use violence in self-defense, it will seek to reserve for itself the right to decide when, in its judgment, that use is acceptable.

Imagine a landlord confronting a tenant who has not paid their rent. The landlord cannot violently seize the renter and forcibly evict them from the apartment; only the police—an agency of the state—can acceptably do that. Nevertheless, the law of many countries recognizes a right of self-defense by means of physical violence. In many US states, for example, if a person enters your house unlawfully with a weapon and you suspect they constitute a threat to you or your family, you have a broad right to use force against that intruder in self-defense (a principle that forms the core of the "castle doctrine"). In addition, private security guards can sometimes use force to protect private property. The government retains the right to determine, via its court system, whether these uses of force meet the criteria for being judged acceptable. Because the government sets these criteria, it can be said to have the final say on when the use of force is permissible.

Authority

Authority is the permission, conferred by the laws of a governing regime, to exercise power. Governments most often seek to authorize their power in the form of some decree or set of decrees—most often in the form of a legal constitution that sets out the scope of the government's powers and the process by which laws will be made and enforced. The enactment of codes of criminal law, the creation of police forces, and the establishment of procedures surrounding criminal justice are clear examples of the development of authorized power. To some degree, the constitution of every government authorizes the government to impose a prohibition, applicable in principle to all people in its territory, on certain behaviors. Individuals engaging in those behaviors are subject to coercive enforcement by the state's police force, which adheres to defined lines of authority and the rules police departments must follow.

Governmental regulations are another type of authorized government power. The laws that structure a regime usually give the government the authority to regulate individual and group behaviors. For example, Article 1 Section 8 of the US Constitution authorizes the federal government to regulate interstate commerce. When large commercial airlines fly individuals across state lines for a fee, they engage in interstate commerce. The federal government therefore has the authority to regulate airline safety requirements and flight patterns. Pursuant to this authority, the federal government has established an agency, the Federal Aviation Administration (FAA), to issue these regulations, which are ultimately backed by the state's coercive enforcement power.

Weber argued that those who structure regimes are likely to choose, on the basis of the regime's own best interests, to create authority that is clearly spelled out in a regime's constitutional law.[2] When lines of authority in the government are clear, especially in the context of the state's criminal law, the people living in a regime are less fearful of the state. This helps the state secure the people's support. When the scope of the government's authority is clear, people can understand how their government is structured and functions and are therefore less likely to be surprised by governmental actions. This can be especially important for the economy. To follow the example above, if laws regulating the private ownership of commercial airlines are constantly open to unexpected change, some people may be wary of working in the industry or investing their money in these companies' stock. Predictable governmental action can encourage these investments. With increased economic activity, the government can tax the productive output, amassing resources to help it achieve whatever its goals might be. In addition, clearly defined structures of authority in the form of stable bureaucratic institutions allow a government to exercise power more efficiently and cost-effectively, once again enabling it to amass more resources to serve its objectives.[3]

The use of physical force to directly restrain behavior is just one of the ways governments exercise power. Governments also tax. In a sense, the taxing authority of government is a necessary corollary of its authority to impose behavior-restricting rules: almost all governments must derive revenue through taxes in order to finance the maintenance of their laws and to ensure peace and public order. However, that authority also allows governments to exercise power to achieve a wide variety of ends, funding everything from foreign wars to a social safety net or a set of social programs. Taxation is another way governments regulate people's behavior: if you don't pay your taxes, the government is authorized to punish you—a principle true across the

world, even if the levels of enforcement for not paying taxes vary across regimes.

The authority to tax illustrates another aspect of governmental power: the use of authority to shape society by creating incentives for particular kinds of behavior. In the United States, the federal tax code enables taxpayers to deduct large charitable donations from their taxable income as a way to encourage individuals to give to charities. Additionally, homeowners can deduct the interest they pay on their home mortgage, thereby reducing their annual federal tax obligation. This use of government power is meant to encourage people to own homes rather than rent. In the United States, at least, the federal government has encouraged homeownership due to a belief that homeownership helps people build closer ties with and involvement in local communities and thus increases civic participation, and that owning a home correlates with greater levels of long-term savings, which can provide individuals greater financial security in their retirement.[4] (For some people, their house is their largest asset, which can help to finance their retirement.) Conversely, governments can impose "sin taxes"—that is, taxes on products like alcohol and cigarettes, discouraging their use. Some lawmakers have proposed levying higher taxes on bullets to discourage gun violence, and some areas have taxed sugary soft drinks to discourage their consumption as a way to improve public health.[5]

SHOW ME THE DATA

Average State Cigarette Taxes as of December 2021

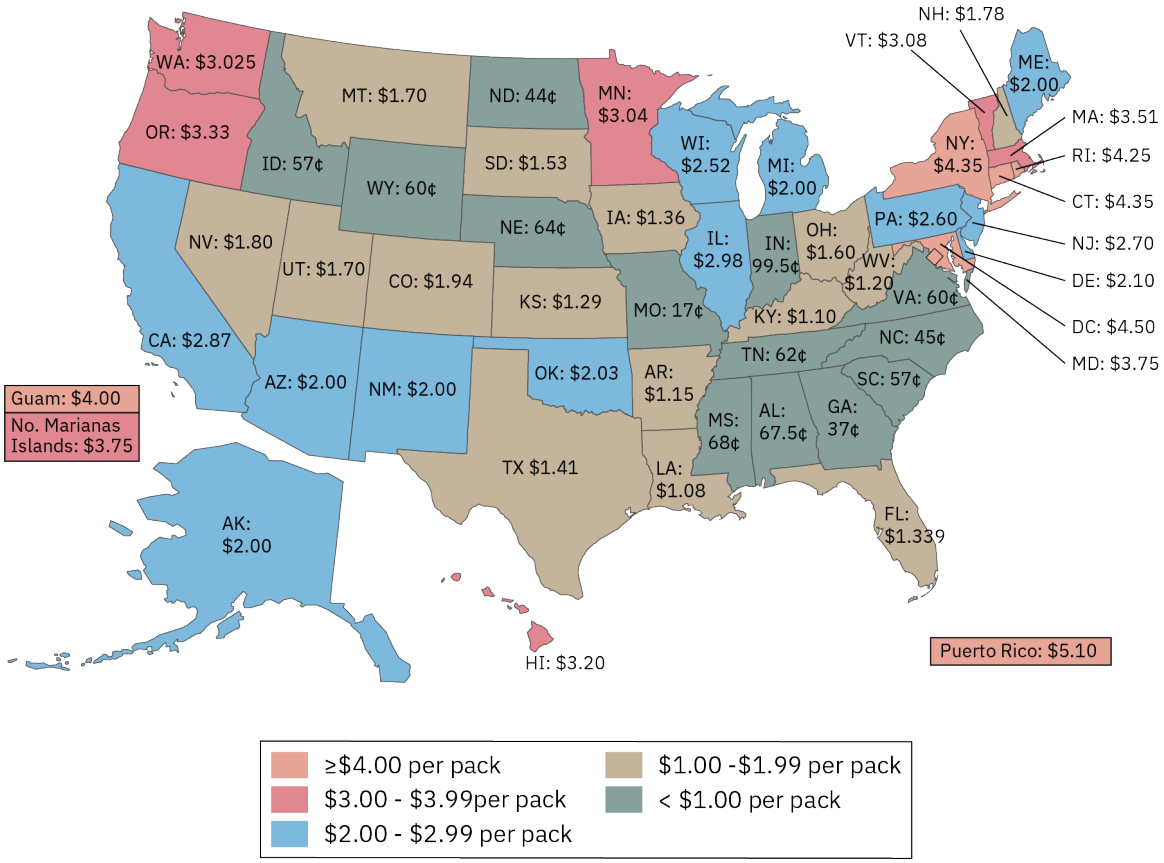


FIGURE 13.3 Governments can use taxes to try to influence behavior. The average state tax on a pack of cigarettes in the United States in December 2021 was $1.91. (source: Campaign for Tobacco-Free Kids; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Beyond taxation, governmental leaders can use their office to influence public opinion. Governmental authorities are often authorized to use the government's assets to promote their policies: the president of the

United States, for example, is authorized to use Air Force One (the presidential jet) to travel the country in order to promote policy proposals. (Presidents are not, however, allowed to use Air Force One for free to conduct political fundraising.) Additionally, members of the United States Congress are authorized to send letters to constituents, free of charge, describing or defending the policies they support. Tools like these allow governments to exercise the power of influence and persuasion. The chief executive is usually the governmental official who takes the greatest advantage of this form of power. In the United States, presidents such as Teddy Roosevelt became famous for skillfully using the "**bully pulpit**," that is, the power of the president to shape the opinions of the population and, through this, potentially to influence members of other branches of the government, especially elected legislators.

Presidents and prime ministers often give speeches or issue proclamations to exert this power. President Barack Obama, for example, following a long tradition in American politics, spoke often of what "we as Americans" value as a way to persuade the populace to support the policy agenda of his administration. Take the following example from one of Obama's speeches. In the speech, he defended his administration's decision to change the priorities of federal immigration officials to less rigorously enforce laws requiring the deportation of undocumented individuals when those individuals entered the country as children—the Deferred Action for Childhood Arrivals, or DACA, program. Arguing that children brought to the country by their parents should not have to live in fear of deportation, Obama remarked:

> "My fellow Americans, we are and always will be a nation of immigrants. We were strangers once, too. And whether our forebears were strangers who crossed the Atlantic, or the Pacific, or the Rio Grande, we are here only because this country welcomed them in and taught them that to be an American is about something more than what we look like, or what our last names are, or how we worship. *What makes us Americans* is our shared commitment to an ideal—that all of us are created equal, and all of us have the chance to make of our lives what we will." (emphasis added)[6]

By using rhetoric that attempts to define the national ethos, governments can seek to exercise power by shaping the population's sense of itself and its place in history.

Legitimacy

Most governments establish authority not only to exercise power, but also in the pursuit of legitimacy. Legitimacy can be seen from two different vantage points. Following Weber, the term is often used to mean the widespread belief that the government has the right to exercise its power. In this sense—which can be called **broad legitimacy**—the concept describes a government trait. Legitimacy can also be seen from the perspective of individuals or groups who make determinations about whether their government is or is not legitimate—that is, rightfully exercising power, or what can be called **judgments about legitimacy**. In either sense, legitimacy is measured in perceptions of the **rightfulness** of government actions—the sense that those actions are morally appropriate and consistent with basic justice and social welfare.

It is quite possible for a small group or a small set of groups to conclude that their government is illegitimate and so does not have the right to exercise authorized power even as the vast majority think that government is rightfully exercising authorized power. In this case, since the dissenting group is small and the great majority see their government as legitimate, the state can be deemed broadly legitimate. Broad legitimacy, therefore, is defined not as unanimous agreement by the people that a government's authority is rightfully exercised, but simply as a broad sentiment that it is.

VIDEO

Finding Legitimacy: What Does Legitimacy Mean to You?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/13-1-contemporary-government-regimes-power-legitimacy-and-authority)

In this Center for Public Impact video, people from around the world talk about what government legitimacy

means to them.

Legitimacy is a vague concept. Citizens' judgments about legitimacy entail the often-difficult determinations of what is or is not rightful and thus consistent with morality, justice, and social welfare. Judging rightfulness can be a challenging task, as can the determination of whether a regime truly possesses broad legitimacy. Though you cannot always say for certain that a government truly has broad legitimacy, broad illegitimacy is often easy to detect. Indications of governments that do not have broad legitimacy can take many forms, including sustained protests, very low levels of trust in the regime as captured by polling data, and widespread calls for revising or abandoning the constitution.

The most effective governments, Weber argued, not only have laws that clearly authorize power but also have some substantial measure of broad legitimacy. Broadly legitimate governments can exercise power without the threat of popular rebellion, and the state can more readily rely on people to follow the law. These conditions can spare the government the cost of large standing police forces or militaries, and those resources in turn can be allocated in other areas. Unsurprisingly, most governments seek to legitimize their rule.

In the United States, many debates over rival understandings of law and public policy are not debates over legitimacy. For example, many groups in the United States disagree over certain tax policies; some want to increase taxes to pay for greater services, while others want to lower taxes to encourage economic growth. Yet those who oppose a particular tax law rarely refer to it as illegitimate since the law is recognized as coming from a process that has widespread popular support—that is, from the lawmaking process authorized in the US Constitution. Therefore, tax laws that many disfavor are usually not seen as illegitimate, but simply as unpopular or unwise and thus in need of change.

However, in the United States today, more and more debates surrounding law, public policy, and election results are expressed in terms of judgments of their legitimacy or illegitimacy. A true loss of legitimacy, either in the eyes of a small group or in the eyes of the broad populace, occurs only when a law is determined to be so wrong or harmful that it is not right for the government to enact it. In many cases in the United States today, allegations of illegitimacy contend not that a law or electoral result lacks legitimacy because the substance of the law or election outcome is so egregious that it is not a rightful thing for the government to do or to permit, but because they claim the US Constitution does not authorize the law or the process that resulted in a particular outcome.

Consider the 2020 election and debates involving the administration of President Joe Biden. Many supporters of Donald Trump hold that President Biden is an illegitimate president,[7] but they contend not so much that he is so unacceptable that his holding the office of president is inconsistent with morality, justice, and social welfare, but that the governmental officials in charge of running the 2020 presidential election process acted inappropriately or even, some contend, engaged in criminal ballot tampering. For these reasons, to them Biden's current presidency is unrightful because they see the process by which he was elected as unauthorized.[8] Numerous post-election audits have found the allegations to be without merit.[9] In an April 2021 poll, about three-quarters of Republicans, a quarter of Democrats, and half of Independents indicated that they believe the 2020 election was affected by cheating.[10]

These debates are complicated, and it is difficult to pinpoint the origin, rationale, and true motivation behind these judgments that the election results, for example, are illegitimate. What can be said is that there seem to be not only deeply rooted disagreements in the United States over what policies are best, but also deep disagreements about whether a variety of laws or governmental actions are in fact authorized by the Constitution—a development arising because of deepening disagreements among citizens about what the Constitution and the rules it contains actually mean.



FIGURE 13.4 In 2012, protestors held signs expressing their belief that Pennsylvania's voter ID law, which would have required people to have and present specific types of identification in order to vote, was unconstitutional. The law was eventually struck down; however, the state legislature continues to work on measures aimed at creating stricter voting and election laws. (credit: "PA voter ID is unconstitutional" by Rick Smith/Flickr, CC BY 2.0)

Some public allegations that a law or electoral outcome is illegitimate in the sense that it is unauthorized may be mere covers for the genuine view that the laws or the electoral results are themselves unrightful, even if they were authorized. Those making such claims may not wish to be seen as protesting authorized governmental activity since to do so could make them appear lawless or even revolutionary.

The Legitimate Exercise of Power

In some cases, the constitutional law of a governing regime authorizes the suspension of established laws and regulations, allowing the government to act without defined limits on the scope of its authorized actions. A common way this can occur is in regimes that authorize the government to declare states of emergency that suspend the government's adherence to the ordinary scope of authorized power.

There are strong reasons for states to resist invoking a condition of emergency. Clear lines of government authority, especially in the context of the state's criminal law, tend to make people less fearful of the state, allowing the state more easily to call upon the people for support and thus enhancing the state's legitimacy. Nevertheless, many regimes have the authority to declare emergencies—often in response to threats to public safety, such as terrorism—and to act in only vaguely specified ways during these periods.

VIDEO

45 Years Ago, a State of Emergency Was Declared in India

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/13-1-contemporary-government-regimes-power-legitimacy-and-authority)

In 1975, during a time of social and political unrest, India's national government declared a nationwide state of emergency, allowing the government to suspend civil liberties.

States generally see the establishment of public security as critical to their continued broad legitimacy: a state that cannot protect its people is likely to lose the widespread sentiment that it has the right to rule. Yet many states realize the potential negative consequences of unpredictable or unrestrained state action. For this reason, many regimes authorize the declaration of states of emergency, but only for limited periods of time. In France, for example, the president can declare a state of emergency for no more than 12 days, after which any extension must be approved by a majority vote of the legislature.[11] This power was enacted in response to terrorist attacks in 2015 and was renewed periodically until 2017. The state of emergency allowed, for example, certain otherwise unauthorized police procedures, such as searching for evidence without a warrant issued by a judge.[12] France's law authorizing emergency declarations dates to the 1950s, and that it is fully

authorized by the French Constitution and widely approved[13] illustrates that in some circumstances governing regimes can legitimately exercise sweeping and unstructured governmental powers.[14]

Where there is broad public support, regimes may periodically and legitimately reauthorize states of emergency. Take, for example, the State of Israel. Israeli law authorizes two different forms of declarations of emergency, one that can be issued only by the legislature and one that can be issued by the government's executive officials without the need for the legislature's approval. The first form, which allows the government "to alter any law temporarily,"[15] can remain in effect for up to one year and can be renewed indefinitely. This allows governmental officials to use sweeping powers restricted only by the vague statement that emergency enactments may not "allow infringement upon human dignity."[16] In addition, The Basic Laws of Israel allow the Israeli government—independent of a declaration of emergency by the legislature—to declare a condition of emergency.[17] These decrees can remain in effect for three months but can also be renewed indefinitely.[18] Pursuant to this authority, the government in 1948 issued an Emergency Defense Regulation that authorized the "establishing [of] military tribunals to try civilians without granting the right of appeal, allowing sweeping searches and seizures, prohibiting publication of books and newspapers, demolishing houses, detaining individuals administratively for an indefinite period, sealing off particular territories, and imposing curfew."[19] This regulation has been renewed every year since 1948; today it applies mostly to the West Bank.[20] Both forms of emergency decrees have broad support in Israel,[21] indicating the popular sentiment that the Israeli government has the right to invoke such sweeping and unrestricted protocols because of the widely held belief among Israelis that the country faces serious and ongoing threats.

Even when such declarations are authorized and have initial broad support, the extensive use of emergency decrees risks undermining the regime's legitimacy. In the early 1970s, then-president of the Philippines Ferdinand Marcos tested the limits of using emergency declarations to claim sweeping powers. In General Order No. 1, issued on September 22, 1972, Marcos declared:

> "I, Ferdinand E. Marcos, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of the Armed Forces of the Philippines, do hereby proclaim that I shall govern the nation and direct the operation of the *entire* Government, including *all* its agencies and instrumentalities."[22]

As one scholar relates, Marcos "took great pains to ensure that his actions would align with the dictates of the law."[23] The Philippine Constitution at the time allowed the president, in his role as Commander in Chief, to declare an emergency and to use emergency powers.[24] To ensure he could remain in office beyond the two four-year terms allotted to each president by the constitution, Marcos called for a constitutional convention, which was ratified by the population and which changed the position of president into that of a prime minister who could serve as long as the parliament approved. After an additional constitutional change in 1981 that made the office of president once again directly elected by voters, Marcos successfully ran for president, pledging to continue to exercise sweeping unrestricted powers.[25] Marcos has thus been called a "constitutional dictator,"[26] one who came to rule with unrestrained power through a popular constitution and as a leader who himself enjoyed wide popularity.

VIDEO

Martial Law in the Philippines

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/13-1-contemporary-government-regimes-power-legitimacy-and-authority)

In 1972, the president of the Phillippines, Ferdinand Marcos, declared martial law. This video clip describes what led up to the proclamation and the extreme conditions in place in the Phillippines under martial law.

At least, that is, at first. Over time, Marcos's support deteriorated as people tired of his often chaotic and increasingly cruel dictatorship. By 1986, his People Power Revolution saw the electorate turn on him, and the

United States pressured him to respect the electoral outcome and leave office.[27]

A regime that assumes long-lasting, sweeping, and only vaguely defined authority as the Philippines did under Marcos can become a **police state** (sometimes called a **security state**)—that is, a state that uses its police or military force to exercise unrestrained power. When states do not operate within clearly defined legal rules, political scientists say that the government in those states has little respect for the **rule of law**.

Governments may also exercise unauthorized but legitimate forms of power. Although the absence of authority can be grounds for judging an exercise of power to be illegitimate, this is not always the case. Examples of unauthorized but legitimate government activities tend to fall at two ends of the spectrum of public importance: governmental actions that are generally considered rather insignificant and actions that are deemed to be of tremendous importance, especially in grave moments of crisis.

On one end of the spectrum, as a result of the federal National Minimum Drinking Age Act of 1984, the legal age to purchase or publicly consume alcohol anywhere in the United States is 21. However, this law allows states to make exceptions to the age requirement for individuals under 21 who possess or consume alcohol in the presence of responsible parents. Not all states have created exceptions in their alcohol laws, and the possession of alcohol by anyone under the age of 21 is always technically illegal.[28] But in a number of these states there is such widespread sentiment that possession is acceptable in the presence of responsible adults that there is wide agreement that the state can exercise the unauthorized power to choose not to enforce the law under these conditions.

On the other end of the spectrum, during perceived moments of grave emergency, such as a dire terrorist threat, there may be broad agreement that the government may, legitimately exercise the unauthorized use of power. Princeton professor Kim Lane Scheppele notes that since 9/11 a number of world governments have made "quick responses [to terrorism] that violate the constitutional order followed by a progressive normalization."[29] These actions might be limited in number, and the broader population may be unaware of their details and scope. Nevertheless, it is arguable that the population is aware that its government is taking unauthorized action in response to terrorist threats and that it supports the government's right to do so.



FIGURE 13.5 President George W. Bush speaks after the 9/11 terrorist attacks on the United States. (credit: "911: President George W. Bush Delivers Remarks on Terrorist Attacks from Barksdale Air Force Base, 09/11/2001" by The US National Archives/Flickr, Public Domain)

The Illegitimate Exercise of Power and the Challenge of Revolutionary Change

Some regimes, though they have established lines of authority, may come to be broadly illegitimate over time. Throughout history, there are many examples of times when the sense that a regime was no longer legitimate led the people to revolt, either by sustained, widespread peaceful protests—such as in the Velvet Revolution in

November of 1989 that led to the dissolution of the communist regime of Czechoslovakia—or by internal violent regime change—that is, the use of revolutionary violence. Revolutions intent on removing a constitution almost always seek to replace one constitution with another. Is there a standard of justice that transcends the constitutional law of a particular regime, a standard that can guide a people as they seek to free themselves from one constitution and replace it with another? Historically, in the Western political context, the standard of basic morality, justice, and social welfare has been the set of natural rights guaranteed by the natural law. More recently, the standard is referred to most often as fundamental human rights. (See also Chapter 2: Political Behavior Is Human Behavior and Chapter 3: Political Ideology.) The meaning of these concepts—natural law, natural rights, and human rights—is often contested, and this disagreement complicates any efforts to establish new constitutions to replace illegitimate regimes. Successful revolutionary change faces numerous challenges, including the fact that people might agree that a regime is not worthy of support, but their reasons for that opinion may differ.[30]



FIGURE 13.6 Protestors march peacefully down a street in Prague during the Velvet Revolution in 1989. (credit: "Street photo from the 'Velvet revolution' in Prague 1989" by Josef Šrámek ml./Wikimedia Commons, CC BY 4.0)

In the 1930s and 1940s in India, Mahatma Gandhi employed civil disobedience to protest British imperil rule. One way a group can seek to change a law or even an entire governing system is to engage in **civil disobedience**, the nonviolent refusal to comply with authorized exercises of power. In the 1960s, civil rights groups such as the Southern Christian Leadership Conference led by Rev. Martin Luther King Jr. used civil disobedience to protest racial discrimination. Although both started out as small protest movements, they grew into movements capable of undermining the broad legitimacy of the governing regimes they opposed.

Methods of Developing Legitimacy

Widespread support for the right of the government to rule can come from a variety of sources. Max Weber argued that broad legitimacy develops in three primary ways.[31] The first of these is what he calls **traditional legitimacy**, where the governing regime embraces traditional cultural myths and accepted folkways. The United Arab Emirates can be considered an example of a regime with traditional legitimacy. Located in the far eastern section of the Arabian Peninsula, the seven small states that make up the UAE are joined together in a loose confederation, with each ruled by a monarch or emir. This system aligns with long-standing traditional practices of tribal chieftains associating together in a loose alliance to meet common objectives.

The second way legitimacy can accrue, according to Weber, is through **charismatic legitimacy**, when forceful leaders have personal characteristics that captivate the people. There are many examples of charismatic legitimacy throughout political history. Ruhollah Khomeini, a senior Shi'a cleric who died in 1989, held remarkable appeal in Iran in the 1970s. Seen by many Iranians as a stern man of God, he was widely thought to be unaffected by the wealth, power, and corruption that so many Iranians saw as typifying the regime of the shah (or king) of Iran, Mohammad Reza Pahlavi. Khomeini was revered for his mysticism and his love of

poetry. His personal magnetism played a large role in mobilizing Iranians to topple Pahlavi's government and to replace it with the contemporary constitution of Iran, which establishes a Shi'a **theocracy**,[32] a system of government in which religious leaders have authorized governmental power and possess either direct control over the government or enough authorized power to control the government's policies.[33]

VIDEO

Charismatic Che Guevara: Cuban Revolutionary

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/13-1-contemporary-government-regimes-power-legitimacy-and-authority)

Revolutionary Che Guevara is revered in Cuba as an anti-establishment hero.

Weber's third type of legitimacy is what he calls **rational-legal legitimacy**. This type of legitimacy develops as a result of the clarity and even-handedness with which a regime relates to the people. Take the example of Otto von Bismarck (1815–1898), who as the prime minister of Prussia forged a united German state. This new regime gained legitimacy not only because of the shared German culture of the formerly independent German states, but also because of the efficiency of its state bureaucracy, which established a uniform system of law administered by trained public servants.

Based on Weber's analysis, a regime can secure legitimacy if the following are true:

- Based on rational reflection, the people come to believe one of the following statements:
  - The regime solidifies and advances the material interests of a large percentage of the population.
  - The regime advances deeply held moral and/or religious principles or advances strongly valued cultural traditions.
  - The regime both supports religious, moral, or cultural values and advances the people's economic interests.
- Based on an emotional sentiment, the people *feel* a strong emotional connection with the state.
- Based on a habitual respect for the government, the people unreflectively support the regime.

Legitimacy can be thought of as emerging from the agency of the people, who give their support to the regime either as a result of rational reflection, emotional attachment, or the acceptance of customary ways of relating to political power. However, one should not think of the agency of the people, by which they confer legitimacy on the regime, as something that is necessarily wholly independent of the actions of the regime itself. It is possible for a regime to shape the way people relate to it. Regimes employ different tactics toward that end, including government-controlled education, state control of the media and arts and entertainment sectors, and associating the regime, at least in the people's perceptions, with the cultural or religious views predominant among the governed. As such, although some regimes may well enjoy broad legitimacy by the free choice of their citizenry, the possibility also exists that regimes gain legitimacy through what economist Edward Herman and philosopher and linguist Noam Chomsky call (in a different context) "**manufactured consent**"—that is, the shaping of the people's response to the regime by state programs and activities designed to instill support for the regime, programs that might begin early in the citizens' lives or that might affect citizens in subtle ways.[34] Examples of this can include widespread and rather blatant government **propaganda**, usually defined as misleading statements and depictions meant to persuade by means other than rational engagement, or subtle control over the content of what is taught in schools.

The contemporary government of the Eastern European nation of Belarus provides an especially vivid example of a regime seeking to manufacture consent through a coordinated effort to control access to information. Until the fall of the Soviet Union in 1991, Belarus was a part of the Soviet state. After it established independence from the defunct Soviet Union, Belarus adopted a constitution that—on paper at least—requires free and fair elections for major government positions and affirms freedom of the press. Upon taking office as president after his victory in the 1994 election, the current Belarusian president Alexander Lukashenko

promised to allow broad civil liberties.[35] Yet, over the past 25 years, Lukashenko has exerted tremendous control over the media, including the internet.[36] Media content in Belarus is heavily restricted such that opposition voices are almost never depicted positively,[37] and the regime has used its control over the media to promote Belarusian independence and Belarusian nationalism.[38] It is in this context that Lukashenko has continued to be reelected. The support he receives can be seen as being, to a large degree, a function of his government's control over the formation of public opinion. To this extent, Lukashenko has followed the tradition of communist nations such as the Soviet Union and the People's Republic of China, which have a long history of controlling their people's access to information while advancing throughout society the state's preferred political messages. The exercise of manufactured consent may not always be so overt in other countries, but it may be just as effective.



FIGURE 13.7 This propaganda poster from the Mao era shows adoring Chinese citizens proudly waving their copies of Mao's so-called Little Red Book, which he had widely distributed throughout China and which was required in all Chinese schools. The book contains sayings and speeches by Mao. The text of the poster reads: "The world is yours, as well as ours, but in the last analysis, it is yours. You young people, full of vigor and vitality, are in the bloom of life, like the sun at eight or nine in the morning. Our hope is placed on you." (credit: "Quotations from Chairman Mao Zedong [...] 'Talk at a meeting with Chinese students and trainees in Moscow'" by Thomas Fisher Rare Book Library, UofT/Flickr, CC BY 2.0)

Failed and Fragile States

When a state's ability to exercise control such that it can provide minimal conditions of law, order, and social stability deteriorates to a precariously low level, it is called a **fragile state**. Fragile states still assert the authority to rule but have serious difficulties actually ruling. The erosion of a state's legitimacy can lead to state fragility. A fragile state can also occur when a broadly legitimate state has its capacity to provide order depleted as a result of an external force, such as an invading army.[39]

If a fragile state loses the capacity to provide minimal conditions of law, order, and social stability entirely, it becomes a **failed state**. A failed state can emerge either when a state has collapsed so thoroughly that it lacks any governmental power altogether or when a **shadow government** has emerged—that is, an organization not authorized or desired by the government asserting rule over an area that effectively displaces and serves the same function as the official government. In this situation, internal violent regime change can occur, for if the shadow government becomes strong enough, it can mobilize sufficient power to dislodge entirely the existing regime and install itself as the authorized governmental entity. It may in the process have developed broad legitimacy, or it may simply have sufficient military power to take over the government, possessing the power of government and imposing laws that authorize its rule but not enjoying the wide support of the populace. A fragile government is one that is at serious risk of failing in either of these two ways or of experiencing violent

regime change.

In the early 2020s, a shadow government formed in large sections of Afghanistan, and the forces of that shadow government carried out violent regime change. From 1996 until 2001, the Taliban, an extremist Sunni Islamic movement, ruled the Afghan government. In 2001, in the wake of the 9/11 terrorist attacks orchestrated by Al Qaeda, a coalition of Western nations invaded Afghanistan. Due to concerns that the Afghan government had allowed the Al Qaeda terrorist network headed by Osama bin Laden to operate within the country's borders, this coalition removed the Taliban from government. The coalition replaced the Taliban government with a governing regime that had considerable elements of representative democracy.

In early 2021, a shadow government led by members of the Taliban resurfaced in areas of Afghanistan. In some of these areas, the Taliban enjoyed wide popularity. Writing in January of 2021, the reporter Mujib Mashal described one such area, the city of Alingar:

> "Alingar is . . . an example of how the Taliban have figured out local arrangements to act like a shadow government in areas where they have established control. The insurgents collect taxes . . . and have committees overseeing basic services to the public, including health, education and running local bazaars."[40]

In August 2021, the capital of Afghanistan, Kabul, fell to Taliban forces, and the more democratic regime collapsed. The Taliban has since consolidated its power, issued laws authorizing its regime, and sought to secure legitimacy among the broad Afghan population. Whether Afghanistan's restored Taliban regime will endure remains an open question.

The current regime of Afghanistan represents a clear example of a fragile state. Fragile states either have a tenuous ability to keep the peace, administer court and educational systems, provide minimal sanitary and health services, and achieve stated goals such as conducting elections, or they are at risk of harboring within them rival organizations that can achieve these goals. Somalia is another example of a fragile state.[41] In more than 30 years of civil war, the regime governing Somalia has at times been at risk of failing to provide even a minimal level of security and stability. The condition in the country has stabilized somewhat from its low point in the early 1990s, when the risk of famine was so acute that the United States deployed military troops in Somalia to protect United Nations workers providing humanitarian relief in the country (a deployment that became controversial in the United States due to significant US military casualties).[42] Somalia, however, still shows signs of fragility. Although the Somali government scheduled national elections to take place in the summer of 2021—the first to be held in decades—these elections have been indefinitely postponed in the face of continuing instability in the region.[43]



FIGURE 13.8 UN troops from Pakistan board a United States Air Force plane bound for Somalia in 1992. (credit:

"UN troops from Pakistan board USAF C-130 bound for Mogadishu, Somalia" by TSGT Marv Lynchard/Department of Defense/National Archives, Public Domain)

13.2 Categorizing Contemporary Regimes

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Apply core concepts to contemporary examples of governing regimes.
- Discuss the nature and variety of authoritarian regimes.
- Discuss the nature and variety of representative regimes.
- Analyze the connections among legitimacy, authoritarian governments, and representative governments.
- Provide an overview of political history and contemporary political and legal developments.

Regimes approach the acquisition, maintenance, and exercise of authority and legitimacy in many different ways. Though the range of regimes is staggering, there are a number of generalizations that characterize the rich diversity of the world's governing regimes.

Authoritarianism

Authoritarian regimes authorize institutions, which in principle need not seek or secure the approval of the people, to use power. Authoritarian regimes can confer governmental power unchecked by popular elections in a wide variety of entities—including in the military, in religious leaders, in a monarchy, or in political parties espousing a particular political ideology.

As a number of scholars have long noted, authoritarianism can take ether a hard or a soft form.[44] In **hard authoritarianism**, regimes act without consulting with the broad majority of citizens. International observers frequently cite these regimes as violators of their citizens' human rights. In **soft authoritarianism**, on the other hand, regimes affirm their right to rule apart from consultation with or approval from the public, but nevertheless frequently seek the input of the people and frequently attempt to advance what the people desire. They may even have institutions with limited degrees of authorized power that are electorally accountable—and thus can be seen as a hybrid of authoritarianism and democracy—although in these cases the unaccountable element in the regime can usually override the actions democratically elected bodies undertake. Recent studies indicate that the number of these hybrid forms of authoritarianism grew in 2020.[45] Although nondemocratic, these regimes sometimes prove to be relatively strong defenders of their citizens' human rights—except, that is, for what many see as the basic human right to vote or otherwise shape in a formal, legal way the actions of one's government.

Authoritarianism and Legitimacy

In some authoritarian regimes, there may be nothing to move the regime toward alignment with broadly held popular sentiments about what gives the regime the right to rule. In these regimes, the government may seek to engage, often in a systematic and pervasive manner, in the education of the populace, guiding the people to value the regime, its objectives, and its right to rule. This can take a variety of forms, including strict control over the education of the young, regulations on criticisms of the regime, and extensive government propaganda. These authoritarian regimes are often accused of "manufacturing consent." In addition, authoritarian regimes may rely more heavily than representative governments on physical force to compel obedience to the regime. This fact raises the prospect that the regime will violate citizens' human rights.

Since authoritarian regimes may use substantial physical force to ensure compliance, they often develop large militaries and police networks. These enforcement agencies run the risk, over time, of coming to exert an unlawful level of control over the operations of the regime. Contemporary Thailand provides an example. Thailand is technically a constitutional monarchy, with the king subordinate to the parliament, prime minister, and the national court system. Recently, the state's military has become the de facto governor of the regime. The 2020 election for parliament provided evidence of the military's power, as most international observers

detected that the military had systematically manipulated the vote to ensure the election to parliament of representatives favorable to the military and its political influence.[46] This development led to considerable protests against the regime. The legitimacy of the regime seems to be coming under question.

VIDEO

Why Does Thailand Have So Many Coups?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/13-2-categorizing-contemporary-regimes)

There have been more military coups in Thailand in modern history than in any other country in the world.

Morocco: An Example of Soft Authoritarianism

The Kingdom of Morocco constitutes a contemporary form of soft authoritarianism. The king of Morocco is the **head of state**—that is, the leader who represents the unity of the country. In many regimes, the head of state has little actual power. The Queen of England, for example, is the head of state of the United Kingdom, but she has very little control over government policies and actions. In Morocco, however, the king plays a much larger role in governing the nation. Morocco was under the control of the French Empire until 1956. In that year, Morocco secured independence and created a constitutional monarchy in which the king had great authority. He was both the head of state and the head of the government—that is, the leader of the executive branch—and he exercised control over most governmental affairs. A bicameral legislature was also created, but it had very limited lawmaking authority. Popular uprisings like the **Arab Spring**, a substantial movement across the Arab world between 2010 and 2013, sought to expand democracy. In response, the king of Morocco approved changes to the Moroccan constitution giving the legislature greater authority to pass laws on a wider range of issues.[47] Today, members of the parliament are elected in free, open elections in which up to 31 parties and coalitions vie for office.[48] The king is now the head of state, but he is no longer the official head of government. Unlike in the United Kingdom, however, although the king is called the head of state, he still exercises tremendous authority. Under the 2011 constitution, the king appoints the head of the government, who administers the executive branch on a day-to-day basis, and the king still remains the head of the military and has the authority to disband parliament, to veto laws passed through the legislature, and to issue legally binding decrees on his own without regard to parliament.[49] The king of Morocco, therefore, still retains very substantial powers that enable him to override the will of the people as reflected in legislative elections.

The Moroccan monarchy seeks to legitimize its rule largely on the basis of religion. The king is presented to the nation as the *Amir al-Mu'minin*, or the commander and defender of the Muslim faithful in his realm. The monarchy asserts that its lineage extends back to the prophet Muhammad, furthering its claims to legitimacy in this Muslim-majority nation.[50]

In terms of human rights, Morocco has a history of repression in the Western Sahara region and an overall uneven record as judged by the norms of Western nations. However, in 2016 the United States embassy in Morocco noted "the positive steps that Morocco [has taken] to strengthen its respect for human rights," although it also noted that more work is required to secure human rights in Morocco and in the region.[51]

North Korea: An Example of Hard Authoritarianism

One example of a hard authoritarian regime is the Democratic People's Republic of Korea (DPRK), often referred to as North Korea. North Korea is effectively a type of communist dictatorship. The most powerful person in the DPRK is currently Kim Jong-un, who took power by the decree of his father, who had taken power by the decree of his father, the founder of the DPRK, Kim Il-Sung, a hero in the resistance movement to Japan during World War II.[52] Kim Jong-un possesses all effective political power and rules the society through his position as the general secretary of the Workers' Party of Korea and as chair of the Central Military Commission. The DPRK constitution creates three branches of government. The executive branch is headed by the premier, a top-ranking member of the Workers' Party, and Kim Jung-un also serves as the country's

president. Although the North Korean constitution does create a legislature, called the Supreme People's Assembly, whose members are elected through a highly controlled process in which voters have no real choice of candidates, this legislature has no real power.[53] All members of the legislature must belong to an organization called the Democratic Front for the Reunification of the Fatherland, an ideological organization advocating North Korean nationalism.[54] The Workers' Party is guaranteed up to 90 percent of the seats in the legislature. A judicial branch also exists, headed by the Supreme People's Court. Because the legislature selects its members, they are not independent of the Workers' Party and its ruler, Kim Jong-un.[55]

Through this system, the government maintains tight control over the economy and, in effect, over all property in the country. There are few if any civil rights, the state controls the media, and the government exercises control over who can enter and leave the country as well as who can live in and travel among the country's various regions and cities (with permission to reside in the capital, Pyongyang, a coveted plum).

The regime seeks to justify its rule though **Juche**, the North Korean regime's ideology of national self-reliance. The government frequently seeks to stoke popular resentment, especially of the Japanese mistreatment of Koreans during World War II and of the United States' air bombardment of North Korea during the Korean War (a war North Korea initiated when it invaded South Korea in 1950). The regime in turn presents itself as the defender of Korean independence, as the only means by which the entire Korean peninsula can be united, and as the only way by which North Korea's interests can ever be served. As evidence of this, the government points to the substantial economic growth the country experienced in the mid-1950s, growth that eclipsed even that of South Korea, and claims that the country would once more enjoy this level of economic growth were it not for the sanctions imposed on it by foreign countries. To bolster these claims, the regime has developed an elaborate mythology, teaching that the ruling family is of divine or semidivine origin and that only through subordination to this family can the people themselves achieve genuine self-reliance. This subordination is not presented as degrading but as an act of familial love, since the **Supreme Leader**—the popular name for Kim Jung-un—is presented as a loving father and all North Koreans as his daughters and sons, on whom he dotes and whom he is rearing to grow into true self-sufficiency and deep devotion to their country.[56] This focus on the noble character of Kim Jong-un and his father and grandfather suggests that the regime's claims to legitimacy are based less on communist ideology or national self-sufficiency and more on the (alleged) personal virtues of the men who have ruled the DPRK since it was founded in 1948.[57]



FIGURE 13.9 Corn dries along the sidewalk on a street in Pyongyang, North Korea, as part of a traditional socialist farming practice emphasizing mass resilience in the face of natural disasters like typhoons and flooding. (credit: "drying corn in the middle of Pyongyang on the Sidewalk" by Mario Micklisch/Flickr, CC BY 2.0)

The Case of Iran

Some regimes, like contemporary Iran, blend hard and soft authoritarianism. Contemporary Iran emerged in the wake of the successful revolution in 1979. The goal of the regime in Iran is to work to ensure that society is pleasing to Allah. The overwhelming majority of the population of Iran is made up of Twelver Shi'a Muslims.

Adherents of Twelver Shi'a Islam follow the guidance of Shi'a religious leaders.[58]

Grounded on these theological principles, the constitution of the Islamic Republic of Iran vests ultimate political authority in a Supreme Leader, who must be a Shi'a cleric of the Twelver school respected among the leading clerics of Iran. A Guardian Council of Islamic scholars works under the Supreme Leader. Under this is a parliament, made up of 290 elected members. The voters also elect a president. The Iranian voters, however, have a very limited degree of influence over the Iranian government. All candidates for the parliament or the presidency must be vetted and approved by the Guardian Council, and the Guardian Council must approve all the laws the parliament passes.[59] Nevertheless, the voters do have some say in the operations of the regime within these strict limits, and a variety of political parties vie to have their members elected to parliament. As such, the regime can be thought of as a sort of fusion of hard and soft authoritarianism.[60] In light of the regime's ability to resist large-scale popular opposition such as the Green Movement of 2009, when substantial electoral challenges were made to the status quo, it can be argued that the regime tilts rather heavily in the direction of hard authoritarianism.[61]

Representative Democratic Governments

Unlike authoritarian regimes, representative governments only authorize governmental entities that are legally obligated to respond to and to be judged by the citizenry, through periodic elections, to make and enforce laws. These regimes therefore place most power in the hands of those who represent at least the majority of the people's political preferences. The exception to this rule is the power of judges, which can include the power of judicial review, or the power to strike down statutes or regulations that the court determines violate the constitutional laws of the regime. In some representative regimes, judges are elected (as they are in several US states), but in other regimes the branches of the government that are electorally accountable to the people make judicial selections. The judiciary can wield its power to strike down laws as unconstitutional in a potentially counter-majoritarian way—that is, in a manner at odds with the preferences of the majority of the citizenry.

Since the 19th century, the number of representative regimes has grown considerably, partly as a result of the victory of representative governments against fascist regimes in World War II, partly as a result of the fall of the nonrepresentative communist government in the Soviet Union and of the communist regimes in Eastern Europe in the early 1990s, and partly as a result of the **third wave of democratization** that began in the 1970s, which saw democratically accountable structures of government emerge in Spain, Portugal, South Korea, and, somewhat later, in Latin American countries such as Chile. These representative regimes vary in structure, though all share a commitment to ensuring that most authorized power is responsive and accountable to the nation's citizens.

Representative regimes use periodic elections to select most officeholders. The key legitimizing claim at the heart of representative regimes is that only when the people choose officeholders to represent their interests does the government deserve the right to wield power.

Unitary versus Federal Representative Regimes

Representative regimes can be structured in a number of concrete ways. One point of differentiation among representative regimes is the distinction between unitary or federal. In a **unitary system**, all the major electorally accountable officials are accountable to the entire citizenry, and they make and enforce laws for the entire country (with the exception of minor local-level matters that are handled by local elected assemblies). Regimes embodying **federalism** authorize a national government to exercise some powers and governments whose laws cover only a small region, such as a state or province, to exercise other forms of power.

One possible advantage of a federal regime is its ability to accommodate regional differences. Different areas often have different sets of values, cultural practices, and economic activities, and a federal system allows provincial or state governments to administer most regional issues, leaving issues of common concern to the central government. The government of Canada provides one example. Created in 1867 as a federal system,

the provincial government of Quebec has been able to reflect the historical connection between Quebecois (residents of Quebec), Catholicism, and French language and culture, while allowing other provinces to reflect their more British culture and values. Likewise, more rural provinces such as Alberta are able to focus on certain economic activities, such as oil production, cattle ranching, and agriculture, whereas more urban provinces, such as Ontario, can focus on areas such as industrial production and high-tech industries. By allowing provincial governments a degree of autonomy, the Canadian federation has been able to knit together a diverse citizenry.

Another potential advantage is the reduced possibility of widespread abuse of governmental power. Since the force of government is distributed among multiple governments, federalism minimizes the likelihood that one government will become corrupt or abusive. Consider the importance the Allied powers placed on ensuring that the government that replaced the conquered Nazi regime embodied federalism. After the surrender of the Nazi government in 1945, the allies governed western Germany through military governors who oversaw West Germany's reconstruction. The military governors, the most influential of whom were from the United States, had to approve the new West German government. They insisted that the West German government be structured according to federalism, with strong powers reserved to each state and only limited powers conferred on the national government. They looked to this structure of government in the hopes of ensuring that the new regime would not develop a concentration of power in the national government that could ever again emerge as a threat to international peace.[62]



FIGURE 13.10 The Allies played an active role in leading—and shaping—the post–World War II recovery in Europe. The sign on the side of the building pictured here reads: "Berlin Emergency Program with Marshall Plan Help." The Marshall Plan was a US-led piece of the recovery effort. (credit: "West Berlin, Germany. Marshall Plan aid to Germany totaled $1,390,600 and enabled that country to rise from the ashes of defeat, as symbolized by this worker in West Berlin. Even a year before the end of the Marshall Plan in 1951, Germany had surpassed her prewar industrial production level" by US International Development Cooperation Agency/National Archives, Public Domain)

A third advantage of federalism is that it promotes more moderate policy outcomes. In a federal system, the central government retains some authority to make laws that impact the provinces, but it is not permitted to entirely override the provinces' authorized scopes of authority. In federal systems, national and provincial governments often have differing views of the proper degree of overlap between their spheres of authority.

Defenders of federalism see in this disagreement a productive tension that can lead to compromise and that often results in prudent policy outcomes.

In contrast, proponents of a unitary system see clear lines of authority as a major advantage. In a federal system, the laws of the regime can become a patchwork of rules and regulations at the provincial level, topped by an uncertain allocation of authority to the national and provincial governments. This lack of clarity can lead to inefficiencies in the way the government operates and inefficiencies in the economy.

Defenders of unitary governments usually add that a unitary system allows the people to focus their attention on the way the government exercises its power. In federalism, the people's attention is split between the two levels of government, which can reduce the degree of focus on both. Defenders of unitary governments submit that representative government works best when all the people focus on the important work governments do on their behalf. They argue that the focus on one national source of lawmaking facilitates a stronger sense of national cohesion.[63]

Parliamentary Representative Democratic Government

As discussed in Chapter 9: Legislatures and Chapter 10: Executives, Cabinets, and Bureaucracies, some representative regimes are structured as parliaments. Historically the parliamentary form of government emerged to provide a means for the quick resolution of pressing collective needs. In medieval England, where the parliamentary system first emerged, the king would call a parliament drawn from representatives of the commoners and of the nobility to agree on a course of action to meet a compelling threat or societal need, usually a threat or need requiring the king to tax the population to raise revenue.[64]

To this day, parliamentary systems are structured to allow for substantial degrees of legislative action in a short period of time. If a party holds a majority in the parliament, it selects the officers of the executive branch, and thus a majority party can gain control of most governmental positions. A majority in parliament, therefore, can enact sweeping changes.

However, parliamentary regimes may be much more fragmented. The State of Israel is an example of a parliamentary representative regime, and its structure has granted substantial influence to parties that represent only a small fraction of the population. Israel has a unitary regime in which the national parliament, called the **Knesset**, has the authority to pass laws for every region in the nation and at all levels of governance, including municipalities.[65] The Knesset is a **unicameral** parliament—that is, a legislative body with only one house. Candidates for the Knesset do not run for office in legislative districts. Instead, each party selects its own potential Knesset members, and each party is listed on a national ballot. All parties that receive over 3.25 percent of the vote receive the percentage of seats in the 120-member Knesset equal to their percentage of the national vote. The individuals selected by that party take the party's seats in the Knesset. Only the parties, and not the individuals each party selects, are listed on the ballots.[66]

As with other parliamentary systems, in Israel the executive branch is made up of a cabinet of ministers, each of whose position is derived ultimately from having the support of a majority of the members of parliament. If one party has a majority in the parliament, that party will create a list of ministers and send the list to the prime minister, whose job is largely ceremonial and who is expected to approve the list. In the event that no party receives a majority of the 120 votes, a coalition government is formed.[67] A **coalition government** is an alliance of individual parties that by themselves do not have the support of the majority of the parliament but that, by agreeing to work together, can form a team of ministers that can acquire the support of the majority of the members in parliament. Once majority support for the list of ministers is secured, the list is sent to the prime minister for approval.[68]

VIDEO

Israeli Coalition Reaches Deal to Oust Netanyahu

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/

13-2-categorizing-contemporary-regimes)
In June 2021, a coalition in the Israeli Knesset reached a deal to oust Prime Minister Benjamin Netanyahu.

One consequence of parliamentary governments such as Israel's is that if the country is divided politically between major parties that each receive a great deal but not a majority of the vote and the two parties do not agree to work together, those two parties will vie to win the support of the small parties that hold the remaining parliamentary seats. If one of the large parties can form a coalition with enough small parties, it can reach the majority necessary to form the executive branch. However, small parties might not agree to give their support to larger parties without some assurance that their party members will hold a significant position in the executive branch. In this way, parties can come to exercise influence out of proportion with the strength of their support in the population as a whole. This has been common over the past four decades in Israel, as the conservative Likud Party and the more liberal Labour Party have each received about 40 percent of the vote[69] and both have formed coalitions with smaller parties, including parties representing the relatively small number of ultra-Orthodox Jews in Israel.[70] In 2021, a group of non-Likud parties formed a coalition government with a small Arab party. This has given an Arab party, for the first time, substantial influence in Israel in excess of its overall percentage of the vote.[71]

Democratic Representative Systems with a Congress, President, and Independent Judiciary, and Blended Systems

In a representative constitution with a congressional legislature, a presidential executive, and an independent judiciary, citizens, broken up into sections or districts, elect representatives to the legislature. The president is elected independently of the legislature, and usually these two independent branches must either agree for a law to be passed or one branch (usually the legislature) can override a veto of the other. After laws are passed, a judiciary, whose decisions are independent of the legislature and the executive branch, has the right to strike down any laws deemed to violate the constitution. The federal government under the United States Constitution may be the best-known example of such a system.

The structure of the government of the United States serves the goals the United States government has historically set—to secure the natural rights of the people while also providing common defense and facilitating economic prosperity. As the preamble to the Constitution asserts, the structure of federal government is designed "to form a more perfect Union, establish Justice, ensure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity." The United States was founded on the belief that these tasks require a government that can act with speed when necessary but not so hastily as to permit the government to violate personal liberties. To this effect, the Constitution invests the federal government with substantial political power while also restraining that power. As discussed in Chapter 4: Civil Liberties and Chapter 7: Civil Rights, the Constitution restrains that power by itemizing civil liberties the government cannot revoke, a list found in Article 1 Section 9 of the Constitution, and delineating civil rights the government must protect, a list found in the Bill of Rights—the first 10 amendments to the Constitution. For the same reason, the Constitution has been interpreted as authorizing the exercise of most acts of political power only when there is agreement among all three branches of government—the legislative, the executive, and the judiciary—to reduce the possibility of governmental abuse.[72]

VIDEO

Separation of Powers
Access multimedia content (http://openstax.org/books/introduction-political-science/pages/13-2-categorizing-contemporary-regimes)
This short video discusses the philosophy behind the separation of powers as it is included in the United States Constitution.

The United States is not unique in adopting a regime that embodies a separation and balance of powers. The federal government of Mexico, for example, is also based on a separation of powers among a president, a national congress, and an independent judiciary. The structure of the Mexican federal legislature, however, is different than that of the United States. The Mexican legislature blends a proportional system of representation with a system based on representatives elected in distinct districts. The Mexican federal legislature is bicameral. The lower chamber, called the Chamber of Deputies, has 500 members, 300 of whom are elected by voters in single districts. The remaining 200 seats are selected using a system of proportional representation. The 200 seats are divided among five large regions, each containing a number of states. (Mexico, like the United States, is a federal system with state- and federal-level governments authorized to exercise distinct powers.) In each of these five regional elections, each party seeking office is listed on the ballot, and the 40 seats for that region are allocated on the basis of the proportion of the vote each party receives. The Chamber of Senators operates in a similarly blended way, but through the use of a nationwide proportional vote. The Chamber of Senators has 128 members, 96 of whom are elected in districts and 32 of whom are selected by a national ballot on which each party running for office is listed, with the 32 seats being distributed to the parties on the basis of their percentage of the national vote.

WHAT CAN I DO?

Regime Types and Data Analysis

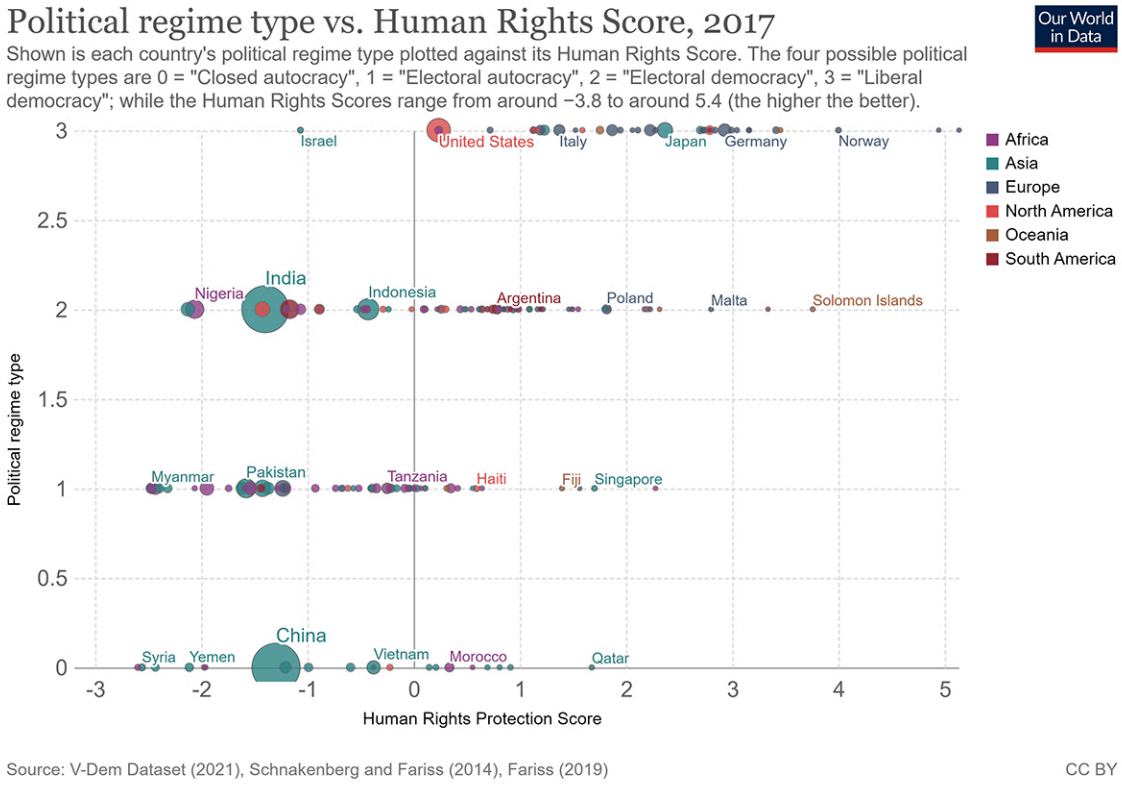


FIGURE 13.11 This graph plots countries according to their political regime type and Human Rights Protection Score. Political regime types are plotted as 0 = “closed autocracy,” 1 = “electoral autocracy,” 2 = “electoral democracy,” and 3 = “liberal democracy.” (credit: “Political regime type vs. Human Rights Score, 2017 by Our World in Data, CC BY 4.0)

As you read through this chapter, you may notice connections and contradictions among different types of regimes. Political scientists often look for what they can learn from the similarities and differences among regimes and how

they can use that information to explain the behavior of states and other actors. This process involves collecting pieces of data about regimes and comparing that data through either quantitative or qualitative analysis. When you learn to draw conclusions from this type of data analysis, you better understand different types of regimes while developing a marketable skill. The ability to understand and analyze empirical and quantitative data is useful in a wide range of contexts. For example, retailers often want to understand and compare preferences across multiple different groups. Knowing how to analyze and interpret data can help you understand the similarities and differences between regimes or between consumer groups. At the end of the day, you use the same skill set.

The federal executive branch in Mexico is directly elected by popular vote. The judicial branch is capped by the Mexican Supreme Court, which has the power of judicial review. The president nominates three candidates for each open position on the Supreme Court, and a nominee requires the approval of two-thirds of the senate to join the Supreme Court. Each Supreme Court justice serves for a 15-year term and can only be removed through impeachment by a majority vote in the Chamber of Deputies, followed by a trial and conviction in the senate, a process that requires two-thirds of the senate to agree to remove the justice.[73]

The government of Mexico has sought to legitimize its rule in large part through declaring, in explicit detail, the rights it recognizes and by dedicating itself to concrete measures of social, economic, and cultural improvement. The Mexican Constitution pledges itself to defend and promote a wide array of rights—far wider than the list of rights found in the United States Constitution's Bill of Rights and its 13th Amendment (banning slavery), 14th Amendment (providing equal protection under the law), and 15th and 19th Amendments (guaranteeing voting rights to all adult men and women). The Mexican Constitution includes all of these rights and many additional rights such as

- "the right to have a decent and socially useful job" (Article 123);
- the right to be free from "any form of discrimination . . . which violates the human dignity" (Article 1);
- the right to an "education provided by the State [that] shall develop harmoniously all human abilities and will stimulate in pupils the love for the country, respect for human rights and the principles of international solidarity, independence and justice" (Article 3);
- the right to "quality nourishment" provided by the state (Article 4);
- the right "to enjoy a decent and respectable house" (Article 4); and
- the right to "practice sports" (Article 4).[74]

In addition, the Mexican Constitution makes extensive reference to the rights of Indigenous groups. As evidence of its responsiveness to the people's needs and desires, the government points to the fact that the constitution has been amended over 200 times since its adoption in 1917.[75] In all, the vast ambition to advance the social justice these constitutional rights represent continues to supply the foundation for the claims of legitimacy of the federal government in Mexico.

In the last several decades, however, a number of political scientists have documented a decline in governmental legitimacy in Mexico, due in part to the people's concern over the power of drug cartels to corrupt governmental officials and to run shadow governments and in part to the rise of violent crime associated with the cultivation and distribution of drugs.[76] Increasingly, many Mexicans fault the government for its inability to effectively address these problems. Since so much of the crime and corruption causing the decline in Mexican governmental legitimacy involves illegal drugs supplied by violent cartels, the Mexican government has recently begun to explore alternatives to policies of criminalizing and imprisoning drug dealers. In 2021, the Mexican federal government took a step toward putting this new way of thinking into practice when it legalized the recreational use of marijuana. Whether this policy or similar policies will help the government to reign in organized criminal violence and to therefore enhance government legitimacy remains to be seen.

13.3 Recent Trends: Illiberal Representative Regimes

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain the connection between contemporary liberalism and political regimes.
- Examine the diversity of objectives and priorities set by governing regimes.
- Discuss political history and contemporary political and legal developments.

Having analyzed core concepts and surveyed a range of governing regimes, this chapter closes by reflecting on some recent global trends.

Contemporary liberal ideology affirms the importance of citizens having **political freedom**—that is, the freedom to participate in a meaningful way in democratic elections that can shape the actions of one's government. However, contemporary liberalism also affirms a wider set of freedoms, including both economic freedoms and such freedoms as freedom of speech, a free press, religious freedom, and the freedom to define one's own sense of personal identity and to be treated equally by the government regardless of one's personal beliefs, practices, or sexual orientation. Although representative governments aspire toward liberal ideology in the sense of allowing political freedom, do they tend to respect these other freedoms? The answer is mixed. Among contemporary regimes, a number of representative regimes that are not fully in accord with this liberal ideology have emerged and persist.

Hungary

Since the collapse of communism in Eastern Europe in the late 1980s, Hungary has had a representative parliamentary system. Although Hungary has a representative regime, one party—the **Fidesz**, an ideologically conservative, nationalist party that currently enjoys popular support—has used its majority position in the Hungarian parliament to enact laws curbing a number of freedoms. The government has created a National Media and Communications Authority that can impose heavy fines for coverage that it considers "unbalanced or offensive to human dignity or common morals."[77] It has curbed religious freedom by requiring religious institutions to register with the state in order to receive the guarantee of religious liberty and by designating only 14 religious communities as entitled to religious freedom;[78] it has failed to condemn certain outbursts of anti-Semitism in the country;[79] and it has banned same-sex marriage and adoption by LGBTQ persons, gender reassignment surgery, and the "promotion" of homosexuality to individuals under 18, as well as any "portrayal" of homosexuality directed at those under 18.[80]

VIDEO

European Elections: Exit Polls Show Victory for Orban's Fidesz Party in Hungary in 2019

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/13-3-recent-trends-illiberal-representative-regimes)

The resounding victory of Victor Orban's Fidesz Party in Hungary's 2019 election represented a major success for nationalist politics in Europe.

Some criticize certain acts of the Fidesz Party, such as the way it has used its power in parliament to draw electoral districts to advantage its candidates (what is called gerrymandering in the United States), for undermining Hungary's representative system of government. Some further criticize how the Hungarian constitution allocates representation in the parliament in a way that favors certain regions of the country.[81] Despite these criticisms, the Fidesz Party remains popular and has adopted its illiberal policies without contravening the basic structure of Hungary's governing regime.

India

India, another parliamentary representative regime, recently has experienced a similar development. In 2014,

a majority of the members of the Indian parliament elected Narendra Modi, and since then he has served as India's prime minister. Modi's party, the Bharatiya Janata Party (BJP), has also won parliamentary majorities in a large number of India's state-level parliaments. The BJP espouses an ideology of **Hindu nationalism**, seeing India as an inherently Hindu country. Pursuant to this ideology, as of 2021 eight state parliaments—each with a BJP parliamentary majority—have passed laws regulating religious conversion. Most observers view these measures as evidence of a fear that people will convert from Hinduism to other faiths.[82] According to these conversion laws, to change their religion, individuals must first have their conversion investigated by state officials who must be convinced that the conversion is free and fully informed. Otherwise, the conversion is illegal.[83] Human rights groups have argued that these laws inherently violate religious liberty by allowing the state to judge one's religious beliefs (to determine if they are "sincere," "freely adopted," and "fully informed"). Moreover, human rights groups have documented how these laws are sometimes unfairly enforced so as to curb religious conversion, further undermining the principle of individual religious liberty.[84] These laws—if not the ways they are alleged to be unfairly enforced—have been adopted by a process that aligns with India's parliamentary system.

Pakistan

In Pakistan—a country that, like India, has a representative government at both the national and regional levels—threats to religious freedom have also become pronounced. When the Indian subcontinent (a territory that included the modern-day states of India, Pakistan, and Bangladesh) achieved independence from British rule in 1947, Pakistan was partitioned from the rest of the subcontinent to allow for the creation of a government that would rule a majority-Muslim population in accordance with Islamic values. Those who defend the legitimacy of the 1956 constitution of the Pakistan Islamic Republic do so in large measure on the basis that it affords Muslims from the subcontinent a place in which to safely practice their Islamic faith in a social and community context reinforced by the social norms of a Muslim society. Since the overwhelming majority of Pakistanis are Muslim, their elected representatives are as well. Working within the parliamentary system, in the 1980s Pakistani parliaments passed laws that expanded the earlier laws against **blasphemy**, insulting speech or publications about a religion or its tenets, that were in effect since Pakistan's founding. Until the 1980s, these laws were general, mentioning no religion or religious text specifically and thus equally protecting all religions against blasphemy. In the 1980s, however, national and regional parliaments in Pakistan added to the blasphemy laws specific prohibitions on insulting Islam, the Prophet Muhammad, and the Koran. The source of these laws appears to many observers to be a desire to shield Islam in particular from blasphemous speech.[85] Moreover, these laws define blasphemy broadly and require only a low level of proof to secure conviction in a Pakistani court. Human rights organizations have criticized these laws as being overly broad and unjustly enforced, and thus infringements on the freedom of speech and religion.[86] These laws, however, appear to be popular, and nothing in the Pakistani Constitution prohibits the government from banning blasphemous speech.[87]

Not all representative systems will tend to advance what Western political regimes increasingly see as the cornerstone of their own political legitimacy—the preservation of a broad range of personal rights and freedoms. Whether these regimes will move or be moved to do so in the future remains an open question.

Summary

13.1 Contemporary Government Regimes: Power, Legitimacy, and Authority

A government can be defined as a set of organizations, with their associated rules and procedures, that has the authority to exercise the widest scope of power—the ability to impose its will on others to secure desired outcomes—over a defined area. Governments usually assert that they possess the final say on when the use of force is acceptable within the area over which they rule. Governments have an incentive to structure their exercises of power in the form of clearly authorized rules found in statutes, constitutions, or both, and most governments seek to legitimate their rule—that is, they seek to have their rule seen as rightful. Following Weber, many political scientists distinguish between broad legitimacy, or the fact of a state being seen as legitimate by a wide percentage of the population, and judgments about a government's legitimacy made by individuals or groups. Governments sometimes suspend the authorized rules to respond to crises and sometimes do not enforce authorized rules; in both cases, it is possible that doing so can be seen as legitimate. Weber identified three major ways by which regimes can develop legitimacy: by ruling in accordance with tradition; by ruling through charismatic magnetism; or by ruling through rational laws. Governments can also attempt to manufacture popular support though the use of blatant or subtle forms of political propaganda. If either a government's clearly authorized exercises of power or its exercise of vaguely defined emergency powers comes to be seen as illegitimate, the government can be exposed to civil disobedience or revolution.

13.2 Categorizing Contemporary Regimes

Regimes represent a wide variety of institutional forms. In authoritarian regimes, political power is consolidated in a group that is not accountable to the people through elections. Authoritarianism can be divided into soft and hard versions based largely on the degree to which the government consults with the people and aspires to uphold the people's genuine interests and rights. The Democratic People's Republic of Korea, known as North Korea, is an example of hard authoritarianism, and the Kingdom of Morocco can be seen as an example of soft authoritarianism. A regime can also blend elements of soft and hard authoritarianism, which is arguably the case in the Islamic Republic of Iran. Representative democratic government constitutes an additional kind of regime. Representative governments take a variety of forms. Some are federalist, where power is divided between national and regional governments, and others are unitary systems, where governmental power is held almost exclusively at the national level. Further, representative democracies can have a parliament, where the executive branch is selected by the legislative branch. Some parliamentary systems, such as in the State of Israel, confer seats in the legislature based on a party's proportion of the popular vote rather than having elections among candidates in a set number of electoral districts. Systems that have a separation of power and a congressional system of government have an independently elected executive branch and usually elect legislators from set electoral districts, although some representative governments, such as the government of Mexico, blend selection of legislators by district elections and by proportional representation determined by the percentage of the vote parties in large sections of the country receive. Regimes across the world seek to legitimize their rule in a variety of ways, including by reference to tradition or the religious status and charisma of the leadership, or by claims to be protecting the rights of the citizens and/or advancing ambitious goals for establishing social justice.

13.3 Recent Trends: Illiberal Representative Regimes

One important global trend among political regimes is the popularity of illiberal representative governments. In Hungary, the people have democratically elected to the largest number of political offices a political party that espouses nationalism and values that stand in opposition to global human rights standards. In India, the people have elected Hindu nationalists who have advanced laws supporting Hinduism that many human rights organizations criticize. Representative regimes, therefore, do not always embrace the conceptions of individual rights and human equality that are increasingly central in many representative governments.

Key Terms

Arab Spring a movement across the Arab world in the early 2010s seeking to expand democracy
authority the permission, conferred by the laws of a governing regime, to exercise power
blasphemy insulting speech or publications about a religion or its tenets
broad legitimacy the trait a government has of being seen by the broad population subject to its authority as rightfully exercising its power
bully pulpit the potential power of the president to influence legislators and the broad population
charismatic legitimacy the accumulation of legitimacy through forceful leaders whose personal characteristics captivate the people
civil disobedience the nonviolent refusal to follow authorized exercises of governmental power with the purpose of demanding political change
coalition government an alliance of individual parties that by themselves do not have the support of the majority of a parliament but that, by agreeing to work together, can form a team of ministers that can acquire the support of the majority of parliament
failed state a condition where a state has collapsed so thoroughly that the area it once ruled experiences the absence or near absence of governmental power altogether or becomes an empty shell ruled by an unauthorized group
federalism a regime type that authorizes a national government to exercise some powers and governments whose laws cover only a small region, such as a state or province, to exercise other powers
Fidesz an ideologically conservative, nationalist party that enjoys popular support in Hungary
fragile state a condition where the capacity of a state to exercise control over an area such that it can provide minimal conditions of law, order, and social stability deteriorates to a precariously low level
governing regime a set of organizations, and their associated rules and procedures, that has the authority to exercise the widest scope of power—including the power to have the final say over when the use of force is acceptable—over a defined area, and which seeks to exercise its authority with legitimacy
hard authoritarianism the condition where a regime acts without any consultation with the broad majority of citizens
head of state a political leader who represents the unity of the country
Hindu nationalism a political movement that sees India as an inherently Hindu country
Juche the North Korean regime's ideology of national self-reliance
judgments about legitimacy the perspective of individual citizens or groups of citizens who make determinations about whether their government is or is not legitimate
Knesset the unitary national parliament of the State of Israel
manufactured consent support for a regime that results from state programs and activities designed to indoctrinate the people and instill that support
monopoly on the right to use violence a government claim to the right to use violence or to approve its use by others
police state a state that uses its police or military force to exercise unrestrained power (see also: security state)
political freedom the freedom to participate in a meaningful way in democratic elections that can shape the actions of one's government
power the ability to impose one's will on others to secure desired outcomes
propaganda misleading statements and depictions meant to persuade by means other than rational engagement
rational-legal legitimacy a type of legitimacy that develops as a result of the clarity and even-handedness with which a regime relates to the people
rightfulness the property a constitution, law, policy, or electoral outcome has of being morally appropriate and consistent with basic justice and social welfare
rule of law a condition where states operate within clearly defined legal rules

security state a state that uses its police or military force to exercise unrestrained power (see also: police state)

shadow government an organization, not authorized or desired by the government asserting rule over an area, that effectively displaces and serves the same function as the official government

soft authoritarianism a condition where a regime affirms its right to rule apart from consultation with or approval from the public but nevertheless frequently seeks the input of the people and frequently attempts to advance what the people desire

Supreme Leader in Iran, an office vested with ultimate political authority that must be held by a Shi'a cleric of the Twelver school who is respected among the leading clerics of Iran; in North Korea, the popular name used for the nation's most powerful leader

theocracy a system of government in which religious leaders have authorized governmental power and possess either direct control over the government or enough authorized governmental power to be able to control the government's policies

third wave of democratization a movement that began in the 1970s that saw democratically accountable structures of government emerge in Spain, Portugal, South Korea, and, somewhat later, in Latin American countries such as Chile

traditional legitimacy a form of legitimacy that accrues when the governing regime embraces traditional cultural myths and accepted folkways

unicameral a legislative body that has only one house or chamber

unitary system a system of government in which all major electorally accountable officials are responsive to the entire citizenry and make and enforce laws for the entire country (often with the exception of minor local-level matters that are handled by locally elected assemblies)

Review Questions

1. A governing regime is defined as _____.
   a. a set of organizations with little power but constant legitimacy
   b. an organization whose power is consistent over time
   c. a set of organizations, with their associated rules and procedures, that has the authority to exercise the widest scope of power over a defined area
   d. a set of organizations committed to revolutionary social change

2. The taxing authority of government _____.
   a. is a type of governmental power that can incentivize particular kinds of behavior
   b. is used exclusively to raise revenue for the government
   c. must in all regimes be exercised by elected representatives
   d. is the weakest government power because it is subject to the will of political elites

3. States of emergency _____.
   a. are unknown in contemporary global politics
   b. are periods where the ordinary operations of the legal system are suspended
   c. are sometimes broadly supported and periodically and legitimately reauthorized
   d. have the potential to erode the legitimacy of a regime if the people see them as abusive
   e. b, c, and d
   f. all of the above

4. Which of these is not a way in which governments attempt to secure legitimacy?
   a. Advancing tradition
   b. Putting forward charismatic leadership
   c. Taxing the people

d. Establishing authority

5. Hard authoritarian regimes often _____.
a. have strict voter registration requirements
b. violate human rights
c. advance the people's desires despite not being democratically elected
d. form coalition governments

6. Morocco has an elected legislature, and although recent reforms have given the legislature and the judiciary expanded powers, the king still has the ultimate power to override any legislative or judicial decision. These characteristics make the Moroccan government _____.
a. a form of hard authoritarianism
b. a form of soft authoritarianism
c. a form of representative democracy
d. a socialist state

7. Democratic representative systems with a congress, president, and independent judiciary _____.
a. are unable to secure broad legitimacy
b. are found in a range of countries, including Mexico
c. all follow the same procedure for electing officials to every branch of government
d. are more likely than other types of systems to declare states of emergency

8. Democratic representative systems with a congress, president, and independent judiciary _____.
a. seek to have broad legitimacy by limiting government to a few core functions, such as maintaining domestic peace and stability
b. cannot be unitary regimes
c. cannot become corrupt
d. elect the president independently of the legislature

9. In a parliamentary system, _____.
a. the legislature selects the executive branch
b. there is a strict separation of church and state
c. the executive cannot be of the same party as the majority of members of the legislature
d. none of the above

10. In illiberal representative regimes, _____.
a. people lack political freedom
b. there is broad support for individual rights and liberties
c. people elect representatives
d. religious freedoms are paramount

11. Pakistan _____.
a. is a majority Hindu country
b. is a majority Christian country
c. was created to uphold Islamic values
d. has designated 14 specific religious communities as being entitled to religious freedom

12. Blasphemy is _____.
a. the act of giving praise to a religion
b. insulting speech or publications about a religion or its tenets

c. strictly protected around the world
d. the primary political issue in contemporary Venezuela

13. Representative democratic governments _____.
a. inevitably become dictatorships
b. inevitably uphold individual rights and human equality as defined by Western human rights organizations
c. can embody values that human rights organizations criticize
d. are found only in the United States, Canada, and a few remote islands in the South Pacific

Suggested Readings

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International Relations

14



FIGURE 14.1 In an attempt to expand its presence in the South China Sea, China is beginning to construct artificial islands, which are being used as a base for Chinese military operations. Their proximity to US allies such as the Philippines creates some concern about the role China wishes to play in asserting its control over what goes on in Southeast Asia. (credit: "One of the militarized islands by China off the coast of Philippines" by Tony Peters/Flickr, CC BY 2.0)

CHAPTER OUTLINE

14.1 What Is Power, and How Do We Measure It?
14.2 Understanding the Different Types of Actors in the International System
14.3 Sovereignty and Anarchy
14.4 Using Levels of Analysis to Understand Conflict
14.5 The Realist Worldview
14.6 The Liberal and Social Worldview
14.7 Critical Worldviews

INTRODUCTION The study of **international relations** is a subfield of political science that focuses on the ways that different states interact with one another. The main goal of all relationships among states is to work toward making the international system one of peace—friendly, nonviolent relations among states—and balance—an equal distribution of the chance for any country to take the lead in setting the course for the international system. As with all things related to politics, who has the means to exert their power to guide the action of members of the political community determines who gets to set the terms of "peace" and be in charge of what "balance" looks like. Power can best be defined as the ability to establish and enforce the rules to which all other actors in a system must adhere. This chapter looks at the different players in the international system and how they interact. It examines the principles that guide the establishment of the political, social, and

economic environment in which these interactions take place.

14.1 What Is Power, and How Do We Measure It?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define *power* as it applies to international relations.
- Describe the different types of power political actors may possess.

Simply defined, in international relations, **power** is the ability of a state to prompt its preferred outcome in a given situation. States aim to protect their **sovereignty**—their authority to govern themselves—and guard against attacks from other countries. Growing and projecting their strength is the means through which they achieve this goal.

The way a state sees its place within the larger system based on the worldview its policy makers adhere to serves as the foundation for the state's power. The theories discussed in this chapter will help illuminate the role power plays in international interactions. They describe the different methods states use to exert their power and how the application of the levers of state power can lead to an increase in a state's ability to chart its own course and to induce other states to support its attainment of its preferred outcomes. At the same time, the theories describe how other states characterize the state's actions and determine their responses to those actions. A state's power includes its military, political, economic, and soft power. The more states attend to and invest in the development of each of these elements of the power they wield, the greater their potential to have an impact on the international stage.

Military Power

States that function with a general sense of self-preservation and a broad mistrust of other members of the international community see the military as the most important means for the projection of their power. The application of military power can be active, in the form of an outright attack or an invasion, or it can be passive, as when a state illustrates its ability to prevail in a military confrontation without actually engaging in one.

Traditionally, states have launched military offensives against selected targets to secure state power. A more passive way states can exert their power is through **deterrence**, the buildup of military might to such a level that an adversary state or states reconsider the use of their own military against the primary state. If state A thinks it has a military advantage over state B, state A may be motivated to attack state B, especially if an important resource or other key objective is at stake. Should state B begin to expand its military power, state A might be motivated to reconsider its course of action.

VIDEO

Deterrence in Foreign Policy

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/14-1-what-is-power-and-how-do-we-measure-it)

In this clip, Council on Foreign Relations Adjunct Senior Fellow for National Security Studies Richard Betts and Adjunct Senior Fellow for Defense Policy Stephen Biddle describe how states use deterrence to avoid war.

North Korea is an example of a modern state that leans on deterrence through military means. North Korean leader Kim Jong Un chooses to divert a substantial portion[1] of the country's relatively meager GDP toward the military to throw off any plans that any other country might have of attacking it. He does this even at the expense of much-needed domestic spending on things like food and social services.



FIGURE 14.2 As this propaganda poster photographed in Pyongyang in 2011 shows, in North Korea the military is the first priority. (credit: "Propaganda" by Michael Day/Flickr, CC BY 2.0)

A state can also obtain military protection by entering into a **security pact**, an agreement among multiple states to support each other in case of a military attack, such as NATO or the Warsaw Pact. (For more on NATO, see the discussion of collective security in 14.5: The Realist Worldview and Chapter 15: International Law and International Organizations.)

Economic Power

A state can have both internal economic power, with a strong domestic economy marked by increasing gross domestic product (GDP) and/or a currency that allows the state to purchase goods and services at a relatively low cost, and external economic power, with leverage in international economic relationships. Externally, a state can project its economic power to the rest of the world in its international trade relationships and its participation in international economic organizations, such as the World Trade Organization, the International Monetary Fund, and the World Bank.

States can also increase their economic power relative to other states by controlling more of the basic **factors of production**. There are four basic factors of production, that is, four levels of economic development: primary, secondary, tertiary, and quaternary. The primary level of economic development focuses on agriculture, the secondary focuses on manufacturing, the tertiary focuses on the service industry, and the quaternary focuses on research and development. When one state controls more of the basic factors of production and can create a particular good or service in a more cost-effective manner than a second state, the first state is said to have a **comparative advantage** in the production of that good or service. Comparative advantage allows a country to strategically invest in the factors of production—land, labor, capital, and entrepreneurship—within its borders in order to develop goods or services that make it a preferred resource for consumers versus other countries.

Consider one classic example of comparative advantage. If England needs the same amount of resources to create five yards of cloth as it does for the country to produce one barrel of wine, and with the same resources Portugal can create five barrels of wine but only one yard of cloth, then we can say that Portugal has a comparative advantage over England in making wine and England has a comparative advantage over Portugal in making cloth. Therefore, it would be better for England to focus on cloth production and for Portugal to focus on wine production, with each country trading for the goods it needs that the other country can produce more efficiently.

VIDEO

Draw Me The Economy: What Is Comparative Advantage?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/14-1-what-is-power-and-how-do-we-measure-it)

This animated video clip explains, in simple terms, how comparative advantage works in a free market.

China provides a contemporary example of a state that uses its place in the international economic system to extend its power. The Chinese government has taken care to ensure its position as the preeminent global resource for manufacturing.[2] With a large, educated labor force and a government that has a tight control over businesses and their functions, China has the ability to turn out large amounts of goods at a relatively low cost to consumers.[3] In manufacturing, it has a comparative advantage over other states.

Internally, a state can use the levers of monetary policy to alter the value of its currency to encourage domestic consumer spending and make its exports relatively more attractive. By creating economic linkages between states through trade, countries are able to expand the reach of their goods and their money, increasing their country's economic strength relative to other countries.

A state can use its economic power to build a relative economic advantage, creating an environment in which other states seek to join the state in mutually beneficial trade relationships. As a state creates more economic relationships with other states, it solidifies its position as an economic power and is able to use access to other states' factors of production or comparative advantage to further cement its own place in the larger system.

Political Power

States can try to manipulate the political institutions of other countries to enlarge their sphere of influence and to pressure other states to implement their preferred policy outcomes. A state can use both overt and subversive means to influence another state or a non-state actor in order to gain more power for itself. For example, a state can influence the outcome of an election, supporting the candidacy of a leader who is friendly to the state's preferences. In 1911 and 1912, the United States did not hide its efforts to influence elections in Nicaragua.[4] In 1953 the United States played a role in the coup in Iran that removed that country's prime minister, Mohammad Mossadegh, who, in nationalizing the Iranian oil industry, had threatened Britain's longstanding control over oil in the region. After the ouster of Mossadegh, the last Shah of Iran, Mohammad Reza Pahlavi, with whom the United States believed it had a beneficial relationship, returned to power.[5] Some states have denied prominent accusations of interfering in other country's elections, as Russia has in response to accusations that it interfered in the 2016 election in the United States.[6] When states have a sense of power, within the system or within a region, they will do what they can to create an environment that safeguards and even expands that power.

VIDEO

How Did the United States Intervene in Iran in 1953?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/14-1-what-is-power-and-how-do-we-measure-it)

In this clip, Professor Jo-Anne Hart of Lesley University and the Watson Institute of International and Public Affairs at Brown University discusses the US overthrow of Iranian Prime Minister Mohammad Mossadegh.

The next section discusses in greater depth how and why it is important to a state that other states recognize its state sovereignty. Using its power of recognition, a state can welcome into the international system and its institutions another state that it believes will support its desired goals, thereby increasing the likelihood that the norms of the international system will align with its preferences. By the same token, a state can withhold its recognition of another state in order to maintain better relations with other members of the international

community. In the case of Taiwan, the United States walks a fine line in terms of recognition and interstate relations.[7] China views Taiwan as an extension of China and expects all other countries to treat Taiwan as such.[8] This puts the United States in a tricky position; the United States, for economic, military, and diplomatic reasons, seeks to maintain a positive relationship with China, but its broader goal is to support countries as they attempt to democratize. Taiwan, in recent years, has taken many steps to assert its autonomy in relation to China and to implement a more democratic system. China sees these moves as a direct threat to its own position of power and does everything it can to maintain firm control over the Taiwanese governmental system in Taiwan. China views any US actions that may be supportive of Taiwanese independence or even of its increased autonomy from China in a negative light. The United States must tread carefully, supporting a state that is trying to move toward democracy without angering a key economic and diplomatic ally.

Above all else, states must act to protect their sovereignty. In all things, states find themselves most reliant on their own strength and abilities. In an environment in which there is no central governing body to set and enforce rules, countries must strategize to protect themselves at all costs.

Soft Power

Whereas hard power involves coercion, **soft power** involves more friendly interactions that seek to win over a state or states rather than force them to comply with the wishes of one or more other states. Diplomacy, in either a bilateral (engagement between two countries) or multilateral (engagement between more than two countries) setting, allows states to create mutually beneficial agreements to protect themselves and the international system at large. The idea that all recognized countries find themselves on equal relational footing and should be treated as such in any sort of engagement, a concept referred to as **reciprocity**, is the foundational element of any diplomatic relationship.

An example of a reciprocal arrangement would be that of states exchanging ambassadors. When a diplomatic relationship exists, the leaders of states pay official visits to one another and are entertained in a manner that shows deference to their status and prestige in the international system. Allowing for state visits is one way that a state might use the guise of entertainment as a means of persuading a state to take steps that meet its preferences. The principle of reciprocity allows for states to enter into any negotiation on a level playing field; it intones a mutual level of respect between the states.

The cultural identity of a state is still another way that a state can expand its sphere of influence. Globalization has allowed for the spread of goods that are clearly identifiable as part of the culture of a specific country. As cultural identifiers spread throughout the world on the back of global commerce, so do the values that typify the originating country's political and social systems. For example, the global spread of clearly identified American brands such as Levi's, McDonalds, and Coca-Cola serves to spread American values of choice and product competition.[9] In addition to increasing the amount of revenue American companies see from the sale of their products, the spread of American brands spreads American ideals.[10]



FIGURE 14.3 This McDonald's in New Delhi, India, is an example of the reach of America's soft power. (credit: "New Delhi McDonald's" by Ryan/Flickr, CC BY 2.0)

Reciprocal diplomatic relationships that involve entertaining foreign officials and the spreading of cultural values to exert dominance are examples of the exercise of soft power—that is, using attraction and persuasion rather than coercion to achieve goals.

14.2 Understanding the Different Types of Actors in the International System

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe the major actors in the contemporary international system.
- Discuss the four characteristics of a state.
- Differentiate a state and a nation.
- Discuss the relationship between international organizations and powerful states.
- Identify the capabilities of a nongovernmental organization.

A variety of different actors, each with its own characteristics, preferences, and methods of working, populate the international system. These actors are distinct in what they want, what motivates them, how much and what kinds of power they can wield, and how they interact with each other. Achieving the goals of the international system requires the concerted effort of all of these members.

States

The term **state** is used interchangeably with the word *country*. All states have four characteristics:[11]

- Land with boundaries
- A government or a system of rule
- A population that willingly gives its allegiance to that government
- Recognition as an equal partner among states

VIDEO

New Transitional Government of National Unity Formed in South Sudan

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/14-2-understanding-the-different-types-of-actors-in-the-international-system)

In February 2020, a peace agreement ending the South Sudanese Civil War established ten states, two administrative areas, and one area with special administrative status under a national unity government.

This last piece is perhaps the most important and can be the hardest to achieve. Recognition as a state within the international system of states is an essential **norm**—a generally accepted rule, institution, or behavior—that forms the foundation of international relations. Recognition ensures that a state has a seat at the table; it confers both legitimacy and equality in the eyes of the international community.

Changes in political power in a state, such as the election of new heads of government or a change in the majority party in the legislative branch, do not usually affect state recognition, but in cases where there are complete changes to leadership or institutions in a government, concerns arise about whether recognition will continue. With the recent changes to governmental leadership in Afghanistan, for example, the reinstalled Taliban regime will need to take steps to make sure that they are seen as the legitimate source of power in the territory. This recognition is important to the ability of the Taliban to negotiate with other members of the international community for the things the country needs. The international community, for its part, can use the promise of recognition to extract concessions from the Taliban. To be recognized as a member of the international community means being held to the same standards of behavior to which other countries are held.

States are a vital part of the international system and serve as leaders in charting the path of the system as a whole. Of all the different parts of the international system, recognition might not seem adequate to give a state all the rights and privileges that come with statehood, but it is a necessary element of membership in the international system.



FIGURE 14.4 Taliban fighters ride a captured Humvee after the fall of Kabul. (credit: "Taliban Humvee in Kabul, August 2021 (cropped)" by Voice of America News/Wikimedia Commons, Public Domain)

There is a subtle difference between the term *state* and the idea of a nation. A **nation** is an identity gleaned from a common culture or ethnicity; a state is an institutional infrastructure that allows a society to function. In terms of an ethnic identity, a nation can span states, or a state can be a nation-state, as is the case in Japan, where the government of the state takes extra care to protect the shared national identity of the people who make up the state.[12] There is a broader conversation[13] around what a nation, a state, and a nation-state are

and how to think about these distinctions in the modern world. Some scholars argue that the concept of the nation-state is no longer viable because of the state boundary lines created by the colonial powers. As European countries expanded their reach and control to areas far from their shores, they entered areas populated by people for whom the idea of the state, in the European sense, was incompatible with their historical identity, as seen in Iraq, Sudan, and Nigeria. The placement of arbitrarily drawn borders, to the economic benefit of the European colonial powers and with a clear disregard for the traditional geographic locations of the people, form the basis for the current conversation about whether the idea of a nation-state has a place in the modern international system. [14]

Nations can also be considered stateless. In some cases, the historical home of a nation is absorbed into a recognized state, leaving the people of the nation with the choice to either accept the citizenship of the recognized state or remain stateless. Stateless nations find themselves at an intense disadvantage because they typically have limited involvement in international organizations, which prevents them from having a seat at the table on par with other states and nations of the world. Nations such as the Kurds, Bretons, Catalans, and Basques are limited in their ability to govern their people with any sense of autonomy and have been consistently sidelined and subjected to violence for their wish to have their unique national identity be celebrated and validated.

Intergovernmental Organizations

Institutions made up of multiple state actors who work within a specific set of rules to enact solutions to problems common among multiple states are known as **intergovernmental organizations**. Intergovernmental organizations[15] are the best way to understand the reach and impact of a state's power to structure the environment in which it functions. States with more hard power—that is, with larger economies or militaries—are able to leverage their position among other states to put in place institutional norms that more closely align with their preferences; in short, intergovernmental institutions are a great way for powerful states to become even more powerful. Under the best of circumstances, as in the case of the United Nations, intergovernmental organizations can create a unified sense of pressure to prompt a state to make positive changes or to band states together to support a state that is under attack. In the worst case, international organizations can strong-arm weaker states to agree to the preferences of one state to the detriment of other states or of the system at large.



FIGURE 14.5 The Board of Governors of the International Monetary Fund (credit: "The Executive Board of the International Monetary Fund, Washington, D.C. (April 19, 1999)" by International Monetary Fund, Public Domain)

For example, the major world economies have partnered to form the International Monetary Fund (IMF), an intergovernmental organization known as a **lender of last resort**,[16]where a country turns only after it has exhausted all of its options for funding,[17] that can be counted on to support countries in the direst of economic circumstances. The member states that make up the Board of Governors of the IMF base their offer of support on the role that the struggling country plays in the larger economic system. Other members of the international community have criticized IMF loan decisions for attaching terms to IMF loans that limit the

ability of borrower countries to move toward economic stability. As with most intergovernmental organizations, the IMF has been characterized as an extension of the policy preferences of its governing members. This means that the decisions the IMF makes are sometimes seen as a tool powerful states use to set the rules of international borrowing to support countries they consider allies and to punish countries that they see as opposition.

Nongovernmental Organizations

Non-state actors focused on solving problems or filling policy gaps states can't or won't handle themselves are known as **nongovernmental organizations (NGOs)**. Traditionally speaking, a nongovernmental organization is a nonaligned, third-party group that does not have the same motivations that a state might have. Nongovernmental organizations are part of a system that works to benefit people rather than states. NGOs can propose solutions to a state or fill a need that a state might have, usually without being seen as attempting to attack the sovereignty of that state. For example, most states accept medical aid from NGOs like the Red Cross or the Red Crescent.

14.3 Sovereignty and Anarchy

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain why sovereignty is an essential element of states in the international system.
- Define anarchy in the context of the international system.
- Explain the relationship between sovereignty and anarchy.

Statehood is of vital importance to a nation because it confers sovereignty. Sovereignty is the ability of a state to run its institutions without fear of interference from other states or entities. Sovereignty allows states to enforce their own laws, for better or for worse, allowing a state to exert its power within its own borders and in situations where the state must work to protect its interests.

While states' claims to sovereignty allow them to protect their cultural identity, beliefs, norms, and institutions, they can also prevent other states from stepping in to protect the innocent when a state acts in a manner that is counter to the basic norms of human rights and human dignity enshrined in the United Nations Universal Declaration of Human Rights.[18] The actions a state takes to intervene on behalf of people subjected to violence at the hands of their own government could be seen as acts of aggression. In this case, the state that is perpetrating the violence would be within their rights to take action against the intervening state. In cases of crimes against humanity, such as the genocide in the Balkans[19] and the civil war in Rwanda,[20] both in the 1990s, sovereignty allows a state to function as it sees fit, even when it means some citizens of that country will die. States have used the cover of sovereignty to prevent nongovernmental organizations from providing aid. For example, the Assad regime in Syria has diverted humanitarian aid intended for civilians caught in the middle of the violence in that country's ongoing civil war, using the aid to fund its own atrocities.[21] At times, states have used the cover of sovereignty to block NGOs from gathering information on atrocities happening within the country or to decline to participate in negotiations when other states tried to broker peace.

VIDEO

International Anarchy

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/14-3-sovereignty-and-anarchy)

Anarchy has a particular meaning in international relations that likely differs from the meaning you might be familiar with. This video clip clarifies the concept of anarchy in this context, contrasting it with the concept of hierarchy.

A system made up of actors focused on protecting their own interests naturally results in **anarchy**,[22] where there is no overarching governing authority. In the case of the international system, *anarchy* refers to a lack of a general sense of order in the international system. Anarchy in the international system is directly linked to this lack of enforcement mechanisms as well as a lack of a broad global government. Sovereignty is the most important part of a state's identity. The willingness of states to make sure that their sovereignty is protected for as long as possible ensures that the system will remain anarchic.

While each state has the right to govern itself, there is still a need for a means through which different states can gather—some ordered structure in the system that allows states to work through common issues. Intergovernmental organizations, such as the United Nations, provide the forums through which states can attempt to exert pressure on one another to cause one or more states to change a behavior, to provide options other than violence for conflict resolution, or to adhere to already established norms that provide some semblance of order in the otherwise anarchic system. However, there are no true enforcement bodies that have the authority and the capability to impose comprehensive consequences on a state that violates an international agreement or takes actions that fly in the face of generally accepted norms. Intergovernmental and nongovernmental organizations provide useful avenues for states to solve problems that impact them at a systemic level, but it is still impossible to say with 100 percent confidence that a state can be made to behave in a certain way.

Foreign aid and sanctions are options available to members of the international community to help move a state into alignment with generally accepted expectations for behavior. Like all types of international actions, the ability of these options to be effective requires the participation of as many members of the international community as possible and the willingness of those states and organizations to close any loopholes so that the target state feels the consequences in a meaningful way. There is no mechanism to force a state to behave a certain way. Foreign aid and sanctions, along with treaties and the actions of international organizations, provide options international actors can use to help order the environment in which a state makes its choices about how it relates to other countries.

States can work cooperatively through institutions to enact strategies aimed at coercing a state to change its behavior; however, there is no surefire way to guarantee a state will do so or that it will continue to uphold that change. For example, the United States led a series of negotiations beginning in 2015 to work to curb Iran's development of nuclear weapons. The Joint Comprehensive Plan of Action, more commonly referred to as the Iran Nuclear Deal, was an agreement signed between Iran and the UK, France, Germany, Russia, and China, under the leadership of the United States. Negotiated by the Obama administration, the agreement allowed Iran to re-engage in trade, particularly of their oil, to take some of the pressure off their own economy, and in return, Iran would work to dismantle the nuclear facilities that presented security concerns to the world. Because of the domestic political situation in the United States, the US never recognized the Iran Nuclear Deal as a ratified treaty, opting instead to enter into an "executive agreement."[23] The terms of the treaty would have been binding, but without a formal treaty, the enforcement mechanisms included in the agreement did not ever become reality. When President Obama left office in 2016, the newly elected President Donald Trump began to pull back from the agreement. Trump chose to work separately from the parties to the agreement, reinstating sanctions on Iran, including penalties for entities that continued to trade with Iran. When one key party to an agreement pulls back, other members of the negotiating body are effectively unable to uphold their side of the agreement, and that agreement is weakened.[24]



FIGURE 14.6 In July 2015, representatives of China, France, Germany, the EU, Iran, the UK, and the United States posed for a photo during the meetings in Vienna that resulted in the Joint Comprehensive Plan of Action known as the Iran Nuclear Deal. (credit: "Iran Talks" by Bundesministeriums für europäische und internationale Angelegenheiten/Flickr, CC BY 2.0)

It may seem counterintuitive to think about anarchy and order going hand in hand when talking about the international system, but the modern system relies on the assumption that states within the system want to maintain control over everything within their own borders and work for their own benefit while at the same time being unwilling to submit to an established order in the environment around them. The tension created in the fight between order and anarchy that exists in all states, no matter how powerful they are, is what underscores and motivates international relations.

14.4 Using Levels of Analysis to Understand Conflict

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define the different levels of analysis and show how they can be used to explain interstate conflict.
- Describe the relationship between levels of analysis and state policy.
- Identify the two purposes levels of analysis serve.
- Identify the hallmarks of each level of analysis.

For 13 days in October 1962, the world watched with bated breath as a shipment of Soviet warheads on their way to Cuba pushed the United States and the Soviet Union to the brink of nuclear war. In response to the United States' decision to install nuclear weapons in Turkey, a country on the Soviet Union's southwestern border, the Soviet Union began moving multiple nuclear warheads from Russia to the island of Cuba, approximately 100 miles south of Florida at the southeastern edge of the Gulf of Mexico. The fear that this act inspired in Americans led to nuclear attack drills and the constant presence of the threat of war in the lives of everyone in the United States. How would the United States, then led by President John F. Kennedy, respond to this apparent act of aggression? This 13-day standoff has become known as the Cuban Missile Crisis.[25]

War or the threat of war draws the attention of the public at large and, more than any other international event, tends to make people sit up and think critically about the decisions states make. Just as you can seek to better understand political science as a whole by breaking your examination down to the levels of individuals, groups, institutions, and states and international relations, one way to understand international relations and the decisions actors make is to use levels of analysis; that is, you can choose to zoom in on a particular aspect of the interaction. To better understand the motivations of the actors in the larger system, it is useful to break down the analysis. In international relations, you can examine the individual, focusing on the actions that leaders in a country take; the state, focusing on the actions of countries; and the global system, focusing on how states interact with international organizations, nongovernmental actors, and multinational corporations. States create policies, such as the decision to go to war or to solve a problem through negotiation and the

creation of a treaty with the assistance of an international organization like the United Nations, that focus on either a specific level or the way that the levels interact with one another. Conflict occurs when the policy decisions of one state create consequences for another state that change the environment, harming the second state or complicating the decisions it must make.

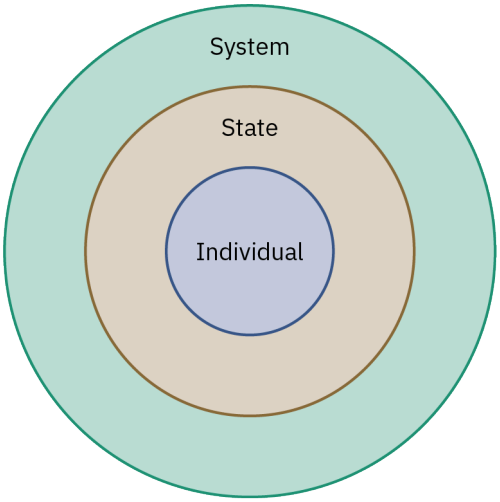


FIGURE 14.7 We can examine international relations using three levels of analysis: the individual, the state, and the system. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

These levels of analysis serve two purposes: they provide a foundation for understanding the different problems states face, and they help one think about how a state's policies can affect the international community. The characteristics and players of each level of analysis give a more holistic way to describe conflict.

Individual Level

The individual level of analysis focuses on the decision makers within a state and how the constraints the state places on them affect their chosen courses of action. The rules associated with their positions limit what leaders can do; for example, the president of the United States has the ability to move troops but cannot formally enter a war with another country without the consent of Congress.[26] This limits the possible policy responses US presidents have to choose from should they feel that the United States is being threatened. Decision makers reliably support policies that solve problems in ways that allow them to claim credit for solutions when they are called to account for their actions. Leaders like to be able to tout their accomplishments in re-election campaigns. They tend to prefer policy solutions that help them gain and keep power. In the case of the individual level of analysis, power is defined as an individual's ability to steer policy to create outcomes that align with that individual's personal beliefs and preferences.

State Level

The state level of analysis focuses on the actions of states in relation to one another. State-to-state relations occur in the context of intergovernmental organizations and in treaties and alliances. A state's policy choice menu is defined by where the state sees itself and where the state wants to go in relation to other states. When theories of state behavior are discussed later in the chapter, you'll see how theory helps explain the policy choices states make.

In the same way that individual political actors must play by certain rules, both the people who live in a state and the international community expect states to uphold norms of behavior and to meet the expectations of the power behind their institutions.

In a democracy like the United States, the state derives its legitimacy from the consent of the people. If a state begins to act in a way that goes against what the people say they want, the people can hold individual actors

responsible and vote them out of office. The relationship between voters and elected officials is one way to see the relationship between the individual and state levels of analysis. In democracies, voters and those they elect form a feedback loop in which the preferences of the voters are made tangible through the policies that elected officials work to enact in the laws they make.



FIGURE 14.8 This World War II–era poster emphasizes the role the individual plays in directing the state. (credit: "Your right to vote is your opportunity to protect, over here the freedoms for which Americans fight over there" by Chester Raymond Miller/Posters: Artist Posters/Library of Congress, Public Domain)

In an autocracy like North Korea, institutions are propped up by the ability of the autocrat to hold the allegiance of the **selectors** needed to solidify their power. Selectors are the people that a leader in any type of government relies on to legitimize their power and position. In a democracy, selectors are the part of the population who can and do vote. In an autocracy, the selectors are the people who support the leader while at the same time controlling the parts of the country that a leader needs to legitimize their position, such as the military or the lucrative natural resources that the state may control.

Global Level

The global—or systemic—level of analysis considers how cooperation and conflict among states intersects with the environments in individual states to evoke change. The hallmark of this level of analysis is the number of variables that need to be considered when trying to understand the reasoning behind policy shifts and the ripple effect these shifts have on other countries. For example, though India and Pakistan are not permanent members of the United Nations Security Council and therefore, according to the terms of the United Nations Charter,[27] are not permitted to possess nuclear weapons,[28] both countries have been developing and maintaining nuclear weapons stockpiles as a high-level deterrent against the possibility that the other country will take overtly aggressive actions. These growing stockpiles of nuclear weapons set the stage for a situation not unlike that between the United States and the Soviet Union during the Cold War—one of mutually assured destruction. The usual expectation of the international community would be that states who are not supposed to be in possession of nuclear weapons would be secretive in their development and even more secretive in their use. Instead, India and Pakistan have chosen not to hide their nuclear stockpiles, and both countries are

fully aware of the level of conflict they must avoid to ensure they do not provoke the other country to use its arsenal. The international community has reacted to the nuclear buildup in India and Pakistan in a way that is markedly different from the reaction to the nuclear buildup in North Korea.[29] Because North Korea projects a general sense of distrust and aggression toward most of the members of the international community and because its tests of its nuclear stockpile are in express contravention to the wishes of the permanent members of the United Nations Security Council, the countries of the world see North Korea's actions as a blatant challenge to the international system's fine line between anarchy and order. While India and Pakistan have made it clear that their nuclear arsenal is a tool of last resort, North Korea does not seem to have that same level of restraint. North Korea has promised to use its weapons whenever it feels threatened but has provided no guidelines regarding what it perceives as a threat.[30] Though India, Pakistan, and North Korea are all violating international law to varying degrees, in choosing to place sanctions on North Korea but not on India or Pakistan, the global community is choosing to punish a state that, in what the international community perceives to be an irrational manner, seeks to threaten any and all states.

In a way, the global level of analysis is one of responsiveness rather than one of agency. A state must first take an action, such as testifying before the United Nations Security Council, before an international organization can respond. The anarchic nature of the international system means that intergovernmental organizations are not able to take meaningful preventive action to head off a state's decision. Due to the anarchic nature of the international system, this level of analysis is the most unpredictable. Its value lies in the way it allows a broad view of any trends in the way events affect different states.

The Link between Policy and the Levels of Analysis

Levels of analysis can be used to understand how institutions make decisions. Think about each level of analysis as a lens through which policy makers view the possible consequences of implementing a particular solution to a problem they face. Governments can also use levels of analysis to view how a particular situation might affect their country; each level of analysis represents a different group of people with different wants and needs. Governments have to work to balance the preferences and needs of each member of each level of analysis when they craft and implement a policy.

The Cuban Missile Crisis is a classic example of how each of the three levels of analysis plays a role in complex potential or realized international conflicts.

VIDEO

The History of the Cuban Missile Crisis

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/14-4-using-levels-of-analysis-to-understand-conflict)

This animated clip investigates the Cuban Missile Crisis in the context of the intense unease and brinkmanship of the Cold War and underscores just how close the United States and the Soviet Union came to starting a nuclear war.

At the individual level of analysis, President Kennedy had to consider both his own preferences and how his advisors would want to handle the situation. President Kennedy's immediate circle of advisors,[31] known as ExComm, embodied the facets of the individual level of analysis when they provided the president with their assessment of the crisis and offered possible solutions. Military leaders within ExComm strove to balance their own preferences for how the United States should project strength, favoring large shows of force and more aggressive response measures, with their understanding of who the president was and how he perceived the world around him. In order to get the president to support their plan over any other offered solution, they needed to play to the president's desire to avoid long-term engagement or escalation. It was important to some members of ExComm to persuade the president that a more aggressive response would lead to a more decisive American victory that would send a strong message to Soviet leaders. These members believed that taking a

strong stance would dissuade the Soviets from taking further actions against the United States.[32]



FIGURE 14.9 ExComm meets during the Cuban Missile Crisis. (credit: "National Security Council Executive Committee" by White House Photographs/John F. Kennedy Presidential Library and Museum, Public Domain)

At the state level, President Kennedy had to consider the actions of the Soviets in terms of the preferences of their state—that is, their government institutions, which could override what Soviet Premier Nikita Khrushchev might want—in order to understand what message they hoped the movement of missiles to Cuba would send. The United States had to be careful about what escalation of conflict could mean in terms of potential danger to people in the United States and in the Soviet Union. Such escalation could also set a precedent for what other states would choose to do if placed in the same situation.

At the international, systemic level, the United States and the Soviet Union were involved in back-channel unofficial negotiations with then Secretary General of the United Nations, U Thant.[33] International law and norms limit what actions countries are willing to allow states to take, and this is especially true when the potential of nuclear conflict threatens the safety of not only the nations involved in a standoff, but also of the entire world. Secretary General Thant appealed to the United States and the Soviet Union to think as rationally as possible and to provide each other with the space in which to make decisions.

Beyond levels of analysis, political scientists use a variety of frameworks to help make sense of the way states respond to the actions of other states. The chapter now turns to those frameworks.

14.5 The Realist Worldview

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe how theories and worldviews can be used to understand international relations.
- Explain the realist worldview, including fundamental concepts and possible limitations or critiques.
- Identify and differentiate among various branches of realist theory.
- Apply principles of game theory to explain a state's decision-making process.
- Explain the types of polarity in an anarchic system.
- Discuss the role of comparative advantage in a unipolar system.
- Analyze the ways tensions can escalate, destabilizing the system, in a realist worldview.

Several key theories have emerged to explain the different ways states see the world and their place in it and to understand the decisions they make and the courses of action they choose based on those views. The primary theories come from three major groups of worldviews: the realist worldview, liberal and social worldviews, and critical worldviews. This section discusses realism and its variants.

Realism

In popular culture, international relations is usually presented through the filter of the basic tenets of realism. Whether it's Jack Ryan working with the FBI, risking his life to rescue soldiers held by drug cartels, or Jason Bourne running from his past involvement with clandestine operations as a former CIA assassin, representatives of states are shown as engaging in actions focused on self-preservation, no matter the cost.

VIDEO

Jason Bourne Goes to Extremes to Avoid Capture in *The Bourne Ultimatum*

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/14-5-the-realist-worldview)

In this clip from the 2007 film *The Bourne Ultimatum*, Jason Bourne goes to extreme lengths, breaking laws and property and putting himself in intense physical peril, to avoid being captured or killed.

Realism is distinctly characterized by marked self-interest. According to **realism**, states embark on policy initiatives with a go-it-alone attitude that aims solely to preserve their own safety and security. In a realist's mind set, the state is the primary actor of the international system. According to realists, self-interested states do what they can to gain more power to increase their ability to structure the rules of the system to their advantage.

Realism
• States are at the center of the system. • The main goal of the state is to protect itself and ensure its power.

As a general rule, realists believe that states see it as being to their benefit to withhold some of the details about their goals and aspirations in a given situation. The thinking is that if a state is completely transparent about its capabilities and how far it is willing to go to get what it wants, it makes itself vulnerable to other states that might try to take advantage of it.[34] This air of distrust underlies the thinking of a realist state. Because a state cannot trust other states, realists consider diplomacy and negotiations unreliable methods of self-preservation. Instead, realists try to implement policies that send a clear, strong message about the ability of a state to protect itself.

Game theory is a way of conceptualizing what motivates a political actor in terms of the steps the actor takes to reach what they deem to be the optimal outcome for themselves. The general discussion of political behavior in Chapter 2: Political Behavior Is Human Behavior briefly introduces the idea of **game theory**. Based on the idea that all the actions players take in a specific game or situation have a certain probability of being taken, game theory helps illustrate a realist view of state strategy in international relations. Have you ever played a game of strategy, such as Risk or Settlers of Catan? In these types of games, you, the player, focus on amassing the most land and resources you can, relative to the other players, to win. You try to anticipate and consider all the information you have about the current situation and what other players might do when calculating what actions you should take to achieve your goals. In the realist view, states have the same mindset in their interactions with each other.

For states, every decision-making process is part of a complicated equation, the result of which is an action the state will take. States weigh the risks and rewards of possible courses of action, seeking the greatest net benefit for their purposes. States can only base their strategic decision-making on the information they have—for example, intelligence information about another state's true motivations—and if that information is faulty, a state's chosen course of action may not achieve the desired results. By accounting for the weight of all the probable variables a state considers in calculating what course it will take versus the benefit a state expects an action to yield, one can calculate the likelihood, or probability, that a state will make a decision or implement a policy in response to another state's actions.



FIGURE 14.10 Game theory can be applied to many situations, such as labor negotiations to end a workers' strike, in which opposing sides strategize to optimize the chances of achieving their desired outcomes. (credit: "picket line" by Susan Jane Golding/Flickr, CC BY 2.0)

Realism characterizes states as rational actors, meaning that all the actions they take or policies they implement are a function of what they see as the outcome of a situation. Realists see the international system as a **zero-sum game** grounded in the idea that all facets of the system are finite. In a zero-sum game, a state seeks to take something, whether it be power or a physical resource, away from another state; in essence, if I win, then you lose, and there can only be one winner. When all aspects of a system are finite, one state can control all of a particular resource, preventing another state or states from having that resource. You can apply this idea to your everyday life. Suppose you and your friend are hungry for a snack and there is only one bag of chips that is readily available. If this situation were a zero-sum game, whoever got to the bag of chips first would have all the chips, and the other person would have none.

The **balance of power** is a classic realist way of seeing the structure of the international system. Realists see the world as populated by states in a race to set the rules of the system to work for their own benefit. Because the system is inherently anarchic, poles, or centers of power, form within the system around the states that have the capacity, in whatever the system deems to be the currency of power, to gather other states to their side. Three different types of polarity emerge in an anarchic system: unipolar, bipolar, and multipolar.

In a **unipolar system**, one country, the **hegemon**, sets itself up as the main player who decides the rules of the international system. By virtue of having the strongest economy, largest military, or most stable political and social institutions, the hegemon is able to use its position to extend its power. A hegemon might simply use its military might to extend its power, or it might employ less aggressive means. When a hegemon expands the institutions that benefit it to other countries, it encourages those countries to be like the hegemon. In doing so, the hegemon expands its sphere of influence with the underlying premise that states that are similar in culture, economy, and political structure are less likely to fight one another. While these states share a number of similarities, they have differing abilities to allocate the skills and resources necessary to create certain goods or services. When a hegemon expands its sphere of influence, it expands its access to resources, goods, and services in areas where it lacks a comparative advantage. An imbalance in comparative advantage is what drives a country to trade for a good or service that it needs.

In a **bipolar system**, two states with equal relative power but different underlying institutional characteristics vie to create opposing spheres of influence. This creates two groups of allied countries that allow the states at the center of the poles to expand their power with the support of other actors in the system, giving those two states similar strength as if each were a hegemon. In a multipolar world, multiple states form many smaller spheres of influence, creating a pared-down version of a unipolar or bipolar system. A **multipolar system**,

where three or more states have equal or relative power, is pared down even further.

While anarchy is inherent in the international system, from the realist's view, a state is motivated to create an environment, and therefore a balance of power, that protects the state. Rational actors prefer order. Order allows actors to have a greater sense of what is coming next. Essentially, states—especially the bigger, stronger, more powerful ones—see anarchy as an opportunity to create order in a way that favors their interests and fits their long-term goals. The balance of power between states is a way to understand who succeeds in creating a world that benefits them the most.

The relationship between the United States and Russia from World War II to the present is perhaps the most accessible way to see shifts in polarity in the international system. Before World War II, colonial European powers had divided up the world, and the United States and Russia were doing what they could, in smaller ways, to expand their own reach. After World War II, the United States and Russia emerged as the two major powers at opposite ends of the economic ideological spectrum, pitted against each other for supremacy, thus creating a bipolar world. The interaction between the Soviet Union and the United States during the Cold War provides a glimpse of the best and worst of decisions states have made. The Cold War represents a period in world history in which there was a slowly simmering conflict[35] on multiple fronts between the Soviet Union and the United States, who had emerged from World War II as the states with the economic strength and political stability to exert their influence and preferences on other states in the international community.

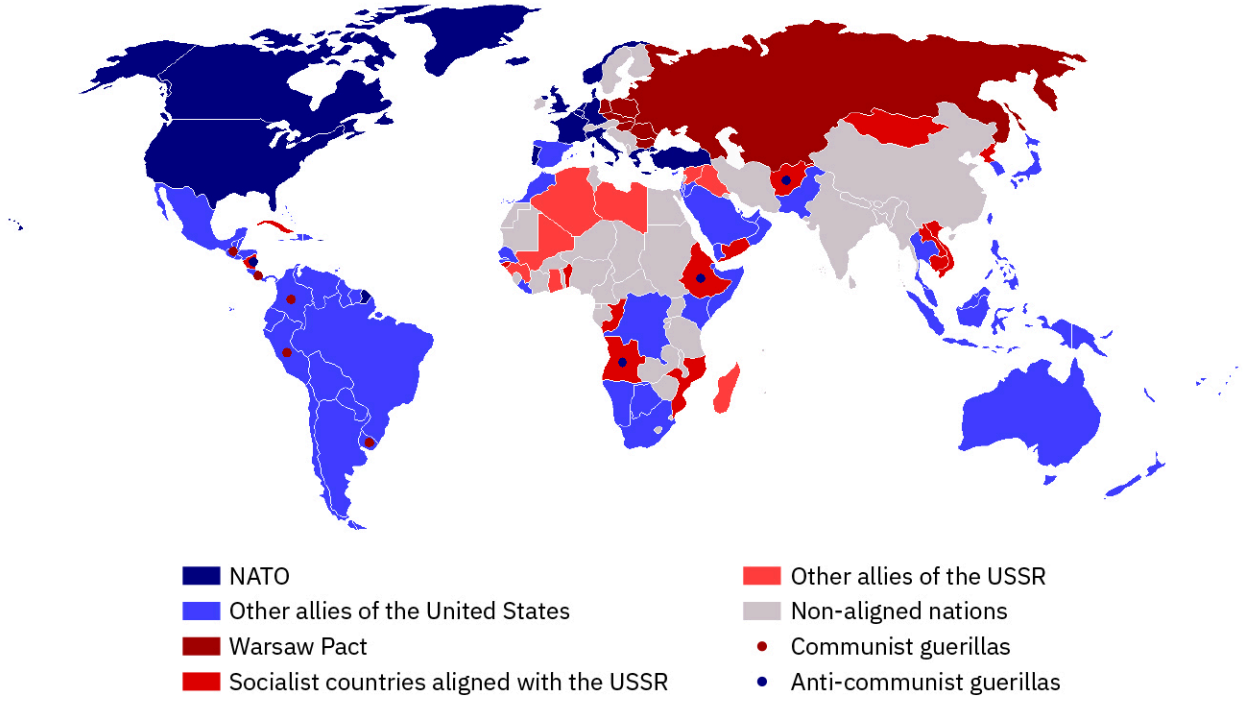


FIGURE 14.11 This map of Cold War allies illustrates the spheres of influence in a bipolar world. (credit: "Map Of The Cold War" by The1994JMan/Flickr, CC BY 2.0)

The intense competition between these two major world powers for global supremacy spilled into all parts of society, from the propaganda and policies of the United States focused on weeding out suspected communists in all aspects of society and government to the race to see who could make the greatest advancements in space exploration, which spurred a steep increase in scientific and technological development. In the context of foreign relations, the conflict between the Soviet Union and the United States was more tangible and mired in a number of **proxy wars**, conflicts in which each of the warring parties is supported and funded by two larger parties who have a vested interest in the outcome of the conflict. The Vietnam War,[36] in which the democratically elected Vietnamese government fought the insurgent Viet Cong, who had the support of the Soviet Union, and the conflict in Afghanistan, where the United States supported Afghanis as they fought to

keep the communist forces of the Soviet Union from taking over their country, are two examples of Cold War–era proxy wars.

The 1990s brought an end to the Cold War, with the United States emerging as the hegemon, but that came with its own challenges. In the era immediately following the Cold War, newly independent former Soviet states looked to the United States for monetary, political, and military support. This is the burden of the hegemon; when you are the victor in a conflict you may be seen as the only stable, strong power, and with that status comes a sense of obligation to help less powerful, less stable states.

The **security dilemma** is the byproduct of a system in which states are motivated to act in their own interest. As states implement security policies that aim to either expand or solidify their position in the system, other states may perceive those actions as provocations. The state or states implementing those policies face a security dilemma, where those changes in their policies related to their own safety and security, because they appear aggressive to other states, may lead those other states to preemptively respond in the interests of their own security, potentially ratcheting up tensions between two or more states.

This highlights the implications of a system based on a fundamental mistrust of all actors that views any action as a signal. The conflict between the United States and the Soviet Union during the Cold War is a direct long-term example of the consequences of two states existing in the midst of a security dilemma. States that see the actions of another state as an offensive provocation seek to respond in as proportional a manner as possible, but in some cases, as in the hypothetical situation of nuclear war, the response can have consequences that negatively—and in the case of nuclear war, catastrophically—impact the entire international community.

Neorealism

The lack of institutions in the international system that can hold states accountable for their actions or provide consistent, altruistic help to states in need perpetuates the mentality of states that see themselves as lone actors within the international system. In the contemporary international community, realists view states as having a go-it-alone attitude in order to best safeguard their own interests.

A more recent offshoot of the realist school of thought, **neorealism** (also known as structural realism), speaks to states that take a middle path to international relations.[37] Like classical realists, neorealists see the state as the main actor in an anarchic system. Unlike classical realists, they contend that it is the structure of the system rather than the people who lead the state that drives the system forward. States that implement policies that align with neorealist ideas attempt to work through international institutions, such as multinational security pacts like the North Atlantic Treaty Organization (NATO), to get what they want.

Neorealism (Structural Realism)
• The system is anarchic. • Institutions are structured to maintain the anarchy in the system.

VIDEO

Understanding the Global Community—Realism/Neorealism

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/14-5-the-realist-worldview)

In this clip, University of Oklahoma professor of international studies Suzette Grillot explains and differentiates realism and neorealism.

Neorealism that advocates for transparency in order to avoid conflict and maintain the status quo is known as **defensive realism**.[38] In the minds of defensive realists, the constant distrust between states, and the resultant policies, create an environment of instability that drives states into conflict with one another. As such, these theorists believe that it is to the benefit of all states to maintain the status quo, that is, to maintain the current

balance between the states in the system as it exists at that moment. Defensive realists see conflict as a destabilizing force that upsets the status quo and should be avoided. They encourage states to make transparent policy choices meant to give clear signals to other states that they see themselves as a part of and clearly support the anarchy inherent in the system and that they will not do anything to challenge it.

Offensive realism takes the opposite view. According to **offensive realism**, overt actions states take in order to grow and project their power lead to interstate conflict.[39] These theorists argue that there is an inherent benefit in conflict and in taking self-serving action. States, they say, are intrinsically motivated to seek out power and will do so only by establishing a sense of supremacy over other states, particularly those with characteristics similar to their own. According to offensive realists, states use aggressive actions—whether military, economic, social, or political—to secure their place in the system.

14.6 The Liberal and Social Worldview

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain the liberal worldview, including fundamental concepts and possible limitations or critiques.
- Discuss complex interdependence.
- Explain the constructivist worldview, including fundamental concepts and possible limitations or critiques.

Liberalism as a worldview differs from liberalism as a political ideology. Ideology is the lens through which an individual makes choices and, if that individual is in a place of governmental power, through which they view policy options with regard to whether they align with their values. Worldviews, such as the ones listed in this chapter, serve as the basis for how states see the political environment around them and their place in it.

Liberalism

In contrast to the realist school of thought, those who adhere to **liberalism** see investment in the system as a whole, by working within institutions and their constraints to carve out a secure space, as the best way for a state to ensure its protection. Like other theories, liberalism sees states as the primary actors in the international system,[40] but liberalism contends that their domestic rules and institutions constrain their actions. As such, states must consider constantly changing factors, both internal and external, when deciding on a course of action. Above all, liberalism views states as motivated by what they see as being in the best interest of the international system.

Liberalism
• States use international institutions to impact the system to their benefit.

Collective Security

One branch of liberalism, **institutionalism**, sees international institutions in which states take part as essential to the functioning of the international system.[41] In creating international institutions, whose mere existence seems counter to the expectations of a system described as anarchic, states look to each other to form a web of allies that they can count on for support in times of need. Collective security,[42] wherein states form alliances to strengthen the security of each member within the alliance, entrenches the idea that no one state can act independently in all instances and emerge victorious. These arrangements are especially beneficial for states with limited resources to put toward their own protection. NATO is one real-world example of an institution designed to promote **collective security**.



FIGURE 14.12 Flags of many countries fly outside NATO Headquarters in Brussels, Belgium. (credit: "170517-D-SW162-3038" by Chairman of the Joint Chiefs of Staff/DoD Photo by U.S. Army Sgt. James K. McCann/Flickr, CC BY 2.0)

Smaller states such as North Macedonia and Bulgaria have limited abilities to divert their country's GDP for investment in modern military armaments. In joining NATO, these smaller countries agree to allow more formidable powers, such as the United States or the United Kingdom, to install military personnel and weapons in their countries and to use them as a base of military operations in exchange for the promise that the more formidable military power will provide the smaller country with protection should the need arise. In the case of a joint military engagement, the smaller country contributes personnel and financial resources. With the promise of support from more powerful countries, smaller states can deter other states from taking actions against them. All states within the pact, however large or small, are obligated to take part in joint actions, and because all the states in the pact see an attack on one member as an attack on all members, smaller states are assured of protection. Thus, NATO is a true example of liberal international theory in practice. (For more on NATO, see Chapter 15: International Law and International Organizations.)

Complex Interdependence

Complex interdependence[43] attempts to cut a middle path between liberal and realist theories. Acknowledging the intricacies of the international system, where all parts of the system—states, individuals, international organizations, nongovernmental organizations, multinational corporations, and nonstate actors—have competing interests, **complex interdependence** posits that networks of actors form to meet common goals. Complex interdependence has three principal tenets:

- There are many pathways actors can take to achieve their desired ends. These pathways are differentiated based on the abilities of each of the actors.
- All issues are of relatively equal importance to states.
- States see the use of force as relatively more costly than any gain it might achieve and so may be inclined to chart paths of cooperation and the use of more stable institutional solutions.[44]

Consider the relationship between the United States and China[45] as a real-world modern example of complex interdependence in action. The economic linkages between the US and China cannot be overstated. Those linkages keep the two countries locked in a long-standing, deeply complicated relationship. The United States relies heavily on the highly developed, highly efficient Chinese manufacturing sector, and the Chinese financial system buys up American government debt to back Chinese currencies. The international community relies on China to keep North Korea in line. However, these interdependencies do not stop China from choosing to engage in cyberwarfare against the United States, nor do they prevent the United States from filing complaints against China for human rights violations, as the United States diplomatic boycott of the 2022 Summer

Olympic Games[46] in Beijing illustrates. That China and the United States are a part of similar international organizations, such as the United Nations, where both countries hold veto power on the Security Council, does not prevent either country from using military might and prowess to signal its strength to the other country.

Constructivism

The international system is both fragile and highly changeable. The anarchic nature of the system means that there is no centralized enforcement mechanism that can coerce states to act in a generally accepted manner. So, what keeps state actions within the boundaries of appropriate behavior? How do states even know what behavior is appropriate?

Constructivism[47] posits that shared conceptions of the world, how the world works, what constitutes power, and who holds that power result in shared norms—expected patterns of behavior that align with the expectations and behavior patterns of others. For constructivists, these shared conceptions and resultant norms are the glue that holds the international system together. At its core, **constructivism** is about the interaction of many different actors within the system, each aiming to hold the others in line. According to constructivists, the perceptions states share about the world and the consequences that it is generally accepted a state might suffer should other states view it in a negative light are what keeps state actions within the boundaries of appropriate behavior.

For constructivists, how the world works and how it is perceived are not static. According to constructivism, the commonly accepted view of the world determines who has the most power to convey norms and to influence changes in norms and in ideas about how the international system should work. How the world is and how it works influence how actors choose to act, and this creates the norms and perceptions that will shape the world to come—what can be thought of as "the new normal."

One useful way to better understand the constructivist view is to use levels of analysis. At the individual level, leaders might try to use their own personal power and charm to shape the perceptions of other actors in the system. In order to change the behavior of other states to benefit their own purposes, leaders of states who are focused on projecting their own strength, such as Vladimir Putin or Kim Jong Un, seek to carefully craft what other leaders think of them.

According to constructivists, states work to establish norms by modeling behavior and pressuring other states to emulate that behavior. For example, changes in a country's domestic law become part of that country's national identity; if a state chooses to enact a social safety net program, such as providing open access to education for all children, it can then pressure other states to enact a similar policy. States that enact similar policies sow relationships that can serve as a foundation on which other interactions or agreements can be built.

At the systemic level, constructivism again prioritizes the importance of norms and the tendency of political actors to seek to align with those norms. The way states identify and place value judgments on "democratic" countries or "rogue states" can motivate an individual state to change its behavior. International organizations can establish specific rules or expectations of state behavior, placing further pressure on states to align their behavior with the rest of the world—especially if being in the out group means that a state has fewer resources to support their own economic, political, or social standing.

Consider recent developments in the relationships among China, Russia, and the United States. China and Russia are becoming allies as relations between the United States and these two countries grow more strained. Constructivists contend that how a state views itself—its national identity—affects its goals and how it views and interacts with other states. For decades the United States has been the preeminent power in international relations, setting the tone for interactions. That may be changing. When Russia and China announced a sweeping—if informal—agreement declaring their friendship and opening the door for mutual cooperation, it appeared that the efforts of the United States to keep China neutral on the issue of Russia's aggressive stance toward Ukraine had failed. Though Russia and China are both powerful autocracies, as economist and former

National Security Council official Andrew Weiss notes, they have not always viewed each other as strong allies: "The Russians for the longest time were condescending in their view of China as an uninteresting rural society. Now China looks at Russia and says, 'What are you good for?'"[48] Foreign affairs analyst Robin Wright contends that their new alliance "challenges the United States as a global power, NATO as a cornerstone of international security, and liberal democracy as a model for the world."[49] In changing their views of each other and joining together to form an alliance, Russia and China seek to change the way they are viewed in the world, and in fact perhaps the way the world order itself has worked for decades.

WHERE CAN I ENGAGE?

International relations and international politics are always changing, so having the most up-to-date information and analysis possible is vital to understanding what is happening in the world. Podcasts provide a useful resource for up-to-date discussions of international politics. Some good podcasts to explore include:

Pod Save the World (https://openstax.org/r/podsavetheworld) (Crooked Media)

The Lawfare Podcast (https://openstax.org/r/thelawfarepodcast) (The Lawfare Institute)

IS: Off the Page (https://openstax.org/r/belfercenter) (*International Security*)

States must rely on norms to communicate expected behaviors. Norms can be repeated behaviors, such as the use of **fiat currency**—government-issued, physical currency, the value of which is not linked to some other commodity (such as the gold standard)—in modern economies. They can also be actions required by international law, such as the role the United Nations Security Council plays in dealing with matters of international conflict or the UN Convention on the Law of the Sea, which prohibits state control over international waters beginning five miles outside of a state's continental shelf.[50] Norms provide states with a starting point from which to weigh possible courses of action and determine how best to respond to any situation that may come up during the course of normal state relations.

VIDEO

Theory in Action: Constructivism

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/14-6-the-liberal-and-social-worldview)

In the 1999 science fiction film *The Matrix*, Neo has the ability to change the rules upon which his world is based. In this clip, Caleb Gallemore (then a PhD candidate at Ohio State University and now Assistant Professor of International Affairs at Lafayette College) explains that this is how constructivists view international relations, contending that some actors have more power than others to change the system and how it works.

If members of the international community consider a state's actions to be in conflict with existing norms, they may not consider that state to be a reliable ally. Once a state loses its standing as a positively regarded member of the international system, it can affect the way other states enter into agreements, whether they be economic or political. In an increasingly interdependent world, a state that is no longer able to enter into beneficial agreements with other states will have difficulty employing its resources in the most efficient way.

14.7 Critical Worldviews

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain Marxism, including its fundamental concepts and possible limitations or critiques.
- Explain feminism, including its fundamental concepts and possible limitations or critiques.

Recall that a state's policy decisions are grounded in the general way it perceives the structure of the world, its place in the larger system, and what it believes would be necessary to secure and grow its position relative to other states. The perspectives of those in power tend to dominate discussions of international norms and theories of international relations. Those who see the system as fundamentally unjust have developed alternative theories to explain the way states act in the international system.

Marxism

Marxism[51] emerged as a response to the rise of capitalism on the back of the imperial actions of the European powers. Karl Marx asserted that the individuals who controlled the factors of production in a country—the land and physical resources, the labor force, the capital needed for investment in the facilities and processes of an economy, and the entrepreneurship and creativity that drives economic growth and diversification—had too much power over its social norms. According to Marx, over the long term, those in power seek to create institutions that further entrench the stratification of the classes of a population, keeping wealth in the upper classes and leaving the lower classes with significant obstacles to their individual advancement. Marxist states seek to promote equality among all people so that each individual has the same opportunities to further their own wealth and success. These states seek to develop an international system in which societies invest internally to focus on the development of their own power and their own means of production so that the producing state gains the most from those products to the benefit of its own citizens.

Proponents of **dependency theory**[52] argue that the stratification of countries in the international system is based around **core countries** and **periphery countries**. This view is known as the **core-periphery model**.[53] Core countries such as the United States and the United Kingdom are more developed than most other countries, with more stable political and social institutions and higher-order economic systems. These states rely on developing, or what were once called third-world, countries—periphery countries—that are rich in extractive resources the core countries need to maintain their status. Earlier, the chapter discussed comparative advantage and trade as the basis for international relations; dependency theory suggests that countries that are able to produce higher-order goods and services, such as technologically advanced products like machinery and computers, are better suited to protect their power in the long term. To entrench this advantage, core states have an incentive to keep periphery countries in positions of political and social unrest so that the core countries may extract the needed resources with minimal costs.

At its core, dependency theory rests on Marxist views that those who control the factors of production have the ability to exploit workers. Marxism argues that the pursuit of equality is more assured if the control of society is given to those doing the work to bring about societal progress.

Feminism

Feminist theory promotes equality among all people, regardless of biological sex or sociological gender. According to **feminist theory**, traditional views of international relations consider the state to be the main actor in the international system,[54] and the feminist tradition views the state as an inherently masculine institution in that it is and has been dominated by men and the male point of view since its inception. As such, according to feminist theory, international relations has traditionally focused on "hard policy" issues, such as conflict and security, and has concentrated primarily on the actions of men. It has relegated to second-class status issues related to development and access to social programs. The end of the Second World War saw a huge shift in the role of women in society in general, ushering in a corresponding shift in the priorities of state policies toward the inclusion of more social programs. Since that time, the number of women in positions of power within governments has steadily increased. Women such as Sirimavo Bandaranaike of Sri Lanka, the first woman to be elected a prime minister, have introduced policies in their countries focusing on the health, safety, and welfare of women and children alongside issues of national security and military engagement, leading to an increased focus on these policies in the international arena.



FIGURE 14.13 When she was elected in 1960, Sirimavo Bandaranaike of Sri Lanka became the first women prime minister in the world. (credit: "Sirimavo Bandaranaike, Prime Minister of Ceylon and member of the Sri Lanka (Freedom) Party, head-and shoulders portrait, seated at desk, facing left" by United Press International (UPI)/Library of Congress, Public Domain)

Issues like poverty, infant and maternal mortality, access to education, and violence against women have become a more central part of the conversation in organizations like the United Nations. As more women become part of the policy-making process, the areas that were once relegated to "women's issues" are being recognized as issues that affect everyone and that must be dealt with to help support vibrant, growing, prosperous societies.

It is worth noting that the scholarship of international relations as a whole has followed the slow track of progress to include women in the field. Especially in the case of scholarship related to conflict and security issues, women have been left out of the conversation, and the overwhelming perspective of work has been that of the heteronormative White male. This lack of diversity in the contributors to the scholarship has led to a lack of objectivity in the scope and process of the study of international relations. As the body of international relations scholars has incrementally, albeit marginally, diversified, the breadth and depth of the scholarship of the field has followed. As the people working in the field of international relations diversifies, a diversity of new perspectives will emerge that can help the field as a whole meet the challenges of the modern system. Scholars such as University of Wisconsin—Green Bay professor Alise Coen[55] and Harvard University professor Maya Sen are bringing their unique perspectives to the study of refugee rights and its associated policies and war, respectively.

Summary

14.1 What Is Power, and How Do We Measure It?

States and other institutions use their military, economic, and political power to try to influence the structure of the international environment so that it aligns with their preferences. Political actors may use each of these levers of power in an aggressive fashion, as when one state sends troops to invade another state or when one state interferes in another state's elections, or they can employ soft power in friendlier interactions involving diplomacy, recognition, and cultural exchange. The level of success with which these actors are able to achieve their preferred ends communicates their power relative to the other members of the international system.

14.2 Understanding the Different Types of Actors in the International System

A state is a political entity with geographic boundaries and a system of government that is recognized as legitimate by the people it governs and by the international system as a whole. States can come together in international organizations to solve common problems. More powerful states tend to wield greater influence in international organizations. When states cannot or will not solve common international problems, nongovernmental organizations may intervene to try to do so.

14.3 Sovereignty and Anarchy

In international relations, sovereignty is the ability of a state to chart its own path through the international system. In a system of sovereign states in which there is no overarching governing authority—no formal hierarchy—a condition of anarchy exists wherein each state seeks its own goals, which may be at odds with the goals of other sovereign states. This intrinsic push and pull for power and supremacy is at the heart of a system in which states push back on any organization or institution that seems to undermine its sovereignty.

14.4 Using Levels of Analysis to Understand Conflict

Conflict is a natural part of a system in which multiple organizations vie for access to limited common resources and sovereign states may choose from many different courses of action. In complex situations where many factors affect state decisions about how to act in times of conflict, one way to understand how they arrive at those decisions is to use levels of analysis, breaking down the motivations, goals, and resources involved at the individual, state, and global level.

14.5 The Realist Worldview

Realism is a theory of international relations that places states at the center of the system. In the realist view, states choose to enact policies focused on maintaining the security of their state. The states with the most power tend to have the most influence over other states in the system and tend to play the greatest role in global security. Unless there is one state with much more power than all the others, realists describe the maintenance of world order as requiring a balance of power among two or more great powers and their spheres of influence.

14.6 The Liberal and Social Worldview

Liberalism, as a theory of international relations, places states as part of a larger system, working in concert with various other institutions to create an environment through which all people and states benefit. In the liberal view, states work together to achieve collective security. Constructivists see the system in which these interactions occur as an ever-changing one, the conditions of which are determined by how states see themselves, how they see other states, and how they see the system as a whole and by the norms of the system to which all states tend to adhere, which are usually heavily influenced by the most powerful states.

14.7 Critical Worldviews

Just as the most powerful states tend to dominate the international system, the perspectives of those in power have tended to dominate the study of international relations. Critical theories of international relations, such

as feminism and Marxism, push back against traditional points of view, bringing in the perspectives of underrepresented groups and questioning standard interpretations of the international system.

Key Terms

anarchy a lack of a general sense of order in the international system

balance of power the ability of one or more states to act as a counterweight to another country or group of countries in order to protect themselves

bipolar system an international environment where two states of comparable power create a situation in which neither is willing to attack the other

collective security a cooperation agreement between multiple countries aimed at providing military power for all

comparative advantage when one state can create a particular good or service in a more cost-effective manner than a second state

complex interdependence a theory of international relations that holds that all parts of the international system have competing interests but that these parts form networks to meet common goals

constructivism in international relations, the theory that expected patterns of behavior among states are the glue that holds the international system together

core countries countries with developed economic systems and stable political and social systems

core-periphery model a model of international relations that views the world as divided between two types of countries, core countries and periphery countries, where core countries depend on periphery countries to maintain their status

defensive realism a type of neorealism that advocates for transparency in order to avoid conflict and maintain the status quo

dependency theory a theory of international relations that argues that the stratification of countries in the international system is based on core countries and periphery countries, where core countries depend on periphery countries to maintain their status

deterrence the buildup of military might to such a level that an adversary state or states reconsider the use of their own military against the primary state

factors of production the land and physical resources, the labor force, and the capital needed for investment in the facilities and processes of an economy, and the entrepreneurship and creativity that drives economic growth and diversification

feminist theory a theory of international relations that supports creating institutions and norms that prioritize equality among all people, regardless of biological sex or sociological gender

fiat currency government-issued, physical currency, the value of which is not linked to some other commodity (such as the gold standard)

game theory a way of conceptualizing what motivates a political actor in terms of the steps the actor takes to reach what they deem to be the optimal outcome for themselves

hegemon the country that possesses the most power in a unipolar world

institutionalism a branch of liberalism that sees international institutions in which states take part as essential to the functioning of the international system

intergovernmental organizations institutions made up of multiple state actors that work within a specific set of rules to enact solutions to problems common among multiple states

international relations a subfield of political science that focuses on the ways different states interact with one another

lender of last resort a financial institution, such as the IMF, that a country turns to only after it has exhausted all of its other funding options

liberalism a theory of international relations that sees investment in the system as a whole, by working within institutions and their constraints to carve out a secure space, as the best way for a state to ensure its protection

Marxism in the context of international relations, the idea that the role of states is to ensure equal access to the factors of production in an economy and an equitable distribution of the benefits of the goods and services that economy produces

multipolar system an international environment in which three or more states have relatively similar power that they can project out to other countries

nation a shared group identity gleaned from a common culture or ethnicity

neorealism an offshoot of realism that contends that it is the structure of the system rather than the people who make up the state that drives the system forward

nongovernmental organizations (NGOs) non-state actors focused on solving problems or filling policy gaps states can't or won't handle themselves

offensive realism the theory that interstate conflict is the product of the overt actions states take in order to grow and project their power

periphery countries countries with less stable political and social systems that are rich in the resources that more developed states require to maintain their power

power the ability of a state to prompt its preferred outcome in a given situation

proxy wars conflicts in which each of the warring parties is supported and funded by a larger party who has a vested interest in the outcome

realism a theory of international relations that holds that states embark on policy initiatives with a go-it-alone attitude that aims solely to preserve their own safety and security

reciprocity the idea that all countries that have diplomatic relationships with a state accept, in equal measure, what that state accepts

security dilemma a situation in which changes in a state's policies related to its own safety and security, because they appear aggressive to other states, may lead those other states to take preemptive action that ratchets up tensions between two or more states

security pact an agreement among multiple states to support each other in case of a military attack

selectors people that a leader in any type of government relies on to legitimize their power and position

soft power friendly interactions that seek to win over rather than force a state or states to comply with the wishes of one or more other states

sovereignty the ability of a state to run its institutions without fear of interference from other states or entities and to respond to threats as they emerge

state one of the foundational institutions in the international system; an institutional infrastructure that allows a society to function

unipolar system an international environment in which only one country possesses the political, economic, and military strength to exert its power and preferences on all the other countries in the world

zero-sum game an interaction between two players in which there is only one round of play where one player takes everything available and leaves nothing for the second player

Review Questions

1. In international relations, *power* refers to _____.
   a. the ability of a state to run its institutions without fear of interference from other states or entities
   b. the ability of a state to prompt its preferred outcome in a given situation
   c. when one state can create a particular good or service in a more cost-effective manner than a second state
   d. friendly interactions that seek to win over rather than force a state or states to comply with the wishes of one or more other states

2. States pursue _____ policies when they build up military might in order to influence an adversary state or states to reconsider taking aggressive military action against them.
   a. sovereignty

b. collective security
c. destabilizing
d. deterrence

3. A state both exercises and bestows power when it recognizes another state's _____.
a. national identity
b. comparative advantage
c. sovereignty
d. hegemony

4. Which of these is not a defining characteristic of a state?
a. Land with boundaries
b. A government or a system of rule
c. A population that willingly gives its allegiance to that government
d. A shared identity based on common history, religion, or ethnic background

5. States that have the greatest _____ can use intergovernmental organizations to expand their power.
a. hard power
b. soft power
c. comparative advantage
d. diplomatic reach

6. One benefit of NGOs is that they are usually able to propose solutions to problems or provide aid without _____.
a. incurring expenses
b. threatening a state's sovereignty
c. acquiring state approval
d. concern for humanitarian objectives

7. Because all formally recognized states in the international system have _____, if other states want to influence their behavior, they employ sanctions, diplomacy, military action, or other persuasive tactics.
a. established armies
b. state sovereignty
c. soft power
d. the rule of law

8. In the international system, anarchy exists because _____.
a. the system is multipolar
b. it ensures adherence to human rights norms
c. of the weakness of individual states
d. there is no overarching governing authority

9. Within the anarchy of the international system, states join _____ to work together to solve common problems.
a. international organizations
b. bipolar systems
c. nations
d. think tanks

10. A political scientist studying how reelection campaigns affect presidential decision-making would be

using what level of analysis?
a. Individual
b. State
c. Institutional
d. Systemic

11. At every level of analysis, _____ constrain(s) actors.
a. anarchy
b. conflict
c. norms
d. voters

12. The anarchic nature of the international system makes which level of analysis particularly unpredictable?
a. Individual
b. State
c. Institutional
d. Global

13. According to the realist worldview, _____ are the main actors in the international system.
a. militaries
b. core countries
c. states
d. intergovernmental organizations

14. According to the realist worldview, states act in the interest of _____.
a. their own security
b. maintaining the status quo
c. fulfilling commitments to international treaties
d. the good of the international system as a whole

15. The Russian military buildup on the Ukraine border in early 2022 and calculated responses from the United States and its NATO allies can be viewed as a _____.
a. proxy war
b. security dilemma
c. zero-sum game
d. use of soft power

16. Adherents to which variety of realism are most likely to support the status quo?
a. Structural realism
b. Neorealism
c. Offensive realism
d. Defensive realism

17. According to the liberal worldview, _____ is the best way for a state to ensure its secure position in the international system.
a. going it alone
b. providing social welfare programs
c. working toward the good of the international system
d. using international institutions to achieve state goals

18. Which of the following is not one of the tenets of complex interdependence?
   a. States see the use of force as relatively more costly than any gain it might achieve and so may be inclined to chart paths of cooperation and the use of more stable institutional solutions.
   b. There are many pathways actors can take to achieve their desired ends. These pathways are differentiated based on the abilities of each of the actors.
   c. All issues are of relatively equal importance to states.
   d. When states have a comparative advantage, they have an incentive to keep other countries in positions of political and social unrest.

19. _____ countries invest internally, developing their own power and industries and promoting the success of individual workers in order to benefit their own citizens.
   a. Neorealist
   b. Marxist
   c. Hegemonic
   d. Peripheral

20. According to _____ theory, international relations has traditionally focused on "hard policy" issues, such as conflict and security, and has relegated to second-class status issues related to development and access to social programs.
   a. feminist
   b. Marxist
   c. complex interdependence
   d. game

Suggested Readings

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International Law and International Organizations

15



FIGURE 15.1 According to the Seychelles News Agency, yellowfin tuna in the Indian Ocean is the most overfished tuna in the world. Under pressure from the European Union and numerous nongovernmental organizations, Indian Ocean Tuna Commission countries met in 2021 to discuss the sustainability of fishing practices.[1] In this photo, buyers and sellers negotiate prices of different varieties of tuna at a market in Mogadishu. (credit: "2013_03_16_Somalia_Fishing m" by AMISOM Public Information/Flickr, Public Domain)

CHAPTER OUTLINE

15.1 The Problem of Global Governance
15.2 International Law
15.3 The United Nations and Global Intergovernmental Organizations (IGOs)
15.4 How Do Regional IGOs Contribute to Global Governance?
15.5 Non-state Actors: Nongovernmental Organizations (NGOs)
15.6 Non-state Actors beyond NGOs

INTRODUCTION No individual or state "owns" the oceans and the wildlife in them. They are a shared, finite resource. Overfishing is an unsustainable global problem, especially now that technological advancements allow thousands of fish to be harvested at once. Only through the establishment of rules can the fish continue to be a source of food and income for future generations.

In a system of sovereign states, managing international resources like the fish in the sea is no easy task. As discussed in earlier chapters, **state sovereignty** is the concept that states have an inherent right to independence and a right to formulate policies and take actions that they deem to be in their own national interests. Managing international resources requires navigating the claims sovereign countries have on those resources, understanding the needs of individuals who depend upon them for their livelihood, and thinking

about the sustainability of those resources for the future. No individual state can do this alone.

International law and non-state actors, especially international organizations, participate in global governance in order to address complex issues like managing global fishing or preventing conflict. Along with governments, thousands of organizations engage in collaborative problem-solving, encourage broad and transparent international communication, and assist those in need. By creating and following norms and rules and advocating for the impoverished and marginalized, international law and non-state actors shape state behavior and promote a more peaceful and prosperous international system. The importance of international law and non-state actors to the outcomes of international relations is a subject of some debate among proponents of the various theories of international relations discussed in Chapter 14: International Relations, but there is little doubt that the era of globalization has enhanced their visibility and influence.

15.1 The Problem of Global Governance

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define *global governance*.
- Define and give examples of collective goods and the tragedy of the commons.
- Discuss global governance as a response to the anarchic nature of the international system.
- Identify the actors involved in global governance.

States do not operate in isolation. They exist in a global community of sovereign states. As in all communities, each individual actor has their own motivations or goals and is impacted by the broader shared environment. Though the international system is anarchic—that is, there is no overarching international authority to help promote peace and prosperity among states—each state's efforts to achieve those goals is to some degree dependent upon the actions of other states in the system. Recognizing that the achievement of prosperity and security requires shared action, the global community sets rules and norms of behavior to give some structure to the anarchic system. This **global governance** is the process by which sovereign states accrue rights and duties in the international community. It provides "peace and security, justice and mediation systems for conflict, functioning markets and unified standards for trade and industry,"[2] helping states thrive even under conditions of anarchy.

Like other communities, the international system is tasked with convincing individual members to take some responsibility for solving collective problems. This task is especially difficult when individual members somehow profit from behavior that exacerbates these problems. The **tragedy of the commons**[3] occurs when there is a rivalry for limited resources to which it is inherently difficult to restrict access and individual states prioritize their own short-term economic survival over broader long-term community interests, interests that are often referred to as **collective goods**. Individual states have incentives to take actions in order to secure these goods for their own benefit that may negatively impact others. For example, individual states may prioritize cost savings for manufacturing plants that use the cheapest energy source, even if doing so contributes to continuing damage to the common environment. China, for instance, engaged in rapid industrialization, dramatically increasing the size of its economy and the quality of life for the Chinese people; however, in the process, China became the world's leading producer of air pollution. Air pollution cannot be contained to the boundaries of the country producing the pollution, and clean air is a collective good. International issues like air pollution, where one state's actions to mitigate its role in intensifying a problem may be ineffective if its neighbor does not take similar action, illustrate the complexities of the tragedy of the commons.

VIDEO

Tragedy of the Commons

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-1-the-

problem-of-global-governance)
The more we exploit common resources, the scarcer these resources become.

The anarchic nature of the international system complicates efforts to persuade states to recognize their contribution to a common problem and to take responsibility for their actions. Collective goods benefit everyone, regardless of whether they participate in securing them, and it can be difficult to motivate individual states to make sacrifices to secure those goods if other states are already working on it—a phenomenon called free riding, which is discussed in more depth in Chapter 6: The Fundamentals of Group Political Activity. Through global governance, the international community helps states and people obtain these public goods while maintaining the principle of state sovereignty on which the international system is based.

Multiple actors take part in global governance. States themselves, both as individual actors and through their participation in organizations with other states, are the primary actors. Nongovernmental organizations, multinational corporations, national groups, and religious actors also contribute to global governance. International cooperation among these various actors is needed to reach agreement—to develop international law that sets limits on who can do what and establishes punishments for exceeding those limits. Disruptive groups that pose a threat to the common peace and prosperity can only be countered through global governance.

15.2 International Law

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define and identify sources of international law.
- Explain how state sovereignty informs international law.
- Differentiate between the International Court of Justice (ICJ) and the International Criminal Court (ICC).
- Discuss the development of key areas of international law, including the law of the sea, the Geneva Conventions, and human rights law.

International law is a set of formal and informal rules that loosely govern the international system, setting parameters around the conduct of state and non-state actors. In the absence of a central global government, **international law** plays a critical role in increasing the predictability of international relations, helping to counteract the anarchy of the system by prescribing norms and setting expectations of behavior. It facilitates state interactions in "common" places, such as the air and the sea, and helps promote peace and lessen the impact of conflict. International laws govern airline travel, commerce, maritime law, human rights, the development and use of weapons, and the environment, among other areas.

International law is not found in a single book or document; rather, it is the sum total of international treaties, other international agreements, and customary law, which is derived from the long-time practices of states (see Chapter 11: Courts and Law). International law has developed out of functional necessity, as in the cases of international transportation, commerce, or communications, for example, or because of broad consensus around moral or immoral behavior, as in issues of human rights and the laws of war.

Two courts adjudicate international law: the **International Court of Justice** (ICJ), which has jurisdiction over disputes between states, and the **International Criminal Court** (ICC), which has jurisdiction over individual criminal behavior such as war crimes or genocide. Some other international organizations such as the European Union and the World Trade Organization also have legal systems that adjudicate disputes between member states.

How Does International Law Establish the Rights and Obligations of States?

The recognition of state sovereignty provides the foundation for international law. Typically, sovereign states

willingly enter into agreements that they believe will benefit them in some way, with the understanding that by signing a treaty they agree to its terms, including obligations and constraints on their behavior. The **United Nations** (UN), a global organization bringing together nearly every state in the world to promote peace and stability, hosts a repository of more than 500 active treaties across every conceivable issue in international relations.[4] Signatory states may monitor or punish states that do not fulfill their treaty obligations. In this way, all individual, sovereign parties to a treaty ensure that they are treated fairly under the terms of the agreement and that they receive the benefits they are due.

Some treaties require states to modify their domestic policies. For instance, states that sign the Paris Climate Accord commit to solve a common problem, climate change, by taking certain steps in their own country. Signatory countries that fail to take those steps may be acting within their sovereign rights, but if they signed the treaty, those domestic actions (or that domestic inaction) are now regulated by international law. States that sign international conventions like the Universal Declaration of Human Rights or the Convention to Eliminate All Forms of Discrimination Against Women (CEDAW) commit to follow the guidelines set forth in those documents.

Examples of International Law

Three particularly well-developed areas of international law are the law of the sea, the Geneva Conventions, and human rights law. They illustrate how functional needs and moral obligations have driven the development of international law and helped states acquire global goods.

The United Nations convened the first conference on the law of the sea in 1958. The UN Convention on the Law of the Sea (UNCLOS) was signed in 1982 and came into force in 1994. Among other things, the UNCLOS clarifies where countries' boundaries extend into the ocean, who "owns" the fish in the water, and who has the right to use sea traffic lanes. UNCLOS identifies state "rights, freedoms and obligations" in areas such as shipping, fishing, wrecks and cultural heritage, and the protection of the marine environment.[5]

All UN member states sign the Geneva Conventions, a series of treaties and protocols that codify international humanitarian law. Through the efforts of the International Committee of the Red Cross (ICRC), the first Geneva Convention was signed in 1864, allowing noncombatants to treat wounded soldiers in the battlefield. There are now four Geneva Convention treaties—the fourth of which establishes a legal definition of war crimes—all focused on protecting civilians and prisoners of war during military conflicts.

VIDEO

Former UN Ambassador Susan Rice Discusses Geneva Conventions and American Red Cross Curriculum

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-2-international-law)

On the 60th anniversary of the signing of the Geneva Conventions, then-UN Ambassador Susan Rice discussed the United States commitment to supporting international humanitarian law.

The Geneva Conventions serve as the basis for a much broader body of international human rights law that includes nine core human rights treaties that extend beyond wartime behavior. These treaties recognize the "inalienable rights" of people and codify crimes against humanity. They call upon all states to prevent **genocide**, which they define as "acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group,"[6] and to punish those who perpetrate it.

All UN member states have ratified at least one of the nine core human rights treaties, and 80 percent have ratified four or more, accepting the obligations and duties under international law to respect, protect, and promote human rights.[7] In 2001, the international community developed a principle called **Responsibility to Protect (R2P)**, which justifies international intervention to protect human rights. Arising from the horror at

the complacency of the international community during the Rwandan genocide and the ethnic cleansing in the former Yugoslavia during the 1990s, in 2005 world leaders at the UN World Summit unanimously agreed to adopt R2P.[8] The philosophy behind R2P is that "state sovereignty carrie[s] with it the obligation of the State to protect its own people, and that if the State [is] unwilling or unable to do so, the responsibility shift[s] to the international community to use diplomatic, humanitarian and other means to protect them."[9] R2P obliges state governments to prevent crimes against humanity, and if they do not, it specifies that the United Nations Security Council may intervene to protect at-risk populations.

VIDEO

Amal Clooney, International Human Rights Lawyer

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-2-international-law)

In this video clip, international human rights lawyer Amal Clooney delivers a statement to the UN Security Council on her work representing women who have been victims of international crimes against humanity at the hands of **ISIS** (the Islamic State of Iraq and Syria, a militant extremist group that the United Nations has designated a terrorist organization) and asks the international community to bring the perpetrators to justice.

How Is International Law Enforced?

Enforcing international law requires the will and power of states. This can be a challenge for a variety of reasons including the risk of hostile confrontation, the potential damage to valuable international relationships, and the reluctance to interfere with state sovereignty by intervening in domestic affairs. States are rarely punished for violations of international human rights law that happen within their borders.

Beginning in 2017, the Myanmar government launched a campaign against the Rohingya, an ethnic minority, and in the years since observers have accused the government of burning down villages and engaging in systematic rape and torture in violation of human rights treaties Myanmar has signed. In cases like these, in which a government violates an international law within its own borders, the international community may be unwilling or unable to enforce treaty obligations.[10] The groups suffering these human rights abuses are typically without political or military power and have little recourse if the international community is unwilling to come to their aid, even if there is broad agreement that international law is being broken.

International law is the "judicial branch" of global governance. Within a country, judicial decisions are meaningful when, if necessary, the executive branch has the ability to enforce them. Because there is no executive branch in the global governance system, international laws are difficult to enforce. Sometimes powerful states decide to enforce international law, but this is not guaranteed and often depends upon power imbalances (powerful states are more likely to get away with noncompliance than weak states), state interests (states that are allied with powerful states may get away with noncompliance more than enemies), and the perceived ease of halting the bad behavior.



FIGURE 15.2 In August 1990, Saddam Hussein, the leader of Iraq, invaded Kuwait, violating international law. The UN Security Council set a January 15, 1991, deadline for Iraqi withdrawal. On January 17, a UN coalition of 39 countries, led by the United States, launched Operation Desert Storm to force Iraq out of Kuwait and show "intolerance for military aggression and the strengthening of international cohesion, international law and liberal institutions, including the UN."[11] In this photo, soldiers and civilians raise American, British, Saudi, and Kuwaiti flags to celebrate following the retreat of Iraqi forces from Kuwait. (credit: "American, British, Saudi and Kuwaiti flags are held aloft by celebrating soldiers and civilians following the retreat of Iraqi forces from Kuwait as a result of Operation Desert Storm" by Cw02 Ed Bailey/Department of Defense, American Forces Information Service, Public Domain)

The International Court of Justice (ICJ)

The International Court of Justice (ICJ), also called the World Court, is headquartered in the Peace Palace in The Hague, Netherlands. The ICJ was the original judicial institution of the United Nations.



FIGURE 15.3 The Peace Palace in The Hague is the home of the International Court of Justice. (credit: "Peace Palace" by Cliché Lybil Ber/Wikimedia Commons, CC BY 4.0)

The ICJ was founded in 1945 to resolve disputes between states. Any UN member state can bring a case to the ICJ. The ICJ's jurisdiction is limited to interstate disputes and advisory opinions for United Nations bodies. The most common types of cases states bring before the ICJ involve boundary and resource disputes. About a third of UN member states—not including the United States—have signed a document agreeing to be bound by the ICJ's rulings. Since its founding, the ICJ has issued approximately 160 rulings, including both resolutions to

interstate disputes and advisory opinions.[12]

The International Criminal Court (ICC)

When egregious human rights crimes are perpetuated on domestic groups and do not cross state boundaries, they are particularly challenging to punish as the doctrine of state sovereignty protects internal affairs. Following the 1994 Rwandan genocide and "ethnic cleansing" in the former Yugoslavia in the early 1990s, the UN established international criminal tribunals to help bring the perpetrators to justice and to end **impunity**, or the lack of punishment for criminal behavior. Given the costs and logistics associated with these temporary and issue-specific courts, in 1998 the United Nations Rome Statute established the International Criminal Court (ICC) as a permanent court to oversee such cases.

The ICC was designed to address problems outside the scope of the ICJ, particularly to bring to justice individuals accused of genocide, war crimes, and crimes against humanity. In 2018, the ICC's jurisdiction was expanded to cover the crime of aggression. Thus far, the ICC has heard 30 cases and is investigating multiple others.[13]

Over 120 states are party to the Rome Statute, but powerful states with global reach like Russia, China, and the United States have been reluctant to recognize the legitimacy of the ICC, fearing it will infringe on state sovereignty and be used as a political weapon against soldiers or other nationals abroad. The United States has established a network of bilateral treaties with countries around the world promising not to prosecute any US citizen through the ICC.[14]

How Does International Law Contribute to Global Governance?

As doctoral researcher Heath Pickering notes, "agreements to norms and treaties have . . . increased international institutions, given rise to non-state actors, and rapidly developed the contemporary customary and treaty based rules system."[15] Given the relative lack of enforcement mechanisms, state compliance with international law is surprisingly high. Most states comply with their obligations most of the time, and state leaders typically couch their actions in the language of international law, feeling compelled to justify their behavior according to accepted norms. The more states comply and feel the need to explain their behavior in common terms accepted by the international community, the more predictable international relations will be.

15.3 The United Nations and Global Intergovernmental Organizations (IGOs)

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define *intergovernmental organizations* and discuss their role in global governance.
- Discuss the purpose and history of the United Nations.
- Describe the structure of the United Nations.
- Explain the role of peacekeepers.
- Analyze the sources and limits of the power of the United Nations.

Intergovernmental organizations (IGOs) are groups made up of member states that are held together by formal agreement. The number of **intergovernmental organizations** has increased dramatically since World War II. IGOs help the international community focus on issues and coordinate actions even when individual states' interests may push them to act in ways that are incompatible with common goals. Each member state's government selects delegates to represent its interests at IGO meetings.

There are dozens of IGOs. This section focuses on global IGOs—that is, IGOs whose membership is open to states around the world. The scope of global IGO activity varies widely, from technical organizations such as the International Civil Aviation Organization and the International Hydrographic Organization to organizations with a specific, narrow focus, such as the Inter-American Tropical Tuna Commission. While some global IGOs have a relatively small number of members, 193 out of 195 recognized sovereign countries in the world are

members of the largest global IGO, the United Nations,[16] and 164 are members of the World Trade Organization.[17]

With its worldwide reach, the United Nations contributes to global governance more than any other IGO. Since its beginning in 1945, its membership has grown as the number of sovereign states has increased. The newest members are Montenegro and South Sudan. The Holy See and Palestine are nonvoting "observer" members.[18] The UN addresses every conceivable issue in international relations, from peace and security to migration and refugees, law, food, development, energy, and human rights, among others. Dozens of smaller global IGOs are housed within the UN framework.



WHERE CAN I ENGAGE?

VIDEO

Virtual Tour of the UN

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-3-the-united-nations-and-global-intergovernmental-organizations-igos)

If you can't visit the UN in person, this video can take you on a virtual tour of the UN Headquarters in New York.

Headquartered in New York City, the UN is a hub of international activity, with representatives from member countries participating in General Assembly and committee meetings and engaging in forums on issues of international concern. You can visit the UN (https://openstax.org/r/visit-the-UN), where tours are conducted in multiple languages.

The Founding and Mission of the UN

The United Nations was created after World War II to ensure international peace and stability. In 1919, the Treaty of Versailles, which ended World War I, established a global IGO called the **League of Nations**. The purpose of the League was to facilitate good relations among countries of the world and to punish aggression. To deter aggression, the League used the principle of **collective security**, requiring member states to jointly retaliate against any aggressive action of another state. Because the United States Senate refused to ratify the Treaty of Versailles, the United States did not join the League of Nations. Ultimately, the League was ineffective in punishing aggressive states, and expansionist powers Japan, Germany, and Italy all withdrew from the League prior to World War II.

While some might view the outbreak of World War II less than 20 years after the conclusion of the First World War as a failure of the idea behind the League, the leaders of the WWII Allied states saw the outbreak as evidence of the need for an even stronger global organization, and in response they created the United Nations. United States President Franklin D. Roosevelt committed US membership and backing, and the US Congress agreed to join the United Nations. While the League had required unanimous agreement among its members to take action, the UN requires only a majority vote for most resolutions. A two-thirds majority was required for issues of peace and security, admission of new members, and budgetary matters. Initially, the United Nations had 51 member states, mostly from Europe.

Because the United Nations was founded in part on the principle of the sovereignty of member states, it is not and cannot become a "world government" with ultimate authority over its members. UN decisions are not binding on member states without the consent of those states. Like international law, the UN contributes to global governance by setting obligations and rules of behavior for member states. The United Nations Charter recognizes the rights of sovereign states and their obligations as members of the international community while emphasizing the importance of multilateral cooperation as the cornerstone to peace and prosperity for all. Member states commit to use peaceful means to settle disputes and to uphold and support UN decisions.

The Charter specifies that the UN may intervene to stop acts of aggression or threats to the peace and that member states are only to use force in self-defense.

The UN website (https://openstax.org/r/the-un-website) displays the organization's slogan: "peace, dignity and equality on a healthy planet." The three overarching goals of the United Nations are promoting peace, ensuring human rights, and achieving sustainable development with a focus on protecting the environment—all collective goods that can be elusive in a system of sovereign states each concerned only with its own survival and well-being.

In service of the goal to "save succeeding generations from the scourge of war,"[19] the UN has been involved in peacekeeping activities in areas of interstate conflict since the late 1940s.

In 1948, UN member states signed the Universal Declaration of Human Rights (UNDHR), which lays out principles such as the right to freedom of religion, freedom of family choices, and freedom to travel. It became the foundational document for the protection of human rights worldwide.[20]



FIGURE 15.4 First Lady Eleanor Roosevelt, wife of US President Franklin Roosevelt, served as the chairperson for the delegation that drafted the Universal Declaration of Human Rights.[21] (credit: "Eleanor Roosevelt holding poster of the Universal Declaration of Human Rights (in English), Lake Success, New York. November 1949" by FDR Presidential Library & Museum/Flickr, CC BY 2.0)

Recognition of the dignity of each person and their inalienable rights sets the stage for many other UN activities. The UN's ability to coordinate international solutions to problems and to marshal funds and expertise has helped many states, especially in the developing world, achieve better economic, educational, health, and environmental outcomes.

How Is the UN Structured?

The UN is organized into six main bodies: the General Assembly, the Security Council, the Economic and Social Council, the Secretariat, the Trusteeship Council, and the International Court of Justice. In addition, dozens of related IGOs work on issues in conjunction with or under the auspices of the United Nations.[22] The International Court of Justice was discussed above. This section turns to the other five main UN bodies.

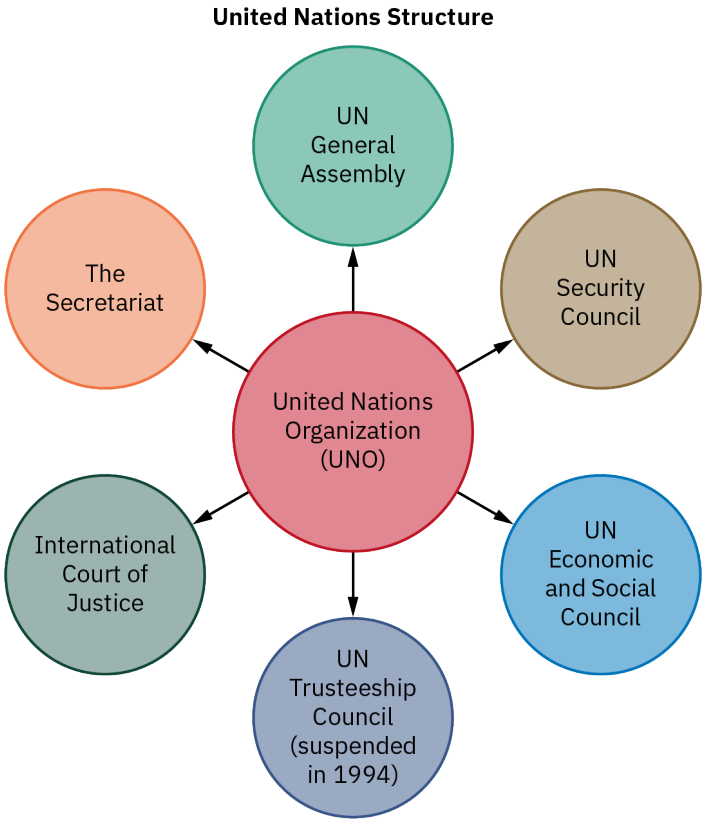


FIGURE 15.5 The United Nations is organized into six main bodies. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

The General Assembly

Each of the 193 UN member states has equal representation, regardless of its size or wealth, in the primary deliberative organ of the United Nations, the **General Assembly** (GA). The GA serves as a venue for states to discuss the most pressing international challenges, such as the COVID-19 pandemic, climate change, armed conflict, illicit trade, poverty, and hunger, as well as systemic problems such as wealth inequality and intolerance. Every state in the world faces these troubles to varying degrees, and thus the quest for solutions is a quest to provide collective goods. At its annual meeting, GA members deliberate policies and goals for the international community, elect members to the Security Council, and discuss reports from other UN organs.

The Security Council

The **Security Council** performs the UN's most crucial peacemaking work. Fifteen member states sit on the Security Council. Ten are elected by the General Assembly to two-year terms, while the other five seats, known as the **Permanent Five (P5)**, belong to the victors of World War II and the primary architects of the United Nations—the United States, United Kingdom, France, Russia, and the People's Republic of China (PRC). The P5 have veto power over any Security Council action. Even if the other 14 states on the Council agree with a given action, the veto of any one of the P5 will block the action. Admission to membership in the United Nations requires the affirmative vote of nine Security Council members and no vetoes from within the P5.

Though the General Assembly has more than tripled in size, the structure of the Security Council has only changed once, when in 1965 the number of members was expanded from 11 to 15. There is ongoing discussion about increasing the size of the Security Council beyond 15 states, and some advocate for expanding the P5 since the Security Council has no permanent representative from Latin America, Africa, or the Middle East.

The Security Council monitors international conflict, facilitates diplomatic resolutions to disputes, and may

place sanctions on member states engaged in violence. To stop ongoing or impending conflict or violations of international law, the Security Council has authorized military intervention (e.g., in response to North Korea's aggression against South Korea in 1950 and in response to Iraq's 1990 invasion of Kuwait), levied sanctions (e.g., in 2006 against Iran for refusing to stop its uranium enrichment process in its quest for nuclear weapons), and imposed arms embargoes (e.g., against Serbia in 1998 for ongoing aggression against Kosovo). The Security Council also provides a space for multilateral discussion about transnational threats to international security such as terrorism, poverty, migration and refugees, and trafficking of goods and people.

The Economic and Social Council

The **Economic and Social Council (ECOSOC)** is a primary driver of global governance policy aimed at dealing with the collective problems facing the world community. Former Secretary-General Dag Hammarskjöld explained, "While the Security council exists primarily for settling conflicts . . . the Economic and Social Council exists primarily to eliminate the causes of conflicts."[23] ECOSOC's responsibilities span economic and social issues. Dozens of subagencies are housed under the ECOSOC umbrella, including regional development agencies and issue-specific organizations. In particular, ECOSOC focuses on "development," or raising the standard of living for people around the world through economic expansion and improved access to resources common throughout wealthier states, such as electricity, sanitation, education, and health care. In recent years ECOSOC has focused on how to incorporate care for the environment in the drive for economic prosperity, a concept known as **sustainable development**.

Since 2015, the United Nations has focused on helping member states achieve Sustainable Development Goals (SDGs) (https://openstax.org/r/sustainable-development-goals), a set of 17 objectives that broadly address "ending poverty, protecting the planet and improving the lives and prospects of everyone, everywhere."[24] These goals are part of the UN's "2030 Agenda for Sustainable Development." ECOSOC coordinates the work on these goals and collects the data required to measure progress toward their achievement.

The Secretariat

The UN **Secretariat** performs administrative work. Upon the recommendation of the Security Council, the General Assembly elects the head of the Secretariat, the **Secretary-General**, for a five-year renewable term. The Secretary-General engages in leadership, diplomacy, and public outreach to promote the UN; to draw international attention to urgent issues; and to raise money for UN activities.

The Trusteeship Council

At the time of the founding of the UN in 1946, much of the world was under European colonial control. The Trusteeship Council was formed to allow the UN to administer the former colonial territories that had belonged to the defeated powers of World War II: Germany, Italy, and Japan. All territories placed in trust to the United Nations subsequently attained independence. While it still exists per the UN Charter, the Trusteeship Council is currently inactive.

What Tools Does the UN Have to Help Keep Peace?

The main mission of the UN is to keep the peace by enhancing transparency, providing countries with a forum in which to peacefully resolve disputes, and engaging in projects aimed at alleviating the causes of conflict. The Security Council can send UN representatives—troops, police, observers, and civilians—to conflict zones. **UN peacekeepers** are deployed at the request of the warring parties and with the authorization of the Security Council. Three guiding principles undergird the UN deployment of peacekeepers: 1) consent of the parties, 2) impartiality, and 3) non-use of force except in self-defense or in defense of a Security Council mandate.[25]



FIGURE 15.6 UN Peacekeepers are often referred to as "blue helmets." (credit: "Over 200 Nepalese peacekeepers arrive in Juba" by Isaac Billy/UN Photo, CC BY 2.0. Photo courtesy: USIP, www.usip.org)

In 2020, there were approximately a dozen ongoing UN peacekeeping missions (https://openstax.org/r/in-2020-there-were), mostly in the Middle East and Africa. The first UN peacekeeping mission was in 1948, monitoring the armistice between Israel and its Arab neighbors. In 1949, peacekeepers were sent to the border between India and Pakistan to monitor a ceasefire agreement in Kashmir. Both of those missions were small in scale—unarmed peacekeepers were sent to monitor an existing ceasefire. Both are still active. More than 3,000 UN peacekeepers from 120 countries have died in this service.[26]

UN Specialized Agencies and Related IGOs

Numerous IGOs work to address specific global issues. Some, like the World Trade Organization (WTO) and the International Atomic Energy Agency (IAEA), operate independently but share information with the UN and help support the UN's mission. Global IGOs such as the Universal Postal Union (UPU) and the World Meteorological Organization (WMO) are specialized agencies operating within the UN framework (https://openstax.org/r/specialized-agencies-operating). These agencies act autonomously, with their own constitutions, leaders, headquarters, and bureaucratic organizations.

Table 15.1 highlights the mission, accomplishments, and goals of the three most significant global IGOs: the World Health Organization (WHO), the World Bank, and the World Trade Organization (WTO). Working on the collective good issues of global health, economic development, and international trade, respectively, these organizations provide guidelines for state behavior, encourage and enable countries to share information and data, and collaborate on policy making.

IGO	Primary Purpose	Activities	Notable Accomplishments	Current Goals
World Health Organization (WHO)	To track and combat disease and improve health worldwide	Public health education, immunization campaigns, data gathering, and coordination of international health initiatives such as pandemic response	Elimination of smallpox, near-elimination of polio, dramatic reductions of malaria and yellow fever	"Triple Billion" Goal: one billion more people benefiting from universal health coverage, one billion more people better protected from health emergencies, one billion more people enjoying better health and well-being[27]
World Bank	To create sustainable economic growth in the poorest countries by investing in human capital and ending extreme poverty[28]	Funds projects designed to alleviate poverty and help people around the world have access to food, water, education, health care, sanitation, transportation, and energy	Provided millions with access to health services, improved electric and water systems, improved highways, child immunizations, and teacher training[29]	To end extreme poverty (decrease the percentage of people living on less than $1.90 a day to no more than 3% by 2030) and to promote shared prosperity (promote income growth of the bottom 40% of the population in each country)[30]
World Trade Organization (WTO)	To open trade worldwide and provide a forum for trade negotiations and to settle disputes[31]	Sets rules for global trade and helps countries avoid costly and dangerous trade wars	Increased world trade and decreased average tariffs; increased income of members[32]	To help trade flow smoothly, freely, and predictably

TABLE 15.1 Major Global IGOs



SHOW ME THE DATA

The World Bank Open Data website (https://openstax.org/r/the-world-bank) provides free and open access to innovative visuals that tell the stories of global development data. You can explore a walkthrough of the 2020 Sustainable Development Goals at the World Bank Data blog (https://openstax.org/r/world-bank-data-blog), where you can see examples of these detailed and interactive data visualizations.

What Constrains the Effectiveness of the UN and Global IGOs?

In IGOs, sovereign states represent their own interests, bringing their own cultures and ideas to discussions of global governance, and IGOs are limited in their ability to intervene in the domestic affairs of member states. Although the purpose of IGOs is to help states work cooperatively, and though they strive to help states coordinate activities in pursuit of collective goods, in most circumstances, states place their own desires and interests above those of the broader international community. For example, ideally all states would work

together to promote collective security by punishing aggressor states; in practice, states often cannot agree on what constitutes aggression or are unwilling to hold their allies accountable. Similarly, global poverty might be more easily eliminated if all countries worked together and pooled resources, but most countries are anxious to keep the gains of prosperity to themselves and dedicate only a small percentage of their wealth to help other countries. Countries that refused to lock down or promote vaccination might prolong the COVID-19 pandemic despite the actions of other states following WHO guidelines to control it.

Funding is another limitation on the effectiveness of the United Nations. UN member states pay dues based on their wealth relative to other member states. The United States pays 22 percent of the operating expenses of the United Nations and almost 28 percent of its peacekeeping budget. China now pays the second highest amount toward the peacekeeping budget, at 15 percent.[33]

VIDEO

Let's Talk WTO

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-3-the-united-nations-and-global-intergovernmental-organizations-igos)

The World Trade Organization establishes rules governing international trade and provides a venue for trade negotiations between countries.

Another limit on the UN is its inability to enforce its decisions or rules. In many ways, it is an aspirational body. The General Assembly passes resolutions, but often without any real expectation that they will be implemented and without the ability to impose consequences if they are not. Sometimes the Security Council or others working on treaties or building international law use those resolutions to help justify sanctions or other punitive measures against states. According to the United Nations, GA resolutions "have been a constant driver for the development of space law and international cooperation of Member States in their space activities . . . Many provisions of the General Assembly resolutions related to outer space have become widely accepted by the international space community."[34]

15.4 How Do Regional IGOs Contribute to Global Governance?

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain the purpose of regional IGOs and give examples.
- Differentiate between the missions of NATO and the EU.
- Explain how the missions of NATO and the EU have evolved over time.
- Describe causes of tension within regional IGOs.
- Discuss the ways regional IGOs contribute to global governance.

Much of the work of global governance is done at the regional level. IGOs such as the Arab League, the Organization of American States (OAS), and the African Union (AU) have extended the UN model to regional affairs, and IGOs like the Southern African Development Community (SADC), the Mercado Común del Sur (MERCOSUR), the Asia-Pacific Economic Cooperation (APEC), and the Economic Community of West African States (ECOWAS) have extended it to subregional affairs. Regional IGOs work to improve the quality of life for people in a given region by encouraging economic development, facilitating trade, and/or enhancing security. They seek to lessen conflict by enabling cooperation and dialogue between neighboring states and by promoting common interests. Regional IGOs may become involved in any issue of common interest to states in the region, such as protection, trade, climate change, migration, or human trafficking. Military alliances focus on the coordination of military policy, while economic IGOs focus more on promoting trade and economic progress. IGOs composed of mostly democratic states can promote and reinforce democratic norms, punishing member states that stray from democratic practices. The African Union took just such steps when it

responded to the 2013 military coup in Egypt by suspending Egypt's membership in the IGO.[35]

Over time, regional IGOs may broaden their scope, increasing the levels of cooperation between member states. The idea that cooperation on small, discrete policy areas such as coordinating postal services or air traffic control can create mutual trust and evolve into cooperation on larger, more complex issues is called **functionalism**. This is illustrated in the case of the European Union, where the original economic union evolved to include a multitude of domestic and foreign policy issues such as the environment, health, labor, security, and immigration. Ultimately, what began as a union of states concerned with individual and regional economic growth developed into an organization espousing common values and objectives that extended to a wide variety of issues traditionally within the sole purview of individual sovereign states.

NATO

The largest and oldest regional IGO is the **North Atlantic Treaty Organization (NATO)**. Headquartered in Brussels, Belgium, NATO is the most powerful military alliance in the world, with 30 member states and combined forces of over two million troops. In 2019, NATO states accounted for 54 percent of global military spending.[36]

In an anarchic system, security IGOs increase predictability by making public member states' military commitments. Alliances are designed to serve as **deterrents** against attacks on any member states, as potential attackers know they would face the combined strength of the alliance in response. Alliances also coordinate policy responses to international events and to the foreign policy decisions of non-allied states, thus making accidental or impulsive military action less likely.

NATO's Purpose and Current Mission

The United States, Canada, the United Kingdom, France, Belgium, Denmark, Iceland, Italy, Luxembourg, the Netherlands, Norway, and Portugal formed NATO in 1949 to safeguard US allies in Europe by deterring a Soviet attack. In 1952, Greece and Turkey joined NATO, and Germany joined three years later. Article 5 of the NATO Treaty promised collective defense, assuring members that "an attack on one or more of them . . . shall be considered an attack against them all."[37] The individual security concerns of each NATO country were subsumed by what they considered the shared existential threat of communist expansion or Soviet nuclear attack.



FIGURE 15.7 US Secretary of State Dean Acheson signs the Washington Treaty creating NATO in 1949. (credit: "Secretary of State Dean Acheson signs the Washington Treaty, April 4, 1949. President Harry Truman and Vice President Alben Barkley are standing next to him," by Records of the Office of the Chief Signal Officer/The US

National Archives and Records Administration, CC0 1.0)

The Soviet Union dissolved in 1991, creating 15 new states, the largest of which is Russia. Instead of dissolving in response, NATO expanded, ultimately including both many Eastern European states that had previously been allied with the Soviet Union and some former Soviet states. Part of NATO's original purpose was to forbid "the revival of nationalist militarism in Europe through a strong North American presence on the continent" and to encourage "European political integration."[38] Thus, after 1991 NATO offered membership to any state that could meet the political and financial obligations of membership. After the end of the Cold War, NATO's mission shifted from fighting communism to preserving the general security of member states and the international community.

With the addition of North Macedonia in 2020, NATO had 30 member states. As of this writing, three additional countries are seeking membership, and another 30, including most of the states of the former Soviet Union, have joined NATO's "Partnership for Peace" program.

The Countries of NATO and When They Joined

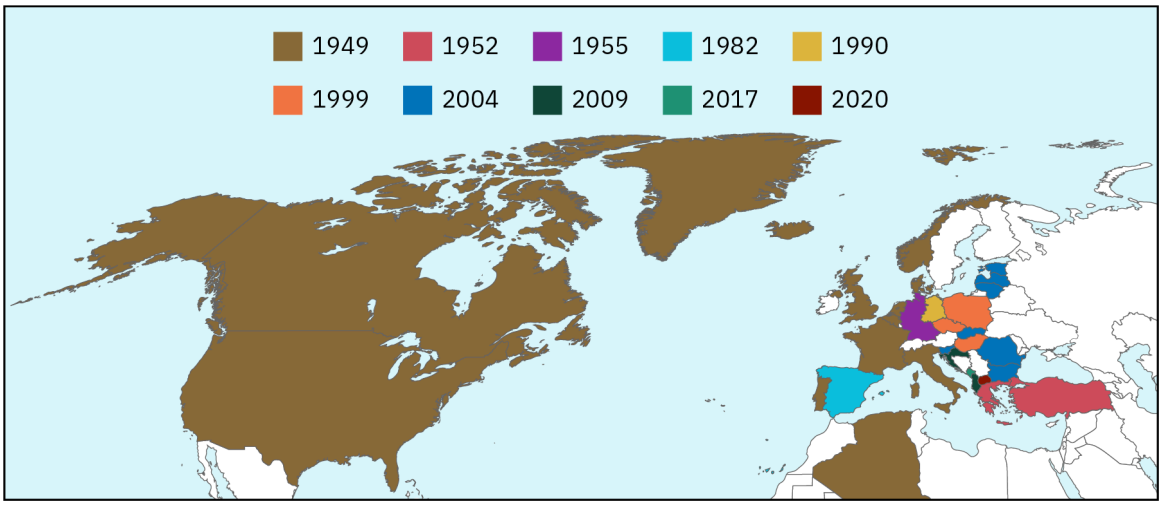


FIGURE 15.8 Since its formation in 1949, NATO has expanded to include 30 member states. (attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

NATO invoked the collective defense agreement of Article 5 for the first time following the September 11, 2001, terrorist attacks on the United States. In response to those attacks, the United States attacked the Taliban government in Afghanistan. The United Nations authorized a NATO-led peace-building force to establish a new government and stabilize the country.

NATO can deploy a unified command military force to engage in armed conflict. Since the end of the Cold War, NATO has intervened in international crises, monitored security threats, trained security forces, and undertaken peace-building in Kosovo (since 1999) and Afghanistan (2003–2021).[39]

What Kinds of Conflicts Exist within NATO?

As with all IGOs, NATO's primary challenge is managing the varied interests of its members and creating common policy acceptable to all. However, in security organizations like NATO, the influence of the most powerful state is more pronounced. Throughout the Cold War, NATO depended on the promise of US military force. The United States dictates NATO policy more than, say, Germany dictates what happens in the EU and more than the UK influences what happens at the United Nations. In the post-Soviet world, and with the addition of members outside Western Europe, US power in NATO has weakened as the organization has had to balance the needs and concerns of other member states.

NATO allies do not always agree. Although NATO has insisted that it is not an "enemy" of Russia, Russia's aggressive actions in Crimea and toward Ukraine have caused concern among many NATO member states,

especially those with borders near Russia. In 2016, NATO called Russia a "challenge [to] the Alliance" and "a source of regional instability."[40] However, some members of NATO, including some larger Western European states, are reluctant to take any action that might be seen as aggressive toward Russia.[41] Varying conceptions of security threats are natural given the differing size and geographic location of member states. These variations complicate the creation of unified policy priorities and responses.

VIDEO

NATO Sends Ships, Planes to Eastern Europe as Ukraine Conflict Heats Up

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-4-how-do-regional-igos-contribute-to-global-governance)

The Russian invasion of Ukraine threatened Europe and the prevailing world order. Because of those threats, and because of the potential direct threat to NATO countries like Poland that border Ukraine, NATO strengthened defenses in the area—even though Ukraine was not a member of NATO at the time.

Another source of conflict is **burden sharing**, that is, how much each country should contribute to the funding and operations of the alliance. The two wealthiest NATO countries, the United States and Germany, each pay 16 percent of the operating costs, and each country is called to allocate 2 percent of its GDP to defense expenditures. Due to the size of the United States' GDP and its allocation of 3.4 percent of its GDP to defense, in 2020 the United States' spending on defense made up 69 percent of the overall NATO defense spending.[42]

Regional Security IGOs Since the Forming of NATO

Many regional multipurpose IGOs, such as the Association of Southeast Asian Nations (ASEAN) and the African Union, have a security function within a broader framework of regional cooperation and promotion of the common good.[43] The United Nations has called upon regional organizations to support peacekeeping work both on their own and in cooperation with the UN. At an August 2015 summit, then-UN Secretary-General Ban Ki-moon said, "The United Nations increasingly shares responsibility for peace and security with regional organizations. We should do everything possible to help them resolve regional problems and to include the states concerned in solutions. At the same time, regional organizations should continue contributing to United Nations peace and security efforts."[44]

The Organization for Security and Cooperation in Europe (OSCE) calls itself "the world's largest security organization."[45] It works on a broad range of security initiatives, including arms control, terrorism prevention, preventative diplomacy, and peace building. It has offices in member countries that monitor current and potential zones of conflict.



FIGURE 15.9 The African Union Mission in Somalia (AMISOM) has supported the Somali National Army in its efforts

to counter militant groups in the ongoing Somali Civil War. (credit: "On night operations with the African Union Mission in Somalia 11" by AMISOM Public Information/Flickr, Public Domain)

Africa has been the most conflict-prone continent in the 21st century. The African Union, the largest and best-resourced regional organization on the continent, has a spotty regional security and peacekeeping record. In 2002, the AU ratified the African Peace and Security Architecture plan, which enlisted regional economic organizations and other partners to address security challenges on the continent.[46] Subregional economic organizations such as the Economic Community of West African States and the Southern African Development Community have played an increasingly prominent role in handling security issues, particularly in Sierra Leone, Guinea, Liberia, Lesotho, and the Democratic Republic of the Congo (DRC).

The European Union

Headquartered in Brussels, Belgium, the **European Union** (EU) is the largest and most influential regional economic IGO. Since the withdrawal of the United Kingdom (a move referred to as " Brexit") in January of 2020, the EU includes 27 countries across the European continent. The EU began as a small-scale economic organization, but its mission has expanded to promote peace and solidarity among European countries.

Although it recognizes the sovereignty of its member states, including their right to withdraw from the organization, the EU has moved far closer to the union of countries than has any other IGO. Most EU countries have adopted the common currency, the euro, and most allow citizens to travel and work across borders within the 26 countries, made up of most EU countries and a few non-EU countries, known as the Schengen Area. Countries that apply for admission to the EU must meet certain entrance criteria, including an established free-market economy and a democratic government. Candidate countries must adopt national legislation that aligns with admission criteria; hence applications may take years to finalize.

The Purpose of the EU

In 1951, Belgium, Germany, France, Italy, Luxembourg, and the Netherlands formed the European Union to support their economic recovery from the devastation of World War II. Over the next four decades, the countries' economies became increasingly integrated. The Maastricht Treaty of 1993, which introduced the common currency and a commitment to common security and foreign policies, established the current structure of the EU.

EU member states commit to a common set of values, stated in Article 2 of the EU treaty and reinforced in the Charter of Fundamental Rights of the European Union, that they consider central to European life: "a society in which inclusion, tolerance, justice, solidarity and non-discrimination prevail."[47] In addition to affirming human rights guarantees such as freedom of expression and freedom from torture, the Charter outlaws the death penalty, specifies the equality of the sexes, and protects cultural heritage.[48]

The Organizational Structure of the EU

Five main bureaucratic and political organs oversee and help guide EU activities and policies. Leaders of European states sit on the European Council, which meets several times a year and, working with the **European Parliament**, sets the broad priorities of the EU.

European citizens directly elect the 705 members of the European Parliament to five-year terms. These members represent seven political groups from left to right on the political spectrum. The European Parliament plays both policy-making and budget-oversight roles. A part of the EU executive branch, the European Commission, promotes EU interests. The European Parliament elects a president to head the 27-member College of Commissioners for a five-year term. The Commission implements EU legislation, represents the EU internationally, and allocates funding for EU projects. Member states nominate commissioners, who are then approved by the European Parliament and serve as the bureaucratic heads of various policy agencies within the EU.

The Council of the European Union works more like the United Nations, where each member state represents

its own interests to the whole. The Council of the EU is a policy-making body that, along with the European Parliament, discusses and passes laws for the EU. Its members are empowered to commit their home states to any decisions the Council makes.

Located in Luxembourg, the Court of Justice of the EU settles disputes arising under the laws of the European Union. The Court can interpret, find countries in violation of, and sanction those who disobey that law.

EU Priorities

No issue is beyond the scope of the European Union. In many ways it functions as a state in the international system, for its members coordinate policies and share common positions on international issues. The EU develops economic, defense/security, foreign, immigration, and labor policies that apply to each member state. Independence of action in any of these areas would be a concern to the organization. Thus, while member states retain their sovereignty in some senses, the EU has the ability to interfere in domestic issues and to punish noncompliance.

Annually, the European Parliament publishes a list of issues that will be on the EU agenda for the coming year. In 2021, the issues included pandemic-related topics such as access to the COVID-19 vaccine and helping economies recover, social and humanitarian issues such as access to food, issues of discrimination, cultural issues including the state of the performing arts, and "some of the big background changes shaping the world we live in today—the digital, environmental and geo-political challenges ahead, from Europe's borders to its transatlantic relationship."[49] Because the primary mission of the EU is to ensure the peace and prosperity of Europe, anything that threatens that mission is an issue of importance for the organization.

What Kinds of Conflicts Exist within the EU?

When 27 countries, each with its own goals and ambitions, attempt to coordinate a unified response to common issues, tensions and conflicts are inevitable. Addressing the needs and desires of every EU member state and trying to reach agreement on a common policy is difficult, especially when the organization's mission incorporates so many different policy areas. The economies, politics, and cultures of the EU states differ, and these variations complicate efforts to create a "European identity" beyond the identity of the member states.[50]

The EU's unification of so many traditional state functions, including economic and foreign policies, under a supranational umbrella has led to some backlash. Economic pressures on national governments can lessen the perceived benefit of being a part of the EU. Domestic constituents of wealthier states, who believe they are losing their sovereign identity and subsidizing poorer and weaker states, may become convinced that EU membership is no longer in their country's best interest. Although only the United Kingdom has entirely withdrawn from EU membership, political groups in many member states include anti–European Union ("Euroskeptic") sentiment in their platforms.

The loss of the United Kingdom, a founding member and one of the wealthiest and most powerful states in the EU, represents a significant setback, and managing relations between the UK and the EU in the aftermath of Brexit is an ongoing challenge.

VIDEO

UK-EU Post-Brexit Relationship: Rivals or Good Neighbours?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-4-how-do-regional-igos-contribute-to-global-governance)

The UK exit from the EU has necessitated a reimagining of the relationship between the UK and other European countries.

Over time the EU has expanded to include states that have not traditionally displayed the strongest records on

democracy or human rights. Democratic backsliding in member states Poland and Hungary and the rising strength of populist and nativist movements in other EU countries threaten democratic norms and institutions.

The growth and aggressiveness of Russia and, to a lesser extent, China also pose foreign policy challenges to the EU. Prior to Brexit, some international relations literature discussed the EU as a unified great power capable of acting as a counterweight to Russia or China in international relations. Determining the appropriate role for the EU and how it should address different international relations challenges remains a vital task for the organization.[51] As former High Representative of the Union for Foreign Affairs and Security Policy Javier Solana notes: "In order to be an international actor, the EU must act in unison and speak with one voice. If each member state acts individually, Europe will find itself relegated to the role of mere spectator in the arena of major world events, with neither the capacity nor the power to influence their outcome."[52]

Regional Economic Organizations

Encouraged by the success of the European Union, almost every region in the world has formed an economic IGO and a regional economic development bank. These regional economic organizations (REOs) aim to improve cooperation and facilitate economic development by increasing transparency, funding projects, encouraging free trade, and reducing economic conflict. A handful of regional IGOs, such as the African Union and the Arab League, are more general in nature, but almost all have a substantial focus on economic development.

Because the success of an REO depends upon the peace and stability of a region, REOs are often pulled into efforts to enhance regional security. The United States–Mexico–Canada Agreement (USMCA), the successor to the North American Free Trade Agreement (NAFTA), is the world's largest free trade area.

Brazil, Argentina, Paraguay, and Uruguay established MERCOSUR, the Southern Common Market (Mercado Común del Sur), in 1991 to "accelerate sustained economic development based on social justice, environmental protection, and poverty reduction."[53] In subsequent years, other countries in the region, including Venezuela and Bolivia, joined MERCOSUR as full or associate members. In 2017, MERCOSUR suspended Venezuela for failing to comply with democratic principles.[54] In 2011, Chile, Colombia, Mexico, and Peru founded a new Latin American trading bloc, the Pacific Alliance. The Pacific Alliance has decreased tariffs in the participating countries and increased trade with the European Union and countries in Asia.[55]

In the Asia-Pacific region, the largest REO is ASEAN, the Association of Southeast Asian Nations. Since Indonesia, Malaysia, the Philippines, Singapore, and Thailand founded ASEAN in 1967, it has expanded to include Brunei, Vietnam, Laos, Myanmar, and Cambodia. ASEAN has both security and economic priorities. It has become one of the largest free-trade areas in the world.

Other Types of Regional IGOs

Some regional IGOs, like the Organization of Islamic Cooperation and the Arab League, are organized around a common identity. Others, like the Organization of Petroleum Exporting Countries (OPEC), are organized around shared economic interests. The 13 member countries of OPEC own approximately 75 to 80 percent of the world's known oil reserves. OPEC is open to any oil-producing state, and only the most powerful oil-producing states, such as Russia, China, and the United States, have opted not to join the organization. OPEC seeks to "coordinate and unify the petroleum policies of its member countries and ensure the stabilization of oil markets in order to secure an efficient, economic, and regular supply of petroleum to consumers, a steady income to producers and a fair return on capital for those investing in the petroleum industry."[56] The organization helps its members coordinate oil supply and pricing, which can (but does not always) provide relative stability and predictability in the petroleum market and avoid contentious trade wars.

VIDEO

OPEC Prepares for an Age of Dwindling Demand

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-4-how-do-regional-igos-contribute-to-global-governance)

The actions and oil production levels of OPEC countries affect oil prices around the world. Decreasing oil consumption, technological advancements, and efforts to lessen dependence on OPEC oil have provided incentives for some countries to leave OPEC, as Ecuador did effective January 1, 2020.

How Do Regional IGOs Contribute to Global Governance?

From a realist perspective, which focuses on the primacy of states, IGOs are most important as tools states can use to their own advantage. No IGO can act independently of its member states, and the largest states typically have disproportionate influence over an organization's actions.

While realists might point to persistent war and poverty as evidence of the ineffectiveness of IGOs, liberal internationalists and constructivists tend to highlight how IGOs constrain state action, increase areas of cooperation, draw states together in unprecedented ways, and help alleviate the scourges of war and poverty, even if they have not yet eliminated them. For instance, both the number of people dying in war and the number of states engaged in war have dropped significantly since World War II.[57] Also, since they are most directly impacted by the events in their own region, regional IGOs are better able than outside observers to monitor the actions of member states. For instance, the United Nations Educational, Scientific, and Cultural Organization (UNESCO) recently held a meeting for regional IGOs to discuss the impact of COVID-19 on various cultural activities around the world and to elicit promises from the participants to monitor and support the cultural and creative sectors in their regions as countries recover from the economic impacts of the pandemic.[58]

IGOs that begin with a narrow scope are prone to expansion, particularly when member states see the benefits of working together. Organizations like the United Nations use language—like urging "global citizenship," promoting "the good of all nations," and being a member of an "international community"—to encourage states to rise above sovereign individualism and see themselves as contributing to and benefiting from membership in a valuable, cohesive group. The use of language reinforcing desired norms can change state behavior, reducing uncertainty and enhancing cooperation.

15.5 Non-state Actors: Nongovernmental Organizations (NGOs)

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain different types and purposes of NGOs.
- Identify influential NGOs and their areas of emphasis.
- Discuss the role of NGOs in global governance.
- Evaluate the contributions of NGOs.

While most people are familiar with the work of the largest IGOs like the UN, NATO, or the EU, they may be less familiar with how **nongovernmental organizations (NGOs)** contribute to global governance. NGOs operate independently of a government or state and are open to the citizens of various countries rather than to the countries themselves. NGOs engage in transnational relations, cross-border interactions that may happen with minimal or no government involvement. In some cases, NGOs collaborate with governments, but often the goals of NGOs and particular governments do not align, and their relationships become conflicted.

The Union of International Associations lists over 8,500 NGOs worldwide; depending on how they are counted,

that number may be in the tens of thousands.[59] NGOs mobilize individuals around a common concern, and they help facilitate the work of the United Nations and other IGOs. In terms of global governance, NGOs are a part of the global **civil society**, that is, the arena in which groups come together to engage in collective action in the service of shared interests, values, and goals outside government or profit-based motivations.

What Do NGOs Do?

In most cases, NGOs are designed to address a **transnational** concern—like the environment, humanitarian issues, health care, economic development, or conflict cessation—that is important to all and necessitates cooperation across borders. Within these broad areas, the majority of NGOs focus on specific issues, such as saving endangered species, conducting anti-malaria programs in tropical zones, or providing small loans to local farmers in South Asia.

Often NGOs are the result of a moral crusade of one or a small group of concerned citizens. For example, Henry Dunant founded the Red Cross in the mid-1800s to aid soldiers injured in war. Some other well-known NGOs include Doctors without Borders, Greenpeace, and the World Wildlife Fund. Some NGOs have thousands of members, while others have only a few hundred, and their budgets and scope of impact are similarly varied. The Bangladesh Rural Advancement Committee (BRAC), with close to 100,000 people on staff, is the largest NGO in the world.

Although NGOs exist in wealthy countries, most of the work of NGOs happens in the poorest and most conflict-torn areas of the world. In developing countries, NGOs often help fulfill needs that the government cannot, like providing access to adequate health care, nutrition, education, sanitation, or potable water. They also play an active role in the aftermath of natural disasters like hurricanes or floods and provide relief in emergency situations such as refugee or famine crises.

VIDEO

What Is an NGO?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-5-non-state-actors-nongovernmental-organizations-ngos)

Chris Nkuwatsibwe of the Uganda NGO Forum provides a basic explanation of NGOs.

The work of NGOs is expensive. In 2015, the 50 largest humanitarian NGOs alone spent $18 billion annually.[60] NGOs receive funding from a variety of sources, including member dues, grants from governments, development banks, and philanthropic foundations. Governments or IGOs may contract NGOs to do specific tasks in a broader development plan, and development, humanitarian, or disaster aid is funneled often through NGOs that have an established presence in the region. The World Bank estimates that over 15 percent of total overseas development aid is channeled through NGOs. The UN High Commissioner for Refugees allocates approximately 40 percent of its budget to over 800 partner NGOs.[61] Like government aid agencies in other states, the United States Agency for International Development (USAID) partners with NGOs to deliver aid and to implement programming.[62] People sympathetic to an organization's mission provide the largest share of most organizations' budgets.

What Are Some Weaknesses of NGOs?

NGOs can only work where governments accept their presence. Governments in strict authoritarian states like North Korea allow virtually no NGO activity, whereas governments in many other countries place almost no restrictions on NGOs. In recent years, however, more governments have placed restrictions on NGO activities in their states.[63] In particular, human rights groups and religiously affiliated organizations meet with resistance in some countries that view them as undermining the government or "national unity."

NGO	Scope of Operation	Year Founded	Issue Area	Website
Greenpeace	3 million members, offices in 40 countries	1971	Largest environmental organization in the world	https://www.greenpeace.org/international
Doctors without Borders (Médecins Sans Frontières—MSF)	Employs 30,000 and works in more than 70 countries	1971	Medical humanitarian assistance to victims of conflict, natural disasters, epidemics, or health care exclusion	https://www.doctorswithoutborders.org/
Mercy Corps	Works in over 40 countries, reaching 50 million people	1979	Global aid agency, helping people survive crises, escape poverty, and transform communities	https://www.mercycorps.org
Open Society Foundation	Works in 120 countries, spends over $1 billion each year	1993	Promotion of democracy around the world	https://www.opensocietyfoundations.org

TABLE 15.2 Sampling of Major Nongovernmental Organizations

Some criticize NGOs for being too narrowly focused on a specific issue rather than working on larger systemic problems. Some contend that NGOs should better coordinate with other actors rather than working in isolation and that reliance on Western donors leads NGOs to focus on projects that are more easily "sold" instead of those that are arguably more critical. NGOs may not be interested in or able to solve the root cause of a particular problem, and hence the solutions they provide may be temporary. Observers scrutinize NGOS, like many nonprofit organizations, for how much of their budgets go toward fundraising, advertising, and overhead rather than to directly helping their stated cause.

What Role Do NGOs Play in Providing Collective Goods?

NGOs have been a presence at the UN since its earliest days, when they successfully lobbied the UN to include the promotion of human rights as part of its mission in the UN Charter.[64] Approximately 6,000 NGOs currently have "consultative status" with ECOSOC, which allows them to have input into policy discussions and to access UN documents.

International treaties provide collective goods, and NGOs have had significant input into the formation of most contemporary treaties, including the Paris Agreement (climate change) and the UN Convention on the Rights of the Child. NGOs often form groups that work together to advance common goals—for instance, religious NGOs created the Committee of Religious NGOs at the UN (RUN), which has its own meetings and coordinates policies and responses to issues of common concern.[65] During the years of negotiations over the Rome Treaty, interested NGOs formed a group called the Coalition for the International Criminal Court to help draft and

convince states to ratify the treaty. Two other NGO coalitions, the International Campaign to Ban Landmines and the Cluster Munition Coalition, were central in drafting and convincing states to join the Mine Ban Treaty (1997) and the Convention on Cluster Munitions (2010), respectively.

NGOs have had the most success lobbying for the adoption of international human rights treaties.[66] In the 1960s, Peter Benenson formed the influential human rights NGO Amnesty International to pressure governments to release political prisoners.



FIGURE 15.10 In 2007, Amnesty International protested the sixth anniversary of the arrival of detainees at the controversial US military prison at the Guantanamo Bay Naval Base in Cuba. (credit: "Black Hood, Orange Jumpsuit, Bored Cop, 'Authority of Law' Statue by James Earle Fraser Outside The Third Guantanamo Hearing at The Supreme Court (Washington, DC)" by Takomabibelot/Flickr, Public Domain)

Amnesty International has played an essential role in ensuring the adoption of at least three core international human rights treaties: the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (the "Torture Convention") (1984), the Rome Treaty (2002), and the Arms Trade Treaty (2014). In 1997, Amnesty International won the Nobel Peace Prize for its work.

How Do NGOs Contribute to Global Governance?

In addition to drafting and convincing states to sign international treaties, NGOs help IGOs and state-based development agencies. They engage in information sharing and advocacy efforts, assist in emergencies, and play a key role in reinforcing the legitimacy of global governance.[67]

NGOs also help monitor compliance with international treaties, often, as in the Convention on the Rights of the Child, under authority granted by the treaties themselves.[68] As NGO expert Peter Willets noted, "were it not for NGOs, there would be no international law of human rights and no U.N. machinery to protect them."[69]

Due to the nature of their work on the front lines in countries around the world, NGOs often have more information about what is happening in another country than a government or IGO has. This allows NGOs to serve as informal monitors of state behavior. By providing evidence and testimonies, NGOs can draw international attention to situations such as human rights abuses or worsening humanitarian or

environmental conditions. Such pressure may cause governments to change their policies or provide critical aid to regions that may have been under-resourced.[70]

15.6 Non-state Actors beyond NGOs

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Discuss different types of non-state actors beyond NGOs and their purposes.
- Discuss the role of non-state actors in international relations.
- Explain the factors contributing to the rise of non-state actors.
- Describe the sources of power for non-state actors.
- Analyze the ways nontraditional non-state actors present challenges for international relations and state sovereignty.

Non-state actors beyond NGOs, like multinational corporations, national identity groups, religious groups, and transnational organized criminal groups, present challenges and opportunities for global governance.

Multinational Corporations

Multinational corporations (MNCs), also known as multinational enterprises (MNEs), are companies with headquarters in one country that have operations in at least one additional country. These transnational actors influence state policy and international politics, especially in the areas of trade, workers' rights, and the environment. Because countries rely on the money and jobs **multinational corporations** generate, and because MNCs possess vast resources, they exert tremendous influence on international affairs.

Examples of MNCs

According to the United Nations Conference on Trade and Development (UNCTAD), in 2006 almost 80,000 MNCs were active around the world. That number fell to 60,000 in 2018, even as the combined worth of active MNCs rose.[71] MNCs account for half of global exports, nearly a third of the world's wealth, and about a fourth of all global employment.[72] Given the immense wealth and power of the largest MNCs, University of North Carolina instructor and former senior reporter for *Foreign Policy* David Francis has referred to them as "corporate nations."[73] Apple, for example, is wealthier than 90 percent of the world's countries.[74] The most profitable MNCs are in the tech, oil, and finance industries.[75]

About 45 percent of MNCs are headquartered in the United States, including Exxon Mobile, Amazon, Coca-Cola, Walmart, Apple, and financial giant Berkshire Hathaway. US multinational enterprises employed 42.5 million workers worldwide in 2017, with the largest number of workers in China, the United Kingdom, Mexico, India, and Canada.[76] In the globalized world, MNCs are less bound to remain headquartered in their state of origin. (https://openstax.org/r/in-the-globalized-world) As international relations specialist Parag Khanna notes, MNCs "choose locations for personnel, factories, executive suites, or bank accounts based on where regulations are friendly, resources abundant, and connectivity seamless."[77]

What Are Some Criticisms of MNCs?

By their very nature, MNCs prioritize private goods (profit) over public goods. While they have the power to do "good" in their host countries, they often choose to set up operations in those countries because the countries are too weak to prevent them from exploiting labor and resources. Many developing countries do not force MNCs to pay minimum wages, to provide health care, to follow labor laws, or to abide by environmental regulations. In fact, the enormous wealth of MNCs enables them to disregard any rules a weak state has in place or to lobby against the future implementation of such regulations. MNCs are notorious for seeking profit above social benefits or even benefits to their country of origin. Many of the largest and most profitable MNCs are structured to avoid taxation and regulation and will operate wherever profit margins are highest.

VIDEO

What Is a Multinational?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-6-non-state-actors-beyond-ngos)

International law seeks to keep up with the actions of hugely influential multinational corporations.

Do MNCs Contribute to Global Governance?

Although they may not seem as political as IGOs and NGOs, the transnational activities of MNCs have transformed the nature of international trade and investment. Decisions MNCs make have enormous implications for a wide range of policy issues—like taxation, investment protection, and immigration—across many countries with different political and economic institutions.[78]

MNCs do exert some positive influence over international relations. Because MNCs favor stable and secure environments, states looking to lure MNCs have a vested interest in maintaining stability and in settling disagreements diplomatically rather than through disruptive conflict. Because they benefit from seamless operations, MNCs facilitate transportation and communication across borders by building compatible infrastructures like phone lines, Internet access, and standardized pricing in countries around the world. Trade organizations like the WTO regulate MNCs, and trade treaties help determine the norms of behavior in trade and intellectual property.

VIDEO

What's the Role of Multinational Companies in Fueling Conflicts?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-6-non-state-actors-beyond-ngos)

When multinational corporations invest in a country, they can be funding—either directly or indirectly—that country's activities, including its military conflicts.

Because they generate money, MNCs also have considerable clout with host governments and have the power to encourage states to uphold human rights and environmental protections. In addition to providing jobs for people in developing countries, MNCs can reinvest in local economies—for instance, by donating money for schools or hospitals or providing community services. MNCs can and often do partner with or donate to NGOs to benefit local populations in developing countries.

In 2000, the United Nations created the Global Compact to address the way MNCs could play a role in global governance.[79] The Global Compact asks companies to self-regulate by following set principles around human rights, the environment, and anti-corruption efforts. Almost 15,000 companies have joined the Global Compact, and businesses and states have committed to promoting development goals and sustainability.[80]

National Identity Groups

Members of **national identity groups** share a common ethnic, religious, or linguistic identity and object to the political or territorial status quo. Typically, these groups are struggling for greater autonomy or recognition. They may be clustered in a specific region of a country, and they often represent a minority in that region, with grievances stemming from real or perceived marginalization and oppression that has left the group at a disadvantage. Even when these groups are primarily located within one state (such as the Rohingya in Myanmar or Basques in Spain), migration and globalization have a way of internationalizing their concerns. These groups often demand more representation in government, the protection of linguistic or religious traditions, and the right to establish institutions distinct from those of the country in which they reside. National identity groups may seek **regional autonomy** (relative independence from a central government), **secession** (breaking away from a state), or **irredentism** (reclaiming land).

Regional Autonomy Movements

Groups seeking greater regional autonomy are among those that are least likely to directly impact international relations. Autonomous regions within states have considerable control over regional governance, including education, language, and local laws. Examples of autonomous regions include the Åland Islands (Finland), South Tyrol (Italy), Kosovo (the former Yugoslavia), Cordillera and Mindanao (the Philippines), Zanzibar (Tanzania), Greenland (Denmark), and Scotland, Wales, and Northern Ireland (the UK). Regional autonomy is often a relatively peaceful solution to accommodate the demands of ethnic minorities.

Secessionist Movements

Some groups are not interested in regional autonomy or other concessions from the government but instead favor establishing an independent state. In democratic states, these secessionist movements may resolve nonviolently via a sovereignty referendum that asks members of the minority group to vote on whether they want independence. South Sudan, East Timor, and Montenegro gained independence following referendums. Other groups win independence through warfare. Such was the case in Eritrea, although that victory was followed by a referendum declaring the Eritrean public's desire for independence. Other ethnic groups' efforts to gain independence have been less successful. For example, the efforts of citizens of the Catalonia region of Spain and of the Kurds in Iraq, Syria, and Turkey have been met with silence or oppression. In 2020 there were 60 active secessionist movements, with only one or two expected to lead to independence.[81]



FIGURE 15.11 Catalan separatists rally in support of independence from Spain in 2014. (credit: "Demanding to vote!" by Joan Campderrós-i-Canas/Flickr, CC BY 2.0)

When independence movements are successful, a new state joins the world community (UN membership is considered the marker of an independent state), maps are redrawn, and new bilateral and multilateral agreements can be negotiated. Numerous states joined that community in the 1960s as colonialism fell around the world.

Irredentist Movements

A region under the political control of one country but ethnically tied to another is called an **irredenta**. Often, the ethnic group in the region constitutes a minority in the state where they live but a majority in a neighboring state. This particular configuration is ripe for conflict, either because people within the region want to leave their state to join their ethnic kin or because the country where the ethnic group is a majority wants to "reclaim" their lost territory and reunite the ethnic group.[82] For instance, during World War II Hitler claimed that he wanted "Germany for the Germans," which gave him cause to expand German borders to

include the Germanic people living in neighboring countries. More recently, Russian President Vladimir Putin used a similar excuse when he occupied the Crimea, a territory in the country of Ukraine that is heavily populated by ethnic Russians. As these examples suggest, irredentist rhetoric can be cover for a traditional political strategy of territorial expansion to gain power and influence.

VIDEO

Crimea Four Years after the Russian Takeover

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-6-non-state-actors-beyond-ngos)

Russia's 2014 annexation of Crimea and its aftermath suggest Russia's continuing cultural and territorial goals in the region.

Religious Non-state Actors

According to the Pew Research Center, approximately 84 percent of the population in the world identifies with a religion. There are thousands of different religious groups in the world, but 77 percent of the world's religious adherents are part of one of the five largest religions: Islam, Christianity, Buddhism, Hinduism, or Judaism.[83] Religious organizations or groups of adherents to a faith are known as **religious non-state actors (RNAs)**. RNAs include individuals motivated by religious beliefs, by specific churches, by religious-based NGOs, and even by the transnational nature of the religious beliefs themselves. The Catholic Church has historically played a prominent role in international relations, and the Holy See, the governing body of the Church, has observer status at the United Nations. Given that there are almost one billion Catholics worldwide, the Pope has tremendous global influence.[84]

RNAs can organize themselves or specific categories of their work into NGOs. The International Islamic Charitable Organization and Catholic Relief Services are examples of this type of NGO. Many religious groups use NGOs to help the marginalized and the impoverished, extending their reach far beyond their local community.

The Transnational Nature of Religion

Religious beliefs are transnational; there are few religions the adherents of which all reside in one state. Adherents to a given faith often feel a form of kinship or solidarity with others of that faith regardless of regional, linguistic, ethnic, or practical differences. Jews in the United States who have never visited Israel may feel a kinship with the Israelis. Muslims worldwide orient themselves toward Mecca to pray even if they have never been to Saudi Arabia. Terrorist attacks on religious groups, such as the bombings in Sri Lanka in 2019 on Christians celebrating the Easter holiday, are seen (and may in fact be intended) as an attack on the religion itself, not just on certain individuals.

The Role of Religious Leaders

Individual religious leaders can use their platform to comment upon and try to influence world affairs. Exiled religious cleric Ayatollah Khomeini instigated the Iranian Islamic revolution of 1979. The Dalai Lama of Tibet put forward a democratic constitution, based on Buddhist principles and the Universal Declaration of Human Rights, as a model for a future free Tibet. For his work in addressing collective problems including "international conflicts, human rights issues, and global environmental problems," the Dalai Lama was awarded the Nobel Peace Prize in 1989.[85] From the 1930s to the 1950s, Catholic Popes Pius XI and Pius XII condemned communism as antithetical to the Catholic faith and helped fuel anti-Soviet sentiment among Catholics worldwide. In 2020, Pope Francis urged governments around the world to use the COVID-19 pandemic to focus on "creating a fairer market economy, addressing the rapidly escalating dangers of climate change, and providing basic healthcare to their citizens."[86]



FIGURE 15.12 A mural depicting Ayatollah Khomeini outside the former US embassy in Tehran reflects his lasting influence. (credit: "Imam Khomeini" by Kamyar Adl/Flickr, CC BY 2.0)

Violence in the Name of Religion

Schisms within religions, such as between Catholics and Protestants in the Christian faith, between ultra-Orthodox and Reform movements in Judaism, or between Sunnis and Shiites in Islam, can lead to enduring conflict and even violence. Religious leaders can position threats to the faith from outside as a rallying or unifying force. Osama bin Laden, former leader of the al-Qaeda terrorist organization, issued a manifesto against "Christian invaders" in Muslim holy lands as a call to *all* Muslims, not just Sunni Muslims, to join his fight. Similarly, the 1948 establishment of the state of Israel and the subsequent displacement of Palestinian Muslims met with resistance from both Sunnis and Shiites. RNAs can form communities of the faithful to advocate for changes in far-flung corners of the world where they believe their "brothers and sisters" are persecuted or oppressed.[87]

Although many RNAs advocate for peace and devote themselves to humanitarian missions, others engage in conflict "for the good"—that is, they believe their cause is so important that they are justified in using any means, including violence, to achieve it. This level of conviction propelled Catholic soldiers during the Crusades in the Middle Ages, and it motivates several notable religious groups today, including al-Qaeda and the militant Hindu nationalist group Rashtriya Swayamsevak Sangh (RSS).[88]



FIGURE 15.13 Ethnic tribal militias like the Tuareg, pictured here, have joined with other militant Islamic groups in attempts to secure an independent homeland in Northern Mali. (credit: "Al-Qaeda draws Maghreb militants to Mali Al-Qaida rejoint par ses militants du Maghreb au Mali" by Magharebia/Flickr, CC BY 2.0)

How Do RNAs Contribute to Global Governance?

It is difficult to classify a particular RNA and that RNA's role in global governance as "good" or "bad." Some RNAs help reinforce norms and participate in conversations about the global good, but others promote violence and challenge global governance norms. The net contribution of a single RNA can be mixed. The Muslim Brotherhood provides a telling example. Although the Egyptian government considered the Muslim Brotherhood an illegal political movement and classified it as a terrorist organization, the Brotherhood provided goods and services like hospitals and schools to Egyptian neighborhoods where the government was not providing those services. During periods of Egyptian democracy, the Brotherhood ran candidates for office and participated in the legislature.[89] Thus the Brotherhood has engaged in both humanitarian and politically democratic activities and illegal, antidemocratic, and violent ones.

Violent Non-state Actors

Transnational actors that flagrantly violate established laws and employ violence to achieve their goals are considered "illegitimate." They endanger security, stability, and the rule of law and are condemned under international law as a threat to global governance.[90] Like RNAs, sometimes the lines between "legitimate" and "illegitimate" transnational actors are blurred. Some nationalist and religious groups may pose a threat to peace and stability only in particular regions or for particular groups. Sometimes whether a non-state actor is considered legitimate depends on who you ask—as a saying from the Cold War era goes, "One person's terrorist is another person's freedom fighter."

This discussion focuses on two main types of violent non-state actors: transnational organized crime (TOC) syndicates and terrorist organizations. These groups engage in various types of illegal activity including financial crimes, cybercrimes, and human rights violations. Their membership may be multinational, regional, or country-specific, but their crimes are transnational, involving activities across borders and in multiple states. They pose a significant threat to international and domestic security, and countering that threat requires a coordinated international response. Criminal networks flourish in **weak states**—those without functioning central governments, sophisticated criminal justice agencies, communications, or traditions of rule of law. Weak states often only nominally control certain regions of their countries, and in uncontrolled regions it is particularly easy to evade the rule of law. Violent NSAs also flourish under conditions of poverty and limited economic prospects, when people can be easily tempted by the potential for wealth or

"revenge" against groups they believe have wronged them.

Transnational Organized Crime

Organized crime groups operate in almost every region of the world, and **transnational organized crime (TOC)** threatens international peace and security.[91] Some groups have stable and definable memberships; others are more loosely organized. The Sicilian Mafia and various transnational street gangs are among the most prominent TOC syndicates.[92]

TOCs engage in a variety of illicit activities, including smuggling, human trafficking, weapons trafficking, wildlife or artifacts trade, intellectual property theft, counterfeiting, cybercrimes, and money laundering, to fulfill their purpose: to make money. TOC syndicates rarely engage in only one illicit activity. International drug trafficking is the second largest source of TOC revenue, second only to counterfeiting, and drug trafficking organizations, many of which are affiliated with terrorist groups, are among the highest-profile TOCs.[93]

VIDEO

How Somalia's Pirates Make Money

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-6-non-state-actors-beyond-ngos)

Poverty is a main cause of international crime, including piracy. This video explains how pirates make money in one of the poorest countries on Earth, Somalia.

TOC activities contribute to government corruption. In weak states, TOC groups bribe or ally with government officials, jeopardizing economic development, undermining the rule of law, and threatening government stability. As the *2018 World Atlas of Global Issues* puts it, "Corruption, trafficking, poverty, conflicts, and terrorism all sustain and reinforce one another."[94] Globally, TOCs test international law, make the expansion of democracy more challenging, and siphon money away from governments and people.

Transnational organized crime represents a global governance problem that cannot be satisfactorily addressed by one government alone. Criminals are typically headquartered in one country, but their crimes cross state borders and break both domestic and international laws. Because TOC groups encourage and depend upon government and law enforcement corruption, and because they tend to flourish in states that lack strong domestic criminal justice organizations that could investigate and prosecute them, a coordinated international effort is needed to fight this type of crime. Domestic criminal justice organizations such as the FBI in the United States coordinate with comparable organizations in other states and with crime-fighting IGOs like the United Nations Office on Drug and Crime to stem the activities of TOC organizations.

VIDEO

Neil Walsh, UN Expert on Cybercrime

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/15-6-non-state-actors-beyond-ngos)

In this video, Neil Walsh, chief of the UN cybercrime team, talks about the role of the United Nations Office of Drugs and Crime in battling international cybercrime.

Terrorist Organizations

Terrorism is the use or threat of violence by non-state actors to influence citizens or governments in the pursuit of political or social change. In the wake of the September 11, 2001, attacks on the United States, **terrorism** became a global security concern. Globalization and advances in technology have allowed terrorist organizations to access funding and recruits from far beyond the organization's headquarters and to spread

their message via social media. In an article published only weeks before the 9/11 attacks, Paul Pillar of the Brookings Institute said, "In today's globalizing world, terrorists can reach their targets more easily, their targets are exposed in more places, and news and ideas that inflame people to resort to terrorism spread more widely and rapidly than in the past."[95] Like most other transnational issues, terrorism is a threat to all states, and it is impossible to envision a single-state solution.

Terrorists are motivated by some combination of nationalism, ideology, and religion. Islamist terrorist groups like al-Qaeda, the Islamic State (ISIS or ISIL), and Boko Haram have been responsible for the deadliest terrorist acts in the 21st century.[96] Like other religious extremist groups, Islamist terrorists want to impose their version of their religion on all spheres of life, including the political state. The desire for national independence in places like Palestine and Northern Ireland, as well as extremist ideological beliefs such as White nationalism or neo-Nazism, can also motivate terrorist attacks.

International cooperation is crucial to monitor and prevent terrorist activities. Following 9/11, the UN Security Council formed the Counter-Terrorism Committee, which coordinates international counterterrorism measures.[97] In 2006, the General Assembly called on member states to focus on the underlying factors that contribute to terrorism, including weak institutions, ongoing conflict, and human rights violations. Most regional IGOs have counterterrorism programs. INTERPOL, the International Criminal Police Organization, is an IGO that coordinates the efforts of the police in countries around the world. NGOs contribute to counterterrorism activities as well. IGOs and NGOs work in tandem to help states implement global counterterrorism strategies.

Summary

15.1 The Problem of Global Governance

Issues such as climate change, terrorism, international crime, religious movements, trade, and human migration impact every state. The need to cooperate to address common problems and attain collective goods has led to the development of a robust if imperfect system of global governance. Global governance helps manage the anarchy of the international system by setting rules and boundaries for state behavior and providing forums for collective action.

15.2 International Law

International law, created by multilateral treaties, establishes boundaries on state behavior. In a system of sovereign states, with no authoritative overarching governing body, international law helps define norms for interstate conduct. International law creates a sense of obligation and expectations between countries.

15.3 The United Nations and Global Intergovernmental Organizations (IGOs)

The United Nations, a global IGO, coordinates the activities of states in areas of international security and economic development. IGOs like the UN help foster some degree of order and security, helping states work together toward common goals in the international system.

15.4 How Do Regional IGOs Contribute to Global Governance?

Regional IGOs, such as the European Union, NATO, and the African Union, work on issues of concern to member states, helping maintain peace and promote prosperity in a given region. Because individual states are members of global and regional IGOs, these organizations are often held captive to the desires of the more powerful states.

15.5 Non-state Actors: Nongovernmental Organizations (NGOs)

Unlike IGOs, nongovernmental organizations (NGOs) are able to exercise influence in given issue areas, improving lives of people around the world and not just within a given region or group of states. Because NGOs are not affiliated with particular states, they rely heavily on charitable funding and can only work directly in states that allow their presence.

15.6 Non-state Actors beyond NGOs

There are other non-state actors as well, some legitimate and some not. Corporations, religious groups, nationalist and ethnic groups, terrorists, and organized criminal groups all impact international relations.

Key Terms

burden sharing the distribution among group members of the costs a group incurs

civil society organizations working for the common good outside the control of government or business interests

collective goods goods available to all, regardless of individual contribution

collective security a broad alliance of states for the purpose of jointly opposing outside aggression

Economic and Social Council (ECOSOC) the organ of the United Nations responsible for forming and coordinating state policies on economic and social issues

European Union (EU) a treaty-backed organization of European states that promotes policy coordination, trade, and peaceful relations

functionalism a theory of political integration based on the assumption that interstate cooperation on technical issues builds a foundation for cooperation and unification on larger, more complex issues

General Assembly the main deliberative body of the United Nations; each member country has one vote

genocide an intentional and systematic attempt to destroy a national, ethnic, racial, or religious group, in whole or in part

global governance the bringing together of state and non-state actors to coordinate collective action for the purpose of providing global public goods such as peace and security, economic prosperity, conflict mediation, human rights, and environmental protection
intergovernmental organizations (IGOs) organizations whose members are state governments
International Court of Justice (ICJ) the judicial body of the United Nations that hears cases between states; also called the World Court
International Criminal Court (ICC) a permanent court established to try individuals accused of war crimes and crimes against humanity
international law the rules, drawn from treaties and customs, that govern the way states interact with each other
League of Nations a global intergovernmental organization established after World War I; predecessor to the United Nations
multinational corporations (MNCs) companies based in one state but with operations in other states
national identity groups groups that share a common language, ancestry, and culture and that seek political independence
nongovernmental organization (NGO) a transnational group or entity whose members are private citizens working together on a common interest
North Atlantic Treaty Organization (NATO) a US-led military alliance with Western European states, originally formed in 1949 to deter Soviet military aggression
Permanent 5 (P5) the five states that have permanent membership on the United Nations Security Council: the United States, United Kingdom, Russia, China, and France
regional economic organization (REO) an intergovernmental organization with a mission to improve economic coordination, trade, and development in a region
religious non-state actors (RNAs) transnational organizations or entities that promote a certain religion and engage in international politics on behalf of or in accordance with that religion's views
responsibility to protect (R2P) a principle that states have a responsibility to protect all people, whether they are citizens of their own state or of other states, from genocide and crimes against humanity
Secretariat the administrative and bureaucratic organ of the United Nations, headed by the Secretary-General
Secretary-General chief administrative officer of the United Nations and head of the Secretariat
Security Council the organ of the United Nations responsible for peace and security, with 5 permanent members and 10 rotating members
sustainable development development that meets the needs of the present without compromising the ability of future generations to meet their own needs
terrorism the use of violence by non-state actors against civilians in order to achieve a political goal
terrorist organizations non-state organizations that use terrorism to achieve political goals
tragedy of the commons the depletion of common resources when the incentives for states to act selfishly are greater than the incentives to cooperate to achieve a collective good
transnational interactions across state boundaries
transnational organized crime (TOC) groups that employ violence and corruption in for-profit criminal activity that crosses state boundaries
UN peacekeepers international troops operating under the auspices of the United Nations that can be deployed into conflict zones to help create conditions that favor lasting peace
United Nations (UN) a global intergovernmental organization established after World War II and comprised of nearly every state in the world
weak states states that have difficulty fulfilling basic tasks such as managing the economy and enforcing laws

Review Questions

1. What is global governance?
   a. The world government run by the United Nations

b. The process by which sovereign states accrue rights and duties in the international community
c. The process by which more powerful states control the actions of weaker states
d. The ability of the United States to convince other states to act in accordance with its policies

2. How does the tragedy of the commons impede the attainment of collective goods?
a. Individual states have incentives to provide for their own short-term interests over long-term community interests.
b. When common goods are concentrated in one area, states without ready access to that area may be unable to attain the goods before those goods spoil.
c. States with similar interests tend to form alliances to prevent other states from attaining collective goods.
d. The tragedy of the commons means that common markets are doomed to fail.

3. Which of these international issues is not an example of the tragedy of the commons?
a. Overfishing
b. China's rise to global power
c. Air pollution
d. The need for farmland to feed a growing world population

4. What feature of the international system best explains the need for global governance?
a. The great power system
b. The system of checks and balances
c. The anarchic nature of the international system
d. The role of capitalism and international trade

5. Which non-state actors play a role in the formation of rules and norms of behavior in the international system?
a. Intergovernmental organizations
b. International law
c. Nongovernmental organizations
d. All of the above

6. What is international law?
a. The laws established by the world government
b. The law that determines punishments for sovereign states
c. A set of formal and informal rules that loosely govern the international system
d. Domestic laws that relate to international relations

7. Which of the following is not a source of international law?
a. Treaties
b. International agreements
c. Customary law
d. Multinational corporations

8. International law rests on the principle of _____.
a. state sovereignty
b. responsibility to protect
c. tragedy of the commons
d. American exceptionality

9. What types of cases come before the International Court of Justice?
   a. Cases involving disputes between countries
   b. Cases involving perpetrators of human rights abuses
   c. Cases involving private citizens
   d. None of these

10. The Geneva Conventions are concerned with _____.
   a. climate change protocols
   b. protecting civilians and prisoners of war during military conflicts
   c. establishing transnational relationships between the EU and other regions of the world
   d. nuclear proliferation

11. What is an IGO?
   a. An informal group of sovereign states
   b. A union of states that agree to sacrifice their individual interests for the good of the most powerful
   c. A formal organization where states are members
   d. A militant religious organization

12. When and why was the United Nations created?
   a. After World War I, to punish Germany
   b. After World War II, to promote international peace
   c. During the Cold War, to deter the Soviet Union
   d. In the 1980s, to prevent nuclear war

13. Which of the following is not one of the primary organs of the United Nations?
   a. Security Council
   b. General Assembly
   c. Secretariat
   d. World Congress

14. United Nations peacekeepers _____.
   a. must be authorized by the ICC
   b. must be invited in by warring parties
   c. may be deployed to conflict zones for a maximum of two years
   d. support independence movements throughout the world

15. Which of the following is a source of power for the United Nations?
   a. The expense of UN operations
   b. Its standing military
   c. The scope of its activities
   d. Its dependence on wealthy countries

16. Which of the following is not a regional IGO?
   a. European Union (EU)
   b. North Atlantic Treaty Organization (NATO)
   c. International Court of Justice (ICJ)
   d. African Union (AU)

17. The original purpose of NATO was to _____.
   a. protect Europe from the Soviet Union

b. counter terrorist threats
c. promote trade between member states
d. fight against Germany in World War II

18. How does the mission of the European Union today differ from its original purpose?
a. It has evolved to focus on trade policy.
b. It has evolved to focus on Eastern Europe.
c. It has evolved to coordinate state policies in a wide variety of areas.
d. It has evolved to focus on military security.

19. Which of the following accurately describes regional IGOs?
a. Costs are evenly divided.
b. Benefits are evenly distributed.
c. Member countries may have different policy priorities.
d. Regional IGOs rarely have an economic focus.

20. Regional IGOs _____.
a. hamper regional trade
b. provide a forum for states to address common problems
c. prevent armed conflict
d. act in isolation

21. NGOs _____.
a. are made up of government actors
b. are typically issue oriented
c. have large budgets and worldwide reach
d. act outside the international system

22. Which of the following are NGOs?
a. Red Cross and Amnesty International
b. World Health Organization and World Bank
c. International Criminal Court and African Union
d. All of the above

23. How do NGOs influence global governance?
a. They draw international attention to pressing issues.
b. They participate in treaty making.
c. They help deliver aid.
d. All of the above are correct.

24. Which of the following is an example of a non-state actor in international politics?
a. Multinational corporations
b. World Bank
c. European Union
d. World Health Organization

25. _____ has contributed to the increased presence and visibility of non-state actors.
a. The decline of IGOs
b. Increasing levels of state sovereignty
c. Globalization

d. The COVID-19 pandemic

26. Which of these is not a source of power for non-state actors?
a. They can attract members from many different states.
b. They often have access to large amounts of money.
c. They may operate in places without strong regulations or police.
d. They are formally recognized by powerful IGOs.

Suggested Readings

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International Political Economy 16



FIGURE 16.1 US Secretary of Agriculture Tom Vilsack and leaders from across the globe discuss public-private investment and cross-sector partnerships in a climate-smart agriculture and food system at the COP26 in Glasgow, Scotland, on November 4, 2021. (credit: "20212204-OSEC-UNC-0006" by U.S. Department of Agriculture/Flickr, Public Domain)

CHAPTER OUTLINE

16.1 The Origins of International Political Economy
16.2 The Advent of the Liberal Economy
16.3 The Bretton Woods Institutions
16.4 The Post–Cold War Period and Modernization Theory
16.5 From the 1990s to the 2020s: Current Issues in IPE
16.6 Considering Poverty, Inequality, and the Environmental Crisis

INTRODUCTION

Chapter written by Emilia Barreto Carvalho

The 26th UN Climate Change Conference of the Parties (COP26) occurred in Glasgow, Scotland, in October and November 2021. The main goal of the summit was to foster collaboration between governments, businesses, and civil society and to propel action to tackle the climate crisis.[1]

The conference was widely reported in both traditional media and nontraditional media. As discussed in Chapter 12: The Media, traditional media is characterized by mass communication efforts and professional journalism. The main traditional media outlets include newspapers, magazines, radio, and television. With increased use of the internet, smartphones, and social media platforms, nontraditional media has become

increasingly powerful. Whereas professional journalists cover the news for traditional media outlets, nontraditional news coverage may be led by any individual with a smartphone and internet access. Nontraditional outlets, such as Twitter, Facebook, Instagram, and TikTok, are particularly salient with specific niches of the public. That the results of the COP26 were reported on in traditional outlets like CNN, the Associated Press, the BBC, and Al Jazeera as well as nontraditional outlets like TikTok, Twitter, Instagram (more than 318,000 posts are tagged #cop26),[2] and Facebook (more than 160,000 people have posted using the hashtag #COP26) suggests that the public is concerned with the environment.[3]

The COP26 summit produced an official agreement, and governments pledged to commit to adaptation, mitigation, and conservation efforts on methane, coal, transportation, and deforestation. These pledges could help the world prevent global warming from exceeding 1.5°C above preindustrial levels, a goal the majority of climate scientists involved with the COP26 consider challenging but possible.[4]

While some governments have agreed to tackle the climate crisis, others have avoided making any commitments. Governments play the "commitment vs. avoidance game" because environmental policy, like every other kind of public policy, requires costs to achieve benefits.

For example, certain types of **environmental regulations**—the body of taxes and tariffs, quotas, subsidies, and regulations governments issue to promote environmental protection—increase the costs of industrial production. In a globalized economy, higher production costs make it more difficult for firms to sell their products in a competitive international market, especially if the regulations are adopted domestically but not internationally. In situations like this, a factory that cannot compete may be forced to close its doors, and if this happens, workers become unemployed[5]—that is, workers pay a high cost.

On the other hand, environmental regulations promote environmental quality. If a factory emits fewer pollutants, the quality of the surrounding environment increases. The community in the factory's vicinity reaps the benefits of less pollution. Better environmental quality contributes to improved health conditions.

However, the causal impact of this environmental regulation in the promotion of a healthier environment is difficult to prove. The connection between the extent to which changes in pollutant emissions can improve or exacerbate the health of community members is complex. Many variables impact both environmental quality and the community's health. To make things even more difficult, if you consider the market share of this factory in a country and compare it to the global market, the proportional environmental benefit of this environmental regulation may seem small.

Environmental regulations present a tradeoff: they promote environmental quality,[6] but they may cause unemployment, at least in the short term. Environmental quality is a widespread benefit. The entire community profits from it, even if each element of the community profits only a little bit. On the other hand, unemployment is a localized cost, and unemployed workers lose a lot. As a result, labor unions, workers, and business parties commonly refer to environmental regulations as "job-killing regulations" and thus tend to oppose them.[7] In short, because environmental policies redistribute economic costs and environmental benefits across different groups in society, they face strong opposition, even if, as responses to the COP26 indicate, the general public is concerned about the environment.[8]

Given the complexity of designing environmental policies, governments consider the redistribution of costs and benefits and play the "commitment vs. avoidance game" based on how much their **constituents**, or voters, stand to win or lose with environmental regulations.

The ways in which public policies redistribute costs and benefits across domestic and international actors are at the core of the study of **international political economy** (IPE). This chapter presents a panoramic view of the development of the field from the 16th century to the present. The discussion begins with a brief historical overview, which is then followed by an analysis of some of the most debated issues in the field.

16.1 The Origins of International Political Economy

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Define *international political economy* (IPE).
- Describe *mercantilism*.
- Define *wealth* according to the mercantilist theory.

International political economy (IPE) is a vast field of study occupied with the investigation of political processes and their economic consequences, which have both domestic and international impacts. IPE describes and explains the extent to which politics and public policies define winners and losers among different groups in a society.[9]

VIDEO

Aspects of International Relations: International Political Economy

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/16-1-the-origins-of-international-political-economy)

In this short clip, academics from the International Relations Department at the London School of Economics discuss the study of international political economy and its value.

Those components of politics and policy making in a country that result in specific public policies are referred to as **political factors**. These components can be domestic, such as the organization of the electoral system, how politicians interact to establish policies, and the level of economic and institutional development, among others. They can also be international, like, for example, the pressure toward globalization and trade liberalization since the 1990s. Domestic and international political factors compel politicians to establish certain public policies.

Public policies invariably promote wealth redistribution in societies. As mentioned above, these policies shift benefits and costs across different groups and thus establish winners and losers.[10] The example of the "commitment vs. avoidance game" played during the COP26 summit illustrates how governments negotiate environmental issues with eyes on how the policies they establish will cater to their constituents and thus increase these politicians' chances of remaining in power.[11]

Yet, political factors are constantly changing, and as they change, policy makers redesign policies, redefining the winners and losers. Profound transformations occurred in Western Europe during the Enlightenment, paving the way for the current economic system in the United States—the market economy, or capitalism. Such transformations also prompted the establishment of political economy as the field dedicated to the study of the relationship between politics and the economy. Adam Smith (1723–1790), a Scottish political thinker and economist, was one of the first to examine the relationship between politics and the economy. Given the influence of his writings on the development of the field, he became known as the father of political economy.

Although political economy only emerged as a field of study in the late 19th century, politics and the economy were already interconnected in the real world. Political economy has been around for as long as politicians have been making decisions that favor some groups at the expense of others.

The changes in politics and the economy that occurred during the Enlightenment deeply altered political and economic practices domestically and internationally. The centralization of political power in the hands of the monarch in Western Europe during the 17th and 18th centuries, known as **absolutism**, illustrates the impact of these changes and how they laid the foundations for the market economy. During the absolutist era, the belief in divine providence—that God had chosen the monarch to govern—was widespread. Monarchs had absolute political power and made decisions with the aim of increasing that power. At the time, power and wealth were interchangeable concepts: power begot wealth and wealth begot power.

This environment provided fertile ground for **mercantilism**, the dominant economic system throughout the absolutist era. Mercantilism was based on capital accumulation, or the increase of wealth. Notice, however, that during the absolutist era, there were no paper currencies: no US dollars, Mexican pesos, or Euros. The currency was made of precious metals, gold and silver. The more gold and silver acquired, the wealthier—and more powerful—the monarch or the country.

Precious metals are naturally occurring elements and cannot be created (despite alchemists' best efforts); thus, the amount of wealth in the world was considered finite. Because wealth was limited, wealth accumulation was a zero-sum game.[12] The fact that a monarch got some gold meant that others had lost it. Therefore, to preserve their wealth and power, monarchs not only took precious metals whenever they could but also fiercely protected the wealth in their possession.

As rumors about "new worlds" rich in gold and silver circulated in Western Europe in the 16th century, monarchs sponsored naval fleets to venture into unknown seas in search of riches. Several European ships ended up "discovering" land and colonizing Native peoples in the Americas as well as in Asia, Africa, and Oceania. As the "new worlds" were colonized, monarchs could extend their domain to the colonies. Taking advantage of their absolute power, they seized precious metals and increased their wealth.[13] After all, power begot wealth.

VIDEO

Mercantilism

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/16-1-the-origins-of-international-political-economy)

The relationship between England and its North American colonies in the 17th and 18th centuries provides an example of mercantilism.

Wealth also begot power. During the 16th, 17th, and 18th centuries, European armies were composed of mercenaries.[14] In times of impending war, monarchs would hire soldiers to defend their countries. The more wealth a monarch possessed, the more soldiers they could afford, and thus the higher their chances were of winning the war and maintaining their power.[15]

Given that wealth was finite, monarchs sought to accumulate wealth, or capital, through **protectionist policies**, which safeguard the domestic economy against foreign competition through the establishment of trade barriers such as tariffs, subsidies, import quotas, and other restrictions on imports. The rationale behind protectionist policies is that as a country's **balance of trade**, or the difference between the value of exports and imports in a given period, maintains a surplus, the country accumulates capital.

Protectionist policies limited trade across countries and thus suppressed any incentives for industrial innovation and market development. Economic activities during the absolutist era were extremely limited; agriculture, food production, and the production of consumer goods used rudimentary inputs and technology. Production output was basically for subsistence, and common people had very few possessions. Only the royal family and the aristocracy had access to the few goods available for consumption, while the majority of the population did not consume much.

Yet, the capital the monarchy and aristocracy accumulated during mercantilism made the Industrial Revolution possible. The Industrial Revolution promoted many significant changes at the end of the 18th century. These changes pressured monarchs to let go of protectionist policies in favor of trade liberalization, helped markets to flourish, and welcomed the participation of the individual in the economy.

16.2 The Advent of the Liberal Economy

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain the origins of the market economy.
- Define *wealth* according to classical liberal theory.
- Describe Adam Smith's argument regarding the three levels of analysis.

The Enlightenment and the Industrial Revolution marked the introduction of new concepts that fundamentally transformed European societies and the world. Enlightenment thinkers freed human beings from an unquestionable religiosity, superstitions, and social rigidity. Absolutism could no longer be defended on the basis of God's will and divine providence. The ideas of **anthropocentrism**, or the argument that human beings are the most important component of the Universe; **rationalism**, which is the belief that reason rather than experience is the foundation of knowledge; and **scientism**, or the view that inductive methods of the natural sciences are the only source of genuine knowledge, prompted changes that culminated with the French Revolution and the Declaration of Independence of the Thirteen Colonies. Movements toward political democratization and economic development based on these ideas have since been diffused to the four corners of the world.

The Enlightenment period promoted the idea of civilization as opposed to savagery. Societies that reflected anthropocentrism, rationalism, and scientism were the first to reap the benefits of the Industrial Revolution, including the development of the market and social progress, and to embody the idea of civilization. These societies were initially located in Western Europe and were then propagated to the colonized world, accompanying the migration movement and the birth of industrialization. Societies based on traditional religion and superstition, where family relationships defined power and politics, were considered savage. In University of Denver emeritus professor David P. Levine's words, "Civilization is an important concept in political economy. . . . Civilized society provides its members with opportunities not otherwise available; but it also confronts them with dangers."[16]

One of these opportunities is wealth creation. Enlightenment thinkers rejected the mercantilist idea that wealth is finite, proposing that wealth could in fact be created. The concept of wealth had been transformed. As Levine puts it, "Producing wealth is a special sort of activity. It is one that employs some of our assets to produce commodities: goods and services valued in the market."[17]

This change in the perception of what constituted wealth had an enormous impact on political economy. If wealth is understood as the extent to which the market values a good or service, and if the creativity and industriousness of the human mind is boundless, then wealth is infinite.

More than 200 years later, we still employ Enlightenment ideas about the concept of wealth. Adam Smith played an important role in defining our understanding of wealth creation, the functioning of the market, and the role of the government in a market-based society. His beliefs in science and in human beings' inclination toward progress are key to his account of political economy. Adam Smith laid the foundation for liberalism, the dominant economic practice that persists today, in his classic work *The Wealth of Nations* (1776). He rejected mercantilism, suggesting that monarchy's insistence on the balance of trade surplus through trade barriers would hurt the economy. According to Adam Smith, the best approach to the economy was a **laissez-faire** one, in other words, the free-market approach in which governments do not interfere in the market and let things take their own course.



FIGURE 16.2 As this 2019 advertisement in a Bulgarian airport bearing his image shows, Adam Smith is still closely associated with free market ideas. (credit: modification of work by "Adam Smith Spreads the Gospel" by summonedbyfells/Flickr, CC BY 2.0)

Adam Smith developed his argument in *The Wealth of Nations* using different levels of analysis. First, he focused on the individual level and argued that self-interested individuals, or in other words, individuals focused on advancing their personal interests, tend to make decisions that will maximize results to their own benefit. Thus, if governments guarantee individuals the freedom to produce and trade as they please, society will be better off in the long run.

His second level of analysis examined the state. Adam Smith argued that countries should dedicate themselves to the production of what they produce best, following their comparative advantages. For example, he argued that given France's geographic characteristics and the developed skills and abilities of its people, France can produce better cheese and wine than, for example, Great Britain, and at a lower cost. Therefore, he argued, France should produce cheese and wine. On the other hand, given Great Britain's geographic characteristics and traditions, the British can produce better quality wool than the French, and therefore Smith argued that the British should produce wool and not cheese and wine.

At the international level of analysis, Smith argued that if countries stick to their comparative advantages, international trade should allow individuals in different countries to have access to the best products at the lowest costs. This would eliminate the need for trade barriers and result in a system of free international trade. In this case, both the French and the British would get the best cheese, wine, and wool at the lowest cost.

Adam Smith's assumption regarding the benefits of a laissez-faire economy has accompanied the mainstream understanding of political economy since the publication of *The Wealth of Nations*. According to Adam Smith, the accumulation of capital in preindustrial societies allowed for the emergence of the Industrial Revolution, which produced consumable goods for society and elevated the quality of life of industrialized nations.

The ideas promulgated by Adam Smith and other political economists slowly promoted trade liberalization in Europe. Britain moved toward free trade in the 1780s with the repeal of the Corn Laws, trade restrictions such as tariffs and quotas on imported corn and food. The Corn Laws intended to keep corn prices high and favor domestic producers of food.[18] Several European states followed Britain's move and similarly promoted trade liberalization. Nevertheless, Britain returned to protectionist policies during the Napoleonic Wars (1803–1815), a series of battles fought by the French Empire and its allies, led by Napoleon I, against several European countries that formed various coalitions. The costs of war are high, and as war expenses accumulated, the British government levied tariffs on imported goods to generate revenues and pay for the

costs of war. The end of the Napoleonic Wars culminated with the Congress of Vienna (1814–1815), a peace conference to reconstruct European relations after the downfall of Napoleon I. The Congress of Vienna led to the Concert of Europe, a general consensus to promote equilibrium among the five great European powers (Austria, France, Prussia, Russia, and the United Kingdom). It prevented another war from breaking out in Europe from 1815 to 1914.

The Concert of Europe period saw the flourishing of trade liberalization. Moreover, improved technology and the advent of new players in the international commodities market increased competition, and domestic pressure in favor of protectionist policies led the recently unified Germany to defect from the free-trade regime and return to protectionism in the 1870s.

In general terms, international trade picked up from the late 19th century until World War I. After World War I, protectionist policies became the rule again until the end of World War II, when the bases of the current international financial system were established.

16.3 The Bretton Woods Institutions

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe the context of the creation of the Bretton Woods Institutions.
- Explain the origins and missions of the IMF, World Bank, GATT, and WTO.

At the end of World War II, the United States had a huge surplus in the balance of trade. Exports of military equipment and consumer goods to the Allied powers grew the American economy toward a pronounced recovery from the **Great Depression**, a severe financial crisis sparked by the 1929 stock market crash in New York that led to bank closures and high unemployment. The US government was aware of its military capabilities and advantageous economic position, especially in relation to destroyed Europe and Japan. As a result, the United States took a leading role in creating the post–World War II international order, an order that was expected to maintain peace and economic prosperity in the world.

As the end of World War II was imminent, representatives of the United States and Great Britain met to discuss the post-war international order. One of these meetings took place in July 1944 in Bretton Woods, New Hampshire, and became known as the Bretton Woods Conference. Harry Dexter White, assistant secretary of the Treasury in the United States, led the US delegation, and John Maynard Keynes, adviser to the Treasury in the United Kingdom, led the delegation from Great Britain. The United States, Great Britain, and 42 Allied nations sent representatives to the conference. Yet, the participation of these 44 states was only relevant to the extent that they supported either the American or the British side.[19]

During the conference, the US and British delegations presented proposals for the establishment of the world economic system. The United States wanted to create an international order that was strong enough to promote international economic stability. Their main objective was to avoid another economic crisis like that of 1929. Great Britain's proposal was more focused on reconstruction, but the British had difficulty garnering support. In the end, the US proposal prevailed, with compromises. As a result, the Bretton Woods System reflected US concerns in the post–World War II period. For instance, the United States accepted the British suggestion that governments should stimulate their economies and promote international trade without competitive currency devaluations. According to the British delegation, if state governments followed this prescription, the world economy would be in balance and a future crisis like the one of 1929 would be averted.

In the end, the Bretton Woods Conference created two **international financial institutions**, the **International Monetary Fund** (IMF) and the International Bank for Reconstruction and Development, which became known as the **World Bank**. These two institutions were based on the belief that global collective action was necessary to guarantee international economic stability and rebuild Europe.

VIDEO

What's the Difference Between the IMF and the World Bank?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/16-3-the-bretton-woods-institutions)

In this clip, CNBC's Elizabeth Schulze explains the differences between the IMF and the World Bank.

During the conference, there were also attempts to create a third institution to promote and regulate international trade. However, trade is a highly sensitive issue, especially to weaker states. Therefore, the third institution was not created in the conference, but discussions continued, and in 1947, the Havana Letter established the **General Agreement on Tariffs and Trade (GATT)**. In 1995, the GATT gave way to the **World Trade Organization** (WTO).

The International Monetary Fund

At the time of the Bretton Woods conference, it was commonly believed that **competitive devaluations** among major international currencies had caused the 1929 financial crisis. Competitive devaluations happen when a country devalues its currency in relation to other countries to gain trade advantage, but other countries devalue their currencies in response. Though more recent evaluation has determined that other factors were responsible for the stock market crash,[20] the US delegation at Bretton Woods insisted on the creation of a strict international monetary system (as a way to prevent future economic crises) and a return to the **gold standard**, the monetary system in which the standard unit of account is a fixed quantity of gold.

The US economy had maintained a substantial surplus in the balance of trade during the war years and controlled a significant part of the world's gold reserves. As a result, confidence in the value of the US dollar was widespread. Capitalizing on the situation, the US delegation proposed a system backed by the US dollar and assured that the US government would guarantee that every dollar was backed by gold—one ounce of gold per 35 US dollars (USD). Other currencies would have a fixed parity with gold and also with the US dollar. The IMF would be responsible for monitoring the value of other currencies against the dollar.

After much deliberation, it was agreed that international currencies could deviate 1 percent from their fixed rates without previous consultation with the Fund. Yet, the Fund should be notified of any deviations greater than 1 percent but smaller than 10 percent. Only in cases of fundamental imbalance could the IMF authorize devaluations greater than 10 percent.[21]

Though this arrangement seemed to solve the problem of competitive devaluations, there was still the problem of a lack of **international liquidity**, that is, a lack of money or gold in the international market. Much of the liquidity problem was solved through the **Marshall Plan**, a program through which the United States sent USD 26 billion in war recovery aid to Europe and Japan between 1946 and 1949.

Even with the disbursement of the grants and loans, the American **balance of payment**, or the difference in value between all payments made to a country and the payments the country has made to the rest of the world, maintained a surplus of USD 6 billion,[22] which helped extend the high confidence in the US dollar.

Yet, in order to establish the international monetary system, governments had to hold **reserves**, or money, gold, and other highly liquid assets that a country's central bank or other monetary authority could use to meet financial obligations. In the United States, the Federal Reserve System (commonly referred to as the Fed) is the central bank, and it works to promote the effective operation of the economy. Reserves help to keep currencies at a fixed, or pegged, exchange rate, in which a currency's value is fixed against the value of another currency, basket of currencies, or gold. For example, when a country runs a deficit in the balance of payment—that is, when payments a country makes exceed payments it receives and there is a shortage of money—the supply of its currency in the foreign exchange market exceeds the demand. If the forces of supply and demand were free, the price of the currency would fall to adjust to the market. However, to maintain the proposed fixed (or

pegged) exchange rate, a government could not allow its currency to devalue or appreciate more than 1 percent. Thus, in cases when the forces of supply and demand threaten the price beyond the 1 percent margin, the government should intervene in the international market to buy back its currency, using its reserves in dollars or gold, until the price of supply and demand restabilize. So, under the Bretton Woods guidelines, governments should keep reserves and act to correct the devaluation or appreciation of their currency.

In reality, those currencies that maintained surpluses and appreciated were not corrected while the fixed exchange rate regime was in place. As a result, devaluations are often seen as synonymous with economic problems rather than as a mechanism for regulating the system. Over time, even the IMF began to discourage the practice of valuation.

The IMF's original role was to maintain the parity between the US dollar and other currencies while eliminating currency exchange restrictions and thus facilitating the expansion of international trade. This was called the Bretton Woods System.

Delegates to the Bretton Woods conference decided that when a country joins the IMF, an initial quota would be assigned. The IMF has used a quota formula to assess a country's position in relation to members of comparable economic size and characteristics and thus establish the quota. The quota determines the member's maximum financial commitment to the IMF and its voting power, and it has a bearing on the member's access to IMF financing.

The IMF in Practice

During its first years of operation, from 1949–1958, the Bretton Woods system was favorable to the United States, as the United States was the only country in the Western world with surpluses. The United States, backed by its economic superiority and concerned with communism, rushed to guarantee conditions for restructuring and growth for the Western European and Japanese economies.

In 1949, the United States was categorical in its recommendation of a restructuring of the exchange rate against the US dollar. The restructuring was massive. The devaluation allowed gains in relation to exports since, by inducing a reduction in costs and prices against the dollar, the devaluation allowed for a trade surplus. The result was that the United States ran deficits throughout the 1950s. Initially, such deficits were not a cause of worry; the United States had understood that deficits were necessary for rebuilding the European economy and stopping communism.

Nevertheless, in 1958 the weakness of the dollar became evident. The first sign of concern came in the form of the establishment of conversion rates between European currencies. Until then, there was a conversion rate between each currency and gold as well as the dollar, but not between the currencies themselves. The adoption of conversion rates made it easier to transfer credit between European countries and thus increased the flow of investments and international trade in Europe.

Between 1958 and 1965, American corporations made huge investments in the European market, raising US concerns about the deficit and worries about **foreign direct investment** (FDI)—one company's investment in a business based in another country. American deficits and investments in Europe resulted in an overabundance of US dollars in the international system, and with that abundance the dollar lost its credibility in the international market, and several countries that kept their reserves in dollars exchanged them for gold.

As countries exchanged their dollars for gold, the demand for gold increased, and when the supply did not meet the demand, the price of gold increased. As the gold standard was in place at that time, backing the US dollar by gold became more expensive. In an attempt to stop gold from appreciating on the international market, the United States briefly put its gold reserves on sale, stopping after the level of gold reserves decreased considerably. Likewise, as the demand for dollars decreased and the supply exceeded the demand, the price of the dollar decreased—that is, the excessive supply of the dollar in the international market led to a devaluation, and without the option to sell more gold on the international market, the United States was

pressured to devalue its currency but met this pressure with considerable resistance.

In 1964, President Lyndon Johnson increased American participation in the Vietnam War. In the long run, this increased participation proved disastrous not only for the US economy, but also for the world economy. Although American economists urged the government to increase the tax burden to pay for war expenses, taxes were only readjusted in 1967, when the debt was already quite large.

All of these difficulties led the United States to pressure the IMF to create **special drawing rights (SDR)** in 1969. Member countries' quotas have been translated to SDRs, the IMF's unit of account. SDRs represent a claim to currency held by IMF member countries for which they may be exchanged. These units of account, issued by the IMF, were intended to increase the liquidity of the monetary system and reduce the world's dependence on gold and the dollar, its main reserves. Initially, USD 3.5 billion in SDRs were issued. The SDRs emerged when the world was already drowning in excessive liquidity of dollars.[23]

Faced with this situation, in August 1971, President Richard Nixon announced a reform package that unilaterally ended the conversion of the dollar into gold and devalued the American currency by 7 percent. With these measures, the Bretton Woods system came to an end. In 1972, the dollar suffered another devaluation, further reducing the US debt.

With the end of the Bretton Woods system, the functions of the IMF were revised. At that moment, the world was going through a new phase.

Conditionalities

Under pressure from the United States in the new economic order of the 1970s, the IMF began attaching **conditionalities**, policy actions a country agreed to take in exchange for the receipt of financial support, to IMF loans.[24] New York University professor Adam Przeworski and Princeton University professor James Raymond Vreeland suggest that conditionalities are a penalty.[25] This conception makes sense if you consider that the poorest countries seek the IMF's assistance more often than the richest ones.[26] These countries' pressing needs for credit put them in a vulnerable position, especially when conditionalities follow a "one size fits all" approach that forces strict monetary and fiscal policies on every borrower, irrespective of a particular borrower's circumstances, as critics like Columbia University professor Joseph E. Stiglitz[27] contend. However, more recent literature has shown that the IMF does tailor conditionalities to each borrower.[28] According to University of Rochester professor Randall Warren Stone, there is evidence that the more problematic a country's economic situation, the looser the conditionalities the IMF will impose. Regardless of how well the IMF tailors conditionalities, because borrower countries cannot opt out of them, they can be seen as a way IMF programs limit these countries' sovereignty.

In the early 1990s, developing countries facing balance of payments problems, currency devaluation, and macroeconomic instability turned to the IMF seeking credit and advice.[29] IMF bureaucrats and representatives of member countries responded with a program designed to promote economic stability. The program, which became known as the **Washington Consensus**, was intended to promote fiscal balance, sound macroeconomic indicators, increased participation in the international flow of goods and services, and, ultimately, growth and development.

Conditionalities function as a guarantee that a loan will be repaid, but the IMF is not an ordinary creditor, and developing countries with economic imbalances seek more than the Fund's credit. They seek credibility since the IMF's decision to lend sends a message to the international community, including financial markets, about its trust in the borrower's ability to overcome the crisis. For that reason, when the Fund disburses a loan, it has high expectations that borrowers' economic performances will improve. Such expectations appease financial investors' uncertainties about the market, and investments are more likely to return. Nevertheless, the Fund puts its reputation at risk. Although the Fund's image and reputation suffer from eventual disastrous outcomes of the implementation of market and financial reforms in certain countries, it is not always clear whether the IMF's policy recommendations or domestic governments' ability to implement economic policies are to blame.

In any case, such disastrous outcomes represent obstacles in the pathway to a prosperous global economy.

VIDEO

A (Brief) History of the World's Trade Wars

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/16-3-the-bretton-woods-institutions)

In this video, Princeton professor and IMF historian Harold James talks about the history of trade wars in the 20th century and how the IMF was set up to deal with them.

The World Bank

The IMF was the apple of the United States' eye, and its creation consumed a majority of the time at the Bretton Woods conference. The creation of the World Bank was only discussed in the last few days. Under John Maynard Keynes's guidance, it was established that the Bank's original role would be to help rebuild the economies of countries devastated by war and to promote the economic development of developing countries. The Bank's first loan was to France, and loans to other European countries ensued.[30] However, in 1947, as the Marshall Plan ended up taking the lead in the reconstruction effort in Europe, the World Bank had to adapt, and it swiftly shifted to funding development projects around the world in sectors such as power, irrigation, and transportation. In 1948, Chile was the recipient of the Bank's first loan to a non-European country in the amount of USD 13.5 million for hydroelectric power generation.[31]

In the 1970s, about 780 million people in developing countries (excluding China and other centrally planned economies) were living in extreme poverty, without basic human necessities like food, clean drinking water, sanitation, and shelter. In a speech in 1973, World Bank President Robert McNamara first described this condition as **absolute poverty**.[32] In response to the situation, the World Bank turned its focus to directly helping the poor. In the same speech, McNamara communicated the World Bank's twin goals of accelerating economic growth while reducing poverty. The incorporation of these concepts in the Bank's mission transformed it into the institution focused on poverty alleviation and development promotion that it is today.[33]

The 1980s and 1990s presented the world with new challenges related to **oil shocks**, shortages of oil and oil derivatives in the Western world that resulted from oil exporting countries' decision to reduce oil production; **debt crises**, as countries were unable to pay their debts; and environmentalism. The Bank responded by incorporating new skills and safeguards into its work. As a result, the Bank began to provide loans for structural adjustments, with the approval of the IMF. In other words, the Bank's loans were linked to the Fund's conditionalities, such as fiscal discipline, tax reform, and liberalization of foreign direct investment. The overall effectiveness of these loans was the target of criticism from the international community.[34]

In the 1990s, with the end of the Cold War and the collapse of the Soviet Union, the Bank started to assist former Soviet nations in transitioning their economies, and many of these recently recognized nation-states became World Bank members. During this time, the Bank also started to focus more closely on safeguarding the environment through sustainable development and poverty reduction.

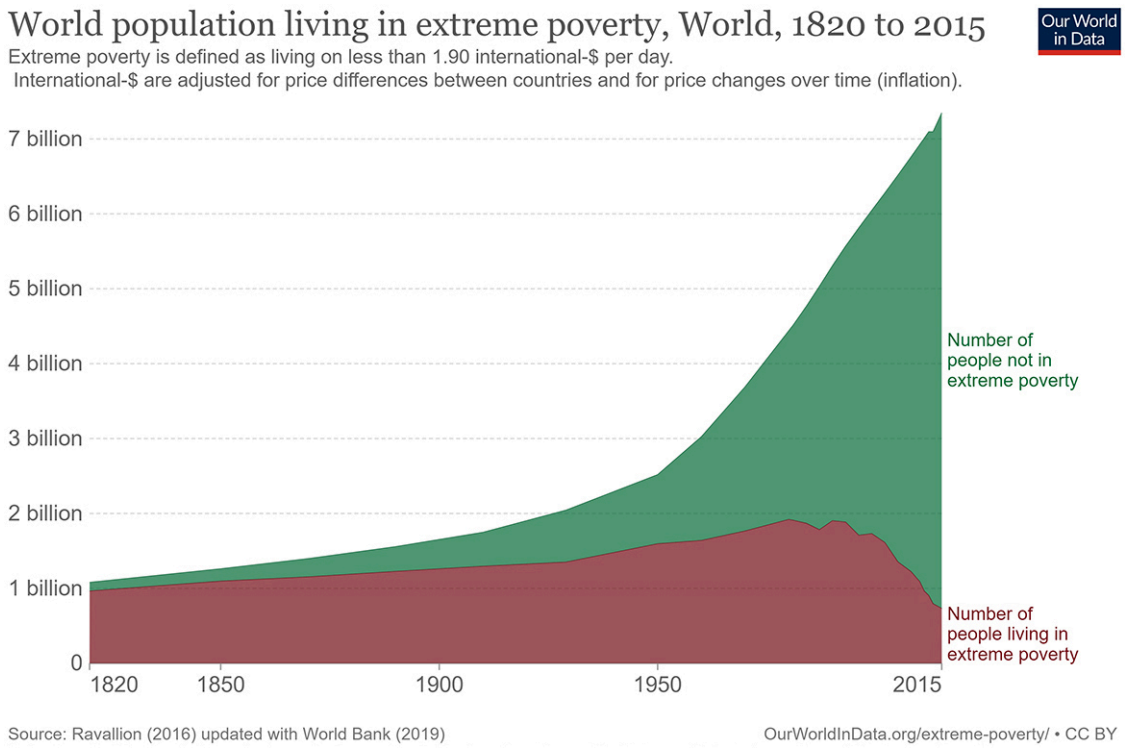


FIGURE 16.3 The number of people living in extreme poverty has been declining since the 1990s. (credit: "World population living in extreme poverty, World, 1820 to 2015" by Our World in Data, CC BY 4.0)

In the late 1990s, the World Bank refocused its efforts on conflict prevention, post-conflict reconstruction, and development promotion. The period brought concern about the impact of corruption on the success of lending operations, which led the Bank to sponsor an anti-corruption strategy.

The mid-2000s brought the idea of the World Bank as a **knowledge institution**, an institution that collects and publishes data and reports, and by 2010, the Bank initiated a more transparent approach to development by providing policy makers in borrowing countries with reliable debt information to help them make informed borrowing decisions. For instance, following the **Millennium Development Goals** (https://openstax.org/r/millenniumgoals) in 2000 and the **Sustainable Development Goals** (https://openstax.org/r/sustainable-development-goals) in 2015, the World Bank stressed community-driven development, the safeguard of vulnerable groups, and the impact of, mitigation of, and adaptation to climate change.[35]

From the GATT to the WTO

The Bretton Woods conference was expected to establish a third institution, the **International Trade Organization (ITO)**, to promote international trade and economic cooperation. Even though the institution was not created during the conference, negotiations aimed at its creation continued.

In December 1945, following the end of World War II, 15 countries engaged in talks to move away from protectionist policies, which had been the norm since the early 1930s, and to promote trade liberalization. The talks produced an agreement with about 45,000 **tariff concessions**, preferential rates on taxes or duties to be paid on imports, which marked the beginning of the General Agreement on Tariffs and Trade (GATT).[36] At the time the deal was signed in October 1947, the team had expanded to include 23 members. The deal came into effect in June 1948.

Negotiations to establish the ITO continued at the UN Conference on Trade and Employment in Havana, Cuba, in late 1947, less than a month after the GATT was signed. Curiously, the GATT included provisions for the relationship between the GATT and the ITO, but also for the GATT's role in the case that the ITO ended up not being established.

All 23 GATT signatories participated in the Havana Conference. Their initial goal was to create the ITO as a specialized agency of the United Nations. The plan envisioned a powerful ITO that would regulate trade and labor and engage in commodity and international investment negotiations, among other responsibilities.

The ITO Charter was agreed to in Havana in March 1948, but it was never ratified in some relevant countries, including the United States. Though the US government had been a driving force during negotiations, the ITO faced serious opposition in the US Congress.[37] In 1950, when the US government announced that it would no longer pursue congressional ratification of the ITO Charter, the ITO was dead. As a result, the GATT became the multilateral instrument regulating international trade from 1948 until the WTO was established, almost 50 years later, in 1995.[38] During this period, the GATT's principles remained faithful to its origins, and the efforts to reduce international tariffs were unabated. GATT signatories met in a series of multilateral negotiations, commonly known as **trade rounds** (Table 16.1). Some of the most relevant advances in international trade liberalization were agreed to in these rounds.

Sections on anti-dumping, or tariffs imposed on imports to increase their prices to market value, and development promotion were included in the 1960s and in **plurilateral agreements**, agreements between a small number of signatories,[39] in the 1970s. In fact, the Tokyo Round (1973–1979) was the first major attempt to confront **non-tariff trade barriers**—trade restrictions such as quotas, embargos, or sanctions. The last round, the Uruguay Round (1986–1994), resulted in a new set of agreements, including the creation of the World Trade Organization.[40]

The GATT was a relevant instrument to international trade liberalization from the late 1940s to 1995. While the GATT was in place, there was a continuous reduction of tariff and non-tariff barriers across the globe. The increase in the volume of international trade surpassed production growth; that is, more unfinished products were traded among countries. The participation of developing countries in the Uruguay Round indicated that the GATT was recognized as relevant to multilateral trade.

Year	Location	Subjects Discussed	Participating Countries
1947	Geneva, Switzerland	Tariffs	23
1949	Annecy, France	Tariffs	13
1951	Torquay, England	Tariffs	38
1956	Geneva, Switzerland	Tariffs	26
1960-1961	Geneva, Switzerland (Dillan Round)	Tariffs	26
1964-1967	Geneva, Switzerland (Kennedy Round)	Tariffs, anti-dumping measures	62

TABLE 16.1 GATT Trade Rounds (source: https://www.researchgate.net/figure/The-GATT-Trade-Rounds_tbl3_5056860)

Year	Location	Subjects Discussed	Participating Countries
1973-1979	Geneva, Switzerland (Tokyo Round)	Tariffs, non-tariff measures, framework agreements	102
1986-1994	Geneva, Switzerland (Uruguay Round)	Tariffs, non-tariff measures, rules, services, intellectual property, dispute settlement, textiles, agriculture, creation of WTO	123

TABLE 16.1 GATT Trade Rounds (source: https://www.researchgate.net/figure/The-GATT-Trade-Rounds_tbl3_5056860)

Nevertheless, there were problems. Economic recessions throughout the Western world in the 1970s and 1980s led to increases in protectionist measures, especially for sectors facing increased international competition. Resulting high unemployment and constant factory closures led governments in developed countries to seek bilateral agreements with competitors, discarding multilateralism. Agricultural trade has never been discussed during the GATT rounds. Governments adopted **subsidies**—grants to individuals or firms, usually in the form of a cash payment from the government or a tax cut. Trade in services, which was not covered by GATT rules, had increased throughout the 1980s and 1990s. Moreover, GATT's institutional structure and its dispute settlement system were the cause of concern.

These and other factors convinced GATT members to renew attempts to establish an institution to promote trade liberalization. Their efforts resulted in the World Trade Organization (WTO).

The Uruguay Round and earlier GATT negotiations form the basis of the WTO's current work. WTO agreements cover goods, services, and intellectual property. The institution establishes governing principles of liberalization and permitted exceptions for member countries. It sets procedures for settling disputes, prescribing special treatment for developing countries.

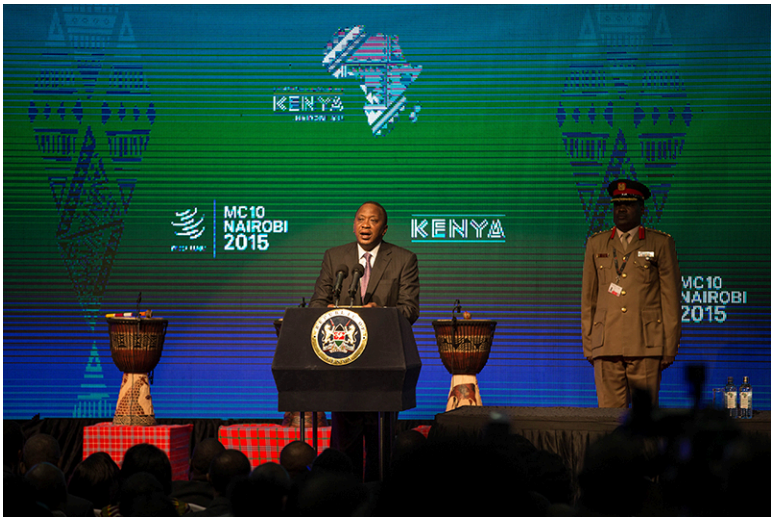


FIGURE 16.4 In 2015, Kenyan president Uhuru Kenyatta spoke during the opening of the 10th World Trade Organization (WTO) ministerial conference in the Kenyan capital, Nairobi, the first to be held on African soil. (credit: "10th WTO Ministerial Meeting Opening_0016" by Make It Kenya/Stuart Price/Flickr, Public Domain)

Where countries have sought to lower trade barriers, negotiations have helped to liberalize trade. The system's overriding purpose is to help trade flow as freely as possible so long as there are no undesirable side effects.

An important task of the WTO is managing the dispute settlement process. Trade relations often involve conflicts, and having an international institution to manage these conflicts in accordance with an agreed-upon legal foundation has proven beneficial. The WTO's procedure underscores the rule of law, and it makes the trading system more secure and predictable. Dispute settlement is the central pillar of the multilateral trading system and one of WTO's main contributions to the stability of the global economy. Without a means of settling disputes, the rules-based system would be less effective because there would be no way to enforce those rules.

MEET A PROFESSIONAL

Laíssa Vasconcelos, International Trade Coordinator

International grain commerce feeds the world. During the COVID-19 pandemic, the Latin American grain industry worked hard to adapt in order to ensure the maintenance of the supply of grains to the world population.

Ensuring international grain supply is part of Laíssa Vasconcelos's day-to-day work. Laíssa is an international trade coordinator at a subsidiary of a multinational corporation in Brazil that exports grains produced in Latin America all over the world.

Please explain what you do for your organization.
I'm an international trade coordinator. I coordinate grain purchase contracts and export operations at a subsidiary of a large corporation in Brazil. In addition to managing internal purchases and exports, I support offshore operations and international arbitration panels, and I have an advisory role on the company's **Environmental, Social, and Governance (ESG)** committee. ESG analyses look at how companies affect the environment and society and also how governance within the company occurs—for example, if the company is promoting equity and diversity. Investors are increasingly relying on ESG indicators to make investment decisions.

How did you get involved in your position?
I have a degree in International Relations from PUC Goiás, Brazil and an MBA from FGV, also in Brazil. I entered the company to perform technical tasks, but I was interested in learning more, so in parallel I tried to understand the connections between the activities of my department and those of other departments. Eventually, I become a reference in problem solving and got promoted.

What advice would you give students who are interested in your line of work?
Try to get a job where you want to work, even if you have to start at the bottom. Do your job well and pay attention to what's going on around you. Learn how what you're doing fits into the bigger picture. When you work hard and learn, people will see the value you bring to the company, and you'll be able to advance to the point where you can do work that you really enjoy. Be proactive and develop skills that put you in a position to be considered for roles in different areas.

16.4 The Post–Cold War Period and Modernization Theory

LEARNING OUTCOMES

By the end of this section, you will be able to:
- Describe changes inaugurated with the end of the Cold War.
- Explain key tenets of modernization theory.
- Cite a counterargument to modernization theory.

From its beginning in the late 19th century until the end of the **Cold War** in 1989, international political economy was almost exclusively focused on the world's international financial powers—liberal democracies in Western European countries and the United States. The majority of the research and discussions in the field did not include countries in regions that had different political and economic systems. Even when these other countries participated in international relations, as was the case in the Bretton Woods conference, they were considered mere spectators. The preferences of Western financial powers dominated the agenda.[41]

During the Cold War, economic transactions between the East and the West were very rare. Western liberal democracies interacted among themselves, and Eastern socialist republics did the same. The majority of international trade took place between the United States and European countries. However, the end of the Cold War highlighted the economic and political issues countries in other regions of the world, such as formerly communist and Latin American countries, were facing. With the end of the Cold War, the focus of IPE shifted from an exclusive interest in developed Western nations to promoting development across developing countries in different regions. Since the late 1940s, modernization theorists had been searching for ways to bring economic growth and democracy to developing societies.



FIGURE 16.5 Oneida Gómez holds a coffee plant in the nursery she has planted with the help of Blue Harvest, a Catholic Relief Services partnership with Keurig Dr Pepper and the Inter-American Development Bank's SAFE Platform that aims to improve the water supply to help the agricultural economy in El Salvador. This is just one example of a huge number of development projects in the post–Cold War era. (credit: "Blue Harvest El Salvador" by Maren Barbee/Flickr, Public Domain)

Modernization theorist Seymour Martin Lipset was one of the first to propose a link between economic development and democracy. He argued that improved wealth and education levels would create the right conditions for the establishment of democratic institutions.[42] Once people with low socioeconomic status are given access to education, Lipset contended, they become less committed to their existing ideologies and less isolated from people of other socioeconomic statuses. As these groups become more educated and politically active, they become part of the middle class, and as the middle class increases, it pushes for democratic institutions.

In general, the key argument of **modernization theory** is that economic growth promotes structural changes in society that lead to increased political representation and, eventually, to the establishment of democratic institutions. Nevertheless, even though most developed countries are democracies, it is difficult to establish a causal mechanism, or a link, between economic growth and democratic institutions.

UCLA emeritus professor Barbara Geddes, a political scientist who has examined developing societies for over 20 years, contends that modernization is the most empirically supported hypothesis about the suitable conditions for democratization.[43] Similarly, University of Chicago professor James A. Robinson has found statistical evidence indicating that economic development is highly correlated with democratization, even though the exact mechanism by which economic growth spurs democracy has not yet been uncovered.[44]

VIDEO

Why Does Democracy Matter for Development?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/16-4-the-post-

cold-war-period-and-modernization-theory)
At the Annual Democracy Forum 2014 in Gaborone, Botswana, Devex Associate Editor Richard Jones asked experts and high-level officials why democracy matters for development.

New York University professor Adam Przeworski and Fundação Getúlio Vargas professor Fernando Limongi, two other prominent modernization scholars, argue that the impact of economic development in a society is so strong that once a country reaches a certain threshold of growth, a democratic regime will always survive. These scholars offer a metaphor to explain this relationship, suggesting that if modernization is a long walk, democracy is only the final step. In their empirical analyses, they find that transitions to democracy occur independently of the level of economic development (or high per capita income levels); however, once a transition happens, countries with higher levels of economic development tend to remain democratic.[45]

Considering the difficulty of finding the causal mechanism between economic development and democracy, MIT professor Daron Acemoglu and colleagues have reevaluated the modernization hypothesis. They find that most studies that claim to have found a connection between economic development and democracy fail to account for relevant variables. They argue that events during critical historical moments lead to divergent economic and political outcomes—either promoting economic development and democracy or leading to poverty and authoritarianism. Thus, these scholars believe that these critical historical moments are an underlying cause of economic development and democracy.[46]

The core debate in modernization theory has not been solved. While developing countries, with the support of international institutions such as the IMF, World Bank, and WTO, continue to pursue economic development, given the unwanted consequences of the market economy, the focus has shifted from development to sustainable development.

16.5 From the 1990s to the 2020s: Current Issues in IPE

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Describe how IPE has changed in the decades following the end of the Cold War.
- Explain how governments react to international trade.
- Describe government responses to international finance and crises.
- Label the pros and cons of different exchange rate regimes.

The end of the Cold War opened new doors for IPE. Over the last four decades, numerous developments, such as intensifying globalization, trade liberalization, international migration, poverty reduction, growing inequality, and climate change, embedded in an unprecedented wave of technology development, have profoundly altered not only what IPE examines, but how.

Since the late 1980s, as the focus of IPE shifted from a handful of developed countries to incorporate many others in several different regions, its “international” aspect has become more pronounced, as have the accompanying complexities.

IPE has become more focused on empirical analyses. Sophisticated software and advanced statistical techniques now allow researchers to measure variables once considered to be unquantifiable. Today, IPE researchers start conversations based on the validity of their empirical findings.

Three key issue areas have risen to prominence in contemporary IPE: globalization and international trade, international finance and crises, and exchange rate regimes. In keeping with trends in IPE, this chapter examines these issues through an empirical rather than a historical lens.

Globalization and International Trade

The international system pressures states to act in ways that promote the dissemination of international

norms. For instance, ideas encouraging globalization have motivated trade liberalization since the 1990s.[47] Spanish sociologist Manuel Castells defines globalization in economic terms as:

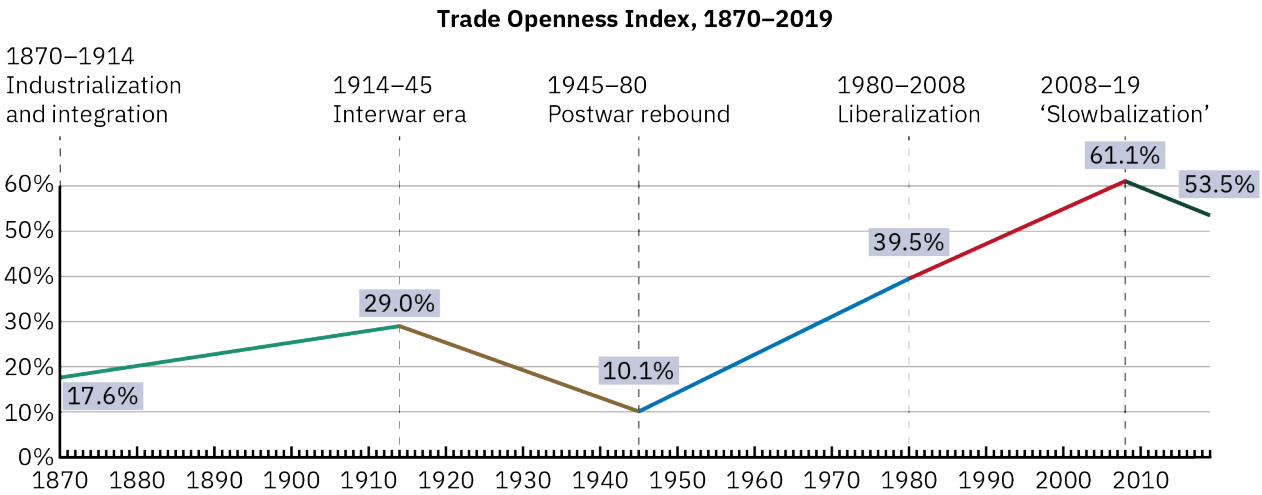
> "An economy whose core activities work as a unit in real time on a planetary scale. Thus capital markets are interconnected worldwide, so that savings and investment in all countries . . . depend for their performance on the evolution and behavior of global financial markets."[48]

The interconnectedness of markets poses an opportunity or a threat to a country, depending on the country's ability to compete in the international market.

A large body of IPE literature examines government responses to globalization. Political scientists like Yale University professor David R. Cameron, Cornell University professor Peter J. Katzenstein, and University of Southern California professor Geoffrey Garret have demonstrated that under the pressure of leftist parties, domestic governments tend to expand in order to counterbalance the volatility of an open economy and to protect impacted workers.[49] An extensive body of political economy literature discusses the impact of globalization on domestic governments, asking whether globalization causes the government to contract or to expand.

Trade policies distribute the benefits and costs of trade among groups in society,[50] favoring either market liberalization or protectionism. Liberal trade policies promote lower prices across the board, and with this, domestic industries face international competition. Consumers win, but workers in import-competing industries that cannot keep up with international competition lose. On the other hand, protectionist trade policies safeguard import-competing industries that are unable to compete internationally but increase prices to consumers. That is, while trade liberalization promotes widespread benefits with localized costs, protectionism does the opposite; it promotes limited benefits with generalized costs.

SHOW ME THE DATA



Note: The trade openness index is defined as the sum of world exports and imports divided by world GDP. 1870 to 1949 data are from Klasing and Milionis (2014); 1950 to 2019 data are from Penn World Tables (9.1).

FIGURE 16.6 In recent years, globalization has retreated for the first time since World War I. (sources: Our World in Data; Pearson Institute for International Economics; attribution: Copyright Rice University, OpenStax, under CC BY NC-SA 4.0 license)

Globalization calls for market liberalization. It decreases government participation in the economy by allowing the market to regulate the movement of capital, labor, goods, and services across borders. As a result, businesses move production plants from one location to another in search of competitive advantages;

production costs decrease, and trade volumes increase.

The economic gains from trade liberalization are widely documented,[51] but the dislocation of production plants to areas where cheaper labor is available has left behind unemployed factory workers. While trade liberalization leads to lower prices and brings new consumers to the economy, increasing the quality of life of millions of people, it also generates unemployment when factories that, in the face of international competition, cannot keep their doors open end up exiting the market. New York University political scientist Fiona McGillivray demonstrated that, when faced with fierce international competition, entire industry sectors struggle, and as more factories close, more workers become unemployed.[52]

Factory workers' skills tend to be industry specific. Thus, if unemployment is an industry problem, unemployed workers have difficulty finding similar jobs with comparable wages and benefits. For example, a welder in a steel factory has abilities that cannot be easily translated to other industries. Consequently, unemployed workers—in this example, steel workers—are left with few options. They may accept a low-skilled, low-paying, limited benefits job; enroll for professional (re)training; and/or remain unemployed. Considering the difficulties of professional (re)training, Harvard University professor Torben Iversen and former Berlin Social Science Center researcher Thomas R. Cusak have shown that workers who lose their jobs due to international competition tend to remain unemployed for long periods of time.[53]

Studies about the impacts of globalization on government spending tend to focus on workers. Globalization affects factory owners and investors differently than it impacts workers, and thus factory owners and investors tend to deal with market volatility differently. Investors usually save money for rough periods, buy insurance to protect themselves from market volatility, and pressure the government for assistance. Workers do not usually have extra money to save or with which to buy insurance and thus are left only with the option of resorting to the government for assistance. Whether the government is composed of left/labor or right/liberal parties that espouse liberal economic ideologies, following the ideas initially proposed by Adam Smith impacts the size of the government. Majority left/labor governments tend to spend significantly more on welfare policies, such as unemployment benefits and food stamps. These policies generate spending and increase the size of the government. Right/liberal majority governments tend to cut welfare expenses, spend less, and thus decrease the size of the government.

Winners and Losers in International Trade

Several researchers have studied people's preferences about international trade and have found that the key variables influencing preferences toward globalization and market liberalization are 1) material gains and 2) education levels.

One can argue that an individual who works in an import-competing industry would be a loser in an environment of trade liberalization and thus would tend to oppose it. Suppose that an industry in Country A does not have comparative advantage in sugar production. Countries B, C, and D have more favorable conditions to produce it and therefore can produce better quality sugar at a lower cost. What would happen if Country A's government did away with trade barriers, including tariff and non-tariff barriers, on sugar imports? Country A would receive more of the higher quality, cheaper sugar from Countries B, C, and D. The sugar industry in Country A, which had adopted liberal trade policies, would face pressure from the international market to become more efficient and to produce cheaper sugar. If the sugar industry in Country A were not able to keep up with international quality and prices, it would, with time, get out of the market. Consumers in Country A would not buy sugar from Country A producers; they would prefer the better quality and cheaper sugar from Countries B, C, and D. Sugar producers and workers in Country A would be worse off in the short term and would close their doors, and workers would lose their jobs.

Though workers would suffer, the country as a whole would get better sugar at a lower price, and this is why, economically speaking, trade liberalization tends to favor markets in general as they promote better quality and/or lower prices.

Suppose a person works in the sugar industry in Country C. If world governments do away with agricultural trade barriers, sugar producers in Country C would sell their product on the international market. Both landowners and agriculture workers in Country C would be better off. As a result, people who work in export industries tend to favor free trade policies.

Some scholars argue that people's opinions on trade policy also depend on education levels. Educated (or highly skilled) individuals tend to be more likely to favor trade liberalization. Although trade liberalization generates winners and losers in particular industry sectors in the short term, such as export or import industries, the preferences of high-skilled individuals toward trade do not go hand in hand with their personal material gains or losses. Some possible explanations for this seemingly irrational behavior include the fact that these high-skilled individuals may find other jobs with relative ease in different industries and the fact that they also tend to reap the benefits of better quality and cheaper exports in the domestic market.

Yale University professor Kenneth F. Scheve and Dartmouth professor Matthew J. Slaughter illustrate the argument that a person's level of education heavily influences their perceptions of trade liberalization.[54] They surveyed individuals in the United States and found that individual preferences toward trade policies are a function of both material effects and skill levels (measured as educational attainment or occupation). Fiscal and municipal management specialist at the Inter-American Development Bank Martin Ardanaz, Columbia University professor M. Victoria Murillo, and University of Houston professor Pablo M. Pinto replicated Scheve and Slaughter's survey in Argentina and also found that support for economic integration depends on both material effects and education levels.[55]

Suppose that the United States is Country A in the example above. That is, although the United States does not have a competitive advantage in sugar production, it produces it anyway. The sugar industry creates several jobs and supplies a considerable portion of the sugar consumed in the country. However, given that the United States does not have a comparative advantage when it comes to sugar production, the sugar produced in the United States is more expensive than the sugar produced in a country with a comparative advantage in sugar production, like Brazil, for example. Therefore, to make sure that sugar made in America can compete in the market, the US government subsidizes its production. These types of subsidies are payments or incentives the government grants to firms in the form of cash payments or tax cuts. Subsidies can be used to promote industry sectors considered relevant to a country, such as the sugar industry in the United States. In the end, although Americans pay higher prices for sugar, some American jobs are kept. If the government eliminated sugar subsidies, consumers would pay lower prices, but sugar producers and workers would be forced out of the market.

International Finance and Crises

Financial crises are a regular feature of the international economy. Retraction, and sometimes recession, follow cycles of economic expansion and growth. When a crisis hits, it can have dire consequences including effects like **capital flight**, the large-scale exit of money from a country as a result of market uncertainty; decreased investments; unemployment; and economic contraction. In such situations, governments take actions to lessen the negative effects of the crisis and to reverse the downward trajectory of the economy.

IPE examines the economic consequences of government actions. When financial crises like the American financial crisis of 2008, which is considered the worst since the Great Depression, do occur, governments are limited in the ways they can respond to them.[56]

The politics that led to the 2008 financial crisis had their roots in George W. Bush–era tax cuts and the increased international borrowing of the early 2000s. The international inflow of money to the United States made it easy for the government and individuals to borrow at low interest rates. Intense borrowing created huge deficits in the balance of payments. At one point, the United States had debts equivalent to 5 percent of its **gross domestic product (GDP)**, the sum of everything produced in a country in a given period. A similar level of debt would certainly affect the reputation of other countries, especially developing ones, making it

more difficult for them to get loans,[57] but creditors decided to overlook the situation when it happened in the United States. The extensive amount of money that poured into the market stimulated the American economy. People were consuming a lot; the demand for imported goods and services rose, and housing prices skyrocketed.[58]

Politicians like former United States Federal Reserve Chairs Alan Greenspan and Ben Bernanke refused to acknowledge these warning signs. They suggested that high debt and an overstimulated economy could indicate bumps ahead in other economies, but not in the United States. Greenspan, Bernanke, and their followers made the case for "an economic American exceptionalism," but in the end, the United States was not entirely different from other countries in the world.



FIGURE 16.7 Protesters rally in Minneapolis calling for accountability in the banking industry, the prosecution of bankers for the 2008 financial crisis, and relief for families and communities devastated by foreclosures. (credit: "Rally to demand accountability from the financial institutions and legal action against bankers" by Fibonacci Blue/ Flickr, CC BY 2.0)

A slowdown in economic activity opened up the doors for a financial crisis that deepened with massive capital flight. In the end, fiscal and current account deficits were indeed indications of a serious financial crisis ahead. When the Obama administration took office in January 2009, it followed Keynesian guidelines, taking significant steps to intervene in the economy, including bailing out major corporations, to lessen the impacts of the crisis.

The American government did not have to act to secure an exchange rate, as most countries who go through such a crisis do, but it did act to reduce capital flight and stimulate investments. Domestic actors called for unemployment stabilization and eventual deficit reduction. The government's ability to bail out big corporations through the disbursement of loans during the crisis indicates that there might indeed be some form of "American economic exceptionalism." Perhaps no country other than the United States could have contradicted IMF prescriptions.

The actions of the American government in response to the 2008 financial crisis were markedly different from the actions of other states. Greece provides a telling example. Greece has had to conform to fiscal policy austerity as prescribed by international institutions, while the US government has been able to take whatever course of action it chooses.

Different governments have access to different actions during a financial crisis. The United States' seemingly successful recovery implies that a government's ability to respond to a financial crisis depends not only on domestic incentives but also on its power to pursue an expansionary economic policy in times when this action would not at all be recommended. Though more powerful countries can stand to take more risks than

less powerful ones, only the United States, which is the world's financial hegemon,[59] has the leeway to take this course of action. This exception takes one back to the establishment of the post–World War II international financial system where the United States had the most prominent role.

Exchange Rate Regimes in a Globalized Economy

As discussed above, the Bretton Woods monetary system established a gold standard under which governments kept gold in their treasuries to back the value of their currencies. In 1971, the gold standard was extinguished, and since then the value of national currencies has been based on trust, or their perceived value. Whenever an individual buys something, they believe that good or service is worth a portion of their money.

The demand for goods produced in one country creates the demand for that country's currency. As a result, exchange rates are established. An **exchange rate** is the price of a currency relative to another currency. A government can use several mechanisms to manipulate the value of its currency. By creating incentives to sell abroad and buy domestically, governments change the relative prices of their currencies. Such incentives can occur through trade (increased output, but especially innovation and productivity). In terms of monetary policy, the government can print money, or it can increase interest rates to curb consumption. A government can also manipulate the value of the currency by establishing changes in the exchange rate regime.

VIDEO

Exchange Rates

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/16-5-from-the-1990s-to-the-2020s-current-issues-in-ipe)

This short film discusses how currency values rise and fall and the reasons why a country would want to manipulate the value of its currency.

While almost every economist would agree that a free trade policy is superior to imposing trade barriers, when it comes to exchange rates, there is no agreement on which policy is best. Governments can choose from among three main exchange rate regimes: a **floating (flexible) exchange rate**, a **fixed (pegged) exchange rate**, and a **multilateral exchange rate**.

In a floating exchange rate regime, the supply and demand of a currency in the market determine its value. For example, when American consumers want to buy more Mexican products, the demand for Mexican pesos rises and, consequently, the price for pesos increases. Americans will spend more dollars to buy pesos. When Mexican consumers want to buy more American products, the demand for dollars increases, and the price of dollars also increases. Pesos become devaluated in relation to the dollar. In a floating exchange rate regime, the prices of currencies float naturally according to the pressures of supply and demand. Theoretically, in the long run there is an equilibrium among all the currencies in the market, and the balance of payments of every participating country is zero.

A government may decide to fix the exchange rate regime. In such cases, no matter how supply and demand forces interact, exchange rates remain constant. No matter how much Americans demand Mexican agricultural products or vehicles, if the Mexican government maintains a fixed exchange rate, 1 peso will be equivalent to 2 dollars, for example. The mechanisms through which a government maintains a fixed exchange rate regime are market interventions, such as using reserves to correct the devaluation or appreciation of their currency, and fiscal and monetary policies, which refer to governments' decisions about taxation and available credit in the economy. A government usually fixes an exchange rate to stimulate exports/reduce imports and avoid large deficits on the balance of payments.

In a multilateral exchange rate regime, governments allow their currencies to fluctuate within margins. There is a floor (the lowest allowed value) and a ceiling (the highest allowed value), and whenever the currency reaches either the floor or the ceiling, the government intervenes using marketing interventions and fiscal and

monetary policies to change the relative price of a currency.

Each exchange rate regime has pros and cons. On the positive side, a fixed exchange rate regime stabilizes the flow of international trade since it promotes predictability and offers an anchor for macroeconomic policies. However, a fixed exchange rate regime may result in losses in either output or employment, depending on the country's position as an importer or exporter. Under a fixed exchange rate regime, politicians lack the ability to manipulate monetary policy for electoral or partisan reasons.[60] Meanwhile, a floating exchange rate regime can be unpredictable and may not help to stabilize the flow of trade, but it allows for the political manipulation of the currency.

A politicians' incentives to manipulate a currency may conflict with what is best for the economy or with societal preferences. For example, prior to an election a politician may promise not to fix the exchange rate regime. Although fixed exchange rates bring stabilization, they tie the government's hands when it comes to the manipulation of the currency. Exchange rates are more likely to be fixed in the aftermath of elections.

When politics and the economy interact, how interest rates should be balanced is unclear. Therefore, an independent central bank, or a central bank with the power to define monetary policies without government influence, may be a good option to promote an exchange rate regime and monetary policies more connected to an economic agenda and less responsive to electoral politics.

The movement toward globalization and trade liberalization since the 1990s has resulted in a tremendous increase in **capital mobility**, the ability to move capital from one country to another, and shifted much of domestic politics toward floating exchange rate regimes. Movements in exchange rate regimes affect the return on investments, and investors exert pressure on governments to adjust rates in ways that benefit them. In the short term, the shift to capital mobility and **financial integration** (the process that connects financial markets all over the world) favors capitalists with mobile assets, such as investors, and disfavors those not so mobile, such as manufacturing or farming. In the long run, this trend tends to favor the mobile capital owners over workers.

It is hard for economists to agree on an optimal exchange rate regime because socioeconomic issues and electoral politics influence which regime is best for a given country. In order to avoid some of these questions, many countries have independent central banks that are more tuned to socioeconomic aspects and less immersed in party politics.

16.6 Considering Poverty, Inequality, and the Environmental Crisis

LEARNING OUTCOMES

By the end of this section, you will be able to:

- Explain the origins of poverty, inequality, and the environmental crisis.
- Discuss prominent criticisms of liberal economic theories and the market economy.

As the David P. Levine quotes included in the above discussion of the advent of the liberal economy suggest, the market economy has provided its members with great opportunities but has also confronted them with great dangers. The advent of liberalism brought the possibility of creating wealth and the continuous development of market economies, which culminated in unprecedented levels of globalization and trade liberalization since the 1990s. Innovation and scientific and technological developments are intrinsically associated with the incentives the liberal market provides. In other words, as people like Microsoft cofounder Bill Gates and cofounder of Apple Steve Jobs put their minds to work, they create amazing things that can be produced on a large scale for the consumption of billions of people around the world. People like Gates and Jobs are rewarded with wealth, and this possibility fuels entrepreneurs across the globe and propels them to create, find solutions to difficult problems, and transform how people live their lives.

However, dangers associated with capitalism, like poverty, inequality, and environmental crises, are the other side of the coin. Many authors argue that these dangers are inescapable consequences of capitalism.

Poverty and Inequality

Like Levine, several scholars have suggested that poverty is an inescapable feature of capitalism, or the market economy. Recall that, with the advent of the market economy, it became possible to create wealth. Ideas that circulated during the Enlightenment, such as laissez-faire economics, an emphasis on individual freedom, and the protection of property rights by a limited government, promoted wealth creation and capital accumulation. At the same time, these ideas have exacerbated poverty and inequality.

Under other economic systems, such as mercantilism, wealth was fixed, and monarchs and the aristocracy lived lavish lives, while the rest of the population lived frugal lives. As there was no trade among countries, there was not much to consume. People ate what they planted or raised, wore what they sewed, and when things went well, they could barter some excess with their neighbors. As they were all in the same boat, everyone had similar living conditions, and there was no striking inequality. Only a tiny portion of the population, the royals, lived differently.

The Enlightenment brought profound changes, from the advent of markets to urbanization and a new relationship with private property, including land. At the same time that the market economy was being developed during the Enlightenment period, the Industrial Revolution made it possible to produce goods for mass consumption.

VIDEO

Turning Points in History - Industrial Revolution

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/16-6-considering-poverty-inequality-and-the-environmental-crisis)

The industrial revolution made a myriad of products affordable for large numbers of people.

A new social class emerged: the middle class. While those people in the middle class were able to consume much more than before, many people were relegated to a condition of poverty, where they did not participate in the markets or had no plot of land to subsist on. Those who were poor had no means by which to fulfill their basic needs for water, food, and shelter. This condition was different from the destitute condition of the mercantilist period, when people had at least their basic needs met.

Several authors argue that the same mechanism that produces wealth and innovation also creates poverty, inequality, and environmental crises. In other words, poverty, inequality, and environmental crises are understood as unwanted consequences of the market economy.

While the industrial process creates affordable goods for mass consumption, it has had unwanted consequences. For example, those who had been displaced from the land where they used to live started to sell their labor in exchange for a wage. Note that there were no wages during mercantilism; the relationship with work was completely different, and the landlord took care of the families that lived on his land. The British television series Downton Abbey, set in the early 20th century, illustrates the change from a world where the landlord was responsible for caring for the families that lived on their land to a world where individuals were free and thus responsible for the care of themselves and their families. Note, however, that the changes illustrated in the show had been going on for almost a century.

The concept of wages creates a serious tension within the market economy: in order for workers to be able to satisfy the basic needs of their families, wages should be as high as possible. On the other hand, in order to keep production costs down and guarantee the profit of the capital owner, wages should be as low as possible.

This relationship between labor, wages, basic needs, and unemployment creates poverty. Most sell their labor in exchange for a wage that should allow the worker to provide for themselves and their family. If the labor is not specialized, the pool of people capable of working the job is large. If there are more individuals willing to sell their labor than actual demand for that type of labor, wages are lower and there is unemployment. The

supply of capable workers exceeds the demand for workers with those skills. If, as a consequence of low wages or unemployment, a worker is unable to provide themselves and their families with basic goods, they are considered poor.



FIGURE 16.8 In the United States, individuals who are unemployed may submit claims for unemployment benefits; however, these benefits are often not enough on their own to support a family.[61] (credit: "Unemployment Office" by Burt Lum/Flickr, CC BY 2.0)

The generalized suffering among the poor during the Industrial Revolution prompted several political philosophers to search for answers to solve the problems of growing poverty and inequality. At the beginning of the 19th century, these political philosophers proposed a variety of responses to the challenge. Although each of their proposals had singular characteristics, each involved the social ownership of the means of production, or the control of farms, factories, and business offices by the people. Thus, these political philosophers became known as socialists.

Socialist thinkers proposed forms of societal organization that upset the foundations of the market economy. There was a general belief among socialists that this economic system could not satisfactorily address the problem of inequality of property or wealth, and thus they proposed not only the social ownership of the means of production but also a stronger government to coordinate and redistribute wealth in society. These ideas are in striking opposition with the classical liberalism advanced by Adam Smith, which promoted a laissez-faire economy, a free market with minimal government intervention.

Though many people associate socialist thinker Karl Marx with socialism or communism, the majority of his work concerns the market economy. Marx contended that, in order to end the exploitation of the proletariat[62] by the owners of the means of production, workers should unite and rebel against the capitalists. While society prepared for the advent of communism,[63] a dictatorship of the proletariat—a socialist state—should govern.

Several countries underwent socialist revolutions in an attempt to implement socialist ideals at the expense of the market economy, individual freedoms, and property rights protected by a limited government.

Unlike socialist thinkers, some contend that poverty and inequality can be overcome from within the capitalist system. One of the most renowned proponents of overcoming poverty through technology development and investments, Jeffrey Sachs, authored *The End of Poverty*, published in 2005, which heavily influenced the global fight to overcome poverty.

In the book's foreword, music celebrity and philanthropist Paul David Hewsen, better known as Bono, writes: "We are the first generation who can . . . unknot the whole tangle of bad trade, bad debt, and bad luck. The first

generation that can end a corrupt relationship between the powerful and the weaker parts of the world which has been so wrong for so long."[64] In the book, Sachs contends that "our generation is heir to two and a half centuries of economic progress."[65] That is, since the Industrial Revolution and the Enlightenment in Europe, economic and technological developments have made it possible to meet basic human needs globally.

Given this opportunity, in order to end extreme poverty, Sachs calls for a commitment to embrace the Millennium Development Goals: raising the voices of the impoverished, redeeming the role of the United States in the world, adapting the roles of the IMF and the World Bank, strengthening the United Nations, and promoting science and sustainable development.[66] Sachs hoped that, by committing to these goals, the world could eliminate poverty by 2015.

Sachs's standpoint represents a moral commitment to end poverty within the capitalist system. Poverty did not end by 2015, but the world has made progress toward the goal. Globalization and trade liberalization have increased since the 1990s, and both developed and developing countries have taken part in the process. Developing countries' gains as a result of trade liberalization since the 1990s are in the billions of dollars added to GDP growth.[67]

Economic integration has pulled billions of people out of poverty and increased their quality of life. The global poverty rate, defined as the percentage of people living at USD 1.90 a day or below, decreased from about 35 percent in 1990 to about 10 percent in 2017. Over the same time period, the number of people living at the global poverty rate has also consistently decreased, from nearly 2 billion to close to 689 million.[68]

However, climate change, the COVID-19 pandemic, and other challenges threaten efforts to eradicate poverty. These threats jeopardize the attainment of the World Bank's goal of bringing global extreme poverty to less than 3 percent by 2030. Global economic growth was predicted to decrease by 5.2 percent in 2020, the largest drop in 80 years. More importantly, the severity of the world situation in the face of the pandemic has the potential to erase the gains of years of poverty eradication efforts. While COVID-19 triggered the trend reversal, its effects have been intensified by armed conflict in some countries and the growing impact of climate change worldwide.[69]

The pandemic-induced economic slowdown may have a lasting impact on international investment levels, remittances, and the labor force skills and overall health of millions of people who are now unemployed, as well as on learning outcomes (affected by school closures and the adaptation of educational practices, such as online courses) and supply chains.[70] World leaders, governments, international institutions such as the World Bank, celebrities, NGOs, and private individuals are fighting to prevent COVID-19 and its consequences from reversing efforts to eradicate poverty.[71]

The Environmental Crisis

In the contemporary economy, almost any imagined good can be produced for mass consumption. These goods are frequently manufactured, processed, or assembled in distant countries using parts from several other countries, and once ready, they are shipped to stores around the world. This production process uses raw materials, labor (often cheap labor in developing countries), and energy, including the energy used for transportation. While this process creates affordable goods for mass consumption, it has undesirable consequences. In addition to contributing to poverty and inequality, this system also does harm to the environment. As factories burn fossil fuel to generate energy and power machinery, greenhouse gases (GHG) are emitted into the atmosphere. The Intergovernmental Panel on Climate Change (IPCC) considers the cumulative release of GHG since the Industrial Revolution to be the main cause of climate change.[72] In short, the environmental crisis is another unintended negative consequence of the market economy.

Literature on the possible ways to deal with the environmental crisis can be divided into two broad currents of thought. Some scholars propose that, in order to overcome the crisis, society must alter the mechanisms that generate it, and since the crisis is caused by the unwanted consequences of industrial production, these scholars argue for **degrowth**, a decrease in economic production and consumption levels. That is, to these

scholars, slowing down industrial production and facing economic degrowth is the only way forward if the world hopes to counteract climate change.[73]

VIDEO

Degrowth? Is It Time to Live Better with Less?

Access multimedia content (http://openstax.org/books/introduction-political-science/pages/16-6-considering-poverty-inequality-and-the-environmental-crisis)

Advocates of degrowth say it is time to embrace a model that prioritizes social and ecological well-being over accumulation and consumption.

Another group of scholars claims that the mechanisms that generate the crisis may be altered through sustainable development. These scholars argue that it is possible to combine economic growth and environmental quality as long as the production process is improved through innovation, technology development, and regulatory intervention. The UN, the EU, and many governments support this argument. The prevalent idea is that as countries increase production efficiency through the development of green technology, global society may overcome the environmental crisis.[74]

For a long time, the unwanted consequences of industrial production have been largely neglected. This is due in part to skepticism about climate change,[75] but mostly to the costs associated with addressing them. In economic terms, the level of industrial output in a market is determined by supply and demand. Factories produce goods to meet the needs and wants of consumers. Traditionally, factories have incorporated the private costs of production into their prices. These costs include, for example, raw materials, labor, rent, utilities, and depreciation. However, these factories have not typically included the social costs of production into their prices. The social costs of production include costs related to social and environmental requirements, such as occupational injuries; deforestation; air, water, and land pollution; acid rain; and GHG emissions.

Because environmental costs have not been incorporated into the price of goods, they have been split across many individuals. Commonly, it is not consumers who bear the burden of a product's highest environmental costs. For example, the Texas Gulf Coast is home to six oil refineries. Oil refined at these plants fuels the vehicles of millions of consumers across America. In addition to refining oil, these refineries are the country's largest polluters of benzene, a chemical compound known to cause various forms of cancer. Individuals who live in the vicinity of these plants and breathe the benzene-polluted air pay some high costs. They are more likely to develop forms of cancer associated with exposure to benzene than individuals that live further away from the plants.[76] So, the individuals who live near these refineries pay the highest environmental costs, while the benefits of cheap gas are spread among millions of American consumers. If the environmental costs of production were included in the price of gas, it would be much more expensive.

When only the private costs of production are added to a good's price, the market reaches one price; however, the inclusion of social and environmental costs shifts this price. The difference between price one, which does not consider social costs, and price two, which adds them to the final price, demonstrates the unwanted consequences of production, commonly referred to as environmental externalities. As fewer consumers are willing to pay the full price for a product, sales of the product decrease. As sales decrease, production levels also decrease. Consistently lower sales and reduced production levels tend to generate unemployment.[77]

To mitigate and adapt to the consequences of the environmental crisis, the UN has promoted Sustainable Development Goals.[78] The European Union (EU) has worked to develop a stringent body of environmental policies since the late 1980s,[79] and Korea and Japan have adopted similar policies.[80] The United States took some relevant steps toward sustainable development during the Obama administration (2008–2016), scaled back those efforts during the Trump years[81] (2016–2020), and has resumed efforts to meet sustainable development goals under Biden. (2020–present).

Summary

16.1 The Origins of International Political Economy

International political economy examines the ways in which political factors shape public policies and define who the winners and losers of these policies are. During the absolutist era, the amount of wealth in the world was considered finite—determined by a fixed supply of precious metals—and powerful monarchs amassed wealth in gold and silver. Within a mercantilist system, monarchical governments engaged in protectionist policies to safeguard their riches.

16.2 The Advent of the Liberal Economy

The Enlightenment and the Industrial Revolution marked the introduction of the concept of civilization as opposed to savagery, transforming European societies and the world. With this concept came the possibility of wealth creation. Adam Smith played a key role in defining wealth creation, the functioning of the market, and the role of the government in a market-based society. His ideas promoted trade liberalization in Europe.

16.3 The Bretton Woods Institutions

At the end of World War II, representatives of the United States and Great Britain, among other nations, met to discuss the post-war international order at the Bretton Woods Conference. The conference established two international financial institutions, the International Monetary Fund (IMF) and the World Bank. A third proposed institution, the International Trade Organization (ITO), was never established. Participants agreed to create the General Agreement on Trade and Tariffs (GATT) instead. Even though a formal institution was not created during the conference, negotiations continued and resulted in the World Trade Organization (WTO) in 1995.

16.4 The Post–Cold War Period and Modernization Theory

During the Cold War, economic transactions between the East and the West were rare, and thus the preferences of Western financial powers dominated the IPE agenda. The end of the Cold War brought relevant changes and shifted the focus of IPE from an exclusive interest in developed Western nations to incorporating the promotion of development across developing countries in different regions of the world. As a result of these changes, modernization theory gained the spotlight. Modernization theorists, who investigate links between economic development and democracy, had been searching for ways to promote economic growth and democracy to developing societies since the 1940s. Modernization is an empirically supported hypothesis about the suitable conditions for democratization. Several studies have found statistical evidence indicating that economic development is highly correlated with democratization, even though the exact mechanism by which economic growth spurs democracy has not yet been uncovered.

16.5 From the 1990s to the 2020s: Current Issues in IPE

The end of the Cold War opened new doors for IPE. Over the last four decades, numerous developments, such as intensifying globalization, trade liberalization, international migration, poverty reduction, growing inequality, and climate change, embedded in an unprecedented wave of technology development, have profoundly altered what IPE examines and how it does it.

Three key issue areas have risen to prominence in contemporary IPE: globalization and international trade, international finance and crises, and exchange rate regimes.

16.6 Considering Poverty, Inequality, and the Environmental Crisis

Many authors argue that poverty, inequality, and environmental crises are inescapable consequences of capitalism. The argument is that the same mechanism that produces wealth and innovation also creates poverty, inequality, and environmental crises. The generalized suffering among the poor during the Industrial Revolution prompted several political philosophers, who became known as socialists, to search for answers to solve the problems of growing poverty and inequality. Socialist thinkers proposed forms of societal

organization that upset the foundations of the market economy.

The process that creates affordable goods for mass consumption has undesirable consequences: it contributes to poverty and inequality and harms the environment. Some scholars propose that society must alter the mechanisms that generate the environmental crises, and since the crisis is caused by the unwanted consequences of industrial production, these scholars argue for degrowth. Another group of scholars claims that the mechanisms that generate the crisis may be altered through sustainable development. These scholars argue that it is possible to combine economic growth and environmental quality as long as the production process is improved through innovation, technology development, and regulatory intervention.

Key Terms

absolute poverty living conditions under which basic human necessities like food, clean drinking water, sanitation, and shelter are not met

absolutism the centralization of political power in the hands of the monarch in Western Europe during the 17th and 18th centuries

anthropocentrism the idea that human beings are the most important component of the universe

balance of payment in a given period, the difference in value between all payments made to a country and the payments the country has made to the rest of the world

balance of trade in a given period, the difference between the value of exports and imports in a country

capital flight the large-scale exit of money from a country as a result of market uncertainty, decreased investments, unemployment, and economic contraction

capital mobility the ability investors have to move capital from one country to another

Cold War a period of geopolitical tension between the two world powers at the time, the United States and the Union of Soviet Socialist Republics, from after World War II until the late 1980s

competitive devaluation the devaluation of a country's currency in relation to other countries' currencies followed by other countries' devaluation of their currencies

conditionalities conditions attached to IMF loans prescribing the policy actions a country agrees to take in exchange for the loans

constituents voting members of a community

debt crises situations in which governments are unable to pay their debts

degrowth a decrease in economic production and consumption levels

environmental regulations the body of taxes and tariffs, quotas, subsidies, and regulations governments issue to promote environmental protection

environmental, social, and governance (ESG) standards investors use to screen potential investments; environmental criteria describe a company's performance as a steward of nature, social criteria report the company's relationships where it operates, and governance is associated with executive pay, internal controls, and shareholder rights

exchange rate the price of a currency against the value of another currency, basket of currencies, or gold

financial integration the process that connects financial markets all over the world

fixed (pegged) exchange rate situation in which the value of a currency is fixed against the value of another currency, basket of currencies, or gold

floating (flexible) exchange rate situation in which the supply and demand of a currency in the market determine its value

foreign direct investment (FDI) a company's investment in a business based in another country

General Agreement on Tariffs and Trade (GATT) legal agreement signed on October 30, 1947, by 23 countries to reduce international trade barriers through the elimination or reduction of quotas, tariffs, and subsidies in some sectors while preserving regulations in others

gold standard the monetary system in which the standard unit of account is a fixed quantity of gold

Great Depression the severe financial crisis sparked by the 1929 stock market crash in New York that led to bank closures and high unemployment

gross domestic product (GDP) sum of everything produced in a country in a given period
international financial institutions institutions established by several governments to regulate international finance issues, such as trade and investments
international liquidity the amount of money or gold available in the international market
International Monetary Fund (IMF) international institution with 190 member countries that promotes international financial stability and monetary cooperation, facilitates international trade, promotes employment and sustainable economic growth, and helps to reduce global poverty
international political economy (IPE) field of study occupied with the investigation of political processes and their economic consequences, which have both domestic and international impacts
International Trade Organization (ITO) proposed international institution for the regulation of trade in the Bretton Woods conference; was never established
knowledge institution the World Bank's role as an institution that collects and publishes data and reports
laissez-faire free-market approach in which governments do not interfere in the market and let things take their own course
Marshall Plan war recovery program through which the United States provided USD 26 billion between 1946 and 1949 to European countries and Japan to assist in the war recovery
mercantilism an economic theory based on capital accumulation, or the increase of wealth, which according to mercantilists can be achieved through trade and protectionist policies
Millennium Development Goals (MDGs) a set of eight goals agreed to by all the world's countries and all the world's leading development institutions to halve extreme poverty rates, halt the spread of HIV/AIDS, and provide universal primary education by the year 2015
modernization theory theoretical model to explain the transition from a traditional to a modern society
multilateral exchange rate exchange rate regime in which governments allow their currencies to fluctuate within margins
non-tariff barriers non-tariff barriers to international trade, such as regulations, including environmental regulations, that specify how a product can be manufactured, handled, or advertised or a quota that limits the amount of a certain product that can be imported to a market
oil shocks shortages of oil and oil derivatives in the Western world that resulted from oil-exporting countries' decision to reduce oil production
plurilateral agreements agreements between a small number of GATT member states in the 1970s
political factors domestic and international components of politics and the policy-making process that result in specific public policies
protectionist policies restrictions on imports by means of tariff and non-tariff barriers
rationalism the belief that reason rather than experience is the foundation of knowledge
reserves money, gold, and other highly liquid assets that a country's central bank or other monetary authority could dispose of to meet financial obligations
scientism the view that inductive methods of the natural sciences are the only source of genuine knowledge
special drawing rights (SDR) the IMF's unit of account; SDRs represent a claim to currency held by IMF member countries for which they may be exchanged
subsidies payments or incentives the government grants to firms in the form of cash payments or tax cuts
Sustainable Development Goals (SDGs) 17 global goals established in 2015 focused on achieving a better and more sustainable future for all by the year 2030
tariff concessions removal or reduction of a tariff
trade rounds meetings of GATT signatories in a series of multilateral negotiations to discuss international trade
Washington Consensus a program designed by the IMF to promote economic stability in borrowing countries and increase the odds that the countries pay their debts
World Bank international financial institution that provides loans and grants with the objective of promoting development
World Trade Organization international institution that promotes and regulates trade between nations;

member state governments rely on the organization to establish, revise, and enforce the rules that govern international trade

Review Questions

1. International political economy _____.
   a. investigates political processes and their domestic and international economic consequences
   b. examines various tactics political actors use in their attempts to decrease the scope of global governance
   c. is another name for the World Bank
   d. refers to the web of multinational corporations that exert varying degrees of control over individual world governments and international organizations

2. In a mercantilist economic system, _____.
   a. wealth is evenly distributed among producers and consumers
   b. wealth can be created
   c. wealth is finite
   d. wealth is shared within trade alliances

3. Mercantilism _____.
   a. is based on degrowth
   b. considers that wealth is composed of precious metals and paper currencies such as the dollar, euro, and peso
   c. seeks a surplus in the balance of payments
   d. favors trade liberalization policies

4. Adam Smith rejected mercantilism and proposed _____.
   a. that trade barriers promote the economy
   b. modernization theory
   c. that trade liberalization benefits individuals and countries
   d. that a country should invest in economic activities regardless of its comparative advantages

5. True or false? Enlightenment thinkers rejected the mercantilist idea that wealth is finite, proposing that wealth could in fact be created.
   a. True
   b. False

6. The three levels of analysis in IPE are _____.
   a. local, domestic, and foreign
   b. individual, state, and system
   c. liberal, conservative, and authoritarian
   d. economic, environmental, and social

7. The Bretton Woods Institutions include _____.
   a. the World Trade Organization (WTO) and the United Nations (UN)
   b. the League of Nations and NATO
   c. the International Monetary Fund (IMF) and the World Trade Organization (WTO)
   d. the International Monetary Fund (IMF) and the World Bank

8. The Bretton Woods Institutions were *initially* created to _____.

a. maintain peace and economic prosperity in the world
b. encourage globalization
c. restrain trade liberalization
d. promote protectionist policies

9. Which institution was proposed but not created in the Bretton Woods Conference?
a. International Monetary Fund (IMF)
b. World Trade Organization (WTO)
c. International Trade Organization (ITO)
d. International Bank for Reconstruction and Development

10. The end of the Cold War resulted in _____.
a. increased focus on economic policies in authoritarian regimes
b. support for protectionist policies
c. majoritarian emphasis on trade relations among developed countries
d. furthering of economic growth and democratic institutions

11. The key tenet of modernization theory is that _____.
a. economic growth promotes the development of the upper classes in society
b. social capital hampers political representation
c. increased political representation promotes the establishment of democratic institutions
d. trade liberalization stunts economic growth

12. True or false? Modernization theory has clearly established a causal link between economic growth and democratic institutions.
a. True
b. False

13. An exchange rate regime in which governments allow their currencies to fluctuate within margins is referred to as a _____.
a. fixed (pegged) exchange rate
b. floating (flexible) exchange rate
c. multilateral exchange rate
d. variable exchange rate

14. _____ determine(s) the price of currency in a floating (flexible) exchange rate regime.
a. The supply and demand of a currency
b. Domestic interest rates
c. The stock market
d. The gold standard

15. At the beginning of the 19th century, some political philosophers proposed responses to the problem of widespread policy and inequality. Although each of their proposals had singular characteristics, what did they have in common?
a. dictatorship of the proletariat
b. social ownership of the means of production by the people
c. laissez-faire economy, a free market with minimal government intervention
d. social security benefits

16. Literature on the possible ways to deal with the environmental crisis is divided into two currents of

thought. These currents are _____.

a. socialism and communism
b. laissez-faire and free market economy
c. degrowth and sustainable development
d. degrowth and globalization

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6 The Fundamentals of Group Political Activity

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13 Governing Regimes

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