The Commonwealth Review of Political Science

Inaugural Issue
A Showcase of Award Winning Research

D. Stephen Voss, Editor
Jonathan W. Pidlozny, Editor
Michael Hail, Senior Editor

INTRODUCING THE COMMONWEALTH REVIEW OF POLITICAL SCIENCE, THE JOURNAL OF THE KPSA

DAVID HUGHES MEMORIAL AWARD WINNING PAPERS

ABDUL RIFAI AWARD WINNING PAPERS

CONTRIBUTIONS FROM THE EDITORS

The Journal of the Kentucky Political Science Association
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An Introduction to the KPSA
Commonwealth Review of Political Science

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Morehead State University

It is an honor to serve as the Senior Editor for this inaugural issue of the Commonwealth Review of Political Science. In my capacity as Executive Secretary-Treasurer of KPSA, I was given the responsibility to develop the initial plans for the journal and then to implement its establishment and operations. While this task has been greater than imagined, the support from numerous colleagues has been equally great in bringing the journal to realization. I am writing this article to explain the development and purpose of this journal, but also to acknowledge the many leaders of KPSA that helped to make this possible.

In 2008, at the annual meeting of the Kentucky Political Science Association (KPSA), Dr. John Heyman presided over our annual business meeting where as Executive Secretary-Treasurer I was tasked with doing a study of the feasibility of founding a journal for KPSA. Dr. Heyman gave important emphasis to the prospects and Berea College hosted an outstanding meeting. Updates were presented and discussed at the University of Louisville the next year where Dr. Jason Grineaux presented over another KPSA conference and then at the next meeting at Murray State University where Dr. James Clinger presided we decided to follow through with the study and organize to publish the journal. In 2012, at Campbellsville University we held the first Editorial Board meeting. The purpose for which KPSA undertook the journal was to promote scholarship on Kentucky government as well as scholarship from across the discipline presented at the annual KPSA conference.

Thus with this issue, the Commonwealth Review of Political Science was established in 2012 with an Editorial Board and two excellent editors. The Editorial Board features a mixture of public and private institutions of higher education from across the Commonwealth of Kentucky: Saundra Ardrey, Western Kentucky University; Mike Berheide, Berea College; James Clinger, Murray State University; Jason Gainous, University of Louisville; William Garrison, Centre College; Joe Gombarzinski, Eastern Kentucky University; Michael Hail, Morehead State University; and John Heyman, Berea College.

The Editorial Board serves to govern the journal and meets annually at the KPSA conference. The support of the KPSA Executive Committee is also very much appreciated, and it includes John Chowning, Campbellsville University, Past-President 2012; Saundra Ardrey, Western Kentucky University, Past-President 2011; James Clinger, Murray State University, Past-President 2010; Stephen Voss, University of Kentucky, Past-President 2013; Murray Bennette, Morehead State University, President 2014, and Michael W. Hall, Morehead State University, Executive Secretary and Past-President 2007.

Our editors, Dr. Stephen Voss of the University of Kentucky and Dr. Jonathan Pilkuny of Morehead State University, are an outstanding editorial team. Dr. Voss is an Associate Professor of Political Science and he received his Ph.D. from Harvard University. Dr. Voss' research specialization is in elections and voting behavior, with a focus on racial/ethnic politics and his research has appeared in various journals, including the American Journal of Political Science and Journal of Politics. Dr. Pilkuny is an Assistant Professor of Government and he received his Ph.D. from Boston College. Dr. Pilkuny's research specialization is American political development and he does work in both American politics and political philosophy and he has published in Advances in Design for Cross-Cultural Activities by CRC Press. These co-Editors are scholars of the highest caliber and have demonstrated the outstanding qualities required to found this quality journal and the Editorial Board is most grateful for their service to the discipline.

The co-Editors, Dr. Stephen Voss and Dr. Jonathan Pilkuny, have collected some outstanding manuscripts presented at prior KPSA conferences and several of which were peer reviewed at those conferences to receive awards. These awards are the Rafai and Hughes awards. Each year, the KPSA awards the Abdul H. Rafai Award for the best paper presented by an undergraduate student at its annual meeting. The award was established in honor of Abdul H. Rafai, 1986 KPSA President and professor of government at Berea College, in recognition of his outstanding commitment to student teaching and scholarship. And each year the David Hughes Memorial Award recognizes the outstanding paper presented at the previous year's conference by a faculty member from a Kentucky college or university. The David Hughes Memorial Award was established to honor the memory of Dr. Hughes who was a former Centre College professor and 1972 KPSA President.

The mission of this journal is to provide a venue for publication of outstanding student research (undergraduate and graduate) and draw from the ever stronger submissions to the student paper panels at KPSA; provide a venue for outstanding research from faculty presented at KPSA, helping build participation and interest in our annual conference; provide a venue for those
doing research on Kentucky and/or state politics and policy with strong relevance to Kentucky; provide an outlet for pieces of solid research that are not clearly able to track into standard publication outlets (often methodological and theoretical pieces). In sum, this journal will provide a publication venue for excellent work from all political science subfields for faculty and students.

There is a great debt owed to another KPSA leader that deserves special mention. Dr. Michael Berheide, professor of political science at Berea College, who served as 1996 KPSA President and for many years as Executive Secretary-Treasurer of KPSA. Dr. Berheide was an excellent leader of KPSA and the steward of the KPSA that built the solid financial foundation from which this journal could be developed. He serves on the journal editorial board and everyone at KPSA owes Dr. Berheide an inestimable debt of gratitude for his outstanding service to KPSA over the years.

The KPSA is excited to welcome faculty and students from across the state to our 2014 meeting at Morehead State University and our 2015 meeting at Somerset Community College. In 2016, the KPSA will return to Murray State University. We welcome political science faculty and students from across the United States to attend our annual meeting and engage the growing KPSA conference with their research. Manuscript submissions to this journal are strongly encouraged from members of the association as well as non-members. For more information on our conferences or to join the KPSA listserve, please visit the KPSA website at either www.kpsa.us or www.kpsaweb.org.

We hope that this journal serves well the faculty and student members of the Kentucky Political Science Association, as well as those in the Commonwealth of Kentucky interested in political science scholarship.

1 November, 2012

Bowling Online: The Internet and the New Social Capital

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The decline thesis proponents in the social capital literature have largely ignored the fastest growing venue for new social capital formation – the Internet. We argue that the Internet is making a larger impact than the current research acknowledges. Using survey data from the Pew Internet & American Life Project combined with a survey of college students, we confirm a strong positive relationship between online social networking and political participation. Further, we present evidence that, at least in 2008 election, there was a bias toward voting for Democrats among those who utilized online social networking services including Facebook and Twitter. The implications of these results are discussed.

Key Words: social capital, social networking, Facebook, Twitter, civic engagement

Robert Putnam (1995a, 1995b, 2000) makes the sweeping claim that decaying social capital, or the interconnectedness between people, is causing a decline in political participation. Further, that as a result the viability of democracy is threatened. While many have challenged this premise (Althaus 1998; Aronell 2006; McDonald and Popkin 2001; Pontes 1998), we offer a different perspective. Rather, we suggest that the Internet is shaping a new kind of political participation and engagement. It is creating networks and interactivity on scales that are larger in scope and implication that at any time in American history. Thus, we present an alternative view of the American political future.

*An earlier version of this paper was presented at the 2009 Annual Meeting of the Kentucky Political Science Association, where it won the David Hughes Award for outstanding paper. This is a revised version of that manuscript which was published in our book, Rechoosing American Politics: The Internet Revolution (Rowman & Littlefield).
that is substantially different from the theories of declining participation and lower rates of belief in the system that have dominated the scholarship within political behavior. Concurring with Putnam, we also suggest that democracy is rooted in an understanding of social networks and communicated ideas but believe that, potentially, the Internet is a solution to decay in social capital and the decline of political participation. It promotes social capital through networking with a speed and interactivity and versatility that were never before possible. While the ultimate implications of this modern Internet society are and will be unclear for some time, the initial data suggest that there is a far more rich and diverse engagement of people with government than political scientists have been willing to concede.

Specifically, the findings presented here suggest several things. First, people are networking on the Internet in a variety of different ways including social network sites, emailing, and blogs. Second, the degree to which people are doing so varies across demographics. This variation is fairly consistent across the national sample and student sample we utilize here. Third, and most central to the premise here, heightened social networking on the Internet is positively related to political participation, both voting and broadly defined, in both datasets even when controlling for traditional predictors of such. Finally, for exploratory purposes, we look at the possibility that social networking could actually be related to vote choice. Interestingly, we find that among the typically young respondents in the student data, those who do more networking on the Internet are more likely to vote for Democrats. Before moving on to the analysis, we present a theory as to the likely impact of the Internet on participation and discuss the literature that has explored similar questions.

RETHINKING THE PARTICIPATION PUZZLE

Within this literature, perhaps the most widely disseminated and durable explanation of the continued viability of democratic government and its more recent decline is Robert Putnam's (1995A, 1995B, 2000) theory of social capital. Putnam contends that democracies are dependent on social capital or social connections that generate trust. "Social capital" is defined as the "norms of reciprocity and networks of civil engagement" which are created by participation in groups such as civil organizations (1995A: 167). People, engaging with each other through social and civic groups, create bonds trying and investing them into the greater society. It also works well in providing the mechanism for the transmission of information along the lines theorized by Page and Shapiro (1992) and Popkin (1991). Isolated people cannot share experiences and make informed aggregate decisions. Nor are they able to develop working heuristic shortcuts. Some have suggested that the Internet may stimulate participation by increasing voter information (Tolbert and McNeal 2003). Social networking via the Internet may be the impetus for increasing voter information. Returning to the original puzzle, social capital has become a popular lens to use in describing the perceived decline in turnout and participation in the U.S. electoral system. Various measures have been used to illustrate that the United States has managed to combine declining turnout with increasingly unbiased voting electorates that over-represent the upper classes (Burnham 1987; Leighley and Nagler 1992; Rosenstone and Hansen 1993). These observations dovetail with Putnam's explanation that the decline of social capital, as measured in large part through decreasing participation in civic groups and civic activities, is leading to fewer voters and a less visible democracy. Putnam presents many factors that may or may not be hurting social capital, but he saves particular emphasis for the negative role of television which correlates with anti-civic behavior. The underlying proposition is that the revitalization of civic groups such as the once popular bowling league can the foundations of American democracy be stabilized (Putnam 1995B, 2000).

Before addressing Putnam's chief assumptions, it is noteworthy that while the decline thesis has been dominant within the literature, it is not unchallenged. There is some suggestion that both the perceived lack of information and the progressively lesser turnout are produced by poor measures rather than true representations of trends (Abelhaus 1998; McDougall and Popkin 2001; Achen 1975). Nonetheless, it is beyond the scope of this article to again take up the methodological debate. We attack the underlying theoretical premise itself. The major problem with the decline thesis itself is that it presumes a fairly static environment and an unchanging greater society.

Presuming for a moment, that Putnam has correctly identified that shared interaction and engagement is foundational for democracy, his static view of human interaction leads to a faulty prescription. How people interact and engage with each other is not the same today as it was immediately after World War II. In searching for evidence of these phenomena, Putnam seeks out measures based on civic institutions that are either no longer extant or are in serious decline leading him to predict a less optimistic democratic future. We suggest that any measure of civic engagement that relies on an analysis of the means of interaction is flawed. For example, a measure of social interaction could be done by counting the number of conversations an individual has with different people within a day. If one were to measure these conversations by face to face communication the trend would be stark. After the invention and dissemination of the telephone, the measure would surely show decline, even if in reality, people were speaking to each other with greater frequency by means of telecommunication.
CHALLENGING THE DECLINE THESIS

The difficulty with assessing any theory of participation is in making sure that what is measured is a fair representation of how people engage each other during a fixed temporal period. Yet, nothing remains fixed over time. Technology growth is affecting the way that government goes about its tasks in almost every aspect. While there is little argument that the Internet has changed the nature of political campaigning, it often is difficult to measure this change. Thus, the impact often is addressed more speculatively rather than with empirical data.1

If one is to take issue with Robert Putnam’s prevalent theory that a disconnected society is causing a decline in American democracy, the first issue has to be the measure. The continued disengagement of Americans from the political system is the subject of significant research. Supporting Putnam’s approach are broad measures of participation. We are witnessing declining participation, declining voting patterns and lower rates of belief in the system (Kositsckie and Hansen 1995). In short, the American Democratic Model is threatened and many view the likely future with pessimism based on these trends. We propose that the Internet may be the solution to reconnecting society. Scholars have theorized that institutional structure can lead to lower rates of turnout and participation. More directly, the volume of elections at multiple levels hurts both the ability of citizens to stay informed as well as their ability to remain engaged. People vote because they wish to influence public policy so elections with low electoral tolerance result in low turnout (Franklin 1996). Low turnout can be the product of an institutional structure which inhibits turnout and leads to socioeconomic factors playing a larger role (Powell 1986).

In Putnam’s view, social capital is part of the solution to the institutional limitations on participation. When one is engaged with their neighbors and invested in their communities, there is a greater willingness to bear the burden and costs associated with participation even where the elections have lower salience and greater frequency. The declining social capital is leading to less participation (Putnam 1985A, 1995B, 2000). In fact, this isolation thesis is not limited to civic groups but suggested to be a cause of declining turnout because of the nature of political campaigns. Gerber and Green (2000) assert that turnout decline is the result of lower amounts of face-to-face mobilization, not mobilization in general. The modern campaign which is dominated by television and exposure to negative advertising reduces intention to vote and lowers political efficacy (Ansolabehere et al. 1994).

We suggest that this literature misses the changing nature of society itself and fails to measure nontraditional means of communication. By reconnecting not just people and information, but people to people, the Internet recreates the missing elements in the participation model. The Internet campaign changes the dynamic of the election. By increasing the volume of information easily accessible, it changes the nature and scope of institutional limitations. The difficulty in becoming informed is reduced making turnout and participation more likely. More directly, if the cost in time and effort of elections are being removed from participation, the cost savings of the online community can and should reverse that trend among the most adept Internet users and increase overall participation as the technology penetrates larger groups. Finally, the Internet bypasses the negative campaign model by offering an alternative to the sound bite approach that can be both comprehensive and interactive. Early studies suggest that if targeted and presented correctly, the Internet has the potential to reverse the regular disinterest among younger voters (Lapis and Phlippot 2007). The Internet is such a versatile medium that advances such as Web 2.0 allow users to not only choose the content they would like to access, but create the user experience with the content of choice delivered in multiple formats ranging from text to video, to even multi-layered discussion forums. The interaction and conversation on the Internet can vary widely based on the device used and the demands or desires of the users. It can range from the dissemination of short messages using Twitter to lengthy and responsive blog postings or even video messages using websites like YouTube or even social websites like Facebook where fan pages and status updates can become forums for political debate or just information sharing.

Putnam suggests that in rebuilding social capital through civic engagement the decline in participation can be curtailed. Yet, Putnam’s scope of participation is too limited. The Internet can be the venue for modern social capital. While bowling leagues may have been the means for social networking at one time, the absence of bowling leagues does not mean the absence of networking. Bowling is no longer the focus of the social network, the online community, which is not

1 The question of whether Internet use is related to political participation has been explored using empirical data but primarily not within the U.S. context. Both De Vries (2007) and Vowens (2007) found that online activities are positively related to political participation in Holland and Australia, respectively. Rove and Katz (2004) did find a relationship between Internet usage and offline forms of political activity in the U.S. but they do not look specifically at the effect of social networking on political participation. None of these studies are framed within social networking theory. Thus, said, other researches have also identified a relationship between online social networking and political participation/civic engagement in the United States (Kokol, Gainous and Wagner 2011; Pake, More, and Romer 2009; Valenzuela, Park, and Kerr 2009).
only fostered, but often hosted by candidates, serves many of the same functions of the traditional Potam model. The Internet hosts thousands of online communities and despite initial commercial beliefs, the Internet is much more frequently used as a means to interact and communicate than as a place to purchase goods and services (Horning 2001). Critical to Potam’s argument is that social networking stimulates social capital through building trust. Bost and Krueger (2006) present clear evidence that online networking is related to common indicators of social capital, such as generalized trust, but their focus is not to look at how this trust may encourage civic engagement. Krueger (2002) does present empirical evidence that the Internet shows real potential to bring new individuals into the political process, but does not make the connection between social capital and participation. As mentioned above, others have (Boyle 2011: We explore this possibility below.

**DATA AND MEASUREMENT**

The analysis here utilizes data from two sources: 1) The Pew Internet & American Life Project 2008 Civic Engagement Survey, and 2) A survey of college students from a variety of classes at the University of Louisville and Florida Atlantic University. The Pew project randomly surveyed 2,251 U.S. residents including both random digit dialed and cell phone respondents. All respondents were at least 18 years of age. The survey of college students with similar questions was conducted in February and March 2008. The sample of 663 respondents (70% from the University of Louisville and 30% from Florida Atlantic University) consists of students from a variety of political science and business courses, both lower and upper division. There are a total of 18 different courses with 6 sections of a lower division American federal government class containing students from a multitude of majors. Instructors for each course were given instructions on how to administer the survey. They were not allowed to answer questions that involved explaining the items. Respondents anonymously filled out a paper form that included the questions and response categories.

1 We removed the weight added to the Pew project to eliminate interpretation problems in the multivariate analysis. We also replaced any missing values in both datasets using the Expectation Maximization (EM) algorithm (Dempster, Laird, and Rubin 1977). This is a technique that finds maximum likelihood estimates in parametric models for incomplete data. The EM algorithm is an iterative procedure that finds the MLE of the parameter vector by first calculating the conditional expectation of the complete data log likelihood given the observed data and the parameter estimates. Next, it finds the parameter estimates to maximize the complete-data log likelihood from the first step. The two steps are iterated until the iterations converge (for a complete description see Luthe and Rubin 1987; McLachlan and Krishnan 1997; Schaffer 1997).

The student sample is obviously not a national sample but we contend that, in certain ways, these data can be used to strengthen our case by having built in controls. Being more educated, college students are both more likely to have knowledge about politics and use the Internet more often. Thus, if differences in knowledge are apparent among a group that is already expected to have more knowledge than the general public, the evidence is stronger. Also, because college students are the next generation of frequent users, these data can give us some sense of what to expect when it comes to Internet use and political behavior in the future. There is significant overlap in the indicators in each dataset, so we compare results wherever possible.

The following analyses have several purposes. First, differences in means tests are used to explore the varying frequency of Internet social networking across behavioral indicators such as civic attentiveness and party identification. These tests are also used to look at the potential variation across demographics such as age, education, income, race, and gender. Second, Internet social networking is modeled as a function of these variables. Third, political participation is modeled as a function of Internet social networking, campaign contact, civic attentiveness, age, education, income, and race. The idea here is to control for explanations of participation alternative to Internet social networking to help assure that the predicted effects are not spurious. Thus, other than a positive relationship between Internet social networking and participation, we also expect one with campaign contact, civic attentiveness, age, education and income, and we expect racial minorities to less likely to participate. Fourth, we constructed models of vote choice. These are purely exploratory. We had no real theoretical reason to expect heightened Internet social networking to be related to vote choice but we decided to explore this question because this is a relatively new area of inquiry. We control for party identification, race, and gender.

The primary dependent variable, political participation, is measured using two different indices: one in the Pew data and one in the Student data. We use an additive index in the Pew data comprised of 15 items. Respondents were asked if they had done any of the following things in the last 12 months:

1 Only the Pew data had a measure of whether or not the respondent was contacted by a campaign.


5 See The American Voter (Campbell et al. 1960) for theoretical justification of the included controls.
• Attended a political rally or speech?
• Attended an organized protest of any kind?
• Attended a political meeting on local, town or school affairs?
• Worked or volunteered for a political party or candidate?
• Made a speech about a community or political issue?
• Been an active member of any group that tries to influence public policy or government, not including a political party?
• Participated in a walk, run or ride for a cause?
• Worked with fellow citizens to solve a problem in your community?
• Contacted a national, state or local government official in person, by phone or by letter about an issue that is important to you?
• Sent an email to a national, state or local government official about an issue that is important to you?
• Signed a paper petition?
• Signed a petition online?
• Sent a letter to the editor through the U.S. Postal Service to a newspaper or magazine?
• Emailed a letter to the editor or your comments to a newspaper or magazine?
• Called into a live radio or TV show to express an opinion?

These items scale fairly well together (α = 0.76). The ordinal additive index ranges from 0-14. (used in Chapter 5)

In the Student data, participation was measured using the following 5 items:

• If the election for president were held today, who would you vote for? (They were given a list of candidates and a “don’t plan to vote” option. We coded them as a 0 if they selected “don’t plan to vote” and a 1 if they selected any candidate)
• People express their opinions about politics and current events in a number of ways. I’m going to read a list of some of these ways. Thinking ONLY ABOUT THE LAST 12 MONTHS, have you done any of the following? (true/yes, false)
  A) Contributed money to a candidate running for public office
  B) Contacted any elected officials
  C) Joined an organization in support of a particular political issue
  D) Attended a campaign event

These items scale fairly well together (α = 0.55). The ordinal additive index ranges from 0.5.

The primary dependent variable, Internet social networking, is also modeled as a dependent variable. It was measured by constructing indices in both the Pew and Student data. The Pew data had observations for responses to the following 6 items (all items were centered between 0-1 and an index was constructed α = 0.60):

• Do you ever use a social networking site like MySpace, Facebook or LinkedIn.com? (If respondent answered yes) Did you happen to do this yesterday, or not?
• Do you ever create or work on your own online journal or blog? (If respondent answered yes) Did you happen to do this yesterday, or not?
• Do you ever use Twitter or another “micro-blogging” service to share updates about yourself or to see updates about others? (If respondent answered yes) Did you happen to do this yesterday, or not?
• Thinking about the political/community group in which you are most involved, in the past 12 months, have you communicated with others in this group by—email?
• Thinking about the political/community group in which you are most involved, In the past 12 months, have you communicated with others in this group by—using a social networking site?

The Student Data had observations for the following 2 items. Both were inverted and recoded to scale between 0 and 1 before constructing an index (α = 0.56):

• How often do you use social networking websites such as MySpace.com or Facebook.com? (more than once a day, everyday, three-to-five days per week, one-to-two days per week, less often, never)
• How important are social networking websites, such as MySpace.com or Facebook.com, to you for learning about campaigns and candidates? (very important, somewhat important, rarely important, not important)
The final dependent variable we used was vote choice. In the Pew data, it was measured using the following indicator: In the presidential election, did you vote for the Democratic ticket of Barack Obama and Joe Biden or the Republican ticket of John McCain and Sarah Palin (options were rotated)? In the Student data, we used the same vote choice indicator used in the political participation scale but rather we coded the Republican candidates (Mike Huckabee and John McCain) as 0 and the Democratic candidates (Hillary Clinton and Barack Obama). This made it consistent with the Pew data.

Several other variables are used as independent variables. We may expect that those who pay more attention to public affairs generally would be more likely to use the Internet to network via the Internet and to participate. Thus, we measured civic attentiveness using available indicators from both datasets: 1) How often do you discuss politics and public affairs with others in person, by phone, or by a letter—every day, at least once a week, at least once a month, less than once a month, or never? (Pew Data). 2) Some people seem to follow what’s going on in government and public affairs most of the time, whereas others only check in sporadically. Would you say you follow what’s going on in government and public affairs most of the time, some of the time, only now and then, or hardly at all? (Student Data).

Several group characteristics including party identification were also gauged. We have no real expectations regarding networking and party identification, we include it in the analyses for exploratory purposes. In the Pew data, party identification was measured with the following question: In politics today, do you consider yourself a Republican, Democrat, or Independent? In the student data, first, it was measured using this indicator: Generally speaking, do you usually think of yourself as a Republican, a Democrat, an Independent, or what? Dummy variables were created for each available response. Next, in the student data, these were follow ups to the party identification question that gauged strength. Partisans were asked: Would you call yourself a strong Republican/Democrat or a not very strong Republican/Democrat? Independents were asked: Do you think of yourself as closer to the Republican Party or to the Democratic Party or neither?

Some demographics were also measured. Respondents were asked to report their race in both datasets. From both datasets, we were able to create dummy variables for white, black, Latino, Asian, and other race. For both datasets, gender was recorded and coded as 0 male and 1 female. Income was self-reported in the Pew data with the following question: Last year, that is in 2007, what was your total family income from all sources, before taxes. Just stop me when I get to the right category: less than $10,000, $10,000 to under $20,000, $20,000 to under $30,000, $30,000 to under $40,000, $40,000 to under $50,000, $50,000 to under $75,000, $75,000 to under $100,000, $100,000 or more. This creates an 8-point ordinal scale. Given that students, for the most part, have not started their careers, we decided to measure their assessment of their parent’s finances instead of individual income. The 3-point ordinal indicator was as follows: Would you say you grew up in a home that was well off financially, somewhere in the middle, or poor? Well off, somewhere in the middle, or poor.

For education in the Pew data, respondents were asked to report the last grade or class completed in school: none or grades 1-8, high school incomplete, high school graduate, technical, trade or vocational school AFTER high school, some college, no 4-year degree, college graduate, post-graduate training/professional school after college. This creates a 7-point ordinal scale. Respondent age was also self-reported in both datasets and collapsed into a 6-point ordinal scale based on the following age groups: 18-29, 30-39, 40-49, 50-59, and 60 and up.

Finally, we control for campaign contact in the Pew participation model. Respondents were asked the following questions:

• How often have you—Received an email asking you—to get involved in a political activity? (daily, every few days, once a week, once a month, never)

• How often have you—Received a letter asking you—to get involved in a political activity? (daily, every few days, once a week, once a month, never)

An index was constructed from these two items. There were no campaign contact measures available in the Student data.

RESULTS

The results in Table 1 are t-tests for a difference of means across the dichotomous independent variables and one-way ANOVA tests for ordinal and non-dichotomous nominal independent variables. All results in this chapter are based on respondents that gave an affirmative answer when asked if they use the Internet at least occasionally. First, one-way ANOVA tests indicate that those who are more attentive to public affairs are more likely to social network than the less attentive in both the Pew and Student Data. In measuring networking online, we were careful to include in our indicator index the use of prominent websites or protocols like Facebook and Twitter which may be used for politics, but are primarily social outlets. These outlets are part of the increasingly
important movement to Web 2.0 which allows users to define or even create their own web experience. Previously we have found that those who are more attentive are more likely to politically participate. If social networking also leads to engagement, the effect on participation may be magnified by the combination of the two. The pervasiveness of social networking is not high in the Pew Data but nonetheless the highest value of social networking is among those who pay the highest attention to public affairs. In contrast, social networking is common in the Student Data. The mean score for Internet social networking among those who pay attention to public affairs most of the time is 2.28. This is near the midpoint of the index demonstrating that these attentive students are, for the most part, all doing some kind of networking on the Internet. For that matter, even the least attentive are likely to be doing some networking via the Internet.

<table>
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<th>Table 1: Differences in Social Networking on the Internet</th>
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<tr>
<td>H.S. Incomplete</td>
</tr>
<tr>
<td>H.S. Graduate</td>
</tr>
<tr>
<td>Some</td>
</tr>
<tr>
<td>College Graduate</td>
</tr>
<tr>
<td><strong>Income</strong></td>
</tr>
<tr>
<td>Less than $10,000</td>
</tr>
<tr>
<td>$10,000-$20,000</td>
</tr>
<tr>
<td>$20,000-$30,000</td>
</tr>
<tr>
<td>$30,000-$40,000</td>
</tr>
<tr>
<td>$40,000-$50,000</td>
</tr>
<tr>
<td>$50,000-$75,000</td>
</tr>
<tr>
<td>$75,000-$100,000</td>
</tr>
<tr>
<td>$100,000 or more</td>
</tr>
<tr>
<td><strong>Parent’s Income</strong></td>
</tr>
<tr>
<td>Poor</td>
</tr>
<tr>
<td>Middle</td>
</tr>
<tr>
<td>Well Off</td>
</tr>
</tbody>
</table>
There is some divergence in the findings across the datasets when it comes to party identification. In the Pew Data, there are no significant differences across party identification. In the Student Data, Democrats score highest (1.96) followed by Republicans (1.87) and then Independents (1.65). Again the numbers are substantially higher among the young people represented in the Student Data. This could have implications for participation at older cohorts are replaced. If younger Democrats are more likely to social network via the Internet and those who network are more likely to participate, we could see a participation gap across party identification as older cohorts are replaced by younger ones. Interestingly, the Student Data suggests that there are no significant differences across age cohorts regarding who is more likely to network. However, in the Pew Data, the younger cohorts participate at higher and more significant rates in social networking. These results only include those respondents that responded affirmatively when asked if they use the Internet at least occasionally. Young people are far more likely to respond affirmatively (p < 0.00). Yet, even among those who use the Internet, younger people in the Pew Data are the more likely to use social networks. The growth in the use of networking websites like Facebook is driving this finding. The lack of significance in the Student Data may well be the influence of education which is also correlated with networking as we will see below.

The differences in means are significant across education and income in the Pew Data. The more educated and those with higher incomes are more likely to social network on the Internet than their respective counterparts. The income differences are not of a significant magnitude until the upper income categories ($75,000 or more). The differences on education are quite stark. The means rise considerably for those with some college and with greater levels of education. These variables were not measured in the Student Data because they are fairly constant. We did attempt to measure income by asking about parents’ finances and the differences were not significant. The differences across race are not significant in either dataset but again blacks and Latinos are significantly less likely to use the Internet generally (p < 0.01). Internet use for gaining social capital has a more pronounced effect for certain groups.

<table>
<thead>
<tr>
<th>Race</th>
<th>Pew Data</th>
<th>Student Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>1.83</td>
<td>1.83</td>
</tr>
<tr>
<td>Black</td>
<td>1.90</td>
<td>1.65</td>
</tr>
<tr>
<td>Latino</td>
<td>1.54</td>
<td>1.54</td>
</tr>
<tr>
<td>Asian</td>
<td>1.77</td>
<td>1.77</td>
</tr>
<tr>
<td>Other</td>
<td>1.95</td>
<td>1.95</td>
</tr>
<tr>
<td>Gender</td>
<td>1.78</td>
<td>1.78</td>
</tr>
</tbody>
</table>

Table 2: Models of Social Networking on the Internet

<table>
<thead>
<tr>
<th>Civic Attitudes</th>
<th>Estimate</th>
<th>Std. Error</th>
<th>P-Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>0.33</td>
<td>0.04</td>
<td>0.00</td>
</tr>
<tr>
<td>Republican</td>
<td>-0.16</td>
<td>0.11</td>
<td>0.13</td>
</tr>
<tr>
<td>Age</td>
<td>-0.04</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Education</td>
<td>0.66</td>
<td>0.06</td>
<td>0.00</td>
</tr>
<tr>
<td>Income</td>
<td>0.01</td>
<td>0.03</td>
<td>0.59</td>
</tr>
<tr>
<td>Black</td>
<td>-0.20</td>
<td>0.18</td>
<td>0.26</td>
</tr>
<tr>
<td>Hispanic</td>
<td>0.79</td>
<td>0.21</td>
<td>0.00</td>
</tr>
<tr>
<td>Female</td>
<td>0.17</td>
<td>0.10</td>
<td>0.08</td>
</tr>
</tbody>
</table>

-2 log likelihood: 4949.63
Nagelkerke Pseudo R²: 0.21
Number of Cases: 1625

<table>
<thead>
<tr>
<th>Civic Attitudes</th>
<th>Student Data</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian</td>
<td>0.58</td>
</tr>
<tr>
<td>Republican</td>
<td>0.05</td>
</tr>
<tr>
<td>Age</td>
<td>-0.67</td>
</tr>
<tr>
<td>Parent’s Finances</td>
<td>0.23</td>
</tr>
<tr>
<td>Black</td>
<td>0.25</td>
</tr>
<tr>
<td>Latino</td>
<td>0.09</td>
</tr>
<tr>
<td>Female</td>
<td>0.40</td>
</tr>
</tbody>
</table>

-2 log likelihood: 2621.13
Nagelkerke Pseudo R²: 0.12
Number of Cases: 666

---

*Data come from the Pew Internet & American Life Project, August 2008 Civic Engagement Data and a 2008 survey of college students at the University of Louisville and Florida Atlantic University. P-values represent the probability that we cannot reject the null hypothesis that there is no difference in the magnitude of political internet use across all above independent variables (T-tests for dichotomous independent variables and One-way ANOVA tests between groups for ordinal and non-dichotomous nominal independent variables).
Many of these effects hold up in a multivariate setting, but simultaneously controlling for each leads to changes. The results are presented in Table 2. In the Pew Data, civic attentiveness, education and age are still significant but income becomes insignificant (and most of the other insignificant predictors remain so). This suggests that the income effects were spurious. The variation in Internet social networking explained by income can be explained away by the variation in civic attentiveness and education. The significant effects indicate that social networking on the Internet increases with civic attentiveness and education *after* paribus. There are also some changes in the Student Data results. Party identification also becomes insignificant suggesting that the results are spurious. Civic attentiveness and age remain significant positively and negatively, respectively. Interestingly, parent’s finances and gender become significant in the multivariate setting. The results suggest that Internet social networking is higher among those whose parent’s earn more and among females. Again, this has interesting implications considering that the sample is comprised of primarily young people. We may expect the proposed effect on participation to have a varied effect on different groups across time.

While it is important and interesting to explore variation in Internet social networking, more central to our theory in this chapter is examining the relationship between networking and political participation. The results contained in Table 3 indicate that heightened Internet social networking does indeed significantly predict participation in both datasets. This is a more significant finding than simply predicting the likelihood of voting. We measure political participation broadly including participating in rallies and protests, giving speeches, petitioning government, and volunteering in campaigns. Despite this, the Internet was a significant predictor of political participation. Importantly, these findings hold up even when controlling for several theoretical predictors of political participation. The Pew and Student model predicts a significant positive relationship with as stated above, Internet social networking, and also campaign contact, civic attentiveness, age, and education, *after* paribus. Surprisingly, the findings on income are mixed. Income is a significant predictor of political participation in the Pew Data, but parent’s finances is not significant predictor in the Student Data. Race has only limited effects in both datasets. Most important to our theory is that the effect of Internet social networking appears to be independent of both general engagement, external campaign influence in the Pew model with the demographic controls.

<table>
<thead>
<tr>
<th>Table 3: Models of Political Participation***</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
<tr>
<td><strong>2008 Pew Data</strong></td>
</tr>
<tr>
<td>Internet Networking</td>
</tr>
<tr>
<td>0.75</td>
</tr>
<tr>
<td>Campaign Contact</td>
</tr>
<tr>
<td>Civic Attentiveness</td>
</tr>
<tr>
<td>Age</td>
</tr>
<tr>
<td>Education</td>
</tr>
<tr>
<td>Income</td>
</tr>
<tr>
<td>Black</td>
</tr>
<tr>
<td>Latino</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Number of Cases</td>
</tr>
<tr>
<td></td>
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<tr>
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</tr>
<tr>
<td></td>
</tr>
<tr>
<td><strong>2008 Student Data</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

*** Data come from the Pew Internet & American Life Project, August 2008 Civic Engagement Survey and a 2008 survey of college students at the University of Louisville and Florida Atlantic University. Table entries are ordered logit estimates, associated standard errors, and 95% confidence intervals. Operationalization descriptions are all in Chapter 2.

** Data come from the Pew Internet & American Life Project, November 2008 Civic Engagement Survey and a 2008 survey of college students at the University of Louisville and Florida Atlantic University. Table entries are ordered logit estimates with associated standard errors. **p ≤ 0.05, *p ≤ 0.10.
While we have no real theoretical reason to expect that heightened political Internet use would be related to actual vote choice, given that so little is known about how the Internet is affecting people’s political perspectives, it is a question worth exploring. Thus, we modeled whether or not one voted for more Democratic candidates versus Republican candidates as a function of Internet social networking, party identification, race, and gender. Interestingly, Internet social networking is significant in the Pew model and in the Student model. Both models suggest that the more people use the Internet for social networking the more likely they are to vote for Democrats. This suggests that the Democrats have an early advantage in using the Internet to mobilize support among young networkers and networkers in general. The Pew Model is likely influenced by the efforts of the Obama campaign to mobilize online resources with a greater intensity and effect than the competing McCain campaign. The Obama campaign used multiple methods of online social networking with unprecedented success. There were multiple Facebook groups supporting the Obama campaign, which is not particularly noteworthy until the magnitude of the groups is seen. In just one of the many student groups the Obama campaign had 3.2 million networkers signed up (Vargas 2008). The Obama campaign had a vast network of online donors regularly recruited from social networking protocols such as Twitter and websites including Facebook and many others which allowed them to assemble millions of email address from which to solicit money and support (Vargas 2008). Nonetheless, it is problematic for us to generalize with these data. In 2008, there was a clear advantage to the Democrats in the use of online campaigning and the appeal to social networkers, but it is far too early to predict a long term partisan benefit. Yet, there is a developing pattern among young educated people that initially favors the Democrats. Those with education are more likely to vote, so as older generations are replaced, these data would suggest that those replacing them could give gains to the Democrats. Party identification and race are significant in both models but gender is not. As expected, Democrats and African Americans are more likely to vote for Democrats. As a result of the significance of these variables, we can be confident that the effects of Internet social networking in the Student model are not spurious. As more elections are conducted in the Internet age, a larger pattern will emerge to see whether the advantage wielded by the Democrats in the 2008 election is sustained.

Table 4: Modeling Democratic Vote Choice***

<table>
<thead>
<tr>
<th></th>
<th>Estimate</th>
<th>Std. Error</th>
<th>P-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internet Networking</td>
<td>0.36</td>
<td>0.06</td>
<td>0.00</td>
</tr>
<tr>
<td>Democrat</td>
<td>3.15</td>
<td>0.19</td>
<td>0.00</td>
</tr>
<tr>
<td>Independent</td>
<td>1.90</td>
<td>0.19</td>
<td>0.00</td>
</tr>
<tr>
<td>Black</td>
<td>1.33</td>
<td>0.25</td>
<td>0.00</td>
</tr>
<tr>
<td>Female</td>
<td>0.15</td>
<td>0.13</td>
<td>0.25</td>
</tr>
<tr>
<td>-2 log likelihood</td>
<td>1515.46</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nagelkerke Pseudo R²</td>
<td>0.41</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Cases</td>
<td>1683</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Estimate</th>
<th>Std. Error</th>
<th>P-value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Internet Networking</td>
<td>0.27</td>
<td>0.10</td>
<td>0.01</td>
</tr>
<tr>
<td>Party Identification (7-point)</td>
<td>0.78</td>
<td>0.06</td>
<td>0.00</td>
</tr>
<tr>
<td>Black</td>
<td>0.70</td>
<td>0.40</td>
<td>0.08</td>
</tr>
<tr>
<td>Female</td>
<td>0.08</td>
<td>0.21</td>
<td>0.70</td>
</tr>
<tr>
<td>-2 log likelihood</td>
<td>571.423</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nagelkerke Pseudo R²</td>
<td>0.52</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Cases</td>
<td>666</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

CONCLUSION

The findings presented in this chapter suggest several things. First, there is some variation across political variables and standard demographics when it comes to who is more likely to social network via the Internet. In addition, there is some evidence that heightened Internet social networking is related to vote choice at least among young people represented in the Student Data and in the 2008 election. While this is interesting, the most important finding in this study is that Internet social networking is positively associated with political participation. This finding provides hard empirical evidence in support of

*** Data come from the Pew Internet & American Life Project, August 2008 Civic Engagement Survey and a 2008 survey of college students at the University of Louisville and Florida Atlantic University. Table entries are log estimates, associated standard errors, and 95% confidence intervals. Operationalization descriptions are all in Chapter 2.
conjecture in previous work suggesting that the Internet actually represents a new means of building social capital which in turn can stimulate political participation.

While these findings are revealing, more needs to be done to make this relationship clearer. It would also be interesting to see if more or less social capital is built across the different ways that people use the Internet. Do networking sites have a greater effect than the exchange of information through email, are videos more influential than written communication, and are blogs more influential than traditional news? These are all questions that can still be explored. For now, it can be clearly stated that there is a relationship between political Internet use generally and the propensity to vote and participate.

REFERENCES


Comparing Redistricting Outcomes Across States: A Comparison of Commission, Court, and Legislative Plans

Jonathan Winburn
University of Mississippi
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The question of redistricting reform has become an important topic in many states throughout the country. At the heart of the matter is how to effectively deal with the perceived detrimental effects of allowing legislators control over selecting their own constituencies. The most common prescription is to remove legislative influence by handing over control to nonpolitical or bipartisan commissions. However, little empirical evidence exists comparing the outcomes of commission plans versus legislative plans. In this paper, I address this question by examining the role of commissions throughout the states. I argue an important aspect is limiting the problems of redistricting and promoting strong representation between legislator and constituent is not necessarily in who draws the lines, but rather the rules they must follow when putting the maps together. My results show that these rules do a better job of promoting the continuity of representation than does removing legislative control over the process.

Key Words: Redistricting, Redistricting reform, democratic representation

1 The question of redistricting reform has become an important topic in many states throughout the country. At the heart of the matter is how to effectively deal with the perceived detrimental effects of allowing legislators control over selecting their own constituencies or that elections may be made a process "in which the representatives have selected the people" rather than one "in which the people select their representatives" (Vera v. Richards, Thompson 2002). The most common prescription is to remove legislative influence by handing over control to nonpolitical or bipartisan commissions. However, little empirical evidence exists comparing the outcomes of commission plans versus legislative plans. In this paper, I address this question by examining the role of commissions throughout the states. I argue an important aspect is limiting the problems of redistricting and promoting strong representation between legislator and constituent is not necessarily in who draws the lines, but rather the rules they must follow when putting the maps together. My results show that these rules do a better job of promoting the continuity of representation than does removing legislative control over the process.

COMMISSIONS

The controversy around redistricting often centers on the issues of how effectively those drawing the maps¹ can help themselves in the coming elections by drawing partisan or incumbent gerrymanders. As a result, most of the discussion of reform focuses on the use of neutral commissions² as a way of solving the ill of legislative redistricting. Kansas State Senator Derek Schmidt recently summed up this view when discussing a proposal in Kansas to move towards the use of a redistricting commission, "There is an inherent conflict of interest in allowing those of us in public office to draw our own districts, and we're trying to mitigate that conflict" (Gneiff 2003). Most supporters of neutral commissions do not claim they are panaceas of reform that will completely remove all the legislative evils from the process and automatically produce fair and equitable maps for all involved. Rather, the common view is that the move to commissions is a viable and practical, but not perfect, solution for removing the inherent conflict of allowing legislators to pick their own constituencies (Kubin 1997, Morrill 1981). Many argue that commissions are the most common and seemingly practical alternative to legislative redistricting (Kubin 1997; Confer 2004). Theoretically, at least, the hope is that commissions will be fair and neutral bodies that do not draw lines for partisan gain but rather produce maps that are fair towards both parties and, more importantly, take better account of constituency sovereignty (Butler and Cain 1992; Kubin 1997). The main desired advantage to using a commission format is the reduction of partisan influences (often discussed in terms of partisan bias) and to produce more "fair" plans (Casson and Crespin 2006; Confer 2004).

¹ I refer to those drawing the maps as emapppers throughout the paper. This term includes anyone controlling the process including legislators, commissioners, and judges.

² The reference to neutral commissions must often refers to either commissions that have some type of bipartisan membership or selecting non-political/non-partisan members to serve on the commissions. I refer to both types as neutral commissions.

³ Kubin (1997) and Confer (2004) present a detailed comparison the potential advantages and disadvantages of commission use.

* Other perceived advantages include an increase in legislative legitimacy and less
For the 2000 round of redistricting, twenty-two states used commissions in some capacity. Table 1 breaks these down into states that grant a commission primary redistricting authority, those that use commissions as a back-up if the legislature cannot complete the process, and those states that use commissions as an advisory body.

Table 1: The Use of Commissions in State Legislative Redistricting

<table>
<thead>
<tr>
<th>Primary</th>
<th>Backup</th>
<th>Advisory</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Connecticut</td>
<td>Iowa</td>
</tr>
<tr>
<td>Arizona</td>
<td>Illinois</td>
<td>Maine</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Mississippi</td>
<td>Maryland*</td>
</tr>
<tr>
<td>Colorado</td>
<td>Oklahoma</td>
<td>Vermont</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Oregon</td>
<td>Texas</td>
</tr>
<tr>
<td>Idaho</td>
<td>Missouri</td>
<td>Montana</td>
</tr>
<tr>
<td>Iowa</td>
<td>New Jersey</td>
<td>Ohio</td>
</tr>
<tr>
<td>Illinois</td>
<td>Pennsylvania</td>
<td>Washington</td>
</tr>
</tbody>
</table>

Overall, the primary commissions fared quite well in implementing plans for the 2002 elections. Only the commissions in Arizona and Missouri were unsuccessful as the courts drew the maps for the 2002 elections. As for the backup commissions, four of the six states relied on commission-drawn plans with only the Mississippi and Oklahoma legislatures completing the process without help from the commissions.

court involvement (Conliffe 2004). In terms of legislative legitimacy, depending on the membership criteria, commissions do not support this claim as six of the 12 states that grant commissions initial control had the courts involved in some manner. Legislative plans also saw roughly 50% court involvement as well.

* States in bold use some form of bipartisan/nonpartisan commissions. Sources: NCILS (1999) and compiled by author.

** The Maryland advisory commission is an informal committee assigned by the governor, who controls legislative redistricting.

Another important component to these commissions is the membership criteria. There are three main forms of membership: the bipartisan tiebreak method, general partisan methods, and the statewide official method. Eleven states use a bipartisan tiebreak method in which the parties appoint an even number of members and those members then select a chair of the committee. Six of the states use the general partisan method in which there are either an odd number of members appointed from various offices or an even number without the appointment of a chair. Colorado is a good example of a partisan commission in which both the eleven members appointed two each comes from the party leaders in the legislature, three from the executive, and four from the judiciary. The partisan split could be 9-2 if the executive and the judiciary appoint clearly partisan members to side with two of the members from the legislature. Finally, six states use the statewide official method in which the members come from various elected statewide offices. The most common being the governor, secretary of state, and attorney general. Oregon is an interesting case since it does not have an official commission, but if the legislature fails to act as it did in 2002, then the process falls completely to the Secretary of State's office. Of these methods, the bipartisan tiebreak appointment is closest to a neutral commission used throughout the states as both the statewide and partisan appointment methods can easily give one party control over redistricting.5

Clearly, there is no one set method to the use of commissions across the states. In all cases, legislators are losing power over redistricting to a third party; however, not all commissions necessarily take away the partisanship from the process. While each commission format takes away direct legislative control over the process, it does not necessarily eliminate partisan influence. The commissions made of statewide officials or members appointed by the leadership put one party in the majority on the commission. Only the bipartisan commission format takes both the direct influence of legislators out of the process and neutralizes party control.

Redistricting Rules

Another potential constraint on the negative consequences of redistricting are the rules in place in a state that the remappers must follow. While the specific rules for redistricting vary throughout the country, over forty years of court decisions and state practices generally fall into seven traditional principles that attempt to maximize concepts of fair representation. These principles are (NCILS 1999).6

5 See Karlin (1997) for a detailed discussion of the perceived strengths and weaknesses of these methods.

6 Barabas and Jeff (2004) discuss these principles for Congressional redistricting. The general applicability is the same. Although, the practical applications of these
**Protect Political Subdivisions:** This principle refers to drawing districts that adhere to local political subdivisions in a state. The most common of these is the county level, but others include city and townships and other election districts.

**Protect Communities of Interest:** This principle refers to the concept of drawing districts that encompass groups of voters united by common social, political, ethnic, or economic characteristics.

**Compactness:** This principle relates to drawing districts as to minimize geographic area around a district center.

**Contiguity:** This principle refers to drawing districts that are completely within a single geographic unit. The general idea is to draw districts in which a person can walk the entire district without crossing into another district.

**Protect District Core:** This principle relates to drawing new districts specifically based on the old districts in attempts to minimize district change.

**The use of Incumbency Information:** This principle refers to using incumbent data in the process or attempting to protect incumbents. Some states specifically prohibit this practice while others either allow or require incumbent protection.

Section 5 of the Voting Rights Act Requires covered jurisdictions (either entire states or parts of states) with certain minority demographics to pre-clear their redistricting plans with the Justice Department. The Justice Department checks the plans for any attempts at diluting minority-voting strength.

Table 2 breaks down these rules by state. There is not a clear pattern to how the states use these rules throughout the country. Only South Carolina falls under each principle in some manner and three other states have six of the principles in place. Three states only have one principle in place (Indiana, Kentucky, and Rhode Island). Overall, the compactness, contiguity, and protection of political subdivisions are the most common principles with the principle of protecting the district core the least popular rule.

Table 2: Traditional Districting Principles for State Legislative Redistricting

<table>
<thead>
<tr>
<th>State</th>
<th>Compactness</th>
<th>Continuity</th>
<th>Political Subdivisions</th>
<th>Communities of Interest</th>
<th>Protected District</th>
<th>Incumbent Data</th>
<th>Voting Rights Act Sec. 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>AK</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
</tr>
<tr>
<td>AL</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
<td>R</td>
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<td>AR</td>
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<td>R</td>
<td>R</td>
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<td>R</td>
<td>R</td>
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rules are more important in state legislative redistricting since the reapportioners have a 10% population deviation standard when drawing districts. For Congressional redistricting, the courts have upheld equal population equality as the overruling principle.
a lot of information for most incumbents when evaluating their potential reelection bids as they know if they are representing the same core constituents that they have counted in previous years, if the constituents are new but the internal makeup is similar to their old districts, or if they have mostly new constituents in a new geographic, demographic, and partisan district.

Geographers generally make the case that geography is a key component of the representational link and an important consideration in drawing district lines. Johnston (1979) argues while redistricting is inherently political it also inherently territorial as a matter of spatial arrangement and organization. Monmonier (2001) argues from a representational standpoint that geography and the shape of districts matter because geographic concerns often lead to political alliances among dispersed social and economic groups. Spawling districts that weave throughout a state may make it harder for representatives to do their jobs. Further, modern conveniences such as better travel, increased media exposure, and the Internet make the representatives’ job of visiting their districts and their constituent’s ability to obtain information easier. However, vastly spread out districts may deter the representatives from visiting the remotest parts of their districts and urban and suburban districts that weave in and out of cities and neighborhoods may make it more difficult for constituents to even know which districts they live in and more confused and ignorant than they would otherwise be about their representatives (Butler and Cain 1992).

When redistricting the ultimate goal is to create districts with equal population for the purposes of a fair electoral system and equal representation for the voters. To promote fair and equal representative districts, one concept to consider is the continuity of representation. Gaddie and Ballock (2005) refer to the continuity of representation as the stability between incumbents and constituents from the old maps to the new maps. Another way to think of this argument is in terms of geographic district change and not necessarily in terms of incumbent stability. By focusing on geography, the potentially biasing issue of incumbency is removed from the discussion. The continuity of representation should reflect an attempt to keep as many voters as possible in the same district during redistricting. As such, redistricting should not be a game where those in control are able to completely undoe the previous

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1 Many reformers argue incumbent protection is one of evils of redistricting and for the removal of all incumbency considerations during redistricting. I do not totally agree with this point. I think the problem is more of a partisan gerrymandering issue of creating safe districts, and not necessarily one of general incumbent protection. I think it is impractical and possibly a negative to the system to advocate for removing incumbency from the process. As the term limits movement is beginning to show, getting rid of incumbents does not guarantee a reformed legislature and may actually create more problems than it solves (Sabaugh-Thompson, et al. 2004).
electoral boundaries and carve them up for their own political advantage. Rather, redistricting would better serve the electoral system as a tool for updating the boundaries, where necessary, due to population shifts and keeping the old districts as intact as possible. This district stability should put citizens in a better position to elect their representative of choice and not essentially predetermine the outcomes based on how some partisan else decided to draw their districts.

**EXPLAINING REDISTRICTING OUTCOMES**

I examine the control over drawing the maps and traditional redistricting principles in terms of influence on a plan's overall change in the continuity of representation. If non-legislative redistricting focusses more on fair maps rather than partisan maps, I expect to find both commission and court drawn plans to show greater respect for the continuity of representation. When discussing legislative control, it is important to break down the important distinction of control of government. For plans drawn under unified partisan control, the majority party should be most likely to attempt a partisan gerrymander that is more likely to redraw the map for their gain. The strategy under divided government tends to be bipartisan or incumbent protection plans that will probably produce fewer changes than a partisan gerrymander.

The traditional redistricting principles are designed to protect the continuity of representation by limiting the remappers ability to draw districts that cut across geography. The one important exception to this is the rule that prohibits the remappers to consider incumbent information in the process. These plans should show less continuity as the remappers are presumably drawing the maps "blind" from the old maps, at least in terms of where incumbents lived in their old districts.

An important component to this study is the relationship between the control of redistricting and the rules the remappers must follow. From previous studies (see Winburn 2005), I expect the rules in place to be more important than the control of the process. Winburn (2005) found little evidence to support the idea that simply removing the process from the legislature does little to remove partisan politics and strategies from redistricting. Rather, I found the rules the remappers must follow offer some conditional limitations on the success of implementing gerrymandered plans.

**DATA AND METHODS**

I examine the influence of redistricting control and rules on redistricting outcomes in the state legislatures for the 2000 round of redistricting. I examine this for each plan implemented prior to the 2004 elections. This includes 91 plans. I exclude Oregon due to incomplete data, six states (Arizona, Idaho, North Dakota, New Jersey, South Dakota, and Washington) only draw one map since the house, and senate districts are coterminous.

To measure the continuity of representation, I construct a measure that accounts for district geographic change in each plan. I do this in terms of district intactness or core retention of a district. To measure district intactness, I determine the proportion of constituents shared between a new district and its parent district. I develop this intactness score by calculating the number of precincts that the new district shares with its parent district and dividing by the total number of precincts in the new district. For example, if 10 precincts fall into a district and nine of those came from the parent district then the new district would be 90% intact with its parent district. Then take the mean intactness measure for each plan as my dependent variable with higher scores showing more continuity and lower scores indicating greater amounts of geographic change in the new districts.

There are two primary reasons for a lack of district intactness between plans. The first is to move constituents between districts to account for population shifts within a state. For most districts, this involves shuffling a minority of constituents, by either adding or subtracting population, but allows for the majority of the district to remain intact between the plans. However, some districts must undergo either complete or almost complete boundary shifts to accommodate either concentrated population losses or gains in a state. The most common scenario involves the areas of population decline, the inner cities and/or rural areas, losing entire districts to the fastest growing suburban areas. The second reason for a small core retention of constituents is gerrymandering. In either a partisan gerrymander or controlling party incumbent gerrymander, the majority party will attempt to keep their incumbents districts intact while splintering the core districts of the out party incumbents. The reason is simple. Incumbents like to represent constituencies with which they are familiar. New constituencies bring in more uncertainty for

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8 Maine and Montana, by statute, did not draw new plans until the 2004 elections. I include those plans in the analysis.

9 A parent district is the single largest contributor of population to a new district (Cox and Katz 2002). For purposes of analysis between plans, the use of a parent district allows for a comparison of the changes a district core undergoes. Comparing district numbers does not work since several states do not necessarily follow the same numbering scheme between plans.

10 This is not the only method for computing district intactions. Other measures include using population change with either registration totals or census block data. A geographical measure of area change is also possible using GIS methods. See Schaffner, Wagner, and Winburn (2004) and Crepoin (2006) for measures using GIS. A comparison of each method correlates between .90-.95. Therefore, I feel confident with the precinct measure employed.
the incumbents' personal vote (Desposato and Petrocik 2005). Under a bipartisan incumbent gerrymander, the remappers will try to keep all incumbent's district as intact as possible while using open seats to equalize population and should have greater overall district intactness.

While this measure does not directly measure for partisan gerrymandering, it is worth noting that it is probably a good indicator for whether a partisan gerrymander could be present. Plans with the greatest district intactness have little room for partisan gerrymandering since the districts underwent few changes during the process. Likewise, plans with the least amount of district intactness have a higher probability of a gerrymander given the districts underwent widespread change. However, this is a matter for future research.

Table 3 provides the summary statistics for the intactness measure and shows the average plan kept 71.61% of the old districts intact. In other words, nearly 72% of all precincts in a parent district moved together in the new maps. Table 3 highlights the range of district intactness as the standard deviation is 10.45 and the five most intact plans are all above 88% with the five least intact plans below 56%. This means the districts in the Vermont Senate kept the districts 95% intact with only about 5% of constituents shifting between districts and the Illinois Senate only kept the districts 43% intact with 57% of constituents changing districts. Overall, the range of district intactness provides an interesting measure for which to test the influences of the rules in place and control of the process.

<table>
<thead>
<tr>
<th>Most Intact</th>
<th>Least Intact</th>
<th>Intactness</th>
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<tbody>
<tr>
<td>Vermont Senate</td>
<td>Illinois Senate</td>
<td>43.04</td>
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<tr>
<td>West Virginia House</td>
<td>Rhode Island Senate</td>
<td>48.38</td>
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<td>West Virginia Senate</td>
<td>Hawaii Senate</td>
<td>48.77</td>
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<td>Massachusetts Senate</td>
<td>Nevada Senate</td>
<td>54.65</td>
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<tr>
<td>Hawaii House</td>
<td>Iowa Senate</td>
<td>55.57</td>
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</table>

I test for the importance of redistricting control by coding for the control of the plans drawn for the 2002 elections. I break control into four groups: commissions, courts, divided legislative control, and unified legislative control. In the model, I use unified legislative control as the reference group with dummy variables for each variable being coded 1 for control and 0 if not. As McDonald (2004) and Wuthnow (2005) show control of drawing the maps does not necessarily equate into a specific outcome. As such, I also code for the predicted outcome of the plans based on McDonald's (2004) study. In this group, there are three categories: neutral plans that did not appear to have any partisan/incumbent advantage, incumbent protection plans, and partisan plans that appear to be gerrymanders favoring the controlling party. I code these as dummy variables with the partisan plans as the reference group.

Table 4 indicates the control of the process along with the type of plan implemented. It is clear that having a commission does not guarantee a neutral plan as even the neutral commissions produced only one neutral plan. Overall, the partisan commissions produced partisan plans while the neutral commissions implemented slightly more incumbent protection plans.

To test for the importance of the rules, I include dummy variables for whether or not a state prescribes to the principles of protecting political subdivisions, communities of interest, and the district core. Additionally, I code for whether or not a state prohibits the use of incumbent data and whether or not a state falls under the Voting Rights Act. I code these as dummy variables for the presence or absence of the principles (1 if the state has the rule, 0 if not). For the incumbency principle, I code this as 1 if the state prohibits the use of incumbency data and 0 if otherwise. In the analysis, I expect to find a positive relationship between political subdivisions, communities of interest, and district core if these rules protect the continuity of representation. The incumbency variable should be a negative direction as the inability to use incumbency data should lead to less district intactness. Finally, if a state falls under the Voting Rights Act, I expect to find less continuity of representation as the remappers must contend with producing fair maps in terms of racial composition and this may trump the need to preserve district intactness.

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* Mean Intactness: 71.62, Standard Deviation: 10.45, N = 91
Table 4: Plan Control and Implementation

<table>
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Within the traditional districting principles, I do not include compactness and contiguity in the analysis. Generally, remappers accept contiguity as a part of drawing districts with a court accepted definition of being one in which "a person can go from any point within a district to any other point without leaving the district" (Engstrom 2002: 67). Forty-five of the fifty states include a provision calling for contiguous districts, and this does not appear to be a contentious issue in the other five states.

I exclude compactness for the opposite reason of not having a clear and accepted standard in redistricting practice. Throughout the years, the states and courts have relied on a variety of measures from the "eyeball approach" of picking out bizarre districts on the map to some of the two dozen measures developed by social scientists (Monmonier 2001). Neither the courts nor scholars have declared one measure the "best" for judging the compactness of districts. Recent decisions have held only that compactness is an important principle, but have not established a definitive for measurement purposes. Hofeller (2000) concludes current compactness standards do not effectively limit gerrymandering and the courts are unlikely to enforce the standard.

I also include two important control variables. The first is the population growth in a state between 1990 and 2000 measured in terms of percent growth. This is crucial to control for given that population change is the impetus for redistricting. If a state underwent major population growth (or loss), the remappers first responsibility is to equalizing district population and not preserving the continuity of representation. Conversely, states that did not undergo much population change do not have the need to do much in terms of redistricting, at least in terms of equalizing population. I should find the states with the largest population changes had the smallest overall district incompactness.

I also control for whether or not control of drawing the maps changed between the last implemented plans from the 1990s and 2000. I code the variable as 1 for change in control and 0 if not. I expect chambers that underwent a change to have less district incompactness as the new remappers, regardless of their goals, will probably have a different perspective for drawing the maps than those who previously controlled the process.

**Analysis**

What influences the continuity of representation in state legislative redistricting? Table 5 presents the OLS regression results from five models that test for these influences. Model 1 establishes the base model by controlling for population change in a state. As expected, the more population change in a state the less district incompactness in a plan. The remapping control model (model 2) suggests that those who drew the lines has little influence on how the plans change. There are no significant differences between commission, court, and legislative drawn plans. If we look at the perceived outcome of the plan, we once again see no difference between partisan, neutral, and incumbent protection plans. This finding is a bit surprising; however this is a general code for the outcomes in a state and does not provide much insight into the complexities and compromises of each individual plan. Of, this could accurately account for the importance of population change in the process suggesting the remappers first responsibility is to equalizing population and not gerrymandering the districts.

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* States are divided by control of the process and the columns indicate the type of plan implemented. Neural commissions are in bold. Sources: McDonald (2004) and compiled by the author.

11 This does not account for in-state migration and the change of population between districts.

12 The findings do not change when controlling for bipartisan or partisan commission membership.
### Table 5: Influences on District Intactness*

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<tbody>
<tr>
<td>% Population Change</td>
<td>-0.34 (0.094)**</td>
<td>-0.54 (0.011)**</td>
<td>-0.54 (0.081)**</td>
<td>-0.37 (0.065)**</td>
<td>-0.33 (0.049)**</td>
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<tr>
<td>Switch in Control</td>
<td>-0.10 (2.267)</td>
<td>-0.54 (2.393)</td>
<td>-4.20 (2.331)**</td>
<td>-1.60 (2.230)**</td>
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<td>Control</td>
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<tr>
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<td>-0.75 (2.792)</td>
<td>-1.60 (2.713)</td>
<td>-1.53 (5.627)</td>
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<td>Divided Legislative</td>
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<td>1.53 (2.713)</td>
<td>1.53 (3.427)</td>
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<td>-0.54 (2.173)</td>
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<td>1.67 (2.610)</td>
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<tr>
<td>Commissions of Interest</td>
<td>1.65 (2.693)**</td>
<td>0.19 (2.729)**</td>
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<tr>
<td>District Code</td>
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<td>1.67 (2.610)</td>
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<td>VILA</td>
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<tr>
<td>Current</td>
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<td>77.65 (0.354)**</td>
<td>77.65 (0.880)**</td>
<td>73.99 (2.462)**</td>
<td>73.99 (3.371)**</td>
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The rules model shows a significant relationship for the principle of protecting political subdivisions and the use of incumbent data. As expected, remappers that must follow political boundaries produce plans with greater district intactness and in those plans that could not consider where the incumbents lived had lower levels of district intactness. Neither the community of interest standard nor the district core standard reaches significance and this is not surprising given the vagueness of the definitions of these principles in many states. Additionally, this model improves the model fit by nearly 10% suggesting the rules are nearly as important in explaining district intactness as the population change is in a state.*

Finally, the full model supports the idea that the rules are more important in explaining district intactness than the method of drawing the lines as the control of the maps by the type of plan implemented adds no additional explanatory power to the rules model and does not greatly change the importance of the rules coefficients. Overall, the rules in place appear to be a significant factor in preserving the continuity of representation by limiting (or enabling in the case of not being allowed to consider incumbent data) the amount of changes those drawing the lines can implement. Additionally, this suggests the rules can also limit the amount of partisan gerrymandering that can occur since a successful gerrymander generally requires the ability to draw districts lines unimpeded across a state.

**DISCUSSION**

What do these findings suggest about redistricting reform? Clearly, the control of the process matters little when discussing the continuity of representation as commissions, court, and legislative plans show no significant differences in levels of district intactness. This study also highlights that the use of commissions, even neutral commissions, does not appear to guarantee neutral redistricting plans. On the other hand, the use of traditional distancing principles appears to be an important factor in preserving the continuity of representation for constituents in state legislative districts.

* Notes:
OLS regression
Standard errors in parentheses
* * p<.05 * * * p<.01
N = All legislative plans enacted for the 2002 elections with the exception of Oregon. The data collection for Oregon is currently incomplete. Six states (AZ, ID, ND, NJ, SD, and WA) only complete one map as the house and senate districts are coterminous.
Unified legislative control and partisan implemented plans are the control groups.
However, not all principles seem to influence the remappers. In this analysis, the principle for protecting political subdivisions and the inability to use incumbency data stand out as significant influences. These findings are not surprising given the clear and rather unambiguous standards of these principles. Additionally, these findings support my earlier findings that for these principles to be an important part of the process a state needs to define clearly the parameters of the principles. A clear definition of these principles makes it more difficult for the remappers to ignore and easier for the courts to uphold.

Turning to the principle of protecting political subdivisions, I argue this is an important principle that encourages fair redistricting plans that benefit the voters and enhance representation. I base this on Grofman’s concept of contigability, which he defines as “the ability to characterize the district boundaries in a manner that can be readily communicated to ordinary citizens of the district in common sense terms based on geographical referents” (1993: 1262). Grofman’s concept of contigability relies heavily on the central place of geography in the American political system. Central to Grofman’s argument is the way that voters identify themselves with the geography within a state. Distincting based on this concept would involve following natural geographic boundaries and political subdivisions within a state (Grofman 1993). An emphasis on contigability provides an option for a partisan neutral redistricting. A focus on contigability appears to be a fair method to distribute districts so that all constituents are able to identify which district they vote in based on clear geographic units within a state. I argue that geographic units are inherently politically neutral and shift the focus from political considerations to those of the voters.

Overall, this paper provides an important empirical test of the use of commissions in the redistricting process and shows that the rules, and not control of the pen (or computer program), do a better job of supporting fair maps and limiting the detrimental effects of gerrymandering. The next phase in this research is to delve into issues of partisan gerrymandering and district level changes that go beyond a succinct measure of overall plan change.

REFERENCES


The Electoral College: A Critical Analysis

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This paper looks critically at several of the principal arguments employed for and against the continued use of the Electoral College, as opposed to a system of direct popular vote. The Electoral College does not merely diverge from our common American practices of direct popular vote, but it does so in ways that arbitrarily benefit some states at the expense of others. While federalism clearly has desirable features for the United States, and a one-party system may be desirable, neither is threatened by the removal of the Electoral College. Many of the defenses of the College appear to indicate a skepticism toward holding a large-scale national election, but, to the extent that such skepticism is justified, the Electoral College system, which is essentially a national election with some arbitrary twists, is not a reasonable alternative.

Key Words: Electoral College, presidential elections, federalism, two-party system, democracy

One of the strange beliefs of the defenders of the present system—a myth of very considerable convenience—is that the American democracy is so fragile that the very slightest constitutional job will have an apocalyptic effect. Thus, presumably we would fall apart if President Nixon were impeached. We would fall apart if President Nixon were not impeached. We would fall apart if FDR were elected to a third term. We would fall apart if the Supreme Court seriously implemented Brown vs. Board of Education. The defenders of the status quo will always invoke the specter of a constitutional crisis when in fact constitutional change is contemplated by the Constitution itself.

—Theodore Lowi

*This paper was originally presented at the 2003 annual meeting of the Kentucky Political Science Association. It won the David Hughes Memorial Award for outstanding paper the following year.

1 Lowi wrote this in the context of advocating a multi-party system, but the argument is quite relevant here. Theodore Lowi, "Toward a More Responsible Three-Party System: The Mythology of the Two-Party System and the Prospects for Reform," PS: Political Science and Policy 1983:704.
In November and December of 2000, the inevitable finally occurred: after a gap of 112 years, a presidential election produced a split result, with one candidate winning the popular vote, and the other the electoral vote. The fact that such a result might have been expected to cause was largely absent. Of course, loyal Democratic voters were outraged, and there has been a renewed interest in discussing the Electoral College among some scholars, but the event had only a brief impact on editorial pages, and produced little outcry in the public as a whole. No citizens' movement to change the College has sprang up, and Congress' discussion of the topic has been minimal.

The democratic, majoritarian aspects of our system increased in those 112 years. Consider, for example, the switch to directly electing senators (in 1913), the granting of actual suffrage to almost all adult citizens (via the Civil Rights Movement in the 1950s and 1960s and the 19th Amendment granting votes for women in 1920), and the rise of public opinion polling (in the last half of the twentieth century), just to name a few significant changes. Thus, resistance to a non-majoritarian institution such as the Electoral College might be expected. The relative lack of outcry may have something to do with just how few Americans care much who gets elected president in the current era. Moreover, as Jack Rakove noted, "the tedious business of considering a constitutional amendment with little prospect for adoption could hardly compete for public attention with the tumult in Florida." But that is a slightly different topic. Here I wish to examine the Electoral College itself, and whether we ought to be concerned that it is still an integral, functioning part of our political system.

The specific purpose of this piece is to critically analyze some of the major claims that scholars make both for and against the Electoral College's continued existence. It is my conviction that many of these claims have not been carefully pondered, certainly not sufficiently for the current relevance of the topic.

Ultimately, I will argue that the supporting arguments for the Electoral College fail to satisfactorily explain why such an institution is appropriate in a modern democracy (or even a democratic republic). I will begin with discussion of the most significant criticisms of the College. The first, and most common, is that it is anti-democratic, or, at the least, anti-majoritarian. The second, related (but much less discussed) point is that the specific ways that the Electoral College differs from national majority rule and advantages some states at the expense of others are quite arbitrary.

The defenses of the Electoral College are interesting, in part because they have shifted in emphasis. A significant defense traditionally has been the College's support for a moderate, two-party political system. This is an important argument that I will analyze, but it is less prominent in many recent discussions. A more constant defense through the years has been the College's role in promoting federalism. A popular third point since 2000 has been the problems of vote counting and voter fraud in a close national popular election. This is a variant of the general theme of the difficulties of a true popular national election in the United States. Finally, and reluctantly, defenders point to the problems with either of the direct popular vote alternatives, run-offs or simple plurality elections.

Given the presumed low probability of any change in a system that requires the passage of a constitutional amendment, one might reasonably ask: why bother discussing the College at all? First, prospects for change are presumed to be low in part because of a widespread belief that most states (especially small ones) are greatly advantaged by this system so that they will not ratify a popular vote amendment. It is my conclusion that this belief is at least somewhat mistaken, that the College leads many states to be ignored now. Secondly, there is value in examining our systems and comparing them with alternatives, if only to better understand their functioning and effects. Finally, related to the above two points, I believe that there are many weak arguments and false claims made about the Electoral College, even by intelligent scholars, and these should be disputed for the sake of truth and good scholarship.

Arguments Against Maintaining the Electoral College

The case against the Electoral College is perhaps simpler than the case for it. The two main (and related) ideas that I will discuss here are the anti-democratic nature and arbitrary effects of the College. In discussing these arguments, I will consider the counter-arguments of the College's defenders. Thus, arguments for and against are interwoven here, as in the next section on arguments for the Electoral College.

The Electoral College as Undemocratic

The most frequent criticism of the Electoral College is simply that it runs counter to our accepted principles of democracy in that it allows a president to be elected even if that person has received fewer popular votes than an opponent. As procumbent Electoral College critic Lawrence Longley puts it:

"The Electoral College is not a neutral or fair counting device for tallying popular votes cast for president in the form of electoral votes. Instead, it counts some votes as more important than others, according to the state in which they are cast."


Of course, this distinction from pure majority rule occurs because of the winner-take-all rule within each state and the constraint two votes that each state receives regardless of population.

This criticism is so simple and obvious that defenders do not dispute it, but instead point out something almost equally obvious: our system is not, nor should it be, completely democratic or majoritarian. Of course, the Constitution contains many other aspects that are not wholly majoritarian or democratic, such as the many checks and balances built into the Constitution that may thwart the wishes of a majority.

Defenders of the Electoral College state that democracy does not necessarily mean simple majority (or plurality) rule. Judith Best describes this criticism of the College as a desire to reduce democracy to more numbers. To this, she responds that "the right winner must be defined politically not arithmetically."  

Paul Schumaker and Burdett Loomis, in explaining why their group of scholars chose the Electoral College over all the major alternatives, respond to the majoritarian criticism as well: "this criticism is problematic because it misunderstands democracy and has an oversimplified conception of "the public will." They then make several thoughtful and important points along these lines:

Because no one set of election rules is clearly best, the critical issue for democracy is that agreement exists on electoral rules. Public choice theories have demonstrated that the concept of public will is often vacuous, an abstraction intended to signify what most members of public wish, but a concept that is impossible to operationalize precisely.  

These points are all well-taken. And indeed, from the standpoint of some social choice theorists, most discussions of the meaning of particular elections are useless, since elections are so arbitrary and manipulable. But that is an extreme view. A reasonable conclusion from the 2000 election is that the public was split; any democratic theorist would be hard-pressed to show why either Gore or Bush deserved to be president more than the other.

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6 Best, The Choice of the People, 30.
9 For example, see William H. Riker, Liberalism Against Populism: A Comparision Between the Theory of Democracy and the Theory of Social Choice (San Francisco: W.H. Freeman.)

by some democratic criteria. It may be that such a choice is so arbitrary that national public elections of this kind should not be held.  

But if we are to hold elections that tally the votes of all citizens, the burden of proof would seem to be on those who would hold them under conditions in which the votes of these citizens are treated unequally. There are indeed many reasons why the desire of a simple majority or plurality should not hold sway, such as the defense of important individual rights. But why weight the votes in this particular way? These leads to the next point.

The Arbitrary Nature of the Electoral College's Effects

The Electoral College emphasizes states, to be sure, and thus federalism provides one set of justifications for it, as will be seen in the section on defenses of the College. But first I wish to explore some of the actual effects of the College on campaigning.

At the heart of most practical discussion of the Electoral College today is the question of whom it is advantaged by it. What is intended by this question, specifically, is how do candidates (and perhaps presidents) behave differently from the way that they would in a direct popular vote system? For such an essential question, the answers are elusive. This is an excellent example of the relative neglect from which the Electoral College has suffered as a topic of study.

American government and presidential election textbooks routinely state that the College's existence operates to the benefit of the largest states. The logic of this argument is that the winner-take-all process magnifies the influence of large states by making them the decisive blocs of votes. This can be supported with so-called power indices, which measure the percentage of the time that each state would make the difference among all possible winning coalitions of states. Using this type of reasoning, for example, Brunns and Davis developed the "3/2 Rule," arguing that candidates will spend resources at a rate of 3/2 times the electoral votes of the state.  

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8 But virtually no-one seems to be arguing this. A return to actual elections deciding, for example, is seldom entertained. See more on this train of thought in the conclusion.
10 Steven J. Brams and Morton D. Davis, "The 3/2's Rule in Presidential Campaigning," American Political Science Review 68 (1) (1974). But note the counter-argument by Rainey and Rainey that such models falsely assume that all states are equally likely to form coalitions with all other states. Glenn W. Rainey and June
Yet popular wisdom also has it that the College benefits small states. Indeed, one of the major impediments to any change is assumed to be the reluctance of small states to give up this advantage, which arises from the constant two votes added to each state's number of representatives. Thus, the smallest states get a larger share of the total than they would in a pure popular vote. Rainey and Rainey point out that the largest nine states in 1930 contained 52% of the population but only 45% of the electorate. Furthermore, they calculate that removing the constant two would have affected some electoral outcomes, including that of 2000. In other words, it can be argued that Gore lost because of the small state advantage.

It may well be that large states and small states are at advantage at the expense of middle-sized states. If so, it cannot be a very large advantage. To be fair, I must conclude that the jury is still out on this question, but the Rainey’s case for small states' advantage is powerful. Of course it begins with the question: why should small or large states be advantaged? As many commentators have pointed out, small versus large states for or against an important issue at the 1787 convention, is not a significant issue division in the U.S. now, nor has it been.

And, though this fact is strangely absent from most textbooks, there is little dispute that the Electoral College overemphasizes states in which the electorate is expected to be close, since the winner-take-all rule makes other states' exact popular vote total unimportant. And one could search constitutional history and democratic theory for a long time to find philosophical justification for that distinction. As Rakove ably points out, the winner-take-all provision itself gained favor in the early Nineteenth Century for political gain in particular elections.

Among the best recent evidence for this tendency is the paper by Hagen, Johnston, and Jamieson, in which they measure actual candidate appearances and ad spending, state by state, in the 2000 presidential election. Closeness of the 1996 presidential election in each state predicted both of these variables well. But only did Brans and David's 3/2 rule of extra attention to large states hold, but there was little clear relationship between state size and candidate attention.

Thus, especially when combined with more-and-more refined marketing and poll of techniques, recent elections, the winner-take-all rule used in states leads to campaigning that is pin-pointed to particular media markets. The 2000 election was also the opposite of what some defenders of the Electoral College describe when they discuss the College's role in promoting broad-based, national campaigns. The argument has been made that the College encourages such widespread campaigns because, without it, a candidate could ignore large sections of the country. The logic of that argument is questionable, since winning coalitions made up of relatively small proportions of narrow sample of the can be easily imagined in both the Electoral College and in a popular vote system. But the 2000 election example ought to dismiss the point altogether. No national ads were run by either Gore or Bush; they were replaced completely by spot ads in key markets in swing states. As Rakove puts it:

Although the national elections were closely divided, whole swaths of the country, comprising large and small states alike, essentially sat out the campaigns because there was never any doubt in whose column their electoral votes would fall.

This is an excellent example of arbitrary effects of the Electoral College. The College in 2000 positively discouraged a broad national campaign in this close election.

ARGUMENTS FOR MAINTAINING THE ELECTORAL COLLEGE

The Electoral College and the Federal System

There is little doubt that the Electoral College was federal in its origin, as written such as Gregg, Best, and Stoner argue. These defenders are on
relatively strong ground when emphasizing the importance of federalism for our system overall, and the extent to which the College was a significant part, both politically and philosophically, of the federal system developed by the Framers. The difficult and important questions then become: just how federal is the College now, and in what important ways would replacing it with direct popular election change federalism in the twenty-first century?

Judith Best points out that counting votes by state is one of the many ways in which our system works through states rather than through simple, equal counting of all persons in the country. The Senate’s equal votes for each state, and the constitutional ratification process are good examples. Interestingly, she draws a parallel to the way faculty senates in universities may represent faculty in departments, as departments, rather than as equally-weighted individual faculty.23

Changes in popular attitudes over time are a relevant point to consider here. Best rightly states that the Constitution itself had to be ratified by each state before that state would join it (New York could not, for example, overvote New Jersey because it is larger, and force both to join).24 Such a process was both natural and politically necessary at the time, when states where more important units than the national government, both in their power and in the attachment individual citizens felt towards them.

But is that the case today? I suggest that the faculty parallel is not a good fit with the current U.S. While many Americans feel an attachment to their state, they are far more likely to move from one state to another than a faculty member is to change disciplines. They may well live in one state and work in another. They are more likely to vote in national elections than in state and local ones, despite the lesser likelihood of one citizen affecting national election outcomes.

The trends toward nationalism mentioned in the above paragraph may be defended by adherents of a stronger state version of federalism, but such trends do suggest that in current times it is not necessarily more natural to count by state. I do not by any means suggest eradicating or even eroding the federalism that remains in our Constitutional system, but proponents of keeping the College to promote federalism need to be more concrete and clear on how the College promotes federalism. Best, for example, states that the existence of the College means that to be successful a presidential candidate must win states. This means the states as political units have an influence on the

23 Best, The Choice of the People, 35-34.
24 Best, The Choice of the People, 53-54.
a relevant point on the strength of the American system. The actions of state government, Congress and the Supreme Court, for example, appear to be much more important variables for the viability of federalism.  

Defend of Our Two-Party System

The two-party system is as American as apple pie, and, to quote expert commentator on American politics Michael Barone, the Electoral College is a "great institutional support of the two-party system." The College, according to this line of reasoning, penalizes third-party candidates by requiring them to win whole states in order to receive any electoral votes. Thus, third parties, and extreme views in general, must compromise and fold themselves into our traditional centrist two-party universe. Barone’s essay focuses on the importance of discouraging third parties, but it contains little evidence that the Electoral College is necessary to do so.

I will not mince words and argue that, while this has been a popular argument for the Electoral College, it is among the weakest. My argument takes three parts:

1) the Electoral College is not necessary for promoting two-party systems because single-member districts (and other U.S. laws) do so quite effectively.

2) Neither the Electoral College nor single-member districts can completely eliminate third parties from playing a significant role because regionally strong parties can gain seats or electoral votes.

3) It is at least a debatable proposition that the two-party system should be encouraged.

The first point is so obvious because the connection between single-member districts and two-partyism is among the most well-established relationships in political science. Sometimes called Duverger’s Law, after Maurice Duverger, this relationship says that virtually no political systems that employ single-member districts in which there is one winner per geographical area have two dominant parties.24 Any other parties tend to be weak and/or short-lived, because there is continuous electoral incentive for other parties to merge into one of the larger ones. Only parties with some variant on the proportional representation system, where all vote-getting parties receive some

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24 A few decades ago, when federalism was perceived to be threatened by an ever-expanding national government, the Electoral College was in place. And it has been actions of those other institutions (Congress, courts, and state governments) that have helped to revive federalism in recent decades.


26 This system is also called "winner-take-all" or "first past the post."


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representation in multi-representative areas, are likely to have more than two significant parties. In such systems, several parties can thrive electorally, and then compromise at the legislative level to form governing coalitions.

This analysis is very familiar to political scientists, because it appears in every American government textbook.29 The absence of powerful third parties in most non-presidential elections testifies to the effectiveness of single-member districts, along with other electoral laws in the U.S., such as those limiting the ballot access and campaign finance that is available to minor parties. There have been a small number notable exceptions to the two-party dominance of late, such as Jesse Ventura in Minnesota, and a few other independent office-holders. But, as in other periods of U.S. history, these exceptions tend to be short-lived. Indeed, it is notable that third parties have made so few inroads in recent decades, given the low levels of support for the two major parties.28

My second, less crucial, point is that some third parties may actually thrive, at least for a while, in a system with single-member districts or an Electoral College. Those are regionally-based parties. Thus, Populists gained some power and elected many officials in the Midwest in the 1890s, and George Wallace garnered forty-six electoral votes in a few Southern states in 1968. But any attempt at building a broader-based third party runs into the problems inherent in winner-take-all systems.

Finally, the assumption that two-partyism ought to be defended in open question. Barone argues that the Electoral College is good because it discourages small and dangerous third parties; it restrains the fiscally irresponsible tendencies of political ideologues and idealists, who seek to impose their will on a majority of those who reject their views. Whether more viable third parties are desirable is a large topic, worthy of a separate essay. But a few remarks are in order here.

Barone’s view of the motivations and tendencies of third parties is a bit of hypocrisy; certainly one could not classify the leaders of all small parties in multi-party systems this way. Twenty years ago, Theodore Lowry wrote a thought-provoking essay, challenging various defenses of two-partyism. He challenged various dire scenarios of what would occur if we elected a third-
party president and/or many third party members of Congress, such as the idea that government would often be deadlocked (more than now?). At minimum, it should be concluded that reasonable observers of American politics may differ in the two-versus-multiparty issue. It comes down to values, such as representation of more views, versus belief in moderate compromise, or belief in increasing participation levels versus the need for stability. But, based on past national votes, the supremacy of two parties in the U.S. is hardly in doubt, so defense of the two-party system cannot be a basis of the Electoral College's defense.

The Magnifier Effect and Clear Winners

Another argument for the Electoral College is that it magnifies the margin of victory and that it produces clear winners. The argument essentially is that the College usually produces a clear, large margin of victory for the winner, who has had an absolute majority of electoral votes in every election since 1824. Thus, the winner is clear, and therefore considered legitimate. Our system is kept stable, and presidents, with a reasonable claim for legitimacy, are able to govern.

Small popular vote margins of victory are usually magnified for much the same reason that a party that gets only slightly more votes nationally in U.S. House elections than the other party usually rules the House by more than just a few seats. If one candidate or party fairly consistently wins narrow elections in winner-take-all states, that candidate or party will usually wind up with a larger overall victory.

Aside from the presumed benefit of having clear results and legitimate government, Judith Best argues that the "magnifier effect" tends to work for candidates with broad-based victories in various geographical areas, and this idea does make sense in light of the discussion in the paragraph above. Thus, the magnifier is not just "smoke and mirrors," but a reward for successfully mounting a broadly-based campaign. This argument would be stronger if Best could provide us with examples of deserving and undeserving candidates. E.g., have there been candidates who won many popular votes but did not gain larger victories in the electoral tally due to a lack of a broadly-based campaign?

Best's analysis especially emphasizes the clear results and lack of deadlocks. She concides that the Constitution's contingency plan for deadlocks when there is no electoral majority is problematic in the House is skewed by being one vote per state, and the possibilities of deal-making in the House are disturbing. The Electoral College works to decisively, she argues, that majorities virtually always occur. She cites the 1992 Perot example, where, despite much concern over the possibility of a deadlock due to his popularity, he of course received no electoral votes and no deadlock was remotely likely. And even George Wallace in 1968, with a regional campaign, could not deadlock the College.

These points harken back to my discussion of the two-party system. It is true that third-party candidates are unlikely to impede an Electoral College victory (or to impede a popular vote victory in any elections in our winner-take-all system), and the College makes it less likely they will even deny a majority. One could argue, however, that there are some smoke and mirrors here. Perot was supported by a fifth of the electorate, and the count that matters, the Electoral count, says he received nothing. This distorted the reality of the public's views in 1992.

More relevant to Best's argument, she dismisses the regional candidates such as Wallace too easily. The Electoral College makes a strong regional candidate more likely to affect the results than would be the case in a popular vote system. Such a candidate can receive more electoral votes than the "electors," precisely because we are counting by states. A candidate such as Wallace can be almost completely devoid of support outside one region, yet he can garner significant electoral votes. While Wallace did not deny Nixon an electoral majority, such a result is quite possible, and only requires a closer electoral margin, such as we had in 2000, combined with a strong regional candidate.

The clear results from the College are often contrasted with the alleged problems of runoffs in a popular system. Some such problems are discussed briefly below. For now, it is interesting to read Best's description of a hypothetical "contingency election" (runoff) and its threats to stability and legitimacy in light of the 2000 election that dragged on for weeks:

We don't want delay, uncertainty...We don't want to have the outcome uncertain for weeks or even months...while the world watches in dismay...)

No real crisis of legitimacy, either domestic or international, occurred when the winner was in doubt for weeks in November and December of 2000.

Theodore Lowi, "Toward a More Responsible Third-Party System: The Mythology of Two-Party System and the Prospects for Reform."

Judith Best, The Choice of the People, 11.

The broadly-based campaign issue was discussed also in Section II of the paper.
due to the Florida vote-counting problems. This lack of crisis may owe more to the stable political culture and rule of law in the United States than to any particular method of selecting the president. Again, as Lowi pointed out, our system is not as fragile as it is sometimes argued.

In conclusion, there is evidence that the magnifier effect occurs, and the Electoral College does have a history of being decisive. The latter is rather faint praise: many systems, including hereditary despotism, can be decisive in choosing a leader. Evidence on the significance of the magnifier is lacking. As mentioned in the introduction, only small segments of the public seem to get worked up about who is the president in most cases. Die-hard supporters of losing candidates have no problem disputing the legitimacy of winners in any case.38

Problems of Vote Counting and Fraud

The Electoral College served to center the post-election battles in Florida. Without it, I fully expect we would have seen vote recounts and court battles in nearly every state of the Union. Can you imagine the problems in Florida multiplied 10, 25, or even 50 times? Rather than being an argument against the Electoral College, the 2000 election was a strong and forceful warning against its abolition. — Mitch McConnell39 (2001, xv)

Prospects for controversies over voting and ballots, as well as the temptation for actual vote fraud, are said by proponents of the Electoral College to be decreased by that body. While these arguments have not been written about as extensively as some of the above points for the College, they are mentioned often since 2000 that they are worthy of analysis. The argument is essentially that when the election is close nationwide, as pressure participants to cheat, or, at least, to engage in more challenges to Florida, as some would put it. Paul Rahe, in the same volume as McConnell, makes a similar point,40 as do Pomper41 and Herron, et. al.42

38 After each of Clinton’s presidential election victories, staunch Republicans quickly pointed out that he lacked popular vote majorities. Apparently the magnifier effect and decisive majorities in the Electoral College were not enough to modify them.
43 See the discussion of arbitrations in Section II.
country. Is this the price we pay for more democratic elections, and, if so, is it worth paying?

Weaknesses of Alternatives to the Electoral College

All of the above arguments compare the Electoral College, explicitly or implicitly, with its alternatives, generally direct popular election of some kind. Some arguments, however, more specifically refer to the alleged flaws of alternatives, and these I will address briefly here.

Judith Best criticizes direct popular election on several counts. Many of her arguments refer to points above, e.g., that direct election is not federal, or that it harms the two-party system. Much of her other discussion involves problems with either a popular election allowing a winner with less than fifty percent or having a minimum percent requirement (usually between forty and fifty percent is suggested) that would frequently lead to a runoff.

Best argues that any popular vote system allowing a candidate with less than fifty percent to win is undemocratic: "unless you hold a runoff election there is no accurate way to assert that a candidate who won a plurality has or would have the support of the majority." This is a reasonable point, but it sounds rather odd coming from an opponent of direct popular vote. Were the many presidents who failed to achieve a majority of the popular vote acceptable winners because the Electoral College gave them a majority? Clearly, Best would say yes, but the point is questionable. And what of all the non-majority winners in non-presidential elections across the country for governor, senator, mayor, etc.?

Best and other proponents of the Electoral College also dislike the runoff election needed to ensure a majority. This is in part because it encourages too much splintering of the vote in the first round, and also because a runoff is not "swift and sure." The splintering of the vote can be a problem: France's recent presidential election provides a good example of the worst of such a system: several parties split the vote into such small parts that extremist candidate Jean-Marie Le Pen made it to the runoff before being defeated by President Jacques Chirac. That said, runoffs are used around the world without serious problems, and they have been used in some states of the United States. Innovative voting systems, such as an "instant runoff" in which voters list second choices might work better than the conventional runoff, but the simple plurality system without runoffs is well-tested across the United States, as the ordinary way of structuring elections, and it avoids most of these problems.

CONCLUSIONS: Skepticism Toward Popular Elections in a Democracy

Some of the most plausible arguments for maintaining an Electoral College over a direct popular vote plan seem to be based, in part, on skepticism of popular national elections. One of the better arguments against direct popular vote is the possibility of widespread voter fraud and recounts in close, important elections. Such a possibility is inherent in any election system made up of real, flawed humans. And there is consideration among defenders of the Electoral College of the issue of whether popular majorities really ought to choose a president in every case. Thus, some arguments for the College seem to be arguments against applying democratic elections to the presidency, despite our use of such methods for all other elected offices.

Some of this skepticism makes for awkward arguments, because the current Electoral College is "most of the way down the road to choice of the president by the people." (Pierce and Longley, 22). Thus, if popular national elections are not generally a good way to choose presidents, then some alternative to them besides our modified Electoral College system would be in order. One can make a reasonable argument that hundreds of millions of people cannot choose one person to lead them in anything like a rational process. And by what right should Gore or Bush have won in 2000 when the race was closer than any counting system's margin of error?

If one takes such views to their logical conclusion, we should do something altogether different, such as return to the original Electoral College system or something like it, in which small groups of people weigh the choices. Or perhaps we should adopt a parliamentary system, in which leaders are chosen in part by the public, but in part by elected political leaders. Yet almost
Immigration in the E.U. and the U.K: A Conflict of Interests and Policy

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Though contemporary society is becoming increasingly globalized, most of the developed world is looking towards immigration policies aimed at keeping other people and cultures out. This unfortunate trend is creating a society of xenophobes everywhere—one culture or race becomes a target and beneficial characteristics and ideas from another culture, while isolating and at times even condemning that same group. Though the issue of border security remains a hotly debated topic in the United States, Europe is looking towards its own version of border control and the removal of human resources. However, there are some major European powers, such as the United Kingdom, that believe this doctrine holds potential security and sociocultural threats to our society. By introducing a graduated point-based system of immigration, the British parliament hopes to control immigration within the region, but at great potential cost to agreements and alliances within the EU. This paper explores those impacts and the potential consequences of this new policy through the lens of human rights, and external relations policy in the European Union.

Key Words: Immigration policy, United Kingdom, European Union

INTRODUCTION: IDEOLOGY AND REBELLION

Members of the European Union (EU) resists the right to travel, work, and establish residency within the union. In 1992 this right was of fundamental importance to the Union, and came to a head in 1993 when the European Commission finally initated a policy at the Tampere convention in Finland that created the first comprehensive set of human rights and civil liberties. As a result of the subsequent Schengen agreement, the EU has become more open, encouraging the idea of a more tolerant Europe that promotes social and economically from its diversity. However, recent legislative trends in some member states, particularly recent changes to the immigration system in the United Kingdom (UK), are pulling in an opposite direction. Important

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IMMIGRATION AND HUMAN RIGHTS WITHIN THE UNITED KINGDOM AND THE EUROPEAN UNION

In a post-9/11 society, increased attention is placed on the security of the state and the state's preservation of its culture. Additionally, this dynamic has raised problems from the perspective of democratic rights and freedoms as a result of fears that immigrants might bring with them extremism and counter-cultural elements from their home countries, particularly those in the Middle East. Europe has tried to negotiate between economic growth through migration, and maintaining security alongside a commitment to multicultural policies. While the Schengen border-free zone has been expanded to include virtually all of continental Europe, the United Kingdom believes it has found an alternative solution to these long-standing issues: just don't let them in. The result: the British Highly Skilled Migrants Programme (HSMPI), an immigration system modeled after the Australian and Canadian systems.

Since its inception, the UK has remained on the periphery of EU, often skeptical and occasionally resentful of supranational authority (Kinnell, Russert, Starr 412). Though member states have the right to devise and implement immigration policies of their own, the British points system violates several existing agreements within the EU, agreements the UK claims it supports. This conflict between UK immigration policy and EU ideals presents human rights concerns, especially in cases involving refugees and asylum-seekers; it seems cold to ask how many "points" an individual life is worth to the state? Moreover, this policy provides a basis for a clash with the European Commission, as well as future grounds for Britain to challenge the increasingly unpopular influx of Eastern Europeans immigrating through the EU Charter of Fundamental Rights (Treaty 16).

Between 1993 and 1998, the number of immigrants to the UK more than doubled, and in 1999, the number of asylum-seekers increased sharply. This presented a new problem for the Labour party and its millennium agenda, and prompted intense debate over how to curb the situation. In 2003, Home Secretary Charles Clark unveiled a grand scheme to combat illegal immigration, tightening restrictions on those hoping to immigrate legally, and filtering out the masses of refugees inhabiting England, Scotland, and Wales. The policy implemented a 5-year plan that established a fine of £2,000 per undocumented worker for those employers taking advantage of the illegal influx, as well as heavy civil and criminal penalties for human trafficking. Additionally, the government pledged a zero-tolerance policy for asylum-seekers staying after their visa expiration, an end to chain migration, and most controversially, the 2003 HSMPI or "points system." The HSMPI uses a formula to assign a numeric value to potential citizens and guest workers. Initially, the program fast tracked visa applications for qualified health, technology, and business professionals.

In 2006, the minimum points score was raised to 75, and a handy calculator introduced via the web to let potential residents evaluate their chances of being
granted citizenship. Points are assigned to a particular applicant on the basis of his or her age, level of educational attainment (at least a Bachelor's/four-year degree is generally required), earning power, U.K. experience, English proficiency, and region of origin. There are five income categories that divide minimum earning power by region, category A being the most developed countries like the U.S. and France and Category E containing developing nations such as Nigeria and Afghanistan. Preference is given to the most advantaged of applicants from each category. In addition to earning points, candidates are completely disqualified if they have ever been bankrupt, convicted of a crime, or would be dependent for any time on government aid (Home Office of the United Kingdom 2007).

The points system does not just filter out low-skilled persons from the developing world, but is rather generous in its elimination of future laborers from across Europe as well. Applicants in their 30s only have a value of 5 points, and those who don't have an MBA from a prominent graduate school (specifically listed by the Home Office), or do not speak English as their primary language, have virtually no chance of gaining a visa. Select individuals may qualify for a temporary 12-month unskilled work visa if they are married, with no dependents, under the age of 27, and never intend on applying for permanent residency within the U.K. Beginning in 2008, these standards will be applied to all visas issued within the U.K. with the introduction of a graduated system that will phase in the same standards for scientists, doctors, teachers, graduate students, undergraduate transfers, and asylum-seekers attempting to establish residency. The government will annually issue a number of visas for each category, with the greatest number of visas reserved for science professionals and the least for refugees (MacLeod 1).

By late 2009, experts say that the flow of migration will be cut in half from its peak in 1999 (MacLeod 903). In a change that will affect many, the policy no longer guarantees long-term residency to the immediate family members of U.K. citizens. Additionally, under the extended HSMIP, there is no appeals track for rejected applicants.

THE IMPACT OF THE POINT SYSTEM ON INTERNAL E.U. RELATIONS

Policy Impact on the United Kingdom

Though it may seem a logical first step toward solving Britain's labor and population crisis, we see that the U.K. loses many qualified workers to other developed nations such as France and Germany, and attracts the largest number of low-skilled workers from Eastern Europe of any E.U. country. By implementing restrictions on inward migration, the U.K. is failing to address the issue of retention in an attempt to incentivize growth, and exacerbating existing conflict by creating a public-opinion driven policy that feeds into anti-E.U. sentiment. If U.K. membership in the E.U. is ever to be visibly supported by its citizens, the state must stand behind supranational mandates with vigor and energy rather than adopting policies that meet the bare minimum membership standards. Moreover, the effectiveness of a diplomatic strategy designed merely to save face among E.U. elites remains questionable amid severe enforcement tactics, for instance, the recent dawn raids that physically removed illegal residents from their homes and families for immediate deportation (Gordon 1). U.K. immigration policies raise questions about its commitment to E.U. human rights doctrines and its willingness to fulfill standards regarding the social equality of non-European citizens.

As mentioned earlier, dawn raids and racial profiling are already being used as tools for the recognition and deportation of asylum-seekers including Sudanese refugees that are being detained and sent back to Darfur. Scotland also seems to have encountered a large number of legal African and Caribbean immigrants overstaying their visas because they do not feel they can safely return home. As of 2006, nearly 1,000 asylum-seeking families faced the possibility of being forcibly extracted from their homes under the cover of darkness for immediate deportation back to their country of origin (Gordon 1). The majority of these were women and children who would otherwise be provided minimal provisions of safety and legal rights under the Hague Programme of 2004. Within the Hague Programme, the Receptions Conditions clause guarantees asylum-seekers adequate housing, food, and health care within member states for the duration of their application process. Britain does theoretically provide this. Detained asylum-seekers are put in a medical security facility, provided military rationing, and given emergency medical treatment if it becomes necessary. Were the U.K. to abide to the spirit of the law instead of its minimum legal requirements, its changes of deeper E.U. integration would improve alongside the treatment of prospective immigrants. January 2009.  

Policy Impact on Prospective Immigrants

Currently, the point system takes the greatest toll on those individuals attempting to emigrate from Africa, particularly countries proximate to the European Neighborhood policy that reaches out to countries bordering member states in hopes of enhancing regional security and cooperation. The United Kingdom receives particularly large numbers of migrants from countries in North Africa of E.U. member states presently. After 2008, however, it is reasonable to expect those numbers to fall below other countries that attract residents of the Maghreb, France and Germany in particular. When we examine the current cultural violence in Paris, and Germany's increasingly assertive policing of Islamic extremism, it is safe to conclude that the welcome mat will not be extended graciously to asylum-seekers denied their petitions in Britain—what will also affect Britain's popularity with other member states. In all, those needing to leave their countries the most will find it harder than ever to find a new home. Prospective migrants in Britain's former colonies, in
contrast (many of them quite stable, safe, prosperous) will have the easiest time.

Policy Impact on the European Union

The E.U. has also established a commitment to students, and has committed to providing equal opportunities for study irrespective of nationality. In Council Directive 2004/11/CE, the E.U. mandates the qualifications and handling procedures for third-country nationals seeking higher education opportunities in excess of one year. This law was due to be transposed by member states in November 2007, and has been by ratified by the United Kingdom. However, the points system once again allows the U.K. to skip supranational mandates by allotting quotas for the varying categories of immigration. Students are only ahead of refugees in terms of the number of available visas; as a result, once the state’s quota has been filled, prospective students will be denied the opportunity to study in the academic year of their choosing. This is especially damaging to U.S. students seeking enrichment opportunities abroad in their late undergraduate years, as well as graduate students who operate on a strict academic time schedule. It is also harmful to colleges and universities in the U.K., which rely heavily on the patronage of international students to finance and enrich their departments.

Through the ENP initiated in 2004, the Union committed itself to extending a privileged relationship to those countries immediately bordering member states, including Libya, Algeria, and Morocco, three of the major contributors to the U.K.’s migrant inflow. This plan was a strategic diplomatic effort to strengthen relations between member states and neighboring countries, both in terms of economic and political cooperation. By implementing a plan that devalues citizens from these regions (they linger in the lowest earning power categories of the point system), it provides a basis for greater social class, and contradicts the diplomatic efforts of the E.U. to expand its influence and development in these areas. Traditionally, close to 90% of those wishing to emigrate from these countries to the U.K. fall into the student and asylum-seeker categories, which are of lowest priority under the Labour Party’s graduated points system. U.K. policies almost seem to be designed to undermine E.U. priorities. In the most recent report issued by the European Commission on the progress of the ENP, they stated that certain elements were vital to the success and advancement of the project—specifically greater cooperation between members, neighbors, and the creation of a transparent civil society of member states.

Civil society contracts are gaining in intensity and variety through the actions by individuals, organizations, businesses and local and regional authorities. The role of the Commission and the Member States in the civil society dimension is primarily as facilitators, because public bodies cannot set the agenda for civil society. What the Commission and the Member States can do is to work to strengthen the scope for civil society to work, inter alia through the regular policy dialogue with the ENP partners. There are also areas, which require public funding, such as student mobility and, in particular, building civil society capacity in the partner countries. Member States and the Commission already support an extremely wide range of activities, reflecting the varying historical, geographic, and cultural background to their relations with the ENP partners. This support is being strengthened, but we also need to work together and to share information more fully (European Commission 2006).

According to this report, the U.K.’s cooperation on matters of public policy (especially immigration policy) is not only necessary for the success of ENP, it is mandated by the EC itself. Through execution of the new immigration legislation, the U.K. continues to distance itself from the rest of Europe, and risks damaging long-standing efforts to integrate the social, security, and economic development policies of member states. Additionally, the points system jeopardizes over-arching regional strategies designed to strengthen the global community in terms of both social equality and security. The official E.U. Strategy for Africa established a comprehensive effort that utilizes supranational resources and member state cooperation to help Africa as a whole achieve the U.N.’s millennium development goals. Though a great deal of the plan calls for massive humanitarian and development aid, it also teaches on Europe’s immigration policies: “Particular attention should be paid to employment policies, the promotion of cultural diversity and turning migration into a positive force in the development process.” While the E.U. acknowledges the urgent needs of asylum-seekers in principle, and in some cases long-term residency in European nations, the points system plan provides severely limits their ability to safely emigrate in practice. The U.K. has approved a plan that would allow some asylum-seekers temporary residency, with the possibility of permanent residency after five years if the situation in the countries they left has now improved. But the “irregularization” standards of the Home Office are nonetheless minimal. Perceived stability is a particular regime in the short term could lead to a refugee’s return to a country that is still quite dangerous. Migration scholars and migrants alike should expect that the full implementation of this policy, and its effect on the U.K. at home and abroad, will discredit it. The blatant violations contained in it are apparently being ignored by the E.U. itself, as well as other human rights organizations that might benefit from bringing this fact to the attention of the European Commission.

It does not profit the European Council (E.C.) to remain silent on this issue for several reasons.
First, if the E.U. executive continues to tolerate the United Kingdom's consistent apathy and flagrant violation of supranational authority, they risk losing credibility and authority over other member states struggling with similar problems. Currently, France is also experiencing conflict regarding immigration, social inequality, and the preservation of indigenous political culture. If Britain cannot successfully control and reduce diversity in their country at the expense of human rights, then the current conservative administration in France might be emboldened to institute a similar policy of its own. President Nicolas Sarkozy has not even attempted to make a secret of his personal distaste for the immigrant "scum" plaguing French suburbs. Judging from the most recent round of youth riots, and escalating violence towards police, it is highly possible that the French parliament could be open to such protectionist public policy measures simply to restore calm and stability to these areas. Additionally, if matters such as age and country of origin are permitted to be criteria for evaluating an individual's prospective utility to the state, countries like the U.K., France, Germany, and Spain may use their immigration systems to further exclude Islam from European society. Recall, too, the earning power and income variable previously mentioned in the point system; several of the developing countries listed in the lowest levels of preference and economic consideration are also primarily Muslim. European (and primarily Christian) states could use the income requirements for immigration as an excuse to filter out those individuals who allegedly pose the greatest threat to their sociopolitical culture and security. The E.U.'s policies, designed in part to achieve some level of multicultural diversity, should not be ignored without objection from Brussels.

Second, acquiescing to a policy that removes much-needed agricultural workers from Scotland may bolster Scottish desires to separate from the U.K. and create yet another membership candidate for the E.U., with few resources to contribute and heavy needs for supranational subsidies and assistance. In January of 2007, the E.C. alerted the Scottish National Party that it would encounter more difficulty than they advertised when trying to seek membership. Not only do the effects of Scotland's agriculture industry been condemned, but the public has also been galvanized against the point system by the inhumane treatment of illegal immigrants in the region. Beginning with the highly publicized 2005 case of an Albanian family who were apprehended in one of the infamous dawn raids, Scots have been sensitive to their own immigrant heritage and the ethical treatment of policy violators. The infant state would have to compete with Eastern European nations for resources and attention, as well as gain the approval of the French electorate, ready recently passed a measure prohibiting E.U. expansion until approved by a French referendum.

Third, both the European Union and the United Kingdom would be invalidating their own claims as champions of humanitarianism and liberal ideology in the international community. For the U.K., they would be directly damaging the lives of individuals and families seeking protection within their borders. Sylvia Voci, a thirteen-year-old girl deported from Glasgow to Kosovo described her circumstances to the media as "terrifying." Her story alerted the public to a wave of kidnappings in her Albanian neighborhood—the girls kidnapped to sell as sex slaves—and described the desperate plight of her family in Kosovo since being extracted from their U.K. home of five years. Countless asylum-seekers from across the globe living in the U.K. on temporary visas live in daily fear of being torn from their lives in the developed world to be delivered back into countries whose dangers and political upheaval they barely escaped. Not asylum-seekers also suffer. Students, even well seasoned professionals, from developed and developing nations will increasingly be denied the opportunity to pursue disciplinary and economic advancement in one of the wealthiest and most developed countries in the world. By its inaction, the European Union would effectively be supporting a policy that is in direct contradiction to its purported commitment to human rights. Furthermore, it would be supporting a policy that demonstrates a clear prejudice against specific ethnic groups in spite of its commitment to multiculturalism and diversity.

**Conclusion**

Finally, it is worth noting that an expanded points system is "bad business" on the part of the U.K. Not only does the policy directly contravene significant key policies within the E.U., this further attempt to set itself apart from an alleged "Union" will succeed in doing precisely that. As previously noted, other states have resolved similar problems in their labor markets, without raising their concerns, without trumpeting on what should be considered foundational E.U. rights. The diplomatic, social, human, and supranational costs of the policy point will undoubtedly alter the landscape of European policies if it continues toward full implementation. Citizenship is not a recognized human right, but it is only right that a state view immigrants not as potential resources for the state, but as humans—as people with lives, values, and the capacity to make non-monetary contributions to civil society. How the E.U. chooses to deal with this conflict may result in any one of several possible outcomes. If they continue to turn a blind eye to the situation in the name of member autonomy, then other states will begin to pursue the same immigration system in the name of nationalism or economic strife. In this case, such dissolution will lead to one of two outcomes: a wholesale reconceptualization of the E.U. approach to external migration and human rights policy, or a final showdown between the E.U. and the U.K., the outcome of which will demonstrate which legislative power reigns supreme. If a compromise solution is not reached—the U.K. could, for instance, distribute the number of visas evenly among all other E.U. categories and loosen income restrictions on prospective.
migrants—there would seem to be two possible ways for this ideological crisis to be resolved. The European Council could move to limit states’ ability to opt-out of certain supranational agreements such as the Charter of Fundamental Rights; or, the United Kingdom could be ejected from the Union entirely, thus losing the economic benefits of remaining a part of the E.U. The stakes are high, and the most satisfactory and democratic outcome is undoubtedly the compromise.

REFERENCES


Coleman, D.A. "Replacement Migration, or Why Everyone is Going to Have to Live in Korea: A Fable for Our Times from the United Nations." Philosophical Transactions: Biological Sciences 357,1420 (2002): 583-598.


Imperium et Sacerdotium:
Universalism, Fragmentation, and New Medievalism

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Contemporary international relations theory suffers from a stubborn reliance on the Westphalian notion of the state system. Theoretically, the sovereign state is the supreme political unit in world politics and is the only political unit with access to international decision-making. However, in the real world, globalization has led to the development of a myriad of transnational associations. Added to the complex of regional, international, and even supranational governing structures, these organizations and associations have created a web of interaction that works above, below, and across states. While skeptics question the political ramifications of globalization, it is without doubt that modern world politics is rife with non-state actors. Simultaneously, states suffer from increasing rates of internal disintegration along social, ethnic, and national lines. It seems then that world politics is experiencing, simultaneously, increasing interdependence fueled by globalization, as well as significant rates of disintegration across the globe. In the meantime, states have yet to give up their position of primacy in world politics and remain the supreme political organization. Yet Westphalian notions of the state system cannot account for the introduction of so many political forces above, below, and across state boundaries. A new framework must be established that better explains the phenomenon of global connectedness, autstate dissolution, and widespread faith in the state system. This paper suggests new medievalism as a viable alternative.

Key Words: Westphalian system, globalization, political disintegration, New Medievalism

INTRODUCTION: THE END OF WESTPHALIA

International relations theory considers the state to be the prime unit of political organization. While political divisions may divide national authorities and responsibilities within the state, and international and transnational organizations may attempt to coordinate or persuade from above, the state itself remains the locus of sovereign authority and loyalty. This design, known

*This paper, presented at the Kentucky Political Science Association in 2007, won the Abdul Halik Iliyasu Award for best paper presented by an undergraduate student.
as the Westphalian system, supposedly did away with the confusion and discontinuities of the complex medieval system of feudal realms within ecclesiastical and imperial dominions of Western Christendom.

However, as the adage goes, history repeats itself, and politics is certainly not immune. While Marx argued that history was the struggle between social classes, it has also been a struggle at a higher, less direct level. The dichotomy of classes within society is paralleled in world politics by the struggle between forces of cultural cosmopolitanism and particularism, the latter of which usually manifests itself politically, while the former can manifest itself within other social facets, such as religion or economics.

What, then, does this mean for the state? While states remain, in international relations, sovereign powers, on an individual level they compete especially in nationally-homogeneous states, ethnic or cultural divisions, both of which can disturb the supposed absolute authority and loyalty of the state. These developments are clearly seen in the increasing width and depth of economic, social, cultural, and technological globalization, as well as the frequent disintegrating of states torn asunder on identity grounds. This has led Friedrich, to develop what he called the “tale of dilemmas of current International Relations theory”: economic and social globalization centers, paradoxically, with ethnic and cultural fragmentation, while the state’s dilemma is a new model of world politics, one that breaks down what Hedley Bull called “the tyranny of existing concepts and practices” of IR theory and better represents the multiple layers and loci of loyalty and authority beyond the state’s new medievalism.

2 Benjamin Barber tightly covered the simultaneous rise in intensity of globalization and fragmentation in Jihad vs. McWorld (New York: Random House, 1995): “anyone as well as the front page stories on the mechanics of the information superhighway and the economics of information superhighway. In the whole 300-page book, he wrote, ‘it knows that our world is one that lies between the two extremes of race and soul; that of race and soul, and of soul anticipating the cosmopolitan future.’” 3-4.  

DEFINING "NEW MEDIEVALISM"

Medieval policies were more than just decentralized feudalism. Manorial lords (dukes, bacons, earls, etc.) had significant autonomy over their local territories and populations of serfs and villagers, not to mention the service of a private armed force. However, their lord’s power was exercised over a fief, granted to him by a higher lord, usually the king. This created a complex—and potentially confusing—system of hierarchy. Moreover, the complex of nobility led to political divisions at multiple levels, which led to multiple allegiances for noble and commoner alike.

It was this complex arrangement that Arnold Wolfers described when he first coined and defined “new medievalism”: a blurring of the line between domestic and foreign policy. Later, Hedley Bull, a prominent IR theorist of the English School, contributed significantly to the development of the concept of new medievalism in his magnum opus, The Anarchical Society. Here he considered the possibility of “a secular reincarnation of the system of overlapping or segmented authority that characterized medieval Christendom” in the modern world. Based on five criteria—regional integration of states, disintegration of states, the restoration of private international violence, transnational organizations (multinational corporations), and the technological unification of the world—he ultimately concluded that “if some of the trends towards a ‘new medievalism’...were to go much further, such a situation might come about, but it would be going beyond the evidence to conclude that ‘groups other than the state’ have made such intraps in the sovereignty of states that the state system is now giving way to this alternative.” Thirty years later, the trends be perceived have unfolded further and important new ones have begun to affect the Westphalian system in interesting ways.

Friedrichs provided a breakthrough development for new medievalism in his 2001 article, “The Meaning of New Medievalism.” Medieval politics was a complex web of overlapping authority and loyalties, but there was more to it than that. Wolfers, Bull, and others believe Friedrichs had left out the most significant social characteristic of medieval Europe: Christianity. Politics ski...
not stop at the level of kings; above them was pope, the sovereign of the Church and God’s representative on earth, and the Holy Roman Emperor, his secular counterpart. These two formed what Friedrichs called “a duality of competing universalistic claims” whereby “in addition to the centrifugal forces of fragmented polities there was a strong countervailing tendency of ecclesiastical and secular universalism that generated a considerable degree of cohesiveness” despite the multiplicity of political authorities to which various communities were also loyal.

New Medievalism, therefore, is a complex system of overlapping authorities and loyalties held in check by competing universal claims. Importantly, the concept itself allows for multiple interpretations on the important question of what authorities and loyalties are politically essential. It is not a rejection of the state as a significant player in world politics, as some have suggested. Moreover, it is important to note that new medievalism does not predict the rise of major imperial powers or the re-establishment of an assertively political religion making universalist claims. Not is it a neoeconomic critique, calling for a reestablishment of feudalism, monarchy, aristocracy, or any such characteristic of the Middle Ages. Furthermore, as John Ralston has pointed out, it does not imply a cultural Dark Age.

Rather, new medievalism uses the basic characteristics of the global medieval order to analyze the contemporary international system. Thus, this paper maintains the viability of the state system (internationalism) as a major component of world politics, yet also considers the increasingly political nature of the global market (internationalism) as competing universal claims. Moreover, this competition leads to the devolution of power from the centralized authority, and the dispersal of loyalty, thus accounting for the multiple sources of authority and fuel of loyalty that once permeates today beyond the state.

Of course, the “new medievalism” argument hinges a persuasive demonstration that the state system has actually declined on the one hand, as well the argument that the market can make real political—so opposed to just economic, social, or cultural—claims on states and their citizens. In terms of international relations theory, new medievalism regards the interaction of nation-state political communities or forces, not just governmental institutions, as an important variable in the international system, something the traditional understanding of the state system neglects. New medievalism offers an explanatory framework that accounts for new competing universalistic claims as well as the breakdown of the state as the locus of authority and loyalty. In its broader sense, the duality of competing universalistic claims comprises Internationalism. This duality can be seen through several prevalent trends in world politics that are specific representations of the overall picture.

STATE VERSUS NATIONAL IDENTITY

In a true nation-state, individual loyalty to his nation should coincide with the authority his state exercises upon him—for example, a Frenchman is first and foremost loyal to France and recognizes the legitimacy of France’s political claims. Increasingly, however, individuals are finding sources of authority and loy of loyalty beyond (or below) the state. This can be seen at the subnational, international, and supranational levels.

A nation-state requires a nationally homogeneous populace. Throughout the Westphalian era, “people who identified themselves as nations sought their own states,” a trend that continued through the twentieth century. In these cases, the state, including its territory, was defined by national loyalties and sentiments. However, in regions outside Europe, particular in Africa, states govern nationally heterogeneous territories, encompassing multiple nationalities, ethnicities, and even politically autonomous regions (themselves organized around claims to nationhood). Bull argued that “out of the demands of the Welsh, the Basques, the Quebecois, the Flemish and others, there may arise qualitative changes in the states system,” which would lead to a neomedieval arrangement. Friedrichs claimed that in the “contemporary world the hegemonic claim posed by the nation-state system does not hold anymore,” particularly because so few nation-states exist. “Older conceptions

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b See Anne-Marie Slaughter, “The New World Order,” Foreign Affairs 76, no. 5 (Sept./Oct. 1997), 183–197. Specifically, she accused that “the new globalization claim the end of the nation-state” (183); as well be seen below, this could not be further from the truth. In fact, it real closely, new medievalism supports the necessity the society, as opposed to the abstract, heterogeneous states that cover the map.

c The new medievalism, it should be noted,” he wrote, “is not always malign or violent.” “The New Middle Ages,” Foreign Affairs 85, no. 3 (May/June 2006), 101.

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The terms Internationalism and Internationalism are borrowed from Friedrichs, “Meaning,” 488.


c Bull, Anarchical Society, 266.
of political order along ethnic, cultural, and religious lines begin to reemerge, particularly in the periphery but also in the Western world. The failure of arbitrarily drawn borders throughout Africa, the Balkans, and the Middle East, among other regions, shows the political utility of an alignment between nationhood and state boundary.

Aristotle wrote that the state must "have a size that suits the state, and whether it should consist of more than one nation or not." However, given the rapid rate of globalization and the increased ease of travel, might it also be possible to draw lines around and within nations, taking in many states or dividing a state into several nations? In most all cases, borders could be drawn around districts according to the majority population's national identity. Aristotle's preferred identity between the two no longer exists in much of the world. The breakdown of nationally heterogeneous states, as seen in Eastern Europe and central Asia after the Cold War, does not necessarily redefine the state system by creating such an identity of nation and state either. Populations change and their beliefs and identities shift, especially in the modern era. Globalization leads to mixing of populations (what some have called citizens of the global society or consumers in McWorld) while claims to statehood based on ethnicity, language, tribal heritage or shared history continue to create fissures at lower and lower levels.

Even in (relatively) stable parts of the world, questions of identity raise doubts about the dominant I.R. theories. Consider European citizenship, effectively written into the Maastricht Treaty. This was achieved in practice by the development of individual rights under the EU framework that superseded national rights. One provision—"The most important right of EU citizens is to live and work in any of the 12 countries without requiring that they do not apply to citizens of those countries"—cannot but contribute to the continued erosion of internal borders within the EU. Add to the mix the EU's Committee of the Regions, "established in response to a growing demand for greater regional autonomy and a corresponding belief that, as regions grow...

18 Friederichs, "Meaning," 484.

in self-governing capacity, they too should have a voice in the EU," and one perceives further circumvention of the state by the ever-increasing supranational claims of the Union.

The vast and growing array of Intergovernmental Organizations (IGOs) widens and deepens the argument. The UN failure to make progress toward securing individual rights in many parts of the world is in part due to the fact that states—the agents responsible for most human rights abuses—themselves constitute the UN. Were the UN to establish its own Committee of the Regions, and offer it significant decision-making authority, the world body might be less hesitant to flex its muscle. While states would suffer some loss of primacy and autonomy, global governance would be best served by acknowledging the realities of current world politics. Moreover, NGOs—the global interest groups—might have more weight in such an institution, especially those that report on and fight against state sanctioned oppression of minority ethnicities. This, too, requires an end to the tyranny of state primacy. A neomedieval system of structuring the institutions of world politics—according to which real power lies with non-state actors—would allow for such advancements.

THE POLITICS OF THE GLOBAL MARKET

The previous section showed that as national identities become increasingly important in world politics, the state should lose primacy in global governance. The political effects of the global market, spurred by globalization, are taking a significant toll on the efficacy of maintaining the state system as well. Global capitalism has led to the development of not only a powerful economic-based regime for decision-making in world politics, but also a macroculture of consumption.

Few political decisions are made without deep consideration of the financial and economic consequences. "Both the national state system and the world market economy are made up of competing entities with universal aspirations, namely states and corporations," Friederichs wrote. "While nation-states are the principal actors in the modern state system, corporations..."
constitute the transnational market economy. Territory, population, and resources—traditionally considered the foundations of state sovereignty—are now both contested not only between states but also among corporations and between states and corporations. This breakdown of the world into two interconnected, competing realms presents an interesting situation for world politics. As economic matters such as movement of capital and labor fall out of the purview of states, they bring along with them political matters such as definitions of territorial boundaries, citizenship, and tax base jurisdiction. This leads to two trends: fragmentation along socioeconomic lines rather than political ones, and economic universalism as states lose power and authority to clearly define their own national economic policies vis-à-vis global policy.

The real tragedy of the demise of the state via the global market is that the states themselves have permitted it, and in most cases, promoted it, even if unconsciously. This occurs in two ways. First, states adjust their economic policies so as to attract jobs creating industrial linkages. Secondly, foreign and direct investors are increasingly able to use the threat to exit the country as a method to leverage beneficial tax and labor policies. Gellens and McCoy have argued, "government policy independence is held hostage to market forces if they wish to maintain a high level of investment." As they point out, this leads to the proverbial "race to the bottom" as states bankrupt themselves financially and morally, selling sovereignty and capability for the economic benefits of giant firms. Keith Suter adds that as states offer lower and lower tax rates, funds for services become more and more scarce, causing two problems for the state: first, it can no longer afford to provide basic services for its citizens; and second, individuals become more loyal to the private companies and organizations that fill the service vacuum. Lower taxes mean more pocket money for individuals and the world markets they control. Thus, this extra money in the hands of individuals and corporations has helped to finance a vast consumer expansion over the past three decades or so, there also are shortages in essential services and infrastructure.24

24 According to Rapley's study of "Kingston's gangland," there don't and kings maintain law and order, "complete with a holding cell fashioned from an old chicken coop and a street-corner court"; moreover, they "tax" local businesses and punish delinquent taxpayers, using the revenue to fund a "rudimentary welfare system by helping locals with school fees, lunch money, and employment" ("The New Middle Ages," Foreign Affairs 85.5 [2006], 95).

The second way states promote their own demise through economic policy is by attracting cheaper labor—usually in the form of illegal immigration seeking jobs. In this case, rather than selling out and failing to provide basic services, developed states with generous immigration policies attract migrants seeking jobs and superior social services, as seen in the cases of Mexican immigration to the United States and East European immigration to Western Europe, particularly France and Germany. This leads to many political problems: strains on the domestic services of the host state, social discord and resentment between citizens and new immigrants, and entanglement of domestic naturalization agencies and diplomatic relations with the immigrants' home state, to name only a few. The end result is the same: political autonomy is sacrificed to economic exigency, much of it driven by factors operating well beyond the state's political boundaries. While the host state certainly does not aim to cause these problems by its own economic success, it does unwillingly place itself in a position to attract these challenges to its ability to control its territory and regulate its population and labor force.

This rise of the global economy as a considerable political challenge to states has taken its toll in the macroeconomic sense as well as in the microeconomic sense of individual interaction. "Managers in transnational corporations, decision-makers at the IMF and the IBRD, administrators at the WTO and the OECD are all involved in a universal project of regulating human relationships through the impersonal principles of the market," Friedrichs argued.25 Barber also declared that "the political domain is 'sovereign' to be sure, but the usurping domain of McWorld has... shifted sovereignty to the domain of global corporations and the world markets they control." The result of this shift of sovereignty away from the state, he argued, "is a kind of totalitarian coordination—in the Middle Ages it was theocratie; in this age of McWorld it is economic.26 If market forces have wrested authority and loyalty from the state on a global level, it follows that sovereignty should be reconstituted in a similar way, and measured not simply in a state's theoretical ability to project power in pursuit of its interests, as current IR theory would have it, but in terms that take the forces beyond the state's authority into consideration. New Medievalism recognizes that states will remain powerful actors; but it also recognizes that they operate in an international system that includes other significant actors as well.

25 Ibid.
27 Barber, Jihad vs. McWorld, 296. Note the connection Barber draws between the medieval Church and the modern market, almost exactly as Friedrichs does in his article.
BACK TO THE FUTURE: THE POTENTIAL OF NEW MEDIEVALISM

"One reason why European integrationists are and such groups as the Quebecois and the Basques (let us call them 'unionists') are drawn towards solutions which would result simply in the creation of new sovereign states is the tyranny of existing concepts and practices," Hedley Bull wrote.

The momentum of the state system sets up a circle (vicious or virtuous according to the point of view) within which movements for the creation of new political communities tend to be confined. Perhaps the time is ripe for the circumscription of new concepts of universal political organization which would show how Wales, the United Kingdom and the European Community could each have some world political status while not losing claim to exclusive sovereignty.28

If the European Union, what began as an economic union designed to allow the states to retain authority over economic actors by agreeing to cooperative action in a limited sphere, continues to develop into a political union, it could reach a supranational position held only by medieval empires.

Casting off the straitjacket of state-centric thought could also lead to more innovative methods of handling sub-Saharan Africa, Eastern Europe, and other parts of the world plagued by intrastate conflicts, civil war, and ethnonationalist secession movements. Clearly, in these places maintaining the status quo is futile, even at a systemic level. The state system is one of many Western inventions forced on these peoples, and to reconsider ancient structures and arrangements may not be the worst idea. Complete fragmentation should not be allowed, but prolonging the inevitable is pointless, foolish, and cruel.

Beyond its status as an ever-deepening IGO, the EU holds other promising potential models for a post-state, neo-medieval world system. The example of the European Union's Committee of the Regions has already been offered as a potential method of handling intrastate tension, while the EU itself is a promising method to combat transnational problems, but the implications are far more than just political: the economic effects of understanding world politics beyond the sovereign state could lead to reforms in global trade, fiscal policy, and international aid that may be far more beneficial. But this first requires an end to the tyranny of the Westphalian system. Instead of assuming that state sovereignty is absolute, a permanent feature of the international system, students of international relations, world politics, and global economics would benefit from creative new thinking. In particular, they should devote more time to contemplating improved transnational and subnational arrangements and institutions better suited to addressing problems that do not respect the obsolete borders of the Westphalian system.

28 Bull, Anarchical Society, 267.

REFERENCES


Whyither Toqueville’s ‘Seed of Free Institutions’?: The Importance and Decline of Localism in America

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Alexis de Toqueville argues that local government is the “seed of free institutions.” On his account, active participation by citizens at the local level helps guard against the three great dangers to modern democratic regimes: sum of selfish preferences majoritarianism, tyranny of the majority, and wild despotism. This paper traces the decline of localism in the United States—an inevitable consequence of trends Toqueville himself foresaw—and comments on the consequences, both from the perspective of the political community and from the perspective of individuals pursuing a decent and happy life.

Key Words: Toqueville, local government, tyranny of the majority, wild despotism, civic participation

Written some hundred and seventy years ago, by a Frenchman visiting the United States for the first time and for only a brief time, many still believe Alexis de Toqueville’s Democracy in America to be “at once the best book ever written on democracy and the best book ever written on democracy.” How can it be that a commentary about Jacksonian America—written before the Civil War, before industrialization to say nothing of subsequent technological revolutions; before the great migration to the cities; before revolutionaries Progressive thinkers and their compelling arguments for a much more powerful national government—remains one of the most important books ever written about free government? In part, no doubt, for the prescient warnings Toqueville offers—about the dangers of industrialization and the attendant threat of materialism, the dangers of democracy’s particular habits of mind, in particular equality, and related to this, the dangers of administrative centralization. Democracy in America is as much about maintaining healthy democratic government generally as it is about the particular exemplary democracy that inspired Toqueville’s book. Nothing, for Toqueville, is as important in this respect as local government.

Toqueville’s appreciation that democratic reform in Europe was a “universal” and “providential fact,” even “an irresistible fact against which it would be neither desirable nor wise to struggle” was the reason he wrote. For he realized then what we have lost sight of today: democracy is not unambiguously desirable as invincible historical development. When he writes that “to wish to stop democracy would...be to struggle against God himself” he is expressing the sad recognition that much of the brilliance of aristocratic Europe could not be saved no matter how heroic the efforts. For all the good democracy might bring, Toqueville also understood its potential to do violence to the human soul. His time in America, where “democracy such as antiquity had not dared to dream of sprung full-grown and fully-armed,” had taught him that the revolution he was witnessing could turn out to be “advantageous or fatal to humanity,” an outcome he very much wished to help subsequent generations avoid.

Modern readers are distanced from taking this possibility seriously. For it is the very ideal in the service of which grand revolutions shattered the old era, and in the service of which the regimes of the new era have been fashioned, that itself threatened, according to Toqueville, to become a poison. With unprecedented opportunity and class mobility so democratic centuries threatened to unleash the “depraved taste for equality in the human heart.” Toqueville feared that by reducing men “to preferring equality in servitude to inequality in freedom,” a new form of despotism might emerge—worse than any before it, but also more pervasive and thoroughgoing.

Thus, Toqueville’s provocative argument that the democratic social state has the potential to ruin communities, erode family life, sap individual ambition and initiative, and all but close off the kinds of excellence that redefines human life must be taken all the more seriously today, however uncomfortable it may be. Guarding against the potentially catastrophic effects of this new idea was, after all, Toqueville’s reason for writing. As one commentator explains, the primary question for Toqueville, much as it had been for Rousseau (whose ideas literally pervade Democracy in America), “is whether freedom can accompany equality or whether universal tyranny will result from it.” To this, one could do worse than add Allan Bloom’s striking observation that “It is the formation of free men and free communities founded on egalitarian principles to which both Rousseau and Toqueville are

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1 Alexis de Toqueville, Democracy in America, Translated by Harvey C. Mansfield and Debra Westrop, (Chicago: University of Chicago Press, 2000), xiii.
2 Alexis de Toqueville, Democracy in America, 6, 7, 460.
3 Alexis de Toqueville, Democracy in America, 55, 13.
4 Alexis de Toqueville, Democracy in America, 52.
TOCQUEVILLE’S AMERICA: THE IMPORTANCE OF LOCAL GOVERNMENT AND ASSOCIATIONS

Toqueville’s emphasis on the importance of local government is emphatic and wide-ranging. He argues that the township constitutes a bulwark against what threatens democracy most: (1) classical forms of tyranny and despotism; (2) the excesses of popular government, most especially tyranny of the majority; and (3), the soft, humane, but pervasive despotism that arises from the combination of rampant individualism and administrative centralization.

In the first place, political instability has been the perennial problem for republican government. Faction is the most flagrant threat to a government’s continued existence. The Founding Fathers were especially concerned about faction. The excesses of popular government, most especially tyranny of the majority; and (3), the soft, humane, but pervasive despotism that arises from the combination of rampant individualism and administrative centralization.

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Jefferson was right to remark, "this whole chapter in the history of man is new." 10

Why is not tyranny an omnipresent threat in modern democracies as it was in the classical republics? Most importantly, perhaps, Tocqueville believes a small national authority to be an important prerequisite for liberty. He remarks, for instance, that "In most European nations, political existence began in the higher regions of society... In America, on the contrary, one can say that the township had been organized before the country, the country before the state; the state before the Union." 11 Precisely because there was no powerful national authority in place, the first Americans were supremely fortunate to find themselves governing themselves with very few restrictions imposed upon them by an authority external to their relatively small and homogenous communities; that is, in America, "political life was born in the very bosom of the township." 12

More than this, however, the habit of local self-government served to inculcate in Americans the desire (and the experience which would be necessary) to govern themselves democratically at higher levels. "In the heart of the township", Tocqueville argues, "one sees a real, active, altogether democratic and republican political life reigning." 13 In short, the experience of local government serves to provide citizens with the political education requisite to govern themselves at higher levels. From the very beginning, Americans learned (by practice) that "each individual forms an equal portion of the sovereign and participates equally in the government of the state." 14

In other words, they learn much more than administrative skills; most importantly, they learn that legitimate political authority resides with the people—and with each individual equally. Enclosed by the habit of local government at the level of the township, this "dogma" is the reason the "townships have remained independent bodies". Americans came to believe they had a right to govern themselves. This universal opinion constitutes the basis of Tocqueville's observation that "one encounters no one among the inhabitants of New England... who recognizes in the government of the state the right to intervene in the direction of interests that are purely the township's." 15 It is an opinion which Americans adhere passionately, one that taught them to be dubious of far-flung authority. Democratic government, they learned, meant self-government according to local norms, one's own laws. They learned to regard as morally legitimate only government in which they participate and to which they actively give their consent—if not personally, then through representatives they have elected personally.

Having grown accustomed to (and capable of) governing themselves at the local level, it was only natural that Americans would govern themselves in the manner at the national level once independence was formally secured. As Tocqueville recounts the story, "The American Revolution broke out. The dogma of the sovereignty of the people came out of the township and took hold of the government; all classes committed themselves to its cause; they did combat and they triumphed in its name, it became the law of laws." 16 In short, that Americans are committed to the (Enlightenment) belief that legitimate sovereign authority resides with the people—and that an administration that lacks popular mandate can never be legitimate—constitutes the most powerful bulwark against tyranny. Rule by any authority not justified by this "law of laws" can never be legitimate.

Good democratic government also requires the subordination of individuals' particular interests to the common good, however. That is, it is not enough that people zealously guard their sacred right either to participate personally in government, or else to authorize a representative (of their choosing) to govern on their behalf. For as Tocqueville perceives very clearly, "Intellectually equality comes directly from God, and man cannot prevent it from existing always"; or as he has it in a later formulation, "it is impossible, whatever one does, to raise the enlightenment of the people above a certain level." 17 The political consequences of this fact should be obvious: believing one has the right to rule is not equivalent to demonstrating the capacity to rule well; or put another way, the distance between the rule of the wise and the rule of the many is vast. For most, the selfish loves, greed and vanity, will always be stronger, much stronger, than their enlightenment. Thus, where men see free to rule themselves, there is always the possibility that they will put that liberty to bad use, the majority tyrannizing the minority, for instance. In Rousseuan terms, the sum of individual preferences (the "will of all") is not identical to the true interest of the community taken as a whole (the "general will"). In his Social Contract, Rousseau goes on to ask the essential question that follows from this: "How will a blind multitude, which often does not know what it wants because it rarely knows what is good for it" ever manage to rule itself well? Put simply, he concludes that the people "are in need of guides." 18

This is one of the reasons Tocqueville wrote Democracy in America: to guide democrats who have been emboldened by rights, though certainly not

10 Thomas Jefferson to Dr. Joseph Priestly, 21 March, 1801.
11 Alexis de Tocqueville, Democracy in America, 40.
12 Alexis de Tocqueville, Democracy in America, 35.
13 Alexis de Tocqueville, Democracy in America, 40.
14 Alexis de Tocqueville, Democracy in America, 51.
15 Alexis de Tocqueville, Democracy in America, 62.
16 Alexis de Tocqueville, Democracy in America, 54.
17 Alexis de Tocqueville, Democracy in America, 53, 180.
enrolled, to govern well in an era in which democratic government is the only reasonable option. Among his most emphatic crucial reliance on local government. For not only did the typical New Englander become attached to directing local affairs "because he sees in that township a free and strong corporation that he is a part of and that is worth his trouble to seek to direct," but he learned simultaneously, by his direct participation, that his own best interests are intimately connected to the wider interests of his community. That is, by taking "an active part in the government of society," the naturally self-interested democrat "therefore sees in the public fortune his own"; ultimately, he pursues the common interest "not only out of duty or out of pride, but I would almost dare say out of cupidity." By participating in local government, citizens begins to understand that their interests overlap with their neighbors to a greater extent than they would otherwise realize. A concern for the common good is thereby born out of civic participation. As Toqueville succinctly articulates the phenomenon in Volume II,

by changing citizens with the administration of small affairs...one interests them in the public good and makes them see all the need they constantly have for one another in order to produce it...

Local freedoms, which make many citizens put value on the affection of their neighbors and those close to them, therefore essentially bring men closer to one another, despite the distances that separate them, and force them to aid each other.

More than this, though, by encouraging, even by insisting on the participation of ordinary men, it taught citizens that their democratic rights come at the cost of (demanded) duties and responsibilities to the wider community. The character of the New England town moderated Americans' individualism and self-interest by assembling "clear and practical ideas on the nature of his duties as well as the extent of his rights". Harvey Mansfield cogently puts it, the township "inures rights and duties..." Most important, and most overlooked perhaps, the result of (meaningful) participation in the direction of one's own community is pride—pride of a sort that is, at once, public and private. It is a facet of human nature that individuals love those things (and people) to which or whom they can make a meaningful contribution, much more, in fact, than they love those that bestow benefits upon them. Put another way, the pride of contributing to one's community

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increases one's love for it; it is easier to subordinate immediate self-interest to collective good where one loves the community. Amour propre can thereby be used to restrain amour de soi, but only where the community creates a salutary outlet for it.

Much as Toqueville feared this species of pride would be the quality of soul democrats would come to "lack most" (he calls it a "vice", but one for which he would trade "many" of the democrat's "small virtues"), Harvey Mansfield eloquently argues that "a free individual must have the pride to think himself capable and worthy of governing himself; he must have at least a modicum of ambition." Pride, as inculcated through political participation at the local level, he continues, "is the spur to action required for the practice of liberty." This is why Toqueville insists that "it is...in the township that the force of free peoples reside"; it is why he asserts that "without the institutions of a township a nation can give itself free government, but it does not have the spirit of freedom." 22

Individualism springs naturally from the principles on which modern democracy is founded, and from individualism spring the danger most peculiar to modern democracy: Mild Despotism. If it can be said that "Holbes and Locke gave the pikes equal rights to selfishness," 23 it can, perhaps, also be said that Toqueville believed township government and local participation in civil associations might well help to moderate that selfishness, even that civic engagement might serve to direct the energy of individualism in salutary ways. 24

On Toqueville's account, individualism is inherent to modern democracy precisely because democracy's sustaining principles inculcate in the people an endless love for equality, which, in turn, "gives birth" to individualism. 25 But while the equalization of conditions yields "a great number of individuals who...acquire...enough enlightenment and goods to be able to be self-sufficient", in doing so, it destroys wealth, accumulations of power, and hereditary privilege, which is to say, it diffuses power among a wide array of individuals. 26 An important feature of aristocratic societies, "secondary bodies" or intermediaries "placed between sovereign and subject"—lords, barons, dukes, powerful nobility whatever the title—had, over time in the old regimes, acquired sufficient power to "execute great undertakings" on their own. This great power wielded by individual families, distasteful though it is to

22 Alexis de Toqueville, Democracy in America, 634.
23 Mansfield, Toqueville's New Political Science, 3.
24 Alexis de Toqueville, Democracy in America, 57-8.
26 Alexis de Toqueville, Democracy in America, 52, 486.
27 Alexis de Toqueville, Democracy in America, 483-4.
modern sensibilities, served as a check on the central power; it permitted great families to “bathe the eyes of power” by the central government, as it were. Thus, French kings knew that to reduce the authority of the nobility was to increase their own, just as Queen Elizabeth well understood that to hold court on the estate of a proud lord would, before long, exhaust his resources and thereby further solidify her authority.

Having eliminated this important moderating faction, democracy—self-sufficient in the private sphere, but “isolated,” “impotent,” “weak and furtive” politically—becomes without powerful friends when it comes to undertaking great projects and when serious threats (and great opportunities) arise. As Tocqueville puts it, since they can “do nothing on their own,” democracies must either turn to the government, that “immense being that rises alone in the midst of universal desolation,” or they must “artificially create something analogous” to replace “the powerful particular persons whom equality of conditions has made disappear.”

The first option—to turn toward the government—is to invite or abet what Tocqueville describes at the end of *Democracy in America*, soft despotism. For to give up on the idea of self-government in favor of a centralized administrative apparatus is to relinquish one’s duties to a power “fit only to enervate the peoples who submit to it”; Tocqueville goes so far as to assert that when the central authority descends to regulate individual interests, “freedom would soon be banished from the New World.” His fear: above individualistic and impotent democracies—men and women who, by choice, live “withdrawn and apart,” and who exist “only in [themselves] and for [themselves] alone”—an “immense uterine power” can easily be elevated. It is true that vestiges of political freedom would remain (the right to vote, or the freedom to write to the editor, say), and so too this sort of despotism would be “more humane and milder,” in spite of this, it represents a serious threat to the human character for Tocqueville. As Tocqueville puts it near the end of the work, immense uterine government “does not break wills, but softens them, bends them, and directs them... it does not tyrannize, it bends, compromises, enerates, extingishes, dazes, and finally reduces each nation to being nothing more than a herd of timid and industrious animals of which the government is the shepherd.”

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For the extent we willingly cede our right to direct our own affairs, soft despotism is in a way self-imposed; and for this reason, because it changes our moods by entrusting our desire for the freedom and independence of self-government, soft despotism targets the soul more than the body. For we willingly withdraw into ourselves, we willingly turn responsibilities once regarded to be sacred duties over to a government which, more and more, resembles a “paternal power... that seeks only to keep [us] fixed irrevocably in childhood.” In the end, personal responsibility and initiative are all but annihilated. We look to the government to solve our problems for us, and often a promise to do so is more than sufficient. The funding crisis facing America’s entitlement programs is a perfect example. We all will the end—unlimited healthcare and a secure retirement for all, or even declining tax-rates, say—but we are simultaneously unwilling to will, or even to think about, the means or requirements of achieving these things in a sustainable way. To will the end while ignoring the means is the very definition of childishness. Tocqueville’s fear that democrats might come, increasing, to resemble children as the administrative state expands in scope is hardly exaggeration, there too many are happy to live in a state of dependence, unwilling to grow up because personal accountability can be unpleasant.

This is why Tocqueville asserts that “there are no countries where associations are more necessary to prevent the despotism... than in those in which the social state is democratic”; it is why he states more boldly in Volume II that “if [democratic] did not acquire the practice of associating with each other in ordinary life, civilization itself would be in peril.” Tocqueville is deservedly famous for his observation that “the art of association... becomes... the mother science” in democratic centuries. He believed it necessary to teach this art, this science, because associations can constitute an artificial replacement—one that is altogether compatible with democratic principles—for the secondary bodies equality and democracy have made disappear. The freedom to associate, by permitting the organization of individuals into more powerful groups, not only establishes powerful factions with interests of their own separated from government (and thereby equipped to influence and moderate its policies), it also serves to empower those groups with the most to fear from popular government (which inevitably empowers the majority)—what we today call minorities. Thus, associations represent an important bulwark against the political oppression as well, or as Tocqueville puts it, “in our time, freedom of association has become a necessary guarantee against the tyranny of the majority.”

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40 Alexis de Tocqueville, *Democracy in America*, 450.
42 Alexis de Tocqueville, *Democracy in America*, 83, 250.
43 Alexis de Tocqueville, *Democracy in America*, 663.
44 Alexis de Tocqueville, *Democracy in America*, 662.
45 Alexis de Tocqueville, *Democracy in America*, 663.
But they also (and perhaps more importantly) represent the most important bulwark against soft despotism. What must be emphasized is that for Tocqueville, civil association of every kind begins with township government. For it is the habit of local political engagement that prompts democracy to come together for purposes less obviously political. That is, the habit of frequent association for the duration of the day to day activities of a city or township—an activity which once drew many townspeople to community centers—is indispensable as an impetus toward their associating for wider civic purposes. In Tocqueville’s words, local government and political associations “can therefore be considered great schools, free of charge, where all citizens come to learn the general theory of associations”; this is how narrowly self-interested individuals learn what it means to be a neighbor, a citizen.42 He continues: only “association in important [political] affairs teaches [democrats] in a practical manner the interest they have in aiding each other in lesser ones.”43 This is key for Tocqueville: it is by coming together to affect what clearly interests individuals personally—how the local school is run, the trajectory of a road—that habituates individuals, otherwise prone to withdraw from community, to active involvement and all of its rewards. Thus, community associations are strongest where they are rooted in a discrete community that governs itself; Tocqueville was convinced that (only) local political association provided this grounding, in short, participatory township government was the necessary foundation of an active community life. And indeed, once upon a time, Americans associated within the community for everything—to give tithes, to raise churches and send missionaries, to care for the poor, to distribute books, to provide higher education, even to seek after truth.44

What is more, the existence of this sort of community organization—dedicated to making life good, even worth living—is, for Tocqueville, what redeems democratic politics. Near the end of his book, as it to clarify what he takes to be the goal of this new form of government, which was forever to displace aristocracy, Tocqueville remarks that “it is no longer a question of retaining the particular advantages that inequality of conditions procures for men, but of securing the new good that equality can offer them.”45 We ought “to strive to attain the kind of greatness and happiness that is proper to us,” he insists. Happiness and greatness are what democratic individualism threatens to erase by narrowing our focus to exclusively materialistic pursuits; it is associations that encourage and empower us to attain happiness and greatness

42 Alexis de Tocqueville, Democracy in America, 497.
43 Alexis de Tocqueville, Democracy in America, 487.
44 Alexis de Tocqueville, Democracy in America, 489.
45 Alexis de Tocqueville, Democracy in America, 675.
46 Jonathan W. Phelps

by bringing together the people and resources requisite to accomplish these things.
By reminding us of our responsibilities toward the wider community, as well as the problems facing the community, civic and political associations are a bulwark against the shallowness and the mediocrity typically encouraged by the democratic social state. Tocqueville worries that “small and vulgar pleasures… fill [the] souls” of materialistic and individualistic democrats, and that, basely contented, most will fail even to notice something has been lost.46 Associations can have the opposite effect on society and its mores. As Harvey Mansfield puts it, Americans employ these associations for “moral and intellectual ends”; that is, “in bringing to the public eye new, uncommon sentiments and ideas, [for associating] individuals influence one another, persuade others, perhaps even change mores and ultimately laws; thus, ‘the heart is enlarged, and the human mind is developed.’”47

OUR CONTEMPORARY “OUTER-DIRECTED” AMERICA: LIFE WITHOUT LOCALISM OR ASSOCIATIONS

Americans once “conquered” and “defeated” the “individualism to which equality gives birth.”48 According to Robert D. Putnam’s shocking and seminal work, Bowling Alone, it would seem that contemporary Americans cannot make the same claim. For even though Putnam does not intend a thorough examination of the wider sociological effects of the decline of association in American, but rather a careful description of the phenomenon, Bowling Alone does point to the larger problems, if only by exposing so drastic a transformation as he does.

The book begins with the recognition that “social networks have value.” He invokes L.J. Hanfit to make the Tocquevillian point that

the individual is helpless socially, if left to himself. If he comes into contact with his neighbor, and they with other neighbors, there will be an accumulation of social capital, which may immediately satisfy his social needs and which may bear a social potentiality sufficient to the substantial improvement of living conditions in the whole community.47

This is why the decline of “social capital” constitutes a problem for Putnam, and it is why the changes he catalogues are understood to be so detrimental. He observes that a decline in social capital leaves communities

46 Alexis de Tocqueville, Democracy in America, 663.
48 Alexis de Tocqueville, Democracy in America, 486.
less trusting of one another and so the importance of coercive law enforcement (and with it, litigiousness) necessary increases; he notes that whatever prevents would-be “free-riders” from riding for free in tightly knit communities disappears where social capital declines making collective action more difficult; from the most basic perspective of self-interest, he makes the obvious observation that the decline of social capital (in terms of “networks”) necessarily brings with it a decline in the concrete private benefits knowing people yield (job opportunities and financial support in business, for instance). Precisely because Putnam has compiled so many startling statistics and correlations, however, he forces his reader to go further than the conclusions he draws.

Putnam focuses on declining political participation first. He notes declines not only in voting and newspaper readership, but in all forms of political participation; he concludes that typically, “the more that [an individual’s] activities depend on the actions of others, the greater the drop-off in [that individual’s] participation.” Over the twenty year period he investigates, he discovers a 42% decline in the number of individuals who worked for a political party or served as an officer of a political organization, a 24% decline in the number of people who had made a public speech, a 10% decline in the number who had written a letter to the editor, etc.

Much as Tocqueville would have predicted, the decline in political involvement is a harbinger of a decline in civic engagement. Putnam notes that that participation in most sports has fallen 10-20% in the last decade or two; that we donate half what we did in 1960 (relative to recreation dollars); that organizational membership has fallen by 16% (even as organizations have been professionalized, many of them requiring nothing of their members beyond a yearly financial contribution); he even notes family dinners were approximately 55% more common twenty years ago. In short, Putnam contends (and proves decisively, I think), that “no corner of Americna has been immune to his anti-civic contagion.”

The behavioral change Putnam chronicles (implying, as it does, a change in social custom), has occurred primarily in recent decades. Moreover, as Bowling Alone makes manifest, it is a generational transformation, which is to say, it is not so much that individuals are changing their habits and choosing to engage less with others, it is that “each successive generation is investing less.” In short, what Putnam calls the “long civic generation”—a generation of men and women who voted more, trusted more, contributed more—is rapidly being replaced with by the boomer and Facebook generations. In contrast to our grandparents, we are radically self-centered, favoring a narrow individualism to social intercourse, and generally choosing to isolate ourselves from community, friends, family, and fellow citizens at every opportunity—the consequence of the democratic social state Tocqueville feared most. As Tocqueville may well have envisioned, in spite of the unprecedented prosperity and choice which virtually defines contemporary life (and with it, of course, our unprecedented materialism), Putnam also discovers a steep decline in happiness (by 1999 “younger people were unhappier than older people”), and what is a natural consequence of this, a dramatic increase in depression as well as a fourfold increase in the number of suicides between mid-century and 1980.

To admit these change have occurred (which seems ineradicable) is not equivalent to understanding why they have occurred, nor does mere awareness of them contribute much to our understanding their most important implications. In order to understand the significance of the generational shift currently occurring in the lives of Americans, we must therefore consider the characteristic of the associations which have disappeared (as well as the changing character of those which have persisted), so as to gauge the sociological implications of this transformation from the developmental perspective of a generation no longer reared with, nor in important respects formed by, such associations.

In his attempt to explicate some of his most striking findings, Putnam does point us to the (helpful) work of other social scientists, whose words he uses to imply his most radical normative suggestions. Having correlated increased depression in American youth to declining social capital, for instance, he invokes Martin Seligman to express the rather Tocquevillean opinion that

individualism need not lead to depression as long as we can fall back on large institutions—religion, country, family... But in a self standing alone without the buffers of larger beliefs, helplessness and failure can all too easily become hopelessness and despair.

Similarly, having speculated that “actual attendance and involvement in religious activities has fallen by roughly 25 to 50 percent”, he invokes Robert Wuthnow to explain that

Putnam, Bowling Alone, 134, 139, 145-6, 287-290.
Putnam, Bowling Alone, 48.
Putnam, Bowling Alone, 45.
Putnam, Bowling Alone, 105, 123; 59, 51-2, 100.
Putnam, Bowling Alone, 247.
Putnam, Bowling Alone, 62.
Putnam notes a truly notable increase in materialism among my generational cohort (between 1975 and 1996, the number of college freshmen who identified having “a lot of money” with “the good life” rose from 38% to 63%).
Putnam, Bowling Alone, 273, 262-3.
Putnam, Bowling Alone, 264-5.
Religion may have a salutary effect on civil society by encouraging its members to worship, spend time with their families, and to learn the moral lessons embedded in religious traditions.\textsuperscript{57}

What is essential to realize, I think, is that in healthy communities of the sort Tocqueville observed, a person's family, his neighbors, his congregation, his own religious faith, and his wider community—all and together by a common geographic affinity (the township), and thus, by apparent mutual dependence—made moral demands of individuals, demands which helped men and women to overcome, or at least to moderate, their selfish and narrowly self-indulgent temptations. In short, the associations to which all Americans once belonged typically involved obedience or a particular sort. At church and at school to be sure—but more than this, everywhere people interacted with one another—authorities of one kind or another were watching, demanding observance of standards of decency, goodness, gentlemanners, nobility, etc. Communities of this sort "thought about things in moral terms, in the language of good and evil."\textsuperscript{74} The demands they made of those who belonged to the groups—though uncomfortable, and even stifling, at times, to natural rebellious youths—the men and women out of themselves, out of their natural tendency to withdraw into themselves, and brought them together into public life. Whether it was the local pastor, or Sister Francis, or the disciplinarian gym teacher, or the shop foreman, or the patriarchal father, or simply one of many familiar neighbors, "individuals [were] always in the public eye," as Rousseau once put it speaking of his own community, by quietly (by their very presence) encouraging compliance to expectations and standards that were, in truth, demanding, men and women living in tightly knit communities are "been censored" of one another.\textsuperscript{59} This was the cost—but also the prerequisite—of the "cocoon of relationships," the generally good behavior, and the social trust characteristic of tightly knit communities.\textsuperscript{60}

The contemporary response to a way of life of this sort tends to be 'yuck'; and nowadays, precisely because our political order is founded on the presumption that all have an equal and inalienable right to pursue happiness—and an equally inalienable right to determine for themselves what happiness means to them personally—unreflective aversion to a life less easy and self-indulgent than ours is today (within a community that imposes standards of behavior, for instance),

\textsuperscript{57} Pateman, Reasoning About, 72, 76.
\textsuperscript{60} Ehrenhalt, The Last City, 257.

is generally sufficient to discredit it. This idea is, no doubt, largely artifact of German thought—its idealized notion of the authentic self—which made its way into the American political consciousness thanks to Progressive reforms to government and education in the early part of the twentieth century through to the New Deal and Great Society. Above all, the Progressives sought to undermine the societal forces that once served to temper this individualistic and/or in the service of a radical, though certainly well-intended, individualism.

There is no more revealing example than religion and its interaction with contemporary America. Once upon a time, belonging to a community required common worship and the community's faith made moral demands of virtually every member of the community. This is no longer the case, however. As Alan Wolfe (triumphantly) concludes, religion in America has been diluted and distorted beyond recognition: it has "already become more personalized and individualistic, less doctrinal and devotional, more practical... American religion has been so transformed that we have reached the end of religion as we have known it."\textsuperscript{61}

Nor is the spread of this individualistic ethos confined to churches today. Teachers today are discouraged (if not virtually forbidden) from making character-building demands of their students for fear of invading upon those students' "rights," and connected to this, from fear of litigation. To employ shame or embarrassment as a pedagogical tool—implying as it would that a community's standards of noble and base, decent and obscene, may have something to recommend them—is, nowadays, almost unthinkable. All authoritative moral standards, from good and evil to beautiful and ugly, have been jettisoned in the name of free choice. Where character education—once rooted in the local community—is abandoned, however, free choice comes increasingly to mean free surrender to inclination and immediate desire.

As Alan Ehrenhalt labors to show in a book entitled The Last City, the changes that have banished authority (and obedience to authority) from American society were and are motivated by "our worship of choice.\textsuperscript{62} What has been lost is local community and everything which depends on it. In 1957, it is probably true that "every few people were concerned about... America producing a generation of hyperindividualists."\textsuperscript{63} "Only a wave of individualism, and disrespect for authority," Ehrenhalt goes on, "is powerful enough to explain" what can only be called a radical transformation in the way Americans live.\textsuperscript{64}

\textsuperscript{62} Ehrenhalt, The Last City, 267.
\textsuperscript{63} Ehrenhalt, The Last City, 210.
\textsuperscript{64} Ehrenhalt, The Last City, 267.
The concluding sections of The Last City capture the significance of this transformation particularly well. What we have done in the last forty [now more than fifty] years is repeal a bargain [that], if it is was starting to unravel a bit at the margins in the 1950s, nevertheless was a fact of day-to-day life for nearly everyone in America.

What we have done in the last forty [now closer to fifty] years is repeal a bargain that, if it was starting to unravel a bit at the margins in the 1950s, nevertheless was a fact of day-to-day life for nearly everyone in America.

The bargains provided us with communities that were, for the most part, familiar and secure; stable jobs and relationships whose survival we did not need to worry about in bad or good; rules that we could live by, on, when we were old enough, rebel against; and people known as leaders who were trusted with the task of seeing that the rules were enforced.

The price of the bargain was a whole network of restrictions on our ability to do whatever we liked.

It turned out to be possible to emancipate the individual and to give him free choice in all sorts of decisions which were once imposed on him by habit, custom, or authority. And we have done that. But it has not turned out to be possible to make that change without sacrificing many of the things most Americans still value as comforts of life...85

In his (very) famous book, The Lonely Crowd, David Riesman explained what has been lost from the perspective of the individual in whom we privilege over community today. As Todd Gitlin cogently puts it his preface to a later edition of the work, "The book's subject was nothing less than a sea change in American character[...]; the character of its upper middle classes was shifting from 'inner-directed' people, who as children internalized goals that were essentially implanted by elders, to 'other-directed' people, sensitized to the expectations and preferences of others."86 In a nutshell, this is the effect of individualism on the individual: it is the effect of the recent seismic shift from a culture that recognizes authorities who make moral demands, to a culture that glorifies free choice and nothing but free choice. In Riesman's own words, these recognized authorities, by the demands they made, helped individuals to develop a "social character" by helping them to "acquire early in

life an internalized set of goals."87 These internalized goals, which are usually moral in character, provide the bases for "inner-directed" when they are strong enough to help an individual to make choices and abide to those choices, irrespective of external, social pressures. Where authoritative character-shaping influences are absent, however, (in favor of free choice in everything), individuals develop a social character which lacks profound and deeply internalized ideals by which they might direct their lives. This capacity for inter-direction is much closer to the classical understanding of freedom to which Toqueville and Rousseau subscribe, and which communities were supposed to help inculcate, than is the species of 'freedom from... restraint' license we nevertheless call "freedom" today. Nowadays, modern society encourages "a social character whose conformity is ensured by their tendency to be sensitized to the expectations and preferences of others."88 That is, lacking internalized goals, principles, moral ideals, etc., these "inner-directed people" live according to their immediate pleasures, and what public opinion demands of them. What is more, far from being formed by one's community, children today are enabled to communicate and instantly contact with other people, communities defined by shared tastes and inclinations. Far from moderating our inclinations in the service of character education, friends today (of the Facebook variety) are precisely those who amplify and help children to indulge their nascent passions, desires, and inclinations. Toqueville saw this danger clearly; it is why he says that in democratic centuries "tyranny does not proceed in [the old way]"—that is, by threat of physical oppression—but rather, "it leaves the body and goes straight for the soul." The new forms of oppression are so demeaning, even dehumanizing, to Toqueville because "the master no longer says to it: You shall think as I do or you shall die; he says: You are free not to think as I do your life, your goods, everything remains to you; but from this day on, you are a stranger among us."89

The profound (and profoundly respectable) irony, then, is this: Today, we are free to choose to live our lives however we please. The emancipation of our wills has come at great cost, however. For lacking the sort of guidance religious belief, esteemed teachers, and respected parents once provided so as to help us become "inner-directed people"—lacking, especially, the sort of moral guidance which would help us to live our lives well—we turn to physical appetite and popular opinion for direction when faced with life's most important choices. Toqueville would add that the presumption of equality abets this trend impossibly as it tears down moral and intellectual authority leaving only aggregate opinion as an arbiter of tastes and morals. To underscore the

85 Etzioni, The Last City, 271-2.
86 Riesman, The Lonely Crowd, xii.
87 Etzioni, The Last City, 8.
88 Riesman, The Lonely Crowd, 8.
89 Toqueville, Democracy in America, 244.
tragic irony: we have gained this liberty to do anything, but we have lost the capacity to choose anything except what everybody else does. To be "out-directed" means to be hounded to fashion, to the whims of the majority opinion. It is not, however, equivalent to freedom in any meaningful sense of the term. On the contrary, Riesman defines "other-directed people" in these terms: shallow, uncertain of themselves, demanding of approval. One is inclined to add they also tend to lack most every classical virtue: fortitude, ambition, pride, public-mindedness, moderation, courage, and moral seriousness.

Our privileging of choice and the individual over community is an attitude that reflects the unfortunate degree to which we have moved away from viewing the aim or the end of political life as Tocqueville did. To repeat an earlier point, the Frenchmen thought that "securing the new goods equality can offer" would yield unprecedented equality of opportunity; a kind of social justice would be gained at the cost of the brilliance of aristocracy. But he also realized the democratic revolution he was witnessing might turn out to be "fatal to humanity." Tocqueville believed it easier to establish an absolute and despotic government in a people where conditions are equal than in any other; he believed, moreover, that "not only would it oppress men, but in the long term it would rob them of several of the principle attributes of humanity."55 Not only freedom, but with it, the taste for greatness and the capacity for happiness might all be lost.

What has caused this transformation that threatens humanity and civilization if Tocqueville's warnings are to be believed? Obviously, it is not sufficient to answer that responsibility lies squarely with the decline of the habit of local association as described by Putnam. For to answer thus is merely to push the question one step further back: what, then, caused centuries-old character-building associations suddenly and rapidly to erode? Here, again, Goffin and Riesman are helpful; it may well be true that "the shift from traditional society to the whole of modernity is the momentous transition in human history."56 Tocqueville's emphasis on townships as the seed and roots of free institutions was, perhaps, altogether prescient, then. To destroy the root of local association (according to Tocqueville, the local political association or township) is eventually to destroy everything that depends on it for support (civil associations, the church, the community, perhaps even the family). The most obvious cause of this sudden shift from "traditional society to the whole of modernity" is industrialization. But as we shall see, the administrative centralization that followed—the Progressive turned New Dealer response to the challenges of post-sagrarian America that above all else dramatically expanded the size, scope and power of the national government—was also an important factor.

"MOMENTOUS TRANSITION" AND THE NEW AMERICA: INDUSTRIALIZATION AND ADMINISTRATIVE CENTRALIZATION

"Western civilization is itself a history of creating community and authority, reaching back to the Reformation if not further," Alan Ehrenshiel suggests near the end of his book.57 So not to quibble with all that his characterization of Western exceptionalism leaves out, we can at least agree that Fifteenth Chicago was not, not even close to, the ideal political arrangement, but rather a portrait community in the final phase of its extinction at the hands of the great city and its various springs. Ehrenshiel's later point, that "the West has spent the last five hundred years moving inexorably away from the values of tribe and hierarchy and village life and toward individualism and the market," is uncontroversial. Dramatic though his characterization may seem, the triumph of individualism and what comes with it is a development of civilization-transforming consequence.58

Granting the many benefits that ensued from these various attempts to fraternize from despotic tugs and oppressive religious dogmas, it seems, nonetheless, undeniable that in the last century and a half, the same ideas have ushered in changes as thorough though perhaps not quite as beneficent. Some have argued that the widespread and thorough industrialization and urbanization which occurred between the Civil War and World War I represent "the most rapid and profound transformation" in the history of American society; or as Morton Keller puts it, "there are grounds for holding that around the turn of this century, much of Western society experienced change at a pace,

55 Tocqueville, Democracy in America, 665.
56 Riesman, The Lonely Crowd, xvi.
57 Ehrenshiel, The Last City, 266.
58 To the extent the American democracy was only realizable thanks to the fact certain abrogate forms of authority had already been dissolved in the minds of those who settled here and founded this nation, this trend it not without important benefits. In fact, it became a successful assault on the old dogmas that certain lofty lives had divine legitimacy. It is difficult to see how modern democracies—founded, trained, on the nearly-sacred dogmas that the people are sovereign—could ever prove itself a viable form of governance. (These old dogmas, incidentally, were successfully undercut thanks mainly to the efforts of Enlightenment “liberations” of a specific sort, men like Voltaire and Locke who boldly challenged obedience to all kinds of authority by laying the foundation for our various subsequent emancipations: by declaring that men have human, and so inalienable rights, for instance.) Similarly, without Luther and the Reformation, America’s “point of departure”—“the Puritans,” as Professor Mansfield plainly puts it—would have been of an entirely different character.
and on a scale, far beyond what had been seen before—or, arguably, since. My argument, then, is that industrialization (and the consequent urbanization of America) has aggravated the threat posed by individualism in three important ways: (1) the primacy of the township—for millennia, the root of community—has been permanently destroyed; (2) where business is big, government has a tendency to become big, that is, governmental administration tends to centralize; and (3), the shift from an agrarian economy which, of necessity, emphasizes "production," to an industrial economy which, of necessity, emphasizes "consumption," is a truly poisonous shift: it may make the nation powerful by growing the economy (perhaps a necessity in a world of competing states), but it feeds the very harshest form of individualism, materialistic individualism.

Jefferson's animus against big cities and all that comes with them permeates his writings. Of firm belief that "the more of great cities and industry add as much to the support of pure government as sores do to the strength of the human body," he preferred rural, agricultural life, and so famously declares, "Let our workshops remain in Europe." In fact, Jefferson believed America would remain virtuous for many centuries as long as remained chiefly agricultural. As Professor Mansfield observes, in saying so, Jefferson realized that it "was necessary to accept backwardness and dependency in manufacturing in order to preserve the cultivated independence of free men." Though Toqueville believed Jefferson to be the "most powerful apologist for democracy ever had," there is no explicit and corresponding observation in Toqueville. In fact, in a chapter entitled "What Makes Almost All Americans Incline Toward Industrial Professions," Toqueville presciently articulates what the effects of American individualism would be for Jacksonian America—which is to say, an important aspect of the American character he was observing:

Caliber of the earth promises almost certain, but slow, returns for his toil. One is enriched by it only little by little and with difficulty. Agriculture suits only the rich who already have a great superabundance, or the poor who ask only to live. His choice is made: he

sells his field, quits his residence, and goes out to engage in some hazardous, but lucrative, profession. In democratic countries a man, however opulent one supposes him, is almost always discontented with his fortune, because he finds himself less wealthy than his father and he fears his sons will be less so than he. Most of the rich in democracies therefore dream constantly of means of acquiring wealth, and they naturally turn their eyes toward commerce and industry."

In short, the rich and the poor alike—animated by a very natural love of wealth and opulence—inevitably toward commerce and industry, as far away from agriculture, wherever there is freedom and opportunity to do so. As Toqueville saw so very clearly, modern liberal democracies have as their principle, not the promotion of virtue as did ancient republics, but the defense of citizens' political liberty and equality. As Marvin Myers observes in The Jacksonian Persuasion, however, "liberty and moral reformation are not a perfect match." That is, taking Americans as they are, the very principles America was created to advance and defend—"red toward the city, the factory, the complex market and credit economy; the simplest agrarian republic of virtue couple not stand against it." One implication of this, of which Toqueville must have been well-aware, is that the township—which he considered to be the very "seed" of free institutions—would decline in importance relative to larger and larger, breathing and anonymous cities. It seems strange, then, that Toqueville seems less troubled by the emergence of large cities than were Jefferson and Rousseau. While Toqueville, clearly realizes that "the people are coarser in... opulent cities than in the countryside" (which he likened to "aristocratic countries"), and while he
denounces "great wealth and profound misery... depravity of morals, individuals selfishness, complicity of interests," and the like "almost always arise from the greatness of the state" (specifically, in the presence of large "metropolitan"), still the growth of such cities is not obviously a primary, or even a secondary or tertiary, concern of Democracy in America.

One of the biggest puzzles of the book, I think, is Toqueville's apparently unswerving combination of Jeffersonian rhetoric and Hamiltonian political-economic realism: America is exceptional for her rural Jacksonian character—"ragged life in a log-cabin, the traditional family and virtuous women, serious religious conviction, strong community life—but Americans will inevitably incline toward industry, away from that character. For Toqueville clearly realized that "we see things hidden in the heart to great workshops"
which had already begun to appear in London, Amsterdam, and Paris, and through manufacturing, perhaps also the emergence of the "aristocracy that has appeared on earth"; he even realized, with Hamilton, that the nation's power would be tied to the "superabundant force" and "prodigious industry" generated by the "more (economic) ambitions of so many individual democrats."

How does one reconcile this apparent contradiction? Perhaps Tocqueville believed the functions of the local township could simply be transferred to larger political associations (cities and states) as the urbanization of America proceeded, that "local government need not be township government in order to resist administrative centralization. In this connection, he observed that "inside the great national association, the law has established in each province, in each city, and so to speak in each village, small associations having local administration as an object." But once one finds, in an early note to Democracy in America for instance, the recognition that "large townships" and "large cities" are governed in a way that is much less representative than what one finds in smaller townships. Moreover, the close identification of private interest and common good that expands citizens' conception of their own self-interest, the salutary effects of shared leadership of the community, and the automatic and reciprocal guardianship of more that can exist where communities are made up of neighbors known to one another, cannot easily be replicated in burgeoning, anonymous, industrial metropolises.

If the question is left open in Democracy in America, it must be confronted by Americans living in modern times. For the size and complexity of political communities has increased dramatically in the years since Tocqueville visited America. One has said what a great Republic is. Tocqueville's visit took place at the mid-point of a forty-year migration to urban centers that saw the number of cities with more than 10,000 inhabitants jump from twelve to 101, the population of eight of these cities growing to exceed 100,000. As Meyers notes, "recent economic historians seem fairly well agreed on the proposition that Americans underwent a revolution in the organization of their economic lives between 1815 or 1820 and 1860," the results of which would only be accentuated during and after the Civil War. For in the years leading up to and including World War I, labor shortages and new opportunities in northern industry drew further migration (especially among Southern black farmers, sharecroppers, and agricultural laborers) toward the cities. The Great Depression—aggravated by persistent drought, declining farm prices, and a

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metropolises today. And as Robert Bellah et al. remark in *Habits of the Heart* (a term taken from Tocqueville himself), "though urban Americans still get involved... the associational life of the modern metropolis does not generate the kinds of second languages of social responsibility and practices of commitment to the public good that we saw in the associational life of the "strong independent township."" Rousseau's analysis was more searching: he believed big cities, inevitably, to be "full of scheming, idle people without religion or principle, whose imagination, deprived by sloth, inactivity, the love of pleasure, and great needs [must] engender only monsters and inspire only crime."

Tocqueville's apparent ambivalence to great cities is all the more inexplicable to the extent that he perceived this change clearly. He knew that the increasingly complexity of political life would not lead to larger and more inclusive associations, but on the contrary, to a delusory (if only half-conscious) withdrawal from the wider community and its expectations generally. Larger communities fuel individualism because "as the circle of public life grows larger, one must expect that the sphere of private relations will narrow." When frequent interaction with (the same) members of one's community first in public affairs, (and following from this, in private affairs), when this intersection ceases, individuals lose sight of their connection to their fellows—mostly because that connection becomes less important, of less apparent value to naturally self-interested democrats. Thus, Tocqueville confesses, "instead of imaging that citizens of new societies are going to end by living in communal, I indeed fear that they will finally come to form no more than very small coteries." Where ties to the wider community and habits of the heart disappear, where the demands and duties once imposed by neighbors and community figures can no longer exert a formative force, there is little remaining with sufficient force to draw democrats away from self-indulgent and materialistic pursuits. Men finally become "preoccupied with the sole care of making a fortune... the exercise of their political duties appears to them a distressing congress that distracts them from their industry. If it is a question of choosing their representatives, of giving assistance to authority, of treating the thing in common, they lack the time; they cannot waste their precious time in useless work..."

**MIDDLETOWN, AMERICA, TRANSFORMED**

A striking portrait of the transformation is captured and relayed in a book written by Robert and Helen Lynd and published in 1929 called *MiddleTown: A Study in American Culture.* The study endeavored to chronicle changes to the nature of community and the lives of ordinary Americans between 1890 and the Roaring Twenties. The authors of the study chose a city "as representative as possible of contemporary American life": Middletown's climate was moderate; it was neither a burgeoning metropolis nor an agricultural village or one-industry town; religiously, its diversity mirrored America's; etc. Their conclusions are striking, if not particularly surprising for us today: as the authors put it, "in case after case the preceding pages have revealed Middletown as learning new ways of behaving toward material things more rapidly than new habits addressed to persons and non-material institutions." What the case studies elucidated in *Middletown* highlight for modern readers is the extent to which the changes made possible (or inevitable) by industrialization are fundamentally regrettable. Changes to the nature of the community bring with them changes to virtually every facet of public (and even private) life: changes to the nature of work, to the structure of familial authority, to the way (and purpose for which) society raises its children, changes to what men and women do in their leisure time, and finally, a transformation in the way the community worships. Readers of *Democracy in America* will notice, of course, that virtually all of the changes described reflect movement away from the America Tocqueville observed.

By the twenties, the trend away from an economy in which ordinary Americans produced much (if any) of what they consumed was well underway. Not only were more individuals less self-sufficient than at any previous point in American history, but to an ever-increasing extent, political communities were becoming increasingly independent as well. As noted in the study, "only to a negligible extent does Middletown make the food it eats and the clothing it wears." Instead, like most modern towns, Middletown specialized in a handful of industries, demanding specialized though not particularly skilled or dignified labor. In particular, Middletown's economy was focused on the production of glass bottles, tailors, and automobile engine parts. As the authors presently conclude, "This gap between the things the people do to get a living and the actual needs of living is widening. Radical changes in the activities of the working class in the predominant industries of Middletown during the last four decades have driven the individual workman ever farther from his farm and village background of the eighties."

With this "radical change" came changes to many facets of life. For instance, the effects of industrialization reached deep into the family itself. The

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51 Bellah et al., *Habits of the Heart*, 177.
53 Democracy in America, 577.
54 Democracy in America, 515.
expanding industrial labor markets offered older children living at home opportunities for employment and to make money of their own, opportunities and resources which were neither connected nor controllable by their family (i.e., more and more young Americans were permitted and required to seek employment off the family farm and outside of family-owned businesses). The fruits of modern industry, not surprisingly, offered inducements and character-transforming ways to spend this money. The invention of the automobile and the movie theater, as well as the increasing popularity of community sporting events permitted a more elaborate and less supervised social life. Thus, in their interactions, young men and women were emancipated from the watchful eyes of parents and other figures of authority to an important degree—not surprisingly, this changed how the young interacted with one another. Less obviously, however, it also changed the character of the family. More financially independent than ever before, the young were submitting less easily to the authority of their parents as traditionally recognized. As described by the Lynds,

the traditional view that the dependence of the child carries with it the right and duty of the parents to enforce discipline and obedience still prevail... And yet not only are parents finding it increasingly difficult to secure adherence to established group sanctions, but the sanctions themselves are changing; many parents are becoming paranoid and unsure as to what they would hold their children to if they could.\(^{19}\)

The shift exemplified in this is much wider and of greater significance than rebelliousness in seventeen and eighteen-year-olds might initially appear to be. In short, the young were beginning not to look to their parents primarily for life-guidance or as role models. To begin with, the staggering pace of scientific “progress”—evident to everybody in the form of new inventions designed to make life easier and more enjoyable, as well as new industrial techniques to make work less demanding and workers more efficient—meant that for perhaps the first time, a generation of children was keenly aware that their lives would be very different than their parents’ lives had been. They were not destined to follow in their parents and grandparents’ footsteps as so many generations before them had been; they had more options than ever before and were free to make of their lives whatever they wished—most importantly they knew it. Under the mistaken impression that their parents’ life experience could be of little value to them in what was sure to be a different world, a generation was eager to turn away from those who actually had life experience. Perhaps even more important than this for the emancipation of youth was the psychological impact of the first war to merit the name “World War”—the human cost of which had been borne by this generation disproportionately. As William Leuchtenburg notes in another old book, The Perils of Prosperity, in every age, youth has a sense of separate destiny, of experiencing, what no one has ever experienced before, but it may be doubted that there was ever a time in America when youth had such a special sense of importance as in the years after World War I. There was a break between generations like a geological fault; young men who had fought in the trenches felt that they knew a reality their elders could not even imagine. Young girls no longer consciously modeled themselves on their mothers, whose experience seemed unusable in the 1920s. Instead of youth craving age, age irritated youth.\(^{10}\)

Perhaps it can be said that where nobody expects the future to resemble the past, there is little impetus to model oneself after role models who symbolize that past. The only part of the century may represent the point at which ordinary Americans became conscious that the future would be fundamentally different. Free to make that future, a young and proud generation felt free to give less regard, less obedience, to authorities they believed to be representative of the old order.

For reasons equally connected to the changing nature of the economy and society, children were being raised very differently by the end of these decades of rapid change. By 1929, the Lynds could observe that the education of youth, both in its optional, non-compulsory character and also in its more limited scope the school training of a generation age appears to have been a more casual adjunct of the main business of “bringing up” that went on day by day in the home. Today, however, the school is relied upon to carry a more direct, if at most points still vaguely defined, responsibility. That has in turn reared upon the content of the teaching and encouraged a more utilitarian approach at certain points.\(^{12}\)

History and Latin, Literature and Geography, were being replaced by classes in shorthand, Bookkeeping, Applied Electricity, Mechanical drafting.

\(^{19}\) Lynd and Lynd, Middletown, 141-3.
\(^{10}\) Lynd and Lynd, Middletown, 141-3.

\(^{10}\) Lynd and Lynd, Middletown, 100.
Printing, Machine Shop, Manual Arts, and Home Economics. The most profound region of movement" the Lynds go on to note, "appears in the rush of courses that depart from the traditional rigidly conceived conception of what constitutes education and seek to train for specific tool and skills activities in the factory, office, and home." A utilitarian approach to formative education has the unfortunate, but inevitable, result of emphasizing the good of the individual at the expense of developing the virtues we call "humanity." A genuine concern for the common good. Lessons in History and Literature with the power to teach individuals of their connection to past times and other places—their place in a world much bigger than they are—are replaced with lessons designed to focus young men and women on preparing themselves to succeed individually, to put their own private good first and foremost. Every potential spur to a truly liberal education is smothered by one designed to help students earn a living.

The effects of industrialization have also deeply touched the manner in which men and women employ the time they spend away from work. Although church and community associations remained important sources of associating for leisure, for Middletown residents, friendships were becoming increasingly based on relationships cultivated at work (the invention of the automobile and the telephone made this possible). As a consequence, the neighborhood appears likewise to have declined as a place of most constant association of friends. Once again, the city is larger, more complex society seems to be a retreat to collectives—little societies defined by shared interests—at the cost of associations developed around geographic proximity and common participation in local political affairs, a type of association which bridged a variety of narrower interests and thus served to unite the entire community thereby inculcating in individuals a concern for the general well-being or common good. As stated near the end of the study,

Everyone in MiddleTown now absorbed in keeping his job or raising his wages, building his home, 'boasting' his club or church, educating his children. Now a member of this group, now of that, he shuttles his interest across amid the congress of joining groups that make up the larger group which is Middletown. And ever and again he finds his particular interest affected by things which are the corporate business of that larger group. Since the nineties, these things regarded as everybody's business have multiplied; more officials and administrative agencies are needed to care for them, more money is spent in operating them, and they involve more laws.

Middletown's religious orientation was in the midst of a sea-change reflective of the transformation in religious belief occurring in America generally (as noted above and by Alan Wolfe). For instance, the authors found that "belief in hell is apparently dying out somewhat... Heaven seems also to be diminishing in intensity, especially among the business class." Connected to this, the study also concludes that the ministers' authority was in the process of being reduced substantially. No longer were religious authorities making demands of the congregation; instead, the congregation's religious preferences were increasingly determining the character of the authorities themselves.

As the Lynds observe, "emphases [placed] on selecting a minister upon his success with young people and with men indicates points of strain in the church...." In short, the church's power to demand compliance to authoritative moral standards was rapidly dissipating in the face of new and contradictory ideals advanced by industrialized society. The impetus behind this final decline of ecclesiastical authority over the community is noted by the authors.

As changes proceed at accelerating speed in other sections of the city's life, the lack of dominance of religious beliefs becomes more apparent. The whole circle of industrial culture would seem to be set more strongly than in the literate village of thirty-five years ago in the direction of the 'go-getter' rather than in that of 'Blessed are the meek' of the church; by their religious teachers Middletown people are told that they are simply as good of salvation, by speakers at men's and women's clubs they are assured that their city, their state, and their country are, if not perfect, at least the best in the world, that it is they who make it so, and that if they but continue in their present vigorous course, progress is assured.

Today, we can say without trepidation that the tension has been resolved in the favor of the 'go-getter.' As Leuchtenburg characterized a transformation then occurring, but now more or less completed, fear of hell and interest in heaven were being subordinated to "demands for material fulfillment of Earth." Americans were "less sin-ridden than ever before," and what is a natural consequence of this, "material comfort has become" not a means to an end but the final end of life itself. Tocevill saw this danger very clearly. Christianity—in all its forms—was so critical an aspect of American mor

103 Lynd and Lynd, Middletown, 122.
104 Lynd and Lynd, Middletown, 104.
105 Lynd and Lynd, Middletown, 274-6.
106 Original emphasis, Lynd and Lynd, Middletown, 413.
107 Lynd and Lynd, Middletown, 321
108 Lynd and Lynd, Middletown, 347.
109 Lynd and Lynd, Middletown, 406.
111 Leuchtenburg, The Peops of Prosperity, 175, 188.

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because where "democracy favors the taste for material enjoyment," religion is the "universal, simple, practical means of teaching men the immortality of the soul." That men and women continue to believe they have a soul is so important because once they come to believe "that all is nothing but matter," theoretical materialism transforms individualism into a selfish and narrow materialism. Typically, theoretical nihilists are practical hedonists and for a hedonist, there is no reason to pursue or refrain from anything unless the result will be increased pleasure.

That we, today, are so struck by Toqueville's insistence upon the importance of American religiosity for the health of the nation—for instance, he notes, "I am so convinced that one must maintain Christianity within the new democracies at all cost, that I would rather chuse priests in the sanctuary than allow them to leave it"—is indicative of the extent to which ours of the church and churchgoers have fled from religion. Leuchtenburg plainly states what underlies Toqueville's fear: By the 1920s, that class of men and women who had for so long set and enforced the nation's moral standards—ministers, teachers, the rural gentry, urban patricians, motheless and fathers—were being replaced by a business class that was "frequently not equipped—or lacked the desire—either to support old standards or to create new ones." Leuchtenburg perceived in America a nation without direction precisely because so many Americans were consciously rejecting obedience to the moral standards that had provided direction for generations of men and women. He invokes Freda Kichway to make his essential point: "Never in recent generations... have human beings so floundered about outside the ropes of social and religious sanctions." To recapitulate my essential point, then, this entire array of social change—from the disintegration of parental authority, to the end of friendships with their roots in the local community affinity, to the slackening of American moral standards and the decline of religiosity in America—all of it can be connected to the end of the local township with its established and inexcapable social hierarchy. The 1920s reflect a change in America that goes deeper than a movement of people away from the countryside; the decade represents a tectonic shift in norms, "a conscious rejection of rural values..."

THE PROBLEM OF SIZE

Big Industry means Big Government. Or, rather, big industry means the hard, cruel, industrial atmosphere. Toqueville foresaw if one does not move in the direction of a larger centralized administrative apparatus. Or at least, this was the fear seized upon, and perhaps fuelled, by America's Progressives. As the American economy moved further and further toward industry, much of American society demanded more and more federal regulation and involvement at a time when an important segment of the intellectual and political class was eager to expand the role of government.

The trend toward a bigger, more interventionist central administration, began with that section of American society historically most opposed to a powerful federal administration. The Populist movement of the decades between 1870 and 1900 was initiated and sustained by "[the most rugged individualists] of all—the family farmers." But they invoked government help in an effort to preserve their way of life in the face of a rapidly changing nation. Many of the nation's farming communities had been established as a result of the great American migration Westward, yet the major markers for agricultural production remained in the East. The agricultural sector, having thereby grown more and more dependent on rail and shipping, on manufacturing and finance, demanded the regulation of these industries—as a way to protect the viability of their way of life.

A second segment of the population began demanding bigger government between the 1890s and World War I. Based mainly in the cities—and among the middle-class as much as the poor—this early "Progressive" movement had "social justice" as its aim. The reforms sought by this group were "mainly nonsocialistic restrictions and regulations imposed on sweatshop private corporate predicions." Their list of accomplishments is modest by our modern standards, but it is hardly inconsequential. The Progressive initiatives that did succeed were, quite obviously, made necessary by the changing nature of the American economy and aimed squarely at controlling industry: anti-trust legislation, health and safety regulations, child-protection laws, railroad rate controls, and state minimum wage regulations.

Although the American response to World War I brought with it increased centralized planning and intervention, the Progressive cause was left aside during, and then after, the war had been won. For some reason, there was no mood to prolong the successful experiment with bigger government in the service of Progressive purposes; as a result, the American "assert administrative machinery [was] dismantled" following Allied victory. In the end, the twenties was a decade of "intens capitalism" according to economist Joseph Schumpeter. As Walter and Vatter put it, big government was immediately abandoned following the war "in favor of a return to a smaller federal establishment and a shift by business leaders back to their traditional institutions."
Abandoning tradition and laissez-faire philosophies, even business groups were clamoring for more federal intervention by 1932. Together with social groups as well as state and local government, these societal factors, "already near the boiling point" in 1932, "coerced" the federal government to depart from the tradition of minimizing its size and role, and intervene with the New Deal. In other words, the "depth of the collapse" necessitated a systemic, planned response; inevitably, "planting was much more explicitly linked to the role of the state."  

Without question, Progressives recognized the crisis as a second opportunity to increase the role and scope of the federal administration; without question, the administrative state as it exists today owes its existence to the confluence of economic crisis and the very deliberate plans of those interested in a larger government for reasons exceeding economic recovery. The extent to which President Roosevelt (and those who would elaborate the entitlement programs in the decades that followed, often in his name) went further than necessary is a question that must be left aside. The rest of the story is familiar enough. Federal Building Construction to address unemployment; measures for drought relief; the inauguration of the Reconstruction Finance Corporation (which aimed at helping 25 million families directly); and New Deal reforms including Social Security and unemployment insurance, legislation to regulate minimum wages and maximum hours, changes designed to encourage union activity, higher transfer payments to other levels of government, the increased size and budget of the federal bureaucracy—all these federal measures helped to ease the pain caused to ordinary Americans by the economic contraction. The result: Americans' expectations of government also changed.

As Otto Graham sums up,

The most dramatic political result of the New Deal was perhaps the transformation of the national Democratic party from a states'-rights, factionally conservative, minority party into a majority party with a strong urban base, lower-class sympathies, and a liberal, even a social-democratic program... The size, power, and functions of the national government were greatly enlarged, and most of the new governmental duties were institutionalized in an invigorated executive branch... In all, the New Deal seemed to have vastly accelerated the drift toward a centralized, powerful, national government with democratic sympathies and a clear mandate of intervention to ensure economic security and social justice. It...
seemed to contemporaries, who remembered the flourishing Democratic party and triumphant national government of the 1920s, the sharpest change in American political life since the days of Lincoln.121

Suddenly, the central administration was involved in the lives of ordinary Americans as never before in a "managerial role." By creating policies and agencies to provide services directly (the Bureau of Employment Security to address unemployment, Social Security to address poverty in old age, the Food Stamp Plan to distribute food to the poor, the Rural Electrification Act to help extend the electrical infrastructure throughout the countryside, and the Federal Security Agency to deliver health, education and welfare services); by initiating administrative measures designed to guide the allocation of resources related to specific economic activities (loans to encourage infrastructure development, the Farm Credit and Agricultural Adjustment Acts to ease the economic burden of farmers, the Homeowners' Loan Act to secure the homes of ordinary Americans, and the Banking Act to shore up the banking sector); and by advancing administrative measures designed to regulate the economy (the Federal Deposit Insurance Corporation to protect depositors, Securities and Exchange Commission to protect investors, the Federal Communications Commission to regulate broadcasters, the National Labor Relations Act to regulate union activity, and on and on and on and on and on)—a panorama of new federal initiatives altered the relationship between Americans and the Federal Government in very important respects.122

It may well be true that the relationship between federal state and local government changed most decisively in the decades that followed, everyone one of them apparently redefining American federalism anew. True also, "the long arm of the federal government," in particular, the extended reach and scope of national executive and judicial authority into many spheres thither considered the sacred jurisdiction of state and local authorities, was essential to passing and enforcing the Civil Rights and Voting Rights Acts. Moreover, it is no doubt true that meaningful racial equality would not have been achieved in America if "the long arm of the federal government" had not reached farther and into many spheres thither considered the sacred jurisdiction of state and local authorities.123 Even so, with the good often comes the not-so-good; or in this case, a regrettably development may have been the prerequisite, and its

amplification the consequence, of worthy and overdue progress in another arena. American men—in this case, the public's expectations, even demands, of the national government and the extent of federal interventions Americans would tolerate—had already changed enough as a result of the New Deal programs that the sixties' interventions for racial justice were, first of all, conceivable, and secondly, could be perceived as legitimate by an important portion of the American population. Following that, new federal regulations to protect the environment, to regulate the economy, to improve American education, and most recently, to redefine the state governments' role in providing health insurance for low-income inhabitants of the states, have been tolerated if not actively embraced.

In all, the expanding scope of administrative centralization has not only progressively eroded the impetus that once inspired Americans to associate and participate actively governing themselves (the simple need to do so), but it has also chipped away at state and local authority, thereby reducing opportunity to do so. The story here, as Toqueville would tell it, is a familiar one: where less is demanded of people, people expect less of themselves. Pride is eroded. People retreat from public life. The expansion of interest from self to community ceases. Loss is that constellation of characteristics Toqueville thought so essential to healthy democratic governance—so much of it instilled through local self-government and everything connected to it. If local government is the "seed of free institutions," a federal government that costs $4 trillion a year is a toxic that wipes out every new shoots. As Donald Malles explains in his apody titled "Making Non-Citizens: Consequences of Administrative Centralization in Toqueville's Old Regime," Toqueville perceived with respect to France that where local political activity is systematically disrupted by the intervention of bureaucrats acting as agents of a centralizing administration...the natural forms of communal association and self-government could not reconstitute themselves in the new circumstances."124

CONCLUSION: AN ALTOGETHER NEW AMERICA?

Some time after the fifties, following an interlude encompassing the most severe Depression and the most costly war in American history, American culture once again embraced the materialistic enfrancement first exemplified in the Roaring Twenties. Indeed, in many ways, we have gone much further today. Shortly after the terrorist attacks of 11 September 2001—the most deadly attack ever to occur on American soil—the President did not urge young Americans to enlist in the Armed Forces in order to defend their

122 This list is compiled mainly from Walker and Victor, The Rise of Big Government in the United States, 60-62.
123 Steven Thernstrom, and Abigail Thernstrom, America in Black and White. (New York: Simon & Schuster, 1997), 156.
country, not that the general population prepare itself to make sacrifices as America guided for a war with the explicit aim of “making the world safe for democracy.” Instead, George W. Bush urged Americans not to stop shopping. Today, there is the general recognition that the prosperity and power of the nation depends on the material well-being of the individual worker—and on his confidence in the wider economy, on our willingness to spend our hard-earned money and working hard for more of it. We are attached to our right to be selfish, our right to immediate gratification, with almost religious ardor—it is the one great passion we all share. One detects in the President’s exhortation the triumph of Alexander Hamilton’s vision for America over the Jeffersonian, and in some senses, the Tocquevillian vision.

Near the beginning of Federalist 23, Alexander Hamilton reveals what he takes to be the guiding purpose of the new regime he imagined, and in which we are living. In contrast to Tocqueville and Jefferson’s aims, the words “happiness,” “greatness,” “virtue,” “freedom,” “self-sufficiency,” “morality,” “independence,” “education,” “community,” and “friendship” are noticeably absent. According to the New Yorker, “the principle purposes to be answered by union are these—the common defense of the members, the preservation of the public peace...the regulation of commerce with other nations and between the states, the superintendence of our intercourse, political and commercial, with foreign countries.” He goes on to add that government’s authority must be sufficient to achieve these goals, an objective best accomplished, and accomplished most efficiently, by concentrating its authority in a strong and energetic executive. What must first be noted of Hamilton’s thoroughly modern formulation is the extent to which government exists not to promote any particular conception of the good life, but simply to protect mere life. Government must be powerful, but the point of its power is to defend Americans and their liberty to pursue whatever they, personally, call happiness from the comfort and security of a prosperous regime, and within the generous confines of the law. Duties and moral responsibility are sacrificed to personal choice—choice for the sake of generating economic and military power, according to Hamilton. Whereas Jefferson and Tocqueville intended to provide Americans with a salutary way of life and through it, a moral education—both designed to help transform ordinary human passion into beautiful action and America into a virtuous republic—Hamilton was more concerned with harnessing human passion in its most ordinary, most unrefined form in order to transform America into a powerful republic, one capable of competing with Europe on equal terms. In the words of the first American economist, “The government of the Union... must be able to address itself immediately to the hopes and fears of individuals and to attract to its support those passions which have the strongest influence upon the human heart.” Unlike Jefferson and Tocqueville, then, Hamilton’s goal was not to create a Constitutional arrangement in which the private moral-religious sphere, that part of American society rooted in the townships and the churches and dedicated to the purification of our strongest but often most disappointing passions, would remain strong, but rather, to exploit those low passions in order to build a nation much like the one which has emerged.

In his 1791 Report on Manufactures, Hamilton argued that “...nations, merely agricultural, would not enjoy the same degree of opulence in proportion to their numbers, as those which united manufactures with agriculture...” Agrarian republics do not produce very much, Hamilton argues, precisely because there is little incentive to work hard where there is little material reward for doing so. What good is laboring to produce a surplus where it cannot be translated into myriad pleasure-enhancing things? Accordingly, to compete with commercial republics, “it is requisite to govern men by other passions, and animate them with a spirit of avarice and industry, art and luxury.” American workers are tured to work hard, to produce a surplus, by the promise that a small portion of that surplus will be acknowledged as theirs personally, to trade for whatever luxury or whatever commodity suits their fancy. Thus, in times of peace, the industrial infrastructure is naturally strengthened as men—they farmers, traders, artisans, or factory workers—engage in a restless struggle for commodity after commodity, luxury after luxury, that ceases only in death. More importantly, however, this modern economic arrangement provides a solid base of revenue and resources from which to tax, and otherwise raise and support powerful armies in times of emergency.

As a result, in a very short time, the most powerful nation ever to exist has risen to prominence, and almost from nothing. But for all of the choice afforded to us, and in spite of our myriad comforts, it is hardly clear that the lives of ordinary Americans are particularly good or happy lives. How often do Americans talk about greatness, as Tocqueville would have insisted?

But let us stay closer to home. As Rousseau recognized (after Machiavelli, ironically), the human desire for material things and others’ esteem is in principle infinite, while our capacity to satisfy these desires cannot but be


134 Alexander Hamilton. Federalist #56.


Happiness will always be elusive where one's desires exceed one's ability to satisfy them; however, in fact, the greater the disproportion between a man's desires and his capacity to satisfy him, the greater his unhappiness. Yet the very essence of our consumer culture is the attempt always to multiply our superficial desires—to persuade us that we always need more. Toqueville's emphasis on community, on family, on religion—his insistence on the importance of habits of the heart in preference to the materialistic habits of the European bourgeoisie Rousseau so deprecates—follows from his appreciation that bourgeois men and women can never be happy; they are destined to seek furiously after 'imaginary repose.'

For a variety of reasons, however, the very foundation for the strikingly Rousseaucean society Toqueville found in (mostly pre-industrial) Jacksonian America could not be maintained. In the decades since Toqueville wrote his masterpiece, industrialization and urbanization—and the opportunity for administrative centralization they created—have destroyed the township that constituted the indispensable root of community life for millennia. The consequence of our industrial-commercial disposition has been the erosion of tradition moral bonds—to family, to religious authority, to the small civil communities to which individuals once felt profoundly attached. The result: absent authoritative moral guidance from an early age, few are successful in the attempt to cultivate a capacity for inner-direction, freedom, and wholeness as traditionally understood. At the same time, a powerful—and in many respects tautology—authority has risen among isolated and materialistic democrats. In the place of inner-direction, today, men and women are left floundering about without definite aims or ideals. We are finally restrained and guided, but by forces external to us: by public opinion and by the threat of forcible coercion or economic penalty if we do not do this or that—what amounts to a political condition very much like the Soft Despotism Toqueville most feared.

Thus, we face a terrible dilemma in modern times. As Robert Bellah et al. aptly put it in Habits of the Heart: "Modern individualism seems to be producing a way of life that is neither individually nor socially viable, yet a return to traditional forms would be a return to intolerable discrimination and oppression." More than this even, a return to traditional ways and more is impossible for reasons connected to the realities of modern political economy (and international relations), as well as the fact that Americans would simply not stand for it. In short, we would not easily (read: willingly) give up the materialistic spoils of our easy and self-indulging way of life, so many of them for so many provided by that great tutelary authority.

Some have proposed a return to a specific sort of localism—to something akin to the urban localism of Chicago as described in The Last City. If only power were returned to the states and important decisions were made at the local level by members of the local community, it is suggested, then perhaps civic engagement and association would resurge. While it is no doubt possible that ordinarily introverted democrats might be persuaded to leave their cocooned and to see beyond their narrow interests were local civic engagement to promise them important personal benefits connected to the affairs of their neighborhood, I doubt very much that this would go very far toward addressing the essential problem. The demise of the township is so regrettable because outside of it, the sort of education and training it alone makes necessary, appealing, and possible simply disappears. A resurgence of neighborhood organizations cannot be sufficient to retrieve the most important aspect of township life precisely because the lure of easy and self-indulging city life will always remain (only a short subway ride away) to compete with whatever demands neighborhood associations manage to make of their members—which, incidentally, will in no way provide a substitute for demands once made by the web of influences linked by the local political community. And in any case, most will choose licentious city life to obedience to authorities that are easily escaped and which are necessarily only loosely connected to their own lives.

Is there a way to combat the seductive appeal of individualism and materialism, to combat contemporary acquiescence? Probably not. But since it is a question of destroying old dogmas in favor of inculcating new wholesome opinions, post-progressive educational reform appears most promising to me. One might suppose that a curriculum built around stories and novels written to expose young readers to the emptiness of the busy, individualistic, lives recommended to them by contemporary cultural influences might go a way toward helping youth to question, for themselves, the adequacy of our materialistic city-culture for their own lives and future happiness. That literary movement, of course, was called modernism, and it accomplished precisely nothing beyond persuading the young to put down their books altogether—which was perhaps not the end of the world considering what came after modernism.

Rousseau, long before Facebook and cell phones, perceived the same problem, the problem of the bourgeois, very clearly. He also proposed something of a solution: he had high hopes for the pre-modern novel. An explanation for one of his own literary forays (that is, what he hoped to accomplish by a novel called Julie), he made this pronouncement qua philosopher.

195 Bellah et al., Habits of the Heart, 144.
In order to give works of imagination the only usefulness they can have, they should be directed toward an end opposite to the one their authors intended [typically to please, to flatter, to flatter]; set aside everything artificial, bring everything back to nature, give over the love of a regular and simple life, cure them of the whim of opinion; restore their taste for true pleasures; make them love solitude and peace; keep them at some distance from each other; and instead of inciting them to war into the cities, motivate them to spread themselves evenly across the territory to invigorate its every part. I further understand that it’s not a matter of making them into... illustrious Peasants tilling their fields with their own hands and philosophizing about nature; but of demonstrating to well-to-do people that rustic life and agriculture offer pleasures they cannot know..."136

The aim, today, would be slightly different, of course. But the general strategy can be the same: to reach the young, by reactivating their imagination, that the life of the industrious, materialistic individualist cannot, in the end, be a very happy one.

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