Envisioning
Democratic Futures
★ ★ ★ ★ ★ ★ ★ ★ ★ 2024–25

BOSTON COLLEGE
THE CLOUGH CENTER FOR THE STUDY
OF CONSTITUTIONAL DEMOCRACY

THE CLOUGH CENTER FOR THE STUDY OF CONSTITUTIONAL DEMOCRACY

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ENVISIONING DEMOCRATIC FUTURES

Clough Center Journal, Volume 3

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From the Director, JONATHAN LAURENCE

Since 2007, the Clough Center for the Study of Constitutional Democracy has hosted meetings and seminars for Boston College students and faculty on democracy-related themes. This edition of the Clough Center Journal reflects how visitors to the center and our fellows have responded to this year's annual theme of "Envisioning Democratic Futures." It is the third such volume, with previous issues focusing on Journalism and Democracy (2023) and Attachment to Place in a World of Nations (2024).

More people voted in elections last year than at any other time in human history, with roughly two billion voters called to the polls in more than seventy countries. Even as we know that a thriving democracy depends on much more – and that these elections were conducted under varying different degrees of freedom – it is a milestone worth pausing to consider. Just a few generations ago, the number and percentage of those consulted across the liberal and electoral democracies were a tiny fraction of what they are today.

The most recent wave of elections conveyed a consistent message from voters around the world to those in power: an across-the-board backlash against inflation and incumbency, and the expression of dissatisfaction towards the status quo. British and South African voters elected opposition leaders to government; Iran elected a presidential reformer. The first female (and Jewish) president was elected in Mexico; the Turkish and Indian presidents, under whom democratic checks and balances had weakened, acknowledged that they lost votes this year; the French awarded one out of every three votes to the National Rally.

In many political systems, voters rewarded those who would disrupt the system, bringing what had been a marginal force one generation ago to center-stage today. We may find encouragement in the example of highly polarized nations who settle their ideological differences and competing interests through democratic mechanisms. But there is also a threat that institutions will be hollowed out, and that not all elections going forth will be held on level playing fields. Populist politicians have successfully raised salient issues that mainstream parties struggle to manage, yet the political science scholarship of the last decade suggests that when in office, populist incumbents have had a detrimental effect on democratic quality of life, as measured by press freedom, elections integrity and civil liberties. Disagreement over the rules of the game is part of a shift by some parties towards "constitutional hardball" and its consequences. As the U.S. faces down the possibility of institutional crises, some have questioned the advantages of our 18th-century roots. The dilemma is not unique to the United States or our constitution, and this is not only about the slippery challenge of populism.

The total number of democracies worldwide peaked in 2016, when there were 97; they fell to 89 in 2021, amid measurable backsliding within the surviving democracies. The number of people living in democracies fell from 3.9 billion in 2017 to 2.3 billion in 2021. Today, more than two-thirds of the world's population lives under autocratic rule. At a moment when those autocrats are arrogating more power for themselves, the democratic commitments of voters and leaders within some of the leading democracies is also open to discussion. Any dynamic democracy will feature meaningful political alternation. And the system's successful self-perpetuation depends on up to half of the population living with discomfort after defeat. That premise relies on their collective confidence that the institutions and checks and balances of constitutional democracy will endure.

It is a challenging moment for constitutional democracy, in an era when institutional legitimacy and efficacy is in doubt. We stand at an inflection point, a menacing storm of renewed nationalism and growing economic inequality. But it would not be quite right to say that we live in unprecedented times. Democracy's progress has always consisted of one great leap in the dark after another. As electorates change and grow, and as they react to economic disruptions and societal transformations. Every moment of expanding suffrage – when the electorate became more diverse, in terms of socio-economic background, gender and race – has met with backlash. Despite manifold rollbacks and regressions since the 18th-century US and French revolutions, constitutional democracy has not only spread globally but also vastly improved upon its earlier incarnations, in terms of participation and performance.

Ideas in vogue today are not far removed from early-20th century radical critiques of elite collusion and parliamentary inaction amid broad disillusionment with democracy. We are again in a moment when political elites fear the unknowns of the ballot box, and mainstream political figures and parties consider whether to seek alliances or to hold out against a rising electoral tide. Constitutional and electoral maneuvering allowed some countries to delay the inevitable by temporarily excluding certain populist parties from government. The ap-

proach of creating a *cordon sanitaire* – a firewall against political alliances with extremists – attempted in the past to transform democratically-cast votes into something considered more "useful" for the survival of democracy. How, then, to distinguish democratic renewal – a welcoming peal of bells -- from the knell of its imminent death? It is highly contextual, dependent on history, and on dynamics of path dependence and institutional fortitude. But there has never been a straight line to democracy and democratic progress. It is possible to find signs of dynamism and hope. In some countries such as in the U.S., abstention rates are declining and political polarization has lost some of its ethno-racial overtones.

While electoral results are highly volatile and uncertain, there are some certainties about life under constitutional democracy. A recent study in The Lancet, a medical journal, found that life under democracy is favorable for human longevity. This concurs with the findings that democracy is also associated with long-term economic and human development, a finding by Professor Daron Acemoglu and James Robinson, recognized with a Nobel Prize in Economic Sciences just last month. It is a sign of the times that the Nobel prize committee used their platform to bring global attention to this correlation.

At this juncture, the Clough Center convened a host of inspiring thinkers during the academic year to engage with the questions related to democracy's possible evolutions. What are the alternatives that emerge when voters reject the notion that there is no alternative? What are the institutional innovations that will be required? What are the potential democratic futures that we can envision? It is the contention of this journal's pages that to do so we will need history, the social sciences and theology, in addition to humor, poetry, politics and law. The journal is divided into thematic sections, and it includes a variety of reflections on aspects of democratic life from many disciplinary perspectives. The essays are a response to the challenge to envision democratic futures, a task which moves many scholars to look for lessons in the past.

Many members of the Clough Center team worked hard to produce this volume. The fellows revised and resubmitted their work under the editorial leadership of senior research fellow Chandra Mallampalli, postdoctoral fellow Isaiah Sterrett and visiting scholar Ahmet Yukleyen. Undergraduate Clough Correspondents Maddy Carr and Sam Petersen also played a key role. This edition of the journal reflects the many impressive contributions of the Clough Center community in all its intellectual diversity, complemented by the visitors we were fortunate to host on campus during the academic year.

Finally, a note of gratitude for a leader and scholar we lost in 2024. This issue includes a memorial for the political scientist and legal scholar Ken I. Kersch, who arrived at Boston College as the Clough Center's inaugural director in 2007; he was a beloved colleague and is sorely missed.

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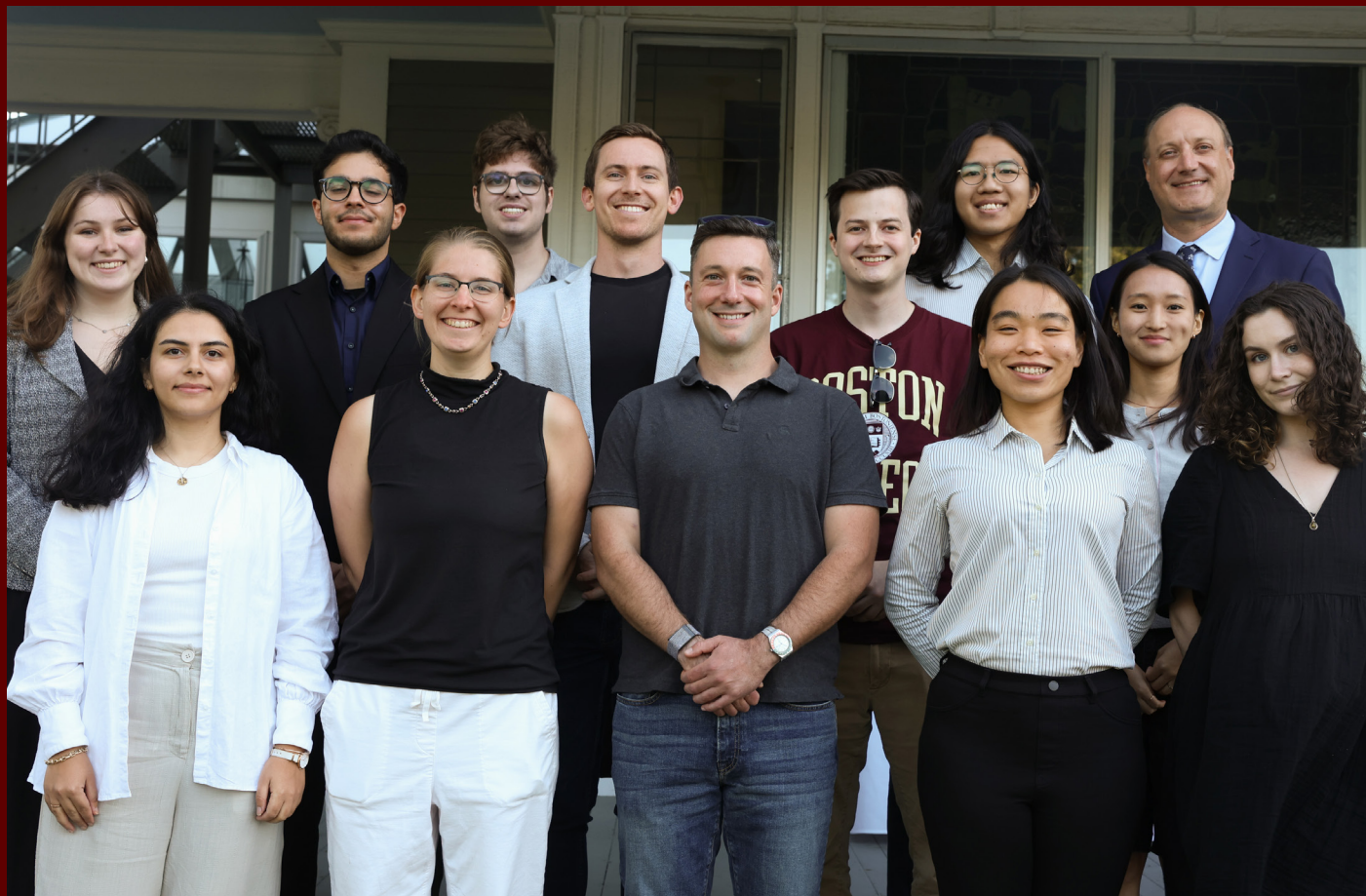
I. POLICIES IN PARADOX IN DEMOCRATIC FUTURES

MODEL LEGISLATION AND AMERICAN FEDERALISM

Casey Richard Puerzer

Political Science

ABSTRACT

This essay concerns *federalism:* "a system of government characterized by semi-autonomous states in a regime with a common central government; governmental authority is allocated between levels of government."[1] The United States is the example par excellence of a federated nation. More particularly, this essay concerns *policy diffusion*—when "policies in one unit (country, state, city, etc.) are influenced by the policies of other units"[2]—and *model legislation:* bills drafted by non- and para-governmental actors for uniform adoption across multiple states. I contend that model legislation challenges the normative assumptions of American federalism, which has historically institutionalized diversity and encouraged popular participation in government. In short, a greater respect for federalism (i.e., a greater respect for both interstate differences and the capacity of the states to slowly affect the policy of others via diffusion) would incline the United States towards a more democratic future.

INTRODUCTION

Recently, some political scientists have become interested in the phenomenon of *model legislation:* bills drafted by non- and para-governmental groups for uniform adoption across multiple states.[3] In this paper, I contend that the contemporary prevalence of model bills challenges the normative assumptions of American federalism, which has historically institutionalized diversity and encouraged popular participation in government. I begin by outlining two of the most influential interpretations of federalism: first, that it protects interstate differences, insulating the states from outside influence; second, that it allows the states to serve as "laboratories of democracy,"[4] i.e., experimenting with policy, appropriating effective policies from other states, and influencing the legislative behavior of their neighbors. American states are not isolated governments; rather, they are interdependent actors. Next, I argue that both interpretations have been and can be correct: different eras of federalism exhibit unique opportunity and constraint structures that either insulate the states from external influence or facilitate policy sharing and appropriation. Lastly, I describe the process by which model legislation is drafted and diffused, and I detail what happens once these bills land in state legislatures, suggesting that temporal and fi-

nancial constraints incline some legislators to adopt them. I conclude that when state legislatures rely on model bills, they outsource governance to non- and para-governmental organizations, circumventing the democratic process on which the United States' republican government is based.

THE CONTENTIOUS PURPOSE OF AMERICAN FEDERALISM

The specific provisions for federalism in the Constitution, Bill of Rights, and all subsequent Amendments are vague. In turn, as Troy E. Smith notes, "federalism will always be ambiguous and changing."[5] However, there are two dominant interpretations of the institution, the first being that it protects interstate differences; the second that it allows the states to act as "laboratories of democracy." The first interpretation was likely shared by many of the Founders and Framers: James Madison argued that "the proposed government cannot be deemed a national one; since its jurisdiction extends to certain enumerated objects only, and leaves to the several states a residuary and invaluable sovereignty over all other."[6] In other words, if the Constitution is understood to provide for a limited government, state governments must possess a significant degree of freedom in

the exercise of their authority and their geographic, demographic, and economic idiosyncrasies must be reflected in policy choices. More recent arguments on behalf of this interpretation can be seen in the work of Martin Diamond and Martha Derthick. The former argues that "vitality of American government and political life" can only be achieved by "keeping interest, affection, power, and energy alive and well at the state level of politics in an otherwise homogenizing and centralizing age;"[7] the latter that "the United States is a nation made up of distinct political communities...citizens conduct their politics, including deliberation about national policymaking, in part as members of those communities."[8] In short, this interpretation is premised on federalism's institutionalization of diversity and concludes that the protection of interstate differences creates a national polity in which popular participation is encouraged.

The second interpretation is of more recent vintage. The phrase "laboratories of democracy" comes from Justice Louis Brandeis' dissent in *New State Ice Co. v. Liebmann,* and the line is worth quoting in its entirety: "it is one of the happy incidents of the federal system that a single courageous State may, if its citizens choose, serve as a laboratory; and try novel social and economic experiments without risk to the rest of the country."[9] Brandeis' argument is premised on the possibility of interstate policy diffusion—when "policies in one unit (country, state, city, etc.) are influenced by the policies of other units"[10]—and concludes that decentralized policy experimentation leads to the diffusion of effective ideas. The rhetorical force of Brandeis' argument is immense;[11] as Michael Greve notes, "it conveys a pragmatic spirit that naturally appeals to a nation of compulsive tinkerers, and it connects equally popular sentiments in favor of localism and decentralization.[12] Or, as Andrew Karch argues, it describes "a rational process of trial and error,"[13] and therefore attracts systematic thinkers such as economists and lawyers. In total, the Brandeisian interpretation of federalism envisions an institution that amplifies, rather than attenuates, communication. It is founded on the beliefs that interstate differences will be incrementally smoothed by the slow diffusion of effective policy and that experimentation leads to diffusion, as the states compete with one another over increasingly mobile labor and capital.[14]

THE CHANGING OPPORTUNITY AND CONSTRAINT STRUCTURE OF AMERICAN FEDERALISM

Federalism is a mercurial institution—variously interpreted to justify nullification and secession,[15] limited state sovereignty,[16] and federal supremacy[17]—that shapes an evolving opportunity and constraint structure for policy diffusion. From the ratification of the Constitution to about the turn of the 19th century, the institution prevented noticeable levels of interstate "learning, competition, emulation, and coercion."[18] This outcome was doubtless a result of transportational and technological limitations as well as a political culture oriented around limited government. However, the Progressive Era (~1900–1932) coincided with the modernization of the nation's economy and significantly altered popular understandings of interstate relations. Private organizations and professional associations such as the Uniform Law Commission (ULC) and American Bar Association (ABA) began to disseminate model bills to state legislatures with the goal of homogenizing civil and criminal statutes. The Progressives were moral absolutists and were therefore averse to state-to-state differences and sought to circumvent state legislatures, which they saw as amateurish and parochial.[19] As Wilson Carey McWilliams argues:

> Progressives were engaged in a quest for democracy on a grand scale, informed by the belief that the human spirit or conscience, guided by social science, could eventually create a vast and brotherly republic of public-spirited citizens. That high ambition moved Progressives to humanize American life in any number of ways.[20]

A new age of interstate policy diffusion followed the "creation" of model legislation by ULC and ABA. First, certain progressively-oriented states, such as Wisconsin and California, came to influence on the policy choices made by their neighbors;[21] and, later, informal interstate networks were established in order to aid state legislators with the increasingly difficult task of lawmaking.

The dénouement of these developments was the creation of partisan organizations and formal interstate networks in the 1970s and '80s focused on affecting uniform change in the United States on a decentralized basis—through state legislatures. The most prominent and effective example of such an organization is the American Legislative Exchange Council (ALEC), a conservative group that disseminates model bills instituting Stand-Your-Ground and Right-to-Work laws. However, liberal and civil libertarian organizations such as the American Civil Liberties Union (ACLU) and Foundation for Individual Rights and Expression (FIRE) also disseminate model bills to lawmakers in their networks—these groups are generally less successful than conservative ones. As Sidney Milkis argues, "we're all Progressives now;" that is, almost every American is uncomfortable with policy variation between the states.[22] This situation is a logical consequence of contemporary American politics: many citizens advocate for uniformity among the states, and policymaking is a complex process performed by legislators who are by nature generalists. In other words, today's lawmakers are incentivized to seek help from non- and para-governmental organizations.

MODEL LEGISLATION AND THE FUTURE OF AMERICAN FEDERALISM

As Alex Hertel-Fernandez[23] and Jacob Grumbach[24] have pointed out, contemporary model legislation is produced and disseminated by networks of partisan policy experts that are more effective than ever before: state legislatures are now adopting these bills with significant frequency,[25] and "the US Supreme Court grants review to 17% of model laws...produced by the American Legislative Exchange Council (ALEC), whereas merely 1% of other cases are granted certiorari."[26] In other words, state legislatures have become somewhat reliant on model legislation, and these bills shape the future of American politics both in the states where they are passed as well as nationally, through the process of "impact legislation:" "the use of the court system—primarily the federal court system—and its powers to achieve political goals for people far beyond the parties to the case."[27]

Put simply, the fiscal and temporal constraints on legislators incentivizes state legislatures to adopt model bills. The yearly pay of state policymakers varies greatly from state to state, and this variation is reflected in the percentage of approved bills that are based on models. California pays its state legislators the most ($119,702.00/year, with additional per diem pay and travel stipends); New Hampshire pays the least ($100.00/year, with no additional per diem pay and a complicated travel reimbursement model).[28] The length and frequency of state legislative sessions likewise varies greatly from state to state. On the low end, Wyoming's state legislature only meets for twenty legislative days every other year.[29] On the other hand, many states have no limit on the length of their legislative session—still-Progressive Wisconsin being one of them—and these states' sessions often extend for long durations of time. Moreover, there are four state legislatures that meet only in odd-numbered years: Montana, Nevada, North Dakota, and Texas; these states also have some of the lowest legislative pay rates. Legislators in Montana are paid $100.47/legislative day, with a 126.12/day additional rate and travel stipends. Those in Nevada are paid $164.69/calendar day, with a $151.00/day additional rate and travel stipends. Those in North Dakota are paid $518.00/month, with a $186.00/day additional rate and travel stipends. Texas is unique: $7,200.00/year, with a $221.00/day additional rate and travel stipends.[30]

The behavior of individual legislators is profoundly influenced by the frequency and duration of legislative sessions as well as pay. Lawmakers in states with lower salaries less able to hire large staff have a more amateur character and are more likely to be deferential to their relative executive branches as well as to any non- and para-governmental organizations that disseminate model bills. As Graeme Boushey and Robert McGrath argue:

> Although all state assemblies may prefer the efficiency that comes from policy delegation, citizen ones [i.e., "amateurish" legislatures] have especially strong incentives to enact vague legislation, establishing the general goals and tenor of policy while relying on expert bureaucrats to fill in details through rulemaking. Second, the shifting balance of power in state capitals creates different levels of bureaucratic autonomy in the policy process. When legislative expertise is low, administrative agencies enjoy greater independence, allowing bureaucrats to shape policy through rulemaking with relatively limited interference from the legislature.[31]

Some of these conclusions can be proven quantitatively. In total, it seems that (1) smaller legislator salaries and less staff funding are correlated with a more conservative ideological median in a states' House of Representatives and (2) a more conservative median ideology in a state legislature is correlated with an earlier passage of an ALEC bill (which can be extrapolated to mean that a state legislature has the propensity to pass model legislation in general, especially as most model legislation is produced and disseminated by conservative organizations). The two regression graphs below represent the correlation between the conservatism of a state legislature (expressed on a -1 to 1 scale, with -1 being "total" liberalism) and legislative salary and staff funding, respectively:[32]
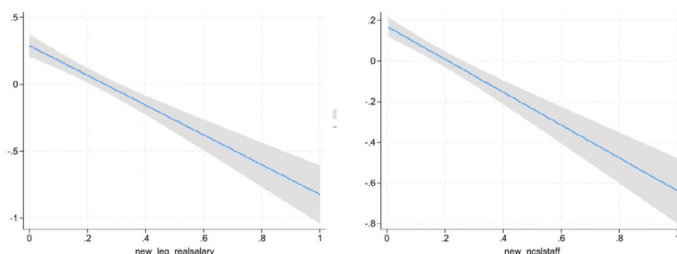
These two graphs indicate that there is a statistically significant correlation between smaller legislator salaries and less staff funding and a more conservative ideological median in a states' House of Representatives. Moreover, the regression graph below indicates that conservative states pass ALEC bills sooner than liberal ones:[33]
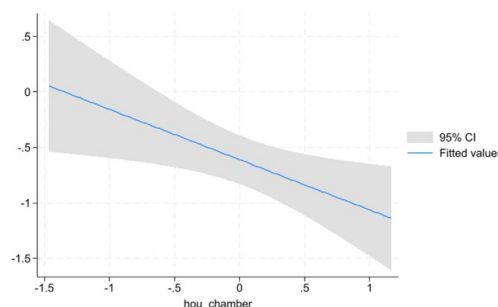
The data presented in the preceding three regressions is a snapshot of a larger phenomenon: reliance on model bills is endemic to amateurish legislatures, liberal. Moreover, these regressions indicate correlation, not causality. It must also be noted that conservative groups are both more likely to produce and distribute these bills and are also more effective in this regard.[34] Moreover, the best available data sets on this subject concerns the influence of conservative groups—the liberal side of this coin can only be extrapolated from what is already known.

CONCLUSION

Model legislation—liberal, conservative, or otherwise— is a *prima facie* challenge to democratic government. State legislative reliance on these bills cuts against the normative assumptions of American federalism, which has at times institutionalized diversity by protecting interstate differences as well as allowed the states to serve as Brandeisian "laboratories of democracy." In short, some aspects of state governance have been outsourced to non- and para-governmental organizations in order to cope with the complexities of a policymaking process performed by natural generalists. Once more: this situation is anti-democratic; when state legislatures rely on model legislation, their policies grow homogenous and their capacity to experiment (and appropriate successful policies from other states) decreases. If federalism is among the most effective mechanisms by which modern states (especially large ones like the United States) cope with the realities of geographic, ethnographic, and economic pluralism, the contemporary manifestation of model legislation smooths these differences, homogenizes state policies, and in turn undermines diversity and disincentivizes popular participation in government.

APPENDIX: REGRESSION CHARTS

```
. reg hou_chamber new_leg_realsalary if year>=1993 & year<=2013

    Source |       SS           df       MS      Number of obs   =       436
-----------+----------------------------------   F(1, 434)       =     65.25
     Model |  20.9174409         1  20.9174409   Prob > F        =    0.0000
  Residual |  139.129588       434  .320575087   R-squared       =    0.1307
-----------+----------------------------------   Adj R-squared   =    0.1287
     Total |  160.047029       435  .367924204   Root MSE        =    .56619

------------------------------------------------------------------------------
 hou_chamber | Coefficient  Std. err.      t    P>|t|   [95% conf. interval]
-------------+----------------------------------------------------------------
new_leg_rea~y| -1.114274    .1379439    -8.08   0.000   -1.385395   -.8431529
       _cons |  .2896011    .0412333     7.02   0.000    .2085593    .3706429
------------------------------------------------------------------------------

. reg hou_chamber new_ncslstaff if year>=1993 & year<=2013

    Source |       SS           df       MS      Number of obs   =       871
-----------+----------------------------------   F(1, 869)       =     72.39
     Model |  23.583196          1  23.583196    Prob > F        =    0.0000
  Residual |  283.100893       869  .325777782   R-squared       =    0.0769
-----------+----------------------------------   Adj R-squared   =    0.0758
     Total |  306.684089       870  .352510447   Root MSE        =    .57077

------------------------------------------------------------------------------
 hou_chamber | Coefficient  Std. err.      t    P>|t|   [95% conf. interval]
-------------+----------------------------------------------------------------
new_ncslstaff| -.8089692    .0950805    -8.51   0.000   -.9955834   -.6223549
       _cons |  .1695907    .0247665     6.85   0.000    .1209814    .2181999
------------------------------------------------------------------------------

. reg enacted_clock hou_chamber if year>=1993 & year<=2013

    Source |       SS           df       MS      Number of obs   =       863
-----------+----------------------------------   F(1, 861)       =      5.90
     Model |  62.669094          1  62.669094    Prob > F        =    0.0154
  Residual |  9153.18722       861  10.6308795   R-squared       =    0.0068
-----------+----------------------------------   Adj R-squared   =    0.0056
     Total |  9215.85632       862  10.6912486   Root MSE        =    3.2605

------------------------------------------------------------------------------
enacted_cl~k | Coefficient  Std. err.      t    P>|t|   [95% conf. interval]
-------------+----------------------------------------------------------------
 hou_chamber | -.4535001    .1867821    -2.43   0.015   -.8201016   -.0868985
       _cons | -.609146     .111229     -5.48   0.000   -.8274577   -.3908344
------------------------------------------------------------------------------
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1 Jenna Bednar, "The Political Science of Federalism," *Annual Review of Law and Social Science* 7, no. 1 (2011): 269–88, https://doi.org/10.1146/annurev-lawsocsci-102510-105522, 269.

2 Fabrizio Gilardu and Fabio Wasserfallen, "The Politics of Policy Diffusion." *European Journal of Political Research* 58, no. 4 (2019): 1245–56, https://doi.org/10.1111/1475-6765.12326, 1.

3 The study of model legislation began after a 2011 exposé of the conservative American Legislative Exchange Council (ALEC), published by the Center for Media and Democracy (CMD) and a 2019 collaborative investigation performed by *USA Today* and *The Arizona Republic* titled "Copy, Paste, Legislate."

4 This phrase comes from Justice Louis Brandeis' dissent in *New State Ice Co. v. Leibmann* 285 U.S. 262 (1932).

5 Troy E. Smith, "A Compound Republic—If You Can Keep It: Martha Derthick's Empiricism and the Value of Federalism," *Publius* 47, no. 2 (2017): 153–70, https://doi.org/10.1093/publius/pjw034, 167.

6 Alexander Hamilton, John Jay, James Madison, and Robert Scigliano, *The Federalist: A Commentary on the Constitution of the United States,* Modern Library ed. (New York: Modern Library, 2000), 245.

7 Martin Diamond, "'The Federalist' on Federalism: 'Neither a National nor a Federal Constitution, but a Composition of Both,'" *The Yale Law Journal,* 86, no. 6 (1977): 1283, https://doi.org/10.2307/795706.

8 Martha Derthick, *Keeping the Compound Republic: Essays on American Federalism* (Washington, D.C: Brookings Institution Press, 2001), 4.

9 *New State Ice Co. v. Liebmann,* 285 U.S. 262 (1932), 311.

10 Gilardu and Wasserfallen, "Politics of Policy Diffusion," 1245.

11 Anecdotally, it seems impossible to read any contemporary book on federalism without coming across an endorsement, refutation, or at least mention of Brandeis' argument.

12 Michael S. Greve, "Laboratories of Democracy: Anatomy of a Metaphor," *Policy File* (American Enterprise Institute, 2001), 1.

13 Andrew Karch, *Democratic Laboratories: Policy Diffusion among the American States* (Ann Arbor: University of Michigan Press, 2007), 5.

14 Daphne A. Kenyon, John Kincaid, and United States Advisory Commission on Intergovernmental Relations, *Competition among States and Local Governments: Efficiency and Equity in American Federalism* (Washington, D.C.: Urban Institute Press), 1991; and Paul E. Peterson, *The Price of Federalism* (Washington, D.C: Brookings Institution, 1995).

15 See, for example, Sanford Levinson, ed., *Nullification and Secession in Modern Constitutional Thought* (Lawrence: University Press of Kansas, 2016).

16 See, for example, Sean Beienburg, *Progressive States' Rights: The Forgotten History of Federalism* (Lawrence: University Press of Kansas, 2024).

17 See, for example, Faulkner, Robert K. *The Jurisprudence of John Marshall.* Princeton, N.J: Princeton University Press, 1968.

18 I take this typology of interstate policy diffusion from Gilardu and Wasserfallen, "Politics of Policy Diffusion," 1245–56

19 See, for example, Eric Frederick Goldman. *Rendezvous with Destiny,* 1st Ivan R. Dee paperback ed. (Chicago: Ivan R. Dee, 2001).

20 Wilson C. McWilliams, Patrick J Deneen, and Susan Jane McWilliams, *The Democratic Soul: A Wilson Carey McWilliams Reader* (Lexington: University Press of Kentucky, 2011), 99.

21 See, for example, William Graebner, "Federalism in the Progressive Era: A Structural Interpretation of Reform," *The Journal of American History* 64, no. 2 (1977): 331–57, https://doi.org/10.2307/1901828; and David Brian Robertson, "The Bias of American Federalism: The Limits of Welfare-State Development in the Progressive Era," *Journal of Policy History* 1 (1989): 261–291.

22 Sidney M. Milkis, "We're All Progressives Now," *Academic Questions* 34, no. 1 (2021), 136, https://doi.org/10.51845/34s.1.23.

23 Alexander Hertel-Fernandez, *State Capture: How Conservative Activists, Big Businesses, and Wealthy Donors Reshaped the American States–and the Nation* (New York: Oxford University Press, 2019).

24 Jacob M. Grumbach, *Laboratories against Democracy: How National Parties Transformed State Politics* (Princeton: Princeton University Press, 2022).

25 Molly Jackman, "ALEC's Influence over Lawmaking in State Legislatures, *Brookings,* December 6, 2013, https://www.brookings.edu/articles/alecs-influence-over-lawmaking-in-state-legislatures/.

26 Dylan L. Yingling and Daniel J Mallinson, "Courts-First Federalism: How Model Legislation Becomes Impact Litigation," *Perspectives on Politics,* 2024, 1, https://doi.org/10.1017/S1537592724000616.

27 Ibid., 2.

28 "2022 Legislator Compensation," National Conference of State Legislatures, https://www.ncsl.org/about-state-legislatures/2022-legislator-compensation.

29 Ibid.

30 Ibid.

31 Graeme T. Boushey and Robert J. McGrath, "Experts, Amateurs, and Bureaucratic Influence in the American States," *Journal of Public Administration Research and Theory* 27, no. 1 (2016): 89.

32 See appendix for a regression chart proving statistical significance.

33 See appendix for a regression chart proving statistical significance.

34 See, for example, Hertel-Fernandez, *State Capture.*

POLITICAL CLIMATE:

Democracy and Environmental Crisis in Octavia Butler's Parable of the Sower
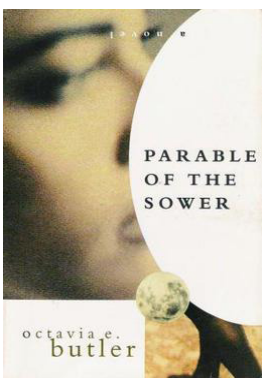
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ABSTRACT

This paper investigates Octavia Butler's 1993 speculative fiction novel *Parable of the Sower* as a work of political critique and of future-forward imagination. Through the story of a near-future United States in the midst of social and environmental crisis, Butler projects out the consequences of both global climate change and historical levels of inequality in America, warning of significant threats to our democracy, and offering a counter-narrative intended to help readers imagine a future that may look radically different than the present. Thinking alongside climate scholars Dipesh Chakrabarty, Min Song, and Anna Kornbluh, as well as political theorists Alex Zamalin and Jasmine Yarish, this paper will contend that, through a conscious endeavor to work through real world problems, and by leveraging the imagination inherent in speculative fiction, Butler posits an alternative way forward, a way of thinking about the future that enables us to conceive of an America that weathers the twin storms of climate change and inequality with democracy unscathed, and perhaps even improved.

I: INTRODUCTIONS - PREDICTING THE FUTURE

In her eerily prescient 1993 novel *Parable of the Sower*, set 35-plus years into the then-future (that is, *now*) author Octavia Butler imagines a climate-ravaged America that has fallen back on class-and-race-based indentured servitude, where poor people of color are forced into debt slavery in richer, whiter communities in order to survive. She envisions environmental catastrophes brought on by climate fluctuations and exacerbated by unequal social conditions - de facto segregation, class conflict, the burgeoning wealth gap, addiction and substance abuse issues, mass incarceration. These combine and compound, resulting in a systemic rollback of American democracy characterized by corporate slavery, legalized white supremacy, conflation of church and state, and increased militarism.[1] Perhaps the most chilling aspect of Butler's novel is how *possible* it all seems, how the slippery slope of dealing with climate change and historic levels of inequality as interrelated issues that synthesize into a perfect storm of anti-democratic movements, and the consequent success of an extreme-right political candidate, makes perfect sense in the unfolding of protagonist Lauren Olamina's future. As Alex Zamalin contends: "the *Parable* books were...prophetic critique of what American culture was and where it was headed... implicat[ing] American capitalist liberal democracy in creating a future dystopian social disaster."[2] Reading *Parable of the Sower* as such, I contend that Butler, through conscious endeavors to play out the consequences of real-world problems, and by leveraging the imagination inherent in speculative fiction, offers an alternative way forward, a way of thinking about the future that enables us to conceive of an America that weathers the twin storms of climate change and inequality with democracy unscathed, perhaps even improved.

Contrary to common assumptions about science-fiction, Butler very intentionally grounds her near-future America in real problems of the 1990s; problems we continue to experience today. Butler points out that the issues she describes in *Parable* already existed, often un- or under-addressed. She discusses the usefulness of trying to

predict the future, especially by investigating history for patterns, and by, "look[ing] around at the problems we're neglecting now and giv[ing] them about 30 years to grow into full-fledged disasters."[3] She acknowledges there will always be surprises and unintended consequences - that it is not possible to predict with certainty - but argues that such predictions are an essential part of identifying and thinking through social issues of the present, and beginning to plan for their amelioration: "Making predictions," Butler says, "is one way to give warning when we see ourselves drifting in dangerous directions. Because prediction is a useful way of pointing out safer, wiser courses."[4]

While the pace of the collapse *Parable* narrativizes seems slightly off - reality is moving more slowly than fiction - the overall accuracy of Butler's vision is uncanny. Given such sanguinity, this paper asks what we can learn from Butler's novel and the worst-case scenario she presents, as we face down modern inequality and prepare for ever-increasing consequences of climate change. The first part of the paper investigates what constitutes the 'dangerous directions' Butler sees us drifting towards - physical and psychological traumas of environmental crisis leading to greater division and hyperindividualism, an increase of the wealth gap that already exists in our neoliberal capitalist society to the point of a nearly-complete disappearance of the middle class, and a rise in political extremism and authoritarianism characterized by xenophobic and Christian fundamentalist rhetoric. The second section turns to the counter-narrative of protagonist Lauren Olamina and her 'Earthseed' philosophy (the core tenet of which is that the only true God is change), through which Butler offers a series of lessons that prompt readers to imagine possible 'safer, wiser courses;' lessons that might help us real-world 21st century American citizens re-envision our collective future.

II: WORST-CASE SCENARIO - ENVIRONMENTAL TRAUMAS, THE EROSION OF THE MIDDLE CLASS, AND POLITICAL EXTREMISM

There is a threefold nature to understanding threats posed by climate change - physical destruction, the philosophical ramifications of said destruction, and the lived sociological and political consequences of both. In the physical sense, climate science boasts surprising levels of agreement, given popular perceptions that 'global warming' is still up for debate. Scientists began warning of climate-related dangers as early as the 1980s; geologist Paul Crutzen coined the term 'the Anthropocene' (an era in which humans are the most powerful geological force) in 2002;[5] recent books discern remarkably similar patterns of behavior in the present - oblivious, excessive consump-

tion, and governments that have addressed neither the underlying causes nor the looming consequences of climate change - and remarkably similar outcomes of destruction, already happening and only accelerating into the future.[6]

The 2016 documentary, *The Age of Consequences,* directed by Jared P. Scott, charts out what the world can expect in political and sociological terms if the climate crisis continues to be ignored or de-prioritized - increased conflict, instability, unrest, collapse of infrastructure, mass poverty, mass migration and refugee-ism, and the rise of authoritarian states.[7] In comparing these climatic consequences with Butler's 1993 novel, *Parable of the Sower* hits the nail on the head.[8] Instability? Check. In *Parable,* food and water prices soar. Jobs disappear. People cannot pay for utilities, medical bills, or housing costs. Unrest? Check. Lauren Olamina describes skyrocketing levels of crime - robbery, rape, murder, arson - as well as drug-addled, disenfranchised youth gangs destroying the homes and lives of anyone they perceive as better off than themselves. Collapsing infrastructure? Check. No transportation. Crumbling roads. Only wealthy individuals or large corporations able to afford gas. Fire departments, ambulances, and police still exist, but charge exorbitant fees and are utterly overwhelmed by the demand, often unable or unwilling to assist. Without jobs or health insurance, people cannot afford vaccinations or antibiotics, and diseases like cholera and measles are back on the rise. Mass poverty? Yes. Hundreds of thousands of homeless, jobless people. Mass migration? Yes. Hundreds of thousands of homeless, jobless people displaced by climate disasters or burned/chased out of their homes, all trying to head north (on foot) to less arid lands, and the tenuous promise of ever-dwindling numbers of jobs. More authoritarianism? Yes. Under the guise of "putting people back to work," President Donner[9] suspends "'overly restrictive' minimum wage, environmental, and worker protection laws."[10] And these are just the tangible disasters.

Physical catastrophe notwithstanding, there is also a concomitant disruption to human philosophical understanding engendered by climate change, and a psychic weight we all have to bear. In "The Climate of History: Four Theses," Dipesh Chakrabarty claims climate change has created an 'unimaginable future,' wherein our historical understandings of the world, and our place in it, no longer apply. With no sense of what the world might look like going forward, Chakrabarty contends that we are forced to reevaluate how we have looked at the world in the past - how we have, erroneously, believed in a progressive through-line of history and a clear distinction between human and natural history.[11] Further, in *Climate Lyricism,* Min Song argues that combating climate change can seem impossible, even paralyzing, especially when viewed through individualistic lenses: "Humans ramble through their days, stuck in patterns they can barely perceive... aware at best that they are

witnessing one extraordinary event after another but unable ultimately to integrate this knowledge into their daily lives and, worse, unable to intervene in any way. The extraordinary and the daily are incompatible. They lack control even over their own lives."[12] Butler's novel depicts the consequences of this hopelessness and paralysis inherent in the loss of a future: the adults in *Parable,* those who once knew better times, find themselves stuck in a space of nostalgia and denial, both waiting for the 'good old days' to reappear and unable to consciously admit how bad things have gotten in the present.

Yet, un-stymied by her characters' many overwhelming obstacles, or their psychic despair, Octavia Butler digs vociferously into the third aspect of climate change: lived sociological and political consequences. Besides simply representing physical and psychological traumas, Butler endeavors to see where these traumas may lead society, and, in her capacity as political theorist (a role for which, Zamalin notes, she is underappreciated),[13] recognizes two particular threats, co-eval with climate change, to American democracy: exacerbation of societal inequalities leading to a complete breakdown of the middle class, and a meteoric rise in political extremism and authoritarianism.

Through her projection of a near-future United States in crisis, Butler critiques aspects of American society - notably neoliberal capitalism and racial inequality - that were present in 1993, and have generally only increased in potency over the past three decades. In Lauren Olamina's USA, the middle class has all but gone extinct - Lauren's own experience is indicative of this. Robledo, her once middle-class neighborhood, hangs on as long as possible thanks to their protective wall and Lauren's father's efforts to unite the community, but eventually they are forced out to join the throngs of 'street poor,' divided along racial lines into many small and ever-conflicting factions. As Zamalin says: "In *Parable,* economic freedom leads not to greater personal choice, but to its opposite: greater violence and insecurity."[14] A few years into *Parable* and the only people still living in suburbia are the uber-rich and the debt-slaves of the company towns. There is no longer any in-between, any middle class.

As the social order crumbles under the weight of growing inequalities, Butler warns against a reversion to and/or continued reliance on patriarchal individualism, xenophobia, and conflations of church and state. But of course, these are exactly what the climate-ravaged and economically-beleaguered country defaults to; a default which Zamalin characterizes as: "religious fundamentalism fused with neoliberalism: political hopelessness that created nostalgic dreams to reestablish systems of domination that never worked for the oppressed."[15] Environmental and worker protection laws are dissolved, poorer communities are left to fend for themselves, privatization of schools leaves the majority of the next generation un-

or under-educated. Privatized security exacerbates class and race differences by serving only corporate interests, hyperindividualism erodes national solidarity, and, "Collective despair creates fantasies of patriarchal dominance and traditional nuclear families, which threaten women's liberation."[16] (Another thing we are objectively facing in 2024, as Jia Tolentino asserts in her post-election piece on the rightward leap of male voters aged 18-29.)[17] It is no wonder that the adults around Lauren have lost hope under all these physical and psychological weights.

Significantly, Butler's speculative novel highlights exactly what this despair has engendered, exactly what Chakrabarty fears - a loss of imagination. An inability to picture a future that is different from, or better than, now, leaving Butler's characters to dream passive dreams about a past social order, though many know that it was never an order that worked for all, or even most, people. In fact, Butler's very use of the speculative argues for the power of imagination - Butler's own imagination and Lauren's determination to re-imagine the world. Lauren knows her group needs to survive the 'now,' but she is also not waiting around to see what happens before thinking about the future. She wants those around her to, "stop denying reality or hoping it will go away by magic,"[18] to accept the change that has already happened, and embrace it as a chance to craft something new. As one of her followers says, "I want to build something, too. I never had a chance to build anything before."[19]

III: LESSONS FROM LAUREN - IDENTITY, DIVERSITY, AND COLLECTIVE ACTION

The path forward *Parable* outlines contains many lessons, not least of which is the above remonstrance to keep imagining, to avoid getting set in one way of ordering the world, and to employ future-forward thinking. Indeed, one of the tenets of Lauren's Earthseed philosophies explicitly instructs followers to: "shape God [direct/focus/affect change] with forethought, care, and work."[20] Successful Earthseed members think through contingencies, prepare for all of them, take calculated risks, and have a plan for the future. They never rest on their laurels. They also, as Butler depicts, have significant things to say about personal and political identities, about the importance of diversity, and about the need for increasingly collective social forms.

In terms of identities, Butler expresses concerns about ego, pride, toxic masculinity, and the narratives we tell ourselves about who we are, as individuals and as a country. Ingrained narratives of strength and power can be anathema to planning for and imagining different futures, as Zahra learns when Robledo is destroyed. "'You saw it coming … I should have seen some of that stuff,'

she said. 'But I didn't. Those big walls. And everybody had a gun.[21] There were guards every night. I thought we were so strong.'"[22] Like Zahra, the United States is historically guilty of propping up narratives of its own elitism and invincibility as well. Butler points out how these narratives, like hopeless attachment to the past, can be another form of stasis - an unwillingness to change, and a belief in one's own stability, longevity, or power not necessarily based in reality. And, of course, that belief can also feed ego and pride, two more hindrances to collectivity, as well as two defining features of toxic masculinity, a trait that inevitably leads to more conflict and violence, as exemplified by several characters in *Parable;* yet another characteristic of our present connected to American myths of individualism and meritocracy.

On diversity, Butler is clear - Earthseed verses speaks directly to the topic, and its relation to survival: "Embrace diversity. / Unite - / Or be divided, / robbed, / ruled, / killed / By those who see you as prey."[23] Unity is key to Lauren's vision of the future, particularly unity across difference. Like toxic masculinity, prejudice and fear can lead to tensions and divisions that cause group fragmentation, and which certainly contribute to the ongoing downfall of Butler's future USA. Closely related to ideas of diversity in unity is collective action, which Lauren also builds into Earthseed, alongside Song's thinking about increasing collectivity as critical to surviving climate change without exacerbating existing inequalities. It is a condition of Earthseed communities that members use their own *diverse* knowledge and skills to: "educate and benefit their community, their families, and themselves; and to contribute to the fulfillment of the Destiny."[24] These aspects of Earthseed are crucial - it is not enough to simply give lip service to collectivity, real future-thinking has to involve *working* towards it. It is not enough to possess a skill, one must also *share* that skill, using it to benefit the community, and teaching it to others. Community members are expected to act first for the good of the group, and to contribute to its future, to its shared vision and hopeful, unifying purpose. For Lauren, that future is 'the Destiny,' which, yes, is about going to space, but is also, more importantly, about the, "community's first responsibility to... its children - the ones we have now and the ones we will have."[25]

IV: CONCLUSIONS - ENVISIONING CHANGE

In *Immediacy: Or, the Style of Too Late Capitalism,* Anna Kornbluh argues that climate change is a foregone conclusion, one that could have a devastating effect on our psyche and our capacity for action, but she also discerns hope in the 'too late,' contending that this philosophical understanding makes space for new action and re-imagining, space that might be open to radical transformations: "hopelessness is not self-identically fatalist;

a kind of radical hopelessness that dares refuse the old promissory and progressive logics of capitalist growth could open political horizons."[26] That is, Kornbluh sees rapidly-approaching catastrophe as both disaster and opportunity, a chance to re-think and re-conceptualize when old ways of being no longer apply, and the world suddenly looks and acts radically different than before.

It is in Kornbluh's open space that *Parable of the Sower's* counter-narrative, of a more collective society, blossoms. Lauren Olamina leads her followers into a world where human and nature are less separate, their interrelationship defined by connection rather than opposition,[27] and where humanity exhibits greater collectivity; a collectivity that does not seek to ignore difference or instill group conformity but that, as Yarish says, welcomes in, "a future oriented politics that engenders discipline, joy, courage, and enthusiasm," where, "a survivor is not an individuated identity one can claim as a position, but rather a state of becoming made possible through ongoing reclamation with and amongst companions."[28] Survival as a state of becoming is all about the future; enduring the present, abandoning romanticized notions of the past, and, instead, embracing closer relationships with each other and the earth, and working collectively towards an imaginative vision of a better future. As they begin to set up their new community, named Acorn for the seed that it is, Lauren thinks: "We are a harvest of survivors. But then, that's what we've always been."[29]
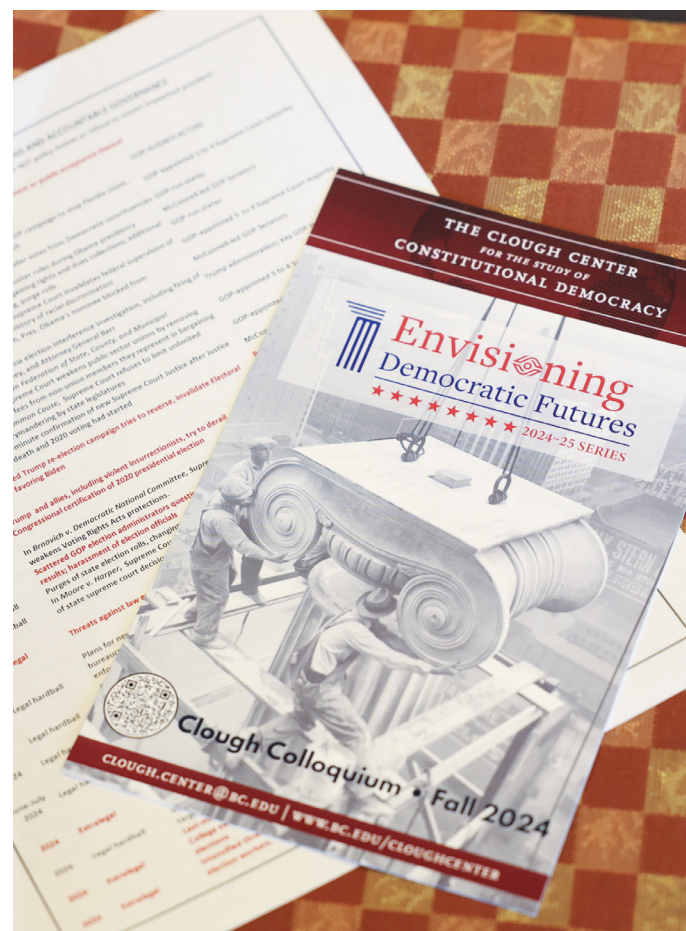
[1] Octavia Butler, *Parable of the Sower* (New York: Grand Central Publishing, 1993).

[2] Alex Zamalin, B*lack Utopia: The History of an Idea from Black Nationalism to Afrofuturism* (New York: Columbia University Press, 2019), 124.

[3] Octavia Butler, "A Few Rules for Predicting the Future," *Essence* 31, no. 1 (2000): 165.

[4] Ibid., 264

[5] Paul J. Crutzen, ,"Geology of Mankind," *Nature* 415 (2002): 23.

[6] See, for example, Mark Lynas' 2004 *High Tide: The Truth About our Climate Crisis* or Andreas Malm's 2021 *How to Blow Up a Pipeline* (London: Verso).

[7] Jared P. Scott, dir. *The Age of Consequences* (Gravitas Ventures, 2016).

[8] As fellow science-fiction author Tananarive Due points out, Octavia Butler has been thinking through potential consequences of climate change, and "how to make ourselves a survivable species" in her fiction for decades. (Tananarive Due, "Inside My 90-Minute Visit with Octavia Butler," *Essence,* 6 December 2020.)

[9] I do not think it is an accident that President Donner shares a name with an infamous historical party of cannibals. He, quite literally, sacrifices poor and non-white citizens to help a few survive with lavish lifestyles intact - what is that if not cannibalism?

[10] Butler, *Parable of the Sower*, 27.

[11] Dipesh Chakrabarty, "The Climate of History: Four Theses," *Critical Inquiry* 35 (Winter 2009): 197-222.

[12] Min Hyoung Song, *Climate Lyricism*. (Duke University Press, 2022), 11.

[13] Zamalin, *Black Utopia,* 125. Zamalin contends, rightly, that: "Less appreciated is that *Parable* was a work of political theory. Its rejection of neoliberal and Christian utopianism coexisted with a defense of a black democratic counterpoint serviceable for critique and resistance."

[14] Ibid., 126

[15] Ibid., 129

[16] Ibid., 129

[17] Jia Tolentino, "How America Embraced Gender War," *The New Yorker,* 7 November 2024. "In the increasingly non-hypothetical world ruled by far-right Trumpists, the blissful servitude of women must be insured by removing their control over their bodies, and ideally, actually, by removing them from the public sphere altogether." This 'increasingly non-hypothetical' is represented in Butler's work by Richard Moss, the character who purchases himself two young wives, in addition to his legal wife, fathers at least 8 children by them, and forbids them from getting involved in community activities.

[18] Butler, *Parable of the Sower,* 68.

[19] Ibid., 322.

[20] Ibid., 261.

[21] A note about guns: Zamalin argues that the abundance of gun use in *Parable* undermines Butler's critique of American individualism and "commitment to self-preservation...through its focus on gun ownership for self-defense" (132). I would like to assert, however, that Butler's interest in guns is not a declaration of support for the second amendment, but rather its own critique of our gun-saturated society - the proliferation of easily-available firearms, and the many deaths and mass shootings that have accompanied them, *are* a real problem of both the '90s and today. Lauren and her followers need guns to protect themselves, but only because hundreds of thousands of guns already exist on the street. If gun ownership was more strictly regulated, or disallowed for personal use entirely, it might be different, and less dangerous, on the roads.

[22] Butler, *Parable of the Sower,* 187.

[23] Ibid., 196.

[24] Ibid., 261.

[25] Ibid., 321.

[26] Anna Kornbluh, *Immediacy: Or, the Style of Too Late Capitalism* (Verso Publishing, 2023), 21.

[27] As Zamalin (*Black Utopia,* 131) says, "Parable valued Earthseed's vision of deep ecology—the interconnection between human behavior and the nonhuman environment—as a counter to the neoliberal instrumental denigration of the planet."

[28] Jasmine Noelle Yarish, "Seeding a Black Feminist Future on the Horizon of a Third Reconstruction: The Abolitionist Politics of Self-Care in Octavia Butler's *Parable of the Sower," Journal of Women, Politics & Policy* 42, no. 1 (2021): 63.

[29] Butler, *Parable of the Sower,* 295.

MOMENTS OF BREAKTHROUGH, DECADES OF LETDOWN:

Lessons from 20th-Century Union Organizing for Democracy in the Workplace Today

Stephen de Riel
History

ABSTRACT

As organized labor swells across America, looking to past union failures and successes helps reveal why workplace democracy matters today. This article explores the complex history of labor union democracy in America, highlighting the contradictions between their roles in promoting democratic structures and perpetuating inequalities across scale. I argue that the typical narrative of 20th-century industrial labor success betrays the racism and economic miscalculation of those unions, and I connect their defensive economic strategies to the democratic backsliding caused by their exclusive organizing policies. In terms of both broad economic party voice and inner workplace democratic voice, industrial union decisions backslid workplace democracy for all under the framework of organized labor. But still, other unions persisted and flourished through alternate organizing morals. I contrast industrial unions with the Service Employees International Union (SEIU), which succeeded through inclusive tactics and ideological flexibility. By comparing these histories, I emphasize the importance of understanding the link between internal democracy, survival, and broader political opportunities for modern labor organizing. I conclude that envisioning democratic futures in labor requires learning from past mistakes and adopting inclusive, adaptable strategies.

The history of labor in America is fraught with contradiction, framed by industrialists and workers as the driving force of national wealth, yet experienced by millions through the dynamics of inequality and necessity. Amidst a recent sharp rise in American attention to labor organizing, historians have begun to dismantle the typical narrative of 20th-century industrial labor success associated with union history. What is often told as a story of successful negotiation between laborers, companies, and the government has been recast as, not for the first time in American history, a system of labor reliant on bone-crushing racism and long-term social and economic miscalculation. The outcome of that history continues as a contradiction today, as the politically strong remnants of those unions clash with the new needs of emergent labor sectors, like the immigrant-driven service industry. What separates the ideological and organizational structures of industrial and service unions, and why does that difference matter?

In this article, I explore how industrial union policy resulted in democratic backsliding for workers through the mid-20th century, and I argue that looking towards alternative organizing histories is required for union organizers and workers planning democratic futures today. I begin by narrating a brief history of industrial union creation through the New Deal. I argue that a defensive turn by union organizers betrayed the broader ideological goal of organizing, securing political power at the expense of managerial and economic power. Organizational decline reduced broad worker say in economic planning, and social divisions broke apart democratic possibilities within unions. I use the framework for democratic backsliding offered by Steven Levitsky and Lucan Way, arguing that the moral frame held by many industrial workers and in part created by the inflexibility of union ideology cemented this reversal of labor democracy. Lastly, I examine an alternate organizing history, arguing that the Service Employees International Union (SEIU) gained success through inclusive tactics, as well as an ideological flexibility that enabled structural change as needed. By comparing how unions differently reckoned with the connection between internal democracy, survival, and

broader political opportunity, I argue that understanding this link remains more crucial than ever. As labor organization rises across America in pace and temper, new and evolving unions are faced with similar questions to those that found solutions at the cost of long-term progress in the compromise. Envisioning democratic futures requires us to understand how democracy and work relate, and by asserting how unions can better support democracies, we can more clearly understand the past and present workers who, regardless of voice, continue to form America's economy and society.

FOUNDATIONAL COMPROMISES: INDUSTRIAL UNIONS IN THE 20TH CENTURY

The outsized political impact of industrial unions like the International Longshoremen's Association and United Steelworkers and their history of gaining temporary stability through socially destructive compromises are not isolated strands in the history of labor democracy. First, I will examine how industrial union organizational choices harmed internal democratic principles into the 1960s and 1970s.

Before Franklin Delano Roosevelt's New Deal began in 1933, politicians and economic leaders generally regarded labor unions as antagonistic to American progress. The social and economic volatility they encouraged endangered the gilded relationship between business and government, provoking fears of class and cultural conflict between heavily divided working populations. Supreme Court decisions such as *Lochner v. New York* (1905), which rejected the regulation of working hours and wages, created a legal basis for labor skepticism.[1]

Though the entire arc of the New Deal's labor reckoning is outside the scope of this article, in short, economic crisis, popular unity, and momentary political opportunity allowed for widespread reshaping of the relationship between unions, companies, and the government in the 1930s. The Wagner Act protected labor organizations and their mechanisms for union formation and defense, the Fair Labor Standards Act provided regulation of some conditions, and the Works Progress Administration expanded democratic opportunities for the unemployed.[2] Yet even in that reshaping, the ability of workers to voice their interests in industrial development was questioned. The National Industrial Recovery Act freed industries from government regulation, yet as Jefferson Cowie points out, it instead handed that control to the businesses themselves.[3] Though NIRA was challenged and nullified by 1935 (on the basis of overextended federal, rather than corporate power), when the Wagner Act passed and provided the core strengths unions sought, doubts about workplace democracy were already limiting the thrust behind New Deal democratic structure-building. By 1937, industrial strikes were again being violently repressed.[4]

Still, the new labor regime provided answers for some, at least as long as businesses were happily profiting. Unions undeniably provided a platform for democratic dialogue between workers and their bosses, but as the glow of the WWII economy wore off, they also increasingly diverged from ideas supposed to defend them from precarity. For starters, the vision of evenly footed negotiation between business leaders, union leaders, and union workers was compromised by long standing social divisions. While industrial unions operated under the visage of worker equality, in reality, race often determined industrial voice. Black workers were trapped in the worst positions, laid off earlier and faster, and generally considered the easiest relief valve as industries faced economic pressure.[5] As Gabriel Winant argues, their social precarity allowed industries to use and fire them against tightening work opportunities, but minority workers were just the bellwether.[6] As industries like steel mills and car factories looked to downscale production, unions were increasingly faced with choices about how to deal with their future.

Those unions quickly found that their members benefited most when they succeeded at obtaining specific defensive provisions, rather than more aspirational and radical visions for broad democratic improvement. In 1950, after years of growing its power and prodding for control, the UAW secured an agreement, dubbed "The Treaty of Detroit." Workers gained cost-of-living raises, health benefits, and more, but their contracts included clauses that limited union power in bidding for anything past wages, benefits, and working conditions. Workers had no voice in larger questions about introducing new technologies and organizational planning, and were forced to settle for some monetary gains and short-term security.[7] The deal was just one of many, but it cemented a new understanding of the role of those unions.

This inward turn away from external organizing and towards internal stability through economic challenge harmed democratic voices within union discussions, but also outwardly shaped the democratic possibilities envisioned by industrial workers. Battered by increasingly powerful anti-labor policies, unions such as the UAW negotiated through further concessions, sunsetting the broad voice they had fought so hard to build.[8] Was this return to limitations in the voice of industrial workers towards economic development a top-down reversal to the pre-New Deal status quo, as Jefferson Cowie argues in *The Great Exception,* or did something else drive this reversal in organizational spirit? Understanding this reversal through the lens of democratic backsliding complicates the question of blame and choice.

DEMOCRATIC BACKSLIDING AND THE MORALS OF INDUSTRIAL LABOR

Reading union history against Steven Levitsky and Lucan Way's analysis of democratic backsliding and resistance provides some illumination of the choices that led to union power deflation. One central argument they make is that modernization, through economic development, promotes democracy.[9] Union voters who vested managerial futures in corporate leadership over union development saw the reverse of this, as corporate resistance to technological investments hurt industrial possibilities across the board.[10] So why did workers nonetheless invest in an inherently limited future, one without clear involvement in economic progress?

At the core of this unwillingness to break from Fordist industrial policy, which promised worker stability and consumptive capacity in exchange for corporate control of economic planning, lay a moral rationale propelled by the hidden divisions of industrial labor. For whatever radicalism found its way into industrial organizing, that moral order failed to close the gap between American individualism and true collectivism. Studying industrial workers through the failure of a car factory in the 1980s, ethnographer Katheryn Marie Dudley found that cultural issues strained the local union's ability to adapt to change. The workers' placement of social value on actions, tangible results, and control over their own labor not only harmed their ability to adapt because their stable work life had become ingrained in their sense of self, but also because emerging forms of labor, like the service industry, did not match up with their measure of productivity as a contribution to the whole of society.[11] Cowie frames this cultural disorder as a larger top-down political failure, arguing that while the New Deal provided a temporary framework for labor agreement, no real collective ideology came to replace the Republican individualism behind manual labor.[12] Unsurprisingly, as economic stress broke apart industry through the 1970s, blue-collar workers swung to the right.

More recent union malaise reveals the outcome of such reckoning with ideological conflict. The UAW, which remained a mainstream voice for labor organization through the turn of the century, nonetheless has had its membership fall by over a million since the 1970s. Through the last two decades, it has been hampered by rampant internal conflict and corruption.[13] The International Longshore and Warehouse Union, long lambasted for closed hiring practices and resistance to automation, has also faced recent missteps. In 2023, the ILWU faced bankruptcy after thirteen years of slowdowns at a Portland shipping port. While the union fought with the port operator over their right to a certain type of work, which the operator contracted out to a separate union, the NLRB ultimately found that the other union had precedent to do that work since 1974. The ILWU's attempted jurisdictional play ultimately resulted in a $20,500,000 fine and lost work for members of multiple unions, ironically echoing their slogan "An injury to one is an injury to all."[14]

SERVICE UNIONS BUILDING WORKPLACE DEMOCRACY

While industrial unions largely lost the economic and social bargaining power they promised their workers, as Levitsky and Way point out, backsliding need not be permanent, nor even particularly long-lived.[15] Unions that have survived internal reckonings have seen democratic openings in recent years, and there is reason to believe that new attention is driving inward critique.[16] In this last section, I explore the organizing history of the SEIU to examine how organizations outside the industrial unions avoided such backsliding in the principles of workplace democratic voice.

The SEIU began small. Originating in scattered janitors' unions across major cities, one notable founding feature of the organization was that it ignored hard social lines or notions of "moral" labor. First realized as the Building Services Employees International Union, decentralized organizing made it possible to consider worker experiences "across social conditions and labor market realities".[17] Organizers found strength in community expansion rather than consolidation and definition, organizing police units and doctors alongside healthcare and janitorial workers. As the union rose in size and developed a national administration, governance was maintained through a decentralized "conference" system which weaved individual concerns into larger organizational drives.[18]

Through the second half of the 20th century, as industrial unions built defensive walls around their populations, the SEIU continued to dramatically expand through both new organizing and affiliation with existing unions. The autonomy given to affiliated unions within the national structure was a major draw for them, and through the roots of diverse local organizing the SEIU developed an international model.[19] Whereas industrial unions were developed through top-down discussion between government, industry, and union leaders, inherently breakable by the turning tides of economy and politics, SEIU's grass-roots model eschewed those dangers by embracing organization and development within. Even the SEIU's decentralized model was open to change. In response to mounting labor pressures, the SEIU rapidly centralized from 1984 to 1996. Changes included a shift from a geographic to a "divisional"

structure, an assumption of coordination duties by "mega-locals," and tighter administrative control.[20] Was this a backslide in democratic opportunity for workers? Apparently not. Unlike industrial unions, these measures were successful in maintaining organizational and fiscal growth despite government hostility to organizing. The SEIU maintained its radical outlook by recruiting from within, but also by paying attention to the successes and failures of other labor organizers. By bringing management disagreements inside the large and multifaceted organization to the fore, leadership accountability was an exceptional focus, rather than assumption.[21]

Perhaps it is unsurprising that an organizational structure focused on accountability and porosity, maintained through a moral vision of "countervailing power against market and corporate structures" has led the SEIU to maintain a diverse and successful history of defending labor democracy.[22] Still, the comparison to industrial unions highlights the extent to which union democracy is tied to inclusivity. Indeed, surviving industrial unions with motives to spread labor democracy have noticed and acted to diversify: the UAW now represents over 100,000 graduate student workers.[23] Given that industrial unions often saw the knowledge economy as a principal enemy, the move reflects a significant ideological progress past that division.[24]

CONCLUSION

As workers in industrial jobs like manufacturing and dock work, service jobs like hotel housekeeping and nursing, and knowledge-economy jobs like TV writing and musical performance mobilize, past democratic breakdowns offer clear signposts for actors in and outside of labor organizations.[25] One lesson is that labor precarity changes, and so must the structures that deal with it. Industrial precarity pushed the government to come up with a structure that abated short-term upheaval at the cost of long-term labor democracy. As new swaths of workers, especially in precarious communities, fight for their voice, political unwillingness to place security over production only opens the future to further backsliding.

Labor advocates also can learn from the successes of the SEIU. Not only must unions play hardball with governments unwilling to reconsider past and present labor divides, but they must consider the inclusive requirements for democracy in the workplace. Unions fighting for small, inward victories may find success, but without an open eye to labor injustices engrained in both union systems and broader society, that success will always be at risk and incomplete. Ultimately, there is no single path forward for workplace democracy, no simple solution, and no real calculus for predicting how government attitudes toward labor might disrupt democratic gains. But by understanding how past choices encoded systemic divisions that brought about democratic backsliding in unions, we can not only understand how unions today carry that weight, but we can also organize for a future aware of, if not hopeful for freedom from, the mistakes of exclusive organizing pasts.

[1] Jefferson Cowie, *The Great Exception: The New Deal and the Limits of American Politics* (Princeton, NJ: Princeton University Press, 2016), 69.

[2] Ibid., 109.

[3] Ibid., 105.

[4] Ibid., 116.

[5] Gabriel Winant, *The Next Shift: The Fall of Industry and the Rise of Health Care in Rust Belt America* (Cambridge, MA: Harvard University Press, 2021), 47-48.

[6] Ibid., 134.

[7] Cowie, *The Great Exception,* 157-158.

[8] Gabriel Winant, "Eight and Skate," *The New York Review of Books,* September 23, 2023, https://www.nybooks.com/online/2023/09/23/eight-and-skate-uaw-strike/.

[9] Steven Levitsky and Lucan A. Way, "Democracy's Surprising Resilience," *Journal of Democracy* 34, no. 4: 10.

[10] Winant, *The Next Shift,* 33-35.

[11] Kathryn Marie Dudley, *The End of the Line: Lost Jobs, New Lives in Postindustrial America* (Chicago: University of Chicago Press, 1994), 45, 170.

[12] Cowie, *The Great Exception,* 170-172.

[13] Winant, "Eight and Skate."

[14] Don McIntosh, "To Avoid Bankruptcy, ILWU Pays $20.5 Million to Replace a Shipper's Lost Profits," *NW Labor Press,* February 17, 2024, https://nwlaborpress.org/2024/02/to-avoid-bankruptcy-ilwu-pays-20-5-million-to-replace-a-shippers-lost-profits/.

[15] Levitsky and Way, "Democracy's Surprising Resilience", 9.

[16] In 2021, A reform movement inside the UAW won a referendum to change election procedures for union officials to a direct vote-based system, rather than a delegate system; Winant, "Eight and Skate."

[17] Kyoung-Hee Yu, "Reconciling Progressive Idealism with Centralized Control: An Institutional Analysis of SEIU's Growth," in *Purple Power: The History and Global Impact of SEIU,* edited by Luís LM Aguiar and Joseph A. McCartin (Champaign, IL: University of Illinois Press, 2023), 47.

[18] Ibid., 50.

[19] Ibid., 53.

[20] Ibid., 54-55.

[21] Ibid., 59.

[22] Ibid.

[23] Winant, "Eight and Skate."

[24] Dudley, *The End of the Line,* 26, 61, 63.

[25] Robert Forrant, "Autoworkers, Boeing Machinists, Cannabis Drivers: Labor Unions Are Mobilizing in New and Old Industries Alike," *The Conversation,* September 27, 2024, http://theconversation.com/autoworkers-boeing-machinists-cannabis-drivers-labor-unions-are-mobilizing-in-new-and-old-industries-alike-239371.

MIKE NICHOLS, *WHO'S AFRAID OF VIRGINIA WOOLF?*, AND THE CATHOLIC LEGION OF DECENCY CA. 1967

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Historical Theology

ABSTRACT

Scholars have long documented and analyzed the forces and effects of film censorship in both domestic and international contexts. While strategies by which censorship was subverted have also been studied, they have not received the same attention in the literature. This essay tells the story of one particular instance of censorial subversion, which does not appear in the scholarship—devised and employed by the legendary movie director, Mike Nichols, in the process of making the award-winning film *Who's Afraid of Virginia Woolf?*. Both the context and the facts surrounding the film's production illustrate how mid-century censorship of American films was the product of a complex matrix of popular and official movements working in tandem. By carefully examining how Nichols succeeded at shepherding his highly evocative film to completion, the essay argues that the dynamics behind censorship were far more porous than what is often assumed, and contingent on the irreducible humanness of everyone involved. This tension between censorship and freedom of expression, so central to the pursuit of a democratic future, finds added relevance as new forms of media technology and a resurgence of populist sensibilities raise fresh questions about the regulation of speech.

Martha: Truth or illusion, George; you don't know the difference.
George: No, but we must carry on as though we did.

~Edward Albee, Who's Afraid of Virginia Woolf? (1962)

INTRODUCTION

The history of censorship in the American motion picture industry is as old as the industry itself. A subject of investigation in disciplines from film studies to law, scholars have long documented and analyzed the forces and effects of film censorship in both domestic and international contexts. While strategies by which censorship was subverted have also been studied, they have not received the same attention in the literature. This essay tells the story of one particular instance of censorial subversion which does not appear in the scholarship—devised and employed by the legendary movie director, Mike Nichols, in the process of making the award-winning film Who's Afraid of Virginia Woolf?. Both the context and the facts surrounding the film's production illustrate how mid-century censorship of American films was the product of a complex matrix of popular and official movements working in tandem. By carefully examining how Nichols succeeded at launching his highly evocative film, the essay argues that the dynamics behind censorship were far more porous than what is often assumed, and contingent on the irreducible humanness of everyone involved. This tension between censorship and freedom of expression, so central to the pursuit of a democratic future, finds added relevance as new forms of media technology and a resurgence of populist sensibilities raise fresh questions about the regulation of speech.

A PAIR OF MEN WITH A PAIR OF PROBLEMS

In the fall of 1966, studio magnate Jack Warner and a young director, Mike Nichols, faced independent, but interlocking conundrums. The trouble centered on the

film adaptation of Edward Albee's award-winning play, Who's Afraid of Virginia Woolf?—the Broadway production of which had been critically acclaimed as "scorching, scalding, [and] revealing,"[1] in its depiction of a marriage unfolding over a drunken evening shared by two couples belonging to the college faculty set in a small, midwestern town. The film production was a highly anticipated project costing extraordinary amounts of money, starring Elizabeth Taylor and Richard Burton at the height of their respective and combined powers. Shooting was completed and the project was in the post-production process. But Warner feared the film, which contained more profanity and scandalous references than he had anticipated, would not receive the approval of the National Catholic Office for Motion Pictures, or the "Legion of Decency"—the censorship apparatus of the Roman Catholic Church.[2]

For his part, Nichols, the toast of New York's literary and entertainment elite, undertaking his first motion picture, faced a problem of his own. Namely, he had been thrown off the lot of his own movie—victimized by the confluence of his own insolence, and a strategy Warner regularly employed as a cost-saving measure at the editing phase of filmmaking.[3]

To understand the predicament Warner faced, and the circumvention the young Nichols orchestrated, it is useful to understand a number of important landmarks in the history of the relationship between the motion picture industry and the formal and informal structures of censorship which were operative in the first half of the twentieth century.

AMERICAN FILM CENSORSHIP IN HISTORICAL CONTEXT

In its earliest days, censorship in the American motion picture industry was characterized by a veritable Wild West of regulation wherein local sheriffs and police commissioners routinely issued or withheld film screening permits according to their personal sense of a movie's propriety, or its danger to the moral health of the community they oversaw.[4] The ensuing decades saw controversy over whether, and on what basis, the state could restrict access to certain films by means ranging from withholding business licenses[5] to explicit censorship of film content. In 1915, the Supreme Court of the United States unanimously upheld state censorship of films in Mutual Film Corporation v. Industrial Commission of Ohio on the grounds that, unlike the constitutionally protected press, films were entertainment and not protected speech.[6] This position was not only welcome news to predictable actors like religious groups and clergy, but also to less obvious entities like public school teachers, who understood their mission at the turn of the 20th century to consist in, "the creation of good citizens,

whose highly-defined moral behavior would prove that America's experiment with democracy would survive."[7]

The understanding that films *could* be censored by the government induced the film industry to see to it that the government *would not* undertake to do so. As Robin Gallagher has written, "By 1919, the motion picture industry realized that the only way to head off federal censorship efforts, as well as a growing number of state and local ordinances," would be to self-impose a regulatory scheme on the movie industry in an effort to assure the public of its moral credibility.[8] To this end, "[t]he Motion Picture Producers and Distributors of America (MPPDA) hired Will H. Hays, postmaster general of the Harding administration and an elder of the Presbyterian Church, to act as a liaison between the industry and the public."[9] A man of trusted personal and professional integrity, the Hays Office would, from the time of its establishment in 1922, come to be the center of the effort to save Hollywood for itself.[10]

The most important product of the Hays Office was the 1930 Movie Production Code—the collaborative effort of government, private, religious, and Hollywood officials and insiders, as well as Hays' personal political skill.[11] For diverse reasons, stakeholders recognized the value of regulation in film, but did not want the Code to be seen as a product of the Church, or the State, or the film industry alone; the Hays Office therefore functioned as something of a screen, or cover, for all involved. As historian William Bruce Johnson has explained, the 1930 Code was grounded in three "General Principles": 1) to produce no film that would 'lower the moral standards" of those who saw it by, for instance, eliciting audience sympathy for 'crime, wrong-doing, evil, or sin'; 2) to produce no film which ridiculed '[l]aw, natural or human' or which generated sympathy for the violation thereof; and 3) to portray '[c]orrect standards of life.'[12] Under these were couched specifications ranging from prohibitions on obscenity and miscegenation to limitations on content involving, "impure love," "venereal diseases," "White slavery," and conditions for representation of the clergy.[13] And yet, as is evident from the most superficial reading, the Code was "[a]wash with ambiguous terms."[14] It also contained language that was oxymoronic—as, for instance, when it permitted such things as "tasteful vulgarity" or "refined unpleasantness."[15] Still further, writes Johnson,

> As with earlier self-censorship efforts, the industry intentionally failed to provide in the Code any enforcement mechanism, leaving the studios free to ignore it whenever a cost/benefit analysis suggested moving forward with a project that was bound to incur problems with state and municipal censors, in the hope that the attendant publicity, coupled with whatever salaciousness remained following the various censorship efforts, might net out at the box office.[16]

This being the case, the public continued to be exposed to films for which the film industry had cultivated an audience, and which people across many sectors of American society perceived to be corrupting and corrosive. Unwilling to abandon the sheep of their flock to the financially motivated wolves of Hollywood, the American Roman Catholic clergy took matters into their own hands. Doing so, the Church emerged as one of the most visible and influential forces in the public debate over film censorship. With the 1934 establishment of the National Catholic Office for Motion Pictures (NCOMP), popularly known as the Catholic Legion of Decency, the Church bypassed both the state and the movie industry as the clergy encouraged Catholics to, "'pledge themselves to refrain from patronizing motion pictures which offend decency and Christian morality,' so that eventually 'millions of Americans' would together 'rid the country of its greatest menace – the salacious motion picture.'"[17] Promoted at the diocesan and parish levels, American

Catholics took pledges—in a form recognizably similar to religious creeds—promising to abstain from attending films the Church did not approve.

Explaining the efficacy of the Church's strategy, Johnson draws a parallel between it and Alexis de Tocqueville's observations about the unofficial (yet effective) censorship of literature in the United States, nearly a century before: "In America the people can comprise a much more efficient censor since, once a population abandons freedom of mind, no one will purchase licentious books and thus no one will think to write them."[18] Johnson writes that, in the case of films, American democratic impulses similarly generated something that *presented itself* as a formalized boycott but was, in fact, an instance of the grassroots implementation of a hierarchically recommended economic boycott—a protest of supposedly "indecent" films on the part of "decent and ordinary" people.[19] Therefore, "While many years had been required for Prohibitionists to persuade or outflank those... who thought one should not—or could not—stamp out alcohol, opposition to the sudden crusade against films was minimal."[20]

The popular (rather than official) mechanism of censorship to which Johnson refers was recognized and publicly commented upon by future film critic Richard Corliss during the summer of 1968. In a piece for *Film Comment Magazine,* he wrote: "The voluntary nature of the Legion's operation should be stressed. Catholics are not bound to take the pledge. Nor, strictly speaking, are they bound to refrain from seeing condemned films; attendance at such a film is not a sin, but an occasion of sin, that is, a person, place or thing likely to lead one into

sin."[21] Still further, he observed, "The producer is never obliged to cut any scenes suggested by the Legion, except by his business sense, that is, condemned films generally undergo some economic sanction."[22] Yet, over the course of the decade, both the observations of Tocqueville and the aspirations of the Catholic clergy proved vindicated. Not only Catholics, but huge communities of Protestants and others who felt let down by inconsistent or inefficient regulation on the part of the movie industry itself, participated in the boycott of films not approved by the Legion of Decency—even if their forbearance did not involve a pledge to the Catholic Church and its representatives.[23]

WHO'S AFRAID OF FILMING VIRGINIA WOOLF? EVERYONE

It is within this network of regulation and censorship—overlapping and interacting, popular and official—that the film production of *Virginia Woolf* took place. Such was the environment that Cosmopolitan magazine ran a headline in its October 1965 issue which read, evidently only partly in jest, "Who's Afraid of Filming *Virginia Woolf*? Everyone Involved with the filming of the play is—but production proceeds."[24] The piece cited an interview with the film's writer-producer Ernest Leahman, who dismissed a question about censorship concerns saying, "Censorship? I'm not even going to think about it."[25] Mr. Leahman insisted he and the production team believed that the "quality of the picture" would garner all desirable public approval. Still, the same article described Mr. Leahman's role in the picture as "the man in charge of all the dynamite."[26]

In his 2021 biography, *Mike Nichols: A Life,* author Mark Harris writes that the Production Code Administration, "had been on alert" since before the project even began, aware that Albee's play pushed the boundaries of propriety accepted at the time. Harris writes: "Albee's profane, scabrous language had been a jolt even to sophisticated theater audiences; in mainstream movies, the words his characters tossed around so casually had never been heard."[27] Even if the unenforceable Code would permit some envelope-pushing language, Harris goes on, Warner and his studio were aware that, "any off color language that the Code could be persuaded to let slip would surely run afoul of its religious counterpart."[28] The implications were not insignificant. "It would have cost them an enormous amount of money," recalled Nichols, decades later.[29] A rating of 'condemned,' from the Church, or the denial of approval from the movie producers' association would have rendered a movie version of *Virginia Woolf* unplayable for a large number of theater chains—not because of legal censorship, but because of the financial reality created by popular adherence to the word of the Catholic clergy.[30]

Here, the nature of Warner's problem presented a possi-

ble solution to the one Nichols faced. Desperate for a way to regain access to his project, Nichols went to Warner with a proposal. As Harris narrates, "If Warner would let him back into the editing room, he would enlist a powerful ally to get the movie past the [...] Legion of Decency. Nichols promised he would arrange for Jacqueline Kennedy to join the eighty judges at the National Catholic Office for Motion Pictures for their screening, sit directly behind the primary decision makers, or, as he put it, 'Monsignor What's-His-Face,' and, when the lights came up, say, 'What a beautiful movie. Jack would have loved it.'"[31] In 1966, Jackie Kennedy was a wildly sympathetic figure as the widow of the slain Catholic president, regarded as morally authoritative and personally popular, Nichols promised Warner that Kennedy would neutralize the threat to *Virginia Woolf* posed by the Legion.

"She was a friend," Nichols said later, "I knew she would."[32]

As Harris narrates, Mr. Warner was ready to bargain and accepted Nichols' proposition. "We made the deal, and I finished the picture," Nichols recalled.[33] In due course, Mrs. Kennedy did exactly as the young director had promised. "The Catholic Office agonized over the movie's language, but rather than rate it C ('condemned') or B ('morally objectionable for all'), they gave Warner Bros. a clean win by rating it A-IV ('morally unobjectionable for adults, with reservations')."[34] After an initial denial which Warner appealed, the MPDAA also approved the film, notwithstanding obvious violations of the Production Code, further compromising its legitimacy. It was, Harris writes, "a blow to the Code that would prove fatal within the year."[35]

CONCLUSION

In some ways, the story of the production of *Virginia Woolf* is a simple reflection of the liberalization of the restraints on film content during the 1960s.[36] Indeed, scholars of film history regularly cite the years 1967-8 as a watershed, ushering out the old and ushering in the new regulatory regime. While it is curious that the episode does not seem to appear in the literature on the history of the Legion of Decency, or the mid-century film industry or censorship schemes which have rightly been studied for their social, political, and legal significance, it is arguable that Nichols, Warner, and *Virginia Woolf* were simply a part of a larger historical trend.

But the story also contains more implicit, fundamental lessons about the nature and power of censorship at a time when they are newly relevant to reflection on democratic futures in the United States and around the world. The story Nichols tells is not a story about the power of court-sanctioned or religiously-orchestrated or economically-driven censorship alone, but about the powerful confluence of the three. It is a warning about the danger if entire industries decide the production of material potentially deemed objectionable is no longer worth the risk. It is not only the story of powerful institutional actors, but of individuals exercising the power of the purse. The story is a reminder that the fact one finds content in bad taste, or even morally objectionable, does not mean it should be banned. And it is a summons to attend seriously to the distinction between "taste" and "threat"—not only for the sake of freedom of thought or liberty of taste, but in the interest of accurate assessments of genuine danger.

It is also a story of the power of relationships, the frail humanness of even the most formidable institutional actors, and the ultimate futility of attempts to shut down the circulation of ideas.

We would do well to heed its lessons.

[1] Thomas A. Dash, "Theatres: New Albee Work Searing, Scalding, Revealing Drama," *Women's Wear Daily* 105, no. 74 (October 15, 1962): 33.

[2] Richard Corliss, "The Legion of Decency," *Film Comment* 4, no. 4 (1968): 24–59.

[3] *Mike Nichols: American Masters,* directed by Elaine May (January 2016).

[4] Garth S. Jowett, "Moral responsibility and commercial entertainment: social control in the United States film industry, 1907–1968," *Historical Journal of Film, Radio and Television* 10, vol. 1 (Sept. 2006): 3-31, 4.

[5] B*lock v. City of Chicago* 87 N.E. 1011, 239 Ill. 251. *See* Robin Gallagher, "Public Educators and Hollywood, 1900-1922," *High School Journal* 82, no.3 (1999).

[6] Jowett, "Moral responsibility and commercial entertainment," 7. Though *Mutual Film* would be overturned nearly four decades later by *Burstyn v. Wilson* (343 U.S. 495 (1952)), in many ways it would be water under the proverbial bridge by the time that happened. See Gallagher, "Public Educators and Hollywood, 1900-1922."

[7] Gallagher, "Public Educators and Hollywood, 1900-1922." See also Stephen M. Yulish, *The Search for a Civic Religion: A History of the Character Education Movement in America, 1890-1935* (Washington: University Press of America, Inc., 1980), 21.

[8] Jowett writes that the film industry adopted its strategy from professional baseball after its crisis of credibility stemming from the World Series game-fixing scandal of 1919. See Jowett, "Moral Responsibility and Commercial Entertainment," 10.

[9] Gallagher, "Public Educators and Hollywood, 1900-1922." *See also* William Bruce Johnson, *Miracles and Sacrilege: Robert Rossellini, the Church, and Film Censorship in Hollywood* (Toronto: University of Toronto Press, 2008), 103-117.

[10] See Jowett, "Moral responsibility and commercial entertainment," 9.

[11] Gallagher, "Public Educators and Hollywood, 1900-1922."

[12] William Bruce Johnson, *Miracles and Sacrilege,* (Toronto: University of Toronto Press, 2008), 108.

[13] Ibid., 108.

[14] Ibid., 108.

[15] Ibid., 110.

[16] Ibid., 110.

[17] Ibid., 119.

[18] Ibid., 123. In his observations on the "unlimited power of the majority," Tocqueville wrote: "Attempts have been made by some governments to protect the morality of nations by prohibiting licentious books. In the United States, no one is punished for this sort of works, but no one is induced to write them; not because all the citizens are immaculate in their manners, but because the majority of the community is decent and orderly." Alexis de Tocqueville, *Democracy in America,* trans. Henry Reeve, (New York: D. Appleton and Company, 1899), 283.

[19] Johnson, *Miracles and Sacrilege,* 123.

[20] Ibid., 123.

[21] Richard Corliss, "The Legion of Decency," *Film Comment Magazine* 4, vol. 4 (Summer 1968): 24-59, 30.

[22] Ibid., 30.

[23] Johnson, Miracles and Sacrilege, 118-127; Jowett, "Moral responsibility and commercial entertainment," 16-7. *See also* Corliss, "The Legion of Decency," 28-9.

[24] Cynthia Lindsay, "Who's Afraid of Filming *Virginia Woolf*? Everyone Involved with the filming of the play is—but production proceeds," *Cosmopolitan Magazine*, October, 1965.

[25] Ibid.

[26] Ibid. (Image caption.)

[27] Mark Harris, *Mike Nichols: A Life* (New York: Penguin, 2021).

[28] Ibid.

[29] *American Masters,* season 30, episode 2, "Mike Nichols," directed by Elaine May, produced by Michael Kantor and Daniel B. Greenberg, aired January 29, 2016 on PBS, American Masters • Max.

[30] For data on the monumental drop-offs in movie attendance recorded, see Johnson, M*iracles and Sacrilege,* 111-113, 123-125.

[31] Harris, *Mike Nichols: A Life,* 191.

[32] *American Masters,* season 30, episode 2, "Mike Nichols," directed by Elaine May, produced by Michael Kantor and Daniel B. Greenberg, aired January 29, 2016 on PBS, American Masters • Max.

[33] Ibid.

[34] Harris, *Mike Nichols: A Life,* 194.

[35] Ibid.

[36] Corliss, "The Legion of Decency"; Una M. Cadegan, "Guardians of Democracy or Cultural Storm Troopers? American Catholics and the Control of Popular Media, 1934-1966," *The Catholic Historical Review* 87, no. 2 (2001): 252–82; Jane M. Friedman, "The Motion Picture Rating System of 1968: A Constitutional Analysis of Self-Regulation by the Film Industry," *Columbia Law Review* 73, no. 2 (1973): 185–240, https://doi.org/10.2307/1121227.

NEW IMPERIALISM AND POLITICAL WARFARE:

Two Examples from the Early-Cold War

Andrew G. Palella

History

ABSTRACT

This essay examines American "political warfare" against two democracy allies at the dawn of the Cold War to ask if democracies have a philosophical imperative to always examine the outcome of other democracies' elections. By scrutinizing the strategic intent between U.S. "political warfare" in Italy in 1948 and West Germany starting in 1950, this article argues that "America's strategic interests" should be understood as imperial ones. Recasting "strategic interests" (and the secret warfare methods employed to secure them) as an American "New Imperialism" calls American foreign policy into question. Secondarily, understanding American covert action against Western democracies as a refusal to accept the results of an election historicizes the January 6th coup attempt as a continuation rather than an aberration.

As a veteran, I have always been moved by America's liberal promise of "Life, Liberty, and the Pursuit of Happiness."[1] However, as a scholar of American history, I am often struck by the inconsistency between America's democratic ideals and its history of anti-democratic actions overseas, particularly during the second half of the twentieth century. As the global hegemon since the end of World War II, the United States has often relied on military action to protect its interests. These overt acts have been sold publicly to the American electorate as "police action[s]," measures to "prevent further aggression," opportunities "to forge...a new world order," and "regime change" operations by "coalition[s] of the willing."[2] These euphemisms are used to justify offensive military action—without the constitutionally-mandated Congressional declarations of war—under the guise of self-defense and ill-defined concepts of national security. For example, on March 17, 2003, President George Bush invoked the United States' "sovereign authority to use force in assuring its own national security" in his final 48-hour ultimatum to Iraq's president, Saddam Hussein.[3] Through a *realpolitik* or "security school" lens, it is understandable how and why a global hegemon can convince itself of the necessity to undertake costly and ill-fated overt "military interventions," despite sometimes facing historic democratic opposition.[4] What is important to note, however, is that overt military interventions by the U.S. are not typically directed at other democracies. In international relations, the hesitation by democracies to go to war with one another is called democratic peace theory.[5]

There is, however, another type of war historically undertaken by the U.S. with its covert intelligence apparatus, far beyond the distracted mind of the American population, against other democracies, known as "political warfare" or "covert action."[6] Obfuscated and elided behind the loaded term "America's strategic interests," this type of secret warfare is directed to destabilize and coup "unfriendly democracies" or subvert their democratic processes to effect outcomes more favorable to American "interests."[7] Within a context that will sound familiar to the informed citizen in 2024, America's history of covertly subverting "unfriendly" democracies around the world can be understood essentially as the American state's refusal to "accept the results of [an] election, regardless of who wins."[8]

Perhaps this is a philosophical question that a historian is not equipped to answer, but America's secret history of covert "political warfare" in the twentieth century, especially when aimed at other democracies, makes me wonder, does the American democratic republic have a moral obligation to accept the results of democratic processes worldwide, no matter the outcome? As such, I think acute questions of America's demo-

cratic future, in the wake of a fraught election season, require a reconciliation with our anti-democratic past.

This essay examines the anti-democratic intent behind two relatively obscure American covert operations at the dawn of the Cold War that targeted new democratic allies—the reformed Italian Republic and the new Federal Republic of Germany. These covert interventions in Italy in 1948 and Germany in the early 1950s were designed to prevent legal electoral victories of candidates and coalitions sympathetic to socialism or friendly to Soviet communism. Anti-communism, of course, was the guiding principle of U.S. foreign policy during the Cold War. Whereas scholars and journalists have devoted considerable attention to American covert actions in Latin America and the Middle East during the Cold War, far less attention has been paid to anti-democratic covert actions in Western Europe during the same period.[9] This essay examines U.S. covert "political warfare" against two Western democracies at the dawn of the Cold War. By examining the anti-democratic intent of American covert actions against Italy in 1948 and in Germany starting in 1950, this essay argues that "America's strategic interests" should be understood as "New Imperial" interests, and asks if imperialism is compatible with real democracy.

It is well known that by 1945, senior leaders within the U.S. military thought the U.S. would inevitably have to confront communism, having just helped defeat fascism in Europe. General George S. Patton, for example, believed the U.S. would someday go to war with the Soviet Union in Europe, and the sooner the better.[10] Creatively shown in the black-and-white segments of Christopher Nolan's 2023 blockbuster film *Oppenheimer,* policymakers within the U.S. national security establishment believed that post-war U.S. "strategic interests" would be severely threatened once the Soviet Union developed an atomic bomb, which it did in August 1949. Indeed, by 1950 covert operators within the new Central Intelligence Agency (CIA) like James Jesus Angleton—a central character in this short history— "consider[ed] war imminent" with the Soviet Union.[11] To hedge against the specter of communism in Western Europe short of open war, the new U.S. national security state adopted covert "political warfare" as an alternative.[12]

ITALY, 1948

In April 1948, the post-fascist Italian democratic-republic held its second ever general election. Fearing that the widely-supported pro-communist Popular Democratic Front would win fairly at the polls, in 1947, the CIA embarked upon a covert political warfare campaign to influence the outcome of the general election—an action that was illegal at the time, beyond the scope of CIA's charter.[13] The covert plan, according to historian Sarah-Jane Corke in *US Covert Operations and Cold War*

Strategy, was hatched by OSS veteran James Jesus Angleton to siphon and launder $10–30M seized by the Allies from Nazi coffers through the European Recovery Program.[14] After laundering, the off-the-books funds then traveled through Italian intelligence networks cultivated by Angleton during World War II to the Vatican, which dispersed the money to the anti-communist Christian Democratic Party.[15] It sounds like a conspiracy, and it was. In April 1948, the Christian Democrats defeated the Popular Democratic Front and the new CIA had established its own secret mandate for covert political warfare.[16]

This Angleton-Vatican conspiracy was intentionally anti-democratic from the start. In November 1947, the brand-new U.S. National Security Council (NSC) issued its first directive, "NSC 1/1: The Position of the United States with Respect to Italy," in which it affirmed that should "the security interests of the United States in the Mediterranean" be threatened by the "establishment of a Communist Government in Italy, reconsideration of US policy with respect to Italy would be necessary."[17] One month later, NSC issued two directives that granted the CIA the capability to implement "information measures designed to influence attitudes in foreign countries in a direction favorable to the attainment of US objectives" and "initiate and conduct covert psychological operations designed to counteract Soviet-inspired activity," even though the Angleton-Vatican influence operation was already underway.[18] One month before the elections, in March 1948, the NSC reaffirmed its fear that "United States security interests in the Mediterranean [would be] immediately and gravely threatened" should the Italian Popular Democratic Front "obtain participation in the Italian government by legal means."[19] The NSC simply could not commit to accepting the results of the 1948 Italian general elections, no matter the outcome.

Two weeks after the 1948 general election, Department of State Director of Policy Planning George F. Kennan penned a policy document entitled "The Inauguration of Organized Political Warfare." The document defined "political warfare" and likened U.S. "strategic interests" to British imperial ones.[20] "In broadest definition," Kennan wrote, "political warfare is the employment of all the means at a nation's command, short of war, to achieve its national objectives—to further its influence and authority..."[21] He recommended that "There should promptly be established...a Directorate of Political Warfare Operations," which "should have complete authority over covert political warfare operations conducted by this Government [and] ... the authority to initiate new operations."[22]

Two months later in June 1948, NSC issued directive 10/2 which formally granted the nascent permanent U.S. intelligence community the mandate and authority to conduct covert action "in the interests of...US national security."[23] The covert action mandate established by NSC

10/2—originally given to both the State Department's Office of Special Projects (later renamed the Office of Policy Coordination, or OPC) and the CIA's Office of Special Operations (OSO)—formally, secretly, and undemocratically bureaucratized covert anti-democratic structures within the U.S. government.[24] And all of this was done in secret in the name of "America's strategic interests."

GERMANY, 1950

Responding to its perceived success in preventing a pro-communist electoral victory in the Italian general elections, the new U.S. covert action apparatus sought to insulate the rest of Western Europe from the twin threats of a possible Soviet invasion and legitimate pro-communist electoral victories. To proactively combat these threats, in April 1948, OSO established a network of covertly funded, trained, and armed paramilitaries called "stay-behinds" in Western Europe, intended to activate and sabotage Red Army interior lines in the event of a Soviet invasion eastward across the Iron Curtain.[25] The idea came, at least in-part, from James Jesus Angleton after he helped recruit and protect the Italian fascist Valerio Borghese from Allied war crimes prosecution in April 1945.[26] During World War II, Borghese had commanded Italy's clandestine maritime operations unit, Decima MAS, composed of spies, frogmen, and guerilla saboteurs.[27] Once recruited and in secret partnership with Angleton's OSS counter-intelligence staff in Rome, Borghese (who later attempted a neo-fascist coup 25 years later in Italy while Angleton was allegedly in Rome, again, with CIA) and Decima MAS were employed as the first American anti-communist "stay-behind" network in Europe.[28]

From 1948–1952, the CIA ran a parallel stay-behind program in the new Federal Republic of Germany, codenamed PASTIME.[29] Handled by the CIA's Berlin Station, PASTIME encompassed at least three compartmentalized paramilitary stay-behind networks, including one run by Major General Reinhard Gehlen, the Wehrmacht's Eastern Front counter-intelligence chief, who, like Borghese, had been protected from the Allied war crimes tribunals.[30]

Fearing a growth of pro-communist populism in West Germany, in 1950, OPC inaugurated a psychological warfare sub-compartment of PASSTIME called LCPROWL.[31] Under LCPROWL, OPC funded and developed a West German youth political organization with some 11,000 members called the *Bund Deutsch Jugend* (BDJ), or League of German Youth, to "Give the greatest number of youths political and ideological training and indoctrination" and "rally German youth to the cause of western democracy and combat communism."[32] In reality, the BDJ was an extreme far-right political organization that U.S. intelligence knew employed former Nazis and Hitler Youth members. Quoted in CIA intelligence reports, the Landtag of Hesse described the BDJ as an

"anti-democratic organization which could be recognized 'in word and deed, the spiritual legacy of Hitler.'"[33] Indeed, other declassified intelligence reports in the LCPROWL file refer to the BDJ as "a 'neo-fascist group.'"[34]

Later in 1950, OPC green-lit the LCPROWL "Apparat," a covert paramilitary stay-behind program that recruited, funded, trained, and armed the most hardline anti-communist members of BDJ as "a precautionary measure to insure trained resistance assets for NATO's use should a general war break out..."[35] At its height in May 1952, the covert BDJ *Technischer Dienst* (technical service), or BDJ/TD, apparat had around 3,000 paramilitary members (of a planned strength of 7,000) in four geographic cells across Germany, supplied by 48 caches of weapons supplied and hidden by OPC.[36] Like the overt BDJ, the covert BDJ/TD paramilitary also employed many former Nazis, including ex-*SS Einsatzkommandos* like Eberhard Tellkamp who took part in extermination *aktions* in France, Poland, and Russia.[37]

The BDJ/TD stay-behind was liquidated by the CIA in June 1952 after a very public exposure and scandal that came to be known in West Germany and within the CIA as "the BDJ Flap."[38] The BDJ Flap, which scandalized West Germany, began in September 1952 after Hessian police raided a BDJ/TD safehouse in Frankfurt, arrested seven members of the stay-behind, and discovered illegal weapons supplied by the CIA.[39] Worse yet, Hessian police found also found a "List of Proscribed Persons"—a "liquidation list" of some 100 "politically unreliable" members of the Social Democratic Party of Germany (SDP) and German Communist Party—to be "eliminate[d], if necessary" in the event of a Soviet invasion of West Germany.[40] The Prime Minister of Hesse went to the German press with the BDJ Flap and reports of the so-called "proscription lists," which ultimately forced the CIA to terminate the LCPROWL programs.[41] In October 1952, after realizing that CIA's Frankfurt Station was under surveillance by West German authorities, the State Department's German Mission issued guidance that CIA should admit to sponsoring the illegal BDJ/TD while simultaneously maintaining that the "liquidation lists" were beyond the scope of the program.[42] To cover its role in the illegal excesses of the program, the State Department also recommended that the CIA tell West German authorities that the entire BDJ/TD stay-behind program had actually been terminated two weeks prior to the German police raid in Frankfurt.[43]

When the BDJ Flap had passed, the U.S. German Mission was prepared to disclose, terminate, or transfer remaining PASSTIME stay-behinds to West Germany's own security apparatus.[44] The CIA, however, objected. Instead, the CIA unilaterally adopted the position that it "should at least temporarily stop considering Western Germany an ally" and that under no circumstances

should the CIA tolerate the SDP's "interference with our operations and...injuring our interests."[45] Accordingly, American intelligence maintained the other PASTIME stay-behinds in West Germany at least into the 1960s.[46]

During the BDJ Flap, America's covert political warfare apparatus evolved, again beyond the scope of its charter outlined by NSC 10/2. By the time it terminated the LCPROWL operations, U.S. intelligence came to understand itself not only as an arm of U.S. foreign policy, but also as an arbiter of "America's strategic interests" and, to some degree, a dictator of American foreign policy with the unilateral power to violate the sovereignty of and insert itself into the democratic processes of fellow Western democracies. In a public indictment of the brazen anti-democratic activity demonstrated by the BDJ Flap, SDP politicians railed that "[N]o state in the world can tolerate within its frontiers the formation of armed secret organizations by a foreign power...It ill befits members of an occupation power to behave in such a way, particularly since one of the Allies' primary intentions was to help Germany find a democratic order. If the Soviets eschew democratic principles, there is no reason that the Western Powers should tolerate the violation of these principles."[47]

CONCLUSION: AMERICAN NEW IMPERIALISM

Democratic peace theory holds that "Democracies almost never fight each other" because "democratically organized political systems in general operate under restraints that make them more peaceful in their relations with other democracies."[48] However, according to theorist Bruce Russet, democratic peace theory "excludes, on theoretical grounds, covert actions in which one government secretly undertakes activities, including the use of lethal force and the support of violent actors within the other government's territory, either to coerce or overthrow that government."[49] The histories of the Angleton-Vatican conspiracy and the BDJ Flap sharply illuminate this fatal flaw in democratic peace theory, at least in the early-Cold War era. With this theoretical exception and historical examples in mind, we must again ask the question, does a democratic America have a moral, philosophical, and political obligation to "accept the results of [an] election, regardless of who wins?"[50] If so, how can we reconcile America's history of anti-democratic covert political warfare and America's moral and political obligation to always behave democratically?

To begin to reconcile the two, we must first honestly interrogate the meaning of "America's strategic interests." In his recent work, *The CIA: An Imperial History,* historian Hugh Wilford shows that culturally, politically, and economically, the phrase "America's strategic interests" is really doublespeak for American imperial interests
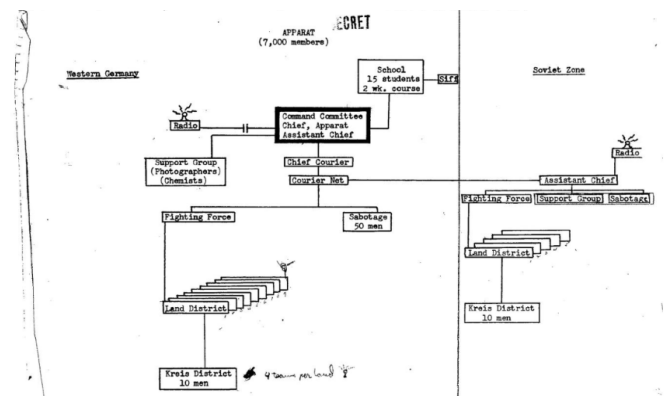

Figure 1: LCPROWL Apparat Staybehind Organizational Structure as Planned by CIA[55]

and that America's robust and extremely well-funded covert action apparatus is America's imperial agent.[51] Wilford calls this relationship between economic interests and the intelligence apparatus "New Imperialism."[52]

To envision a more democratic future, both at home and abroad, the American electorate must think critically about "America's strategic interests" and decide whether anti-democratic covert actions are compatible with the democratic future we imagine. The ideological backdrop of the Angleton-Vatican conspiracy and the BDJ Flap was, of course, anti-communism. Marx's theories are broadly anti-imperial, so anti-communism can be understood simply as a prettier euphemism for imperialism. America's "strategic interests" should then be understood essentially as imperial ones. Accordingly, the American electorate must ask itself, if defending America's imperial interests requires a regime of secret anti-democratic political warfare, is there not a fundamental incompatibility between America's New Imperialism and the more democratic we desire? For if protecting "America's strategic interests" requires unilateral secret warfare against other democracies, how can these interests possibly be the freely expressed interests of a real and open one?

Finally, perhaps the single most troubling question remains. If "America's strategic interests" are not the freely expressed interests of a real and open democracy, whose interests are they really? In 1953, the German SDP tried to answer this question by speculating that the BDJ apparat had been funded in part by Coca-Cola.[53] Imperial corporate interests, the SDP thought, must be behind such a subversion of democracy. Six decades later, the U.S. Supreme Court ruled that U.S. corporations have as much right to influence elections as U.S. citizens with financial "free speech." And in the last month of 2024, two billionaires are set to lead the next administration's effort to increase "government efficiency." The magazine *The Economist* even suggested reducing "absurdly generous" disability and healthcare benefits for America's veterans to help launder consent for the billionaire's crusade.[54] America's New Imperial-

ism, it seems, is finally coming home to the metropole.

On January 6, 2021, the United States faced its own violent coup attempt by Americans refusing to accept the results of the 2020 election. The footage was shocking, yet nowhere in the subsequent political and media discourse was an analysis of America's refus-al to accept the results of other democratic elections elsewhere in the world throughout history. Unable to reconcile the domestic attack on democracy and America's history of anti-democratic violence, American media outlets and political elites pretended to be surprised when Donald Trump was re-elected last month. History, it seems, is calling from within the house.

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[3] George W. Bush, "War Ultimatum," (speech, Washington, DC, March 17, 2003), https://www.theguardian.com/world/2003/mar/18/usa.iraq.

[4] Joseph Steib, "Why Did the United States Invade Iraq? The Debate at 20 Years," *Texas National Security Review* vol. 6, issue 3 (summer 2023); Sidita Kushi and Minica Duffy Toft, "Introducing the Military Intervention Project: A New Dataset on US Military Interventions, 1776–2019," *Journal of Conflict Resolution* vol. 67, issue 4 (August 2022); For the democratic student protests the Vietnam War, see: Thomas M. Grace, *Kent State: Death and Dissent in the Long Sixties* (Boston: University of Massachusetts Press, 2016). For the international democratic protests against the 2003 invasion of Iraq, thought to be the largest single protest movement in the world, see: *The World Says No to War: Demonstrations against the War on Iraq,* ed. Stefaan Walgrave and Deiter Rucht (Minneapolis: University of Minneapolis Press, 2010).

[5] See: Bruce Russet, *Grasping the Democratic Peace: Principles for a Post-Cold War World* (Princeton: Princeton University Press, 1993).

[6] George Kennen, Policy Analysis Paper, State Department Policy Planning Staff/Council, Subject: The Inauguration of Organized Political Warfare, 30 April 1948, [Top Secret]; Charles Pasquale and Laura Johnson, "Covert Action as an Intelligence Subcompartment of the Information Instrument," *Joint Force Quarterly,* vol. 93 (Spring 2019).

[7] Steven Levitsky and Steven Ziblatt, *How Democracies Die* (New York: Broadway Books, 2018), 205; Patrick J. Garrity, "The Long Twilight Struggle: John Lewis Gaddis's Evolving History of the Cold War," *Claremont Review of Books,* vol. iv, no. 3 (summer 2006).

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[11] Central Intelligence Agency (CIA), FDS/[REDACTED] to Chief, FDS, memorandum, "Discussions with Mr. Angleton and [REDACTED] Regarding NTS," 14 September 1950.

[12] George Kennen, Policy Analysis Paper, State Department Policy Planning Staff/Council, Subject: The Inauguration of Organized Political Warfare, 30 April 1948, [Top Secret].

[13] Weiner, *Legacy of Ashes,* 26–27.

[14] Sarah-Jane Corke, *US Covert Operations and Cold War Strategy: Truman, Secret Warfare and the CIA, 1945–1953,* 48–50, 183n38; Weiner, *Legacy of Ashes,* 530–531n27.

[15] Weiner, *Legacy of Ashes,* 27.

[16] Attempting to measure the effectiveness of covert action is very much a flawed exercise in counterfactual history. The CIA itself has its own methodologies, but those are, of course, methodologically biased. As Tim Weiner writes in *Legacy of Ashes,* "Assessing precisely how crucial the CIA was to the American cause in the 1948 elections is like unscrambling an egg." Weiner, *Legacy of Ashes,* 532n27.

[17] National Security Council, memorandum, "NSC 1/1: The Position of the United States with Respect to Italy," November 14, 1947.

[18] National Security Council, memorandum, "Coordination of Foreign Information Measures (NSC 4) Psychological Operations (NSC 4-A)," December 17, 1947; Corke, *US Covert Operations and Cold War Strategy,* 47–48.

[19] National Security Council, "Position of the United States with Respect to Italy in the Light of the Possibility of Communist Participation in the Government by Legal Means (NSC 1/3)," March 8, 1948.

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[21] Ibid.

[22] Ibid.

[23] National Security Council, memorandum "NSC 10/2: National Security Council Directive on Office of Special Projects," June 18, 1948.

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[27] Green and Massignani, *The Black Prince,* 185.

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[29] Central Intelligence Agency, "Research Aid: Cryptonyms and Terms in Declassified CIA Files; Nazi War Crimes and Japanese Imperial Government Records Disclosure Acts," June 2007.

[30] Office of Special Operations, memorandum, "Outline of Stay-Behind Operation," November 10, 1950; Central Intelligence Agency, "Research Aid: Cryptonyms and Terms in Declassified CIA Files; Nazi War Crimes and Japanese Imperial Government Records Disclosure Acts," June 2007. SATURN was the CIA's cryptonym for the Gehlen Organization staybehind operation in West Germany and its penetration forces in East Germany; ZIPPER was the cryptonym for the Gehlen Organization itself. To make the network more complicated, ZIPPER operators also participated in the KIBITZ staybehind network in West Germany, which contributed to the unsecure operational environment that also plagued the LCPROWL staybehind.

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[40] Dr. Weichmann to Federal Minister of Justice, memorandum, "Subject: Investigation Procedure against the Businessman Otto Rietdorf, and Others, for Offenses in the Interpretation of Articles 128, 129, 49b of the Penal Code," January 7, 1953, trans. CIA.

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[42] CIA, memorandum for [REDACTED], "Subject: Chronology of Recent Developments Involving the LCPROWL Apparat," October 27, 1952.

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[44] CIA, memorandum, "Subject: Our Policy in Germany," December 11, 1952.

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[49] Russet, *Grasping the Democratic Peace: Principles for a Post-Cold War World,* 13.

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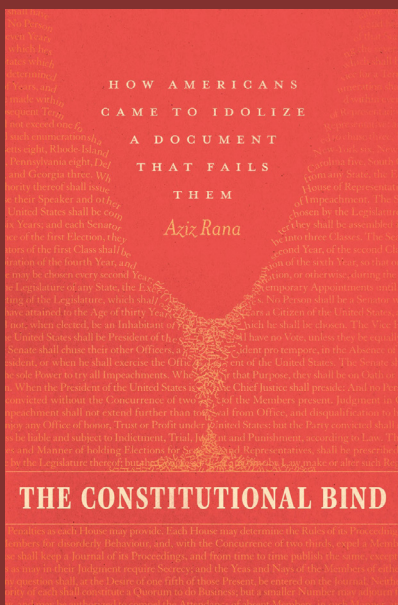
CREEDAL CONSTITUTIONALISM

Aziz Rana
Law & Government

THE CONSTITUTIONAL BIND

> We tend to think that veneration of the Constitution has been with the country from the very founding. But in truth, constitutional support and the particular language around describing the Constitution as near perfect has actually changed quite dramatically over time. There have been ebbs and flows in the American relationship to the document. The way that modern Americans talk about the Constitution is a twentieth-century development, and it is a product of a set of processes that are almost never thought of alongside the story of the U.S. Constitution. It is very closely tied to how the U.S. emerged as a global power, and then, over the course of the twentieth century, rose from being a regional authority in the Americas to a globally hegemonic project. In order to understand the culture around the Constitution and its impact for the kind of conversations we're having politically, we have to link together a story of the Constitution's development alongside the story of the U.S.'s growth and development, especially when it comes to international politics. This means doing something that's quite unusual when we think of our own Constitution. We think of constitutions as domestic documents, as tied to nations. Yet, to understand the domestic story, we have to tell a story that is fundamentally global and international, that links the foreign and the domestic.

What do I mean by constitutional support? The central concept of the book is something I called "creedal constitutionalism." This is a very specific way that Americans have come to describe their relationship to the text. There are many different forms of potential constitution worship or critique. But in the twentieth century, a specific story of the Constitution and how it is tied to American national identity ended up becoming dominant. It had a series of components that if you just take a step back, need not go together.

First was the idea that the Constitution fulfills the basic principles of the Declaration of Independence. In other words, it is a concrete instantiation of the idea that the U.S., from its founding, has been committed to principles of freedom and equality for all, so that the creed is tied to the Constitution. I use "creed" here because it is the term that the Swedish sociologist, Gunnar Myrdal, in his famous book, American Dilemma, referred to as defining the national story. Connecting it to the Declaration of Independence, it goes back to Lincoln, to Frederick Douglass, to antislavery and abolitionist arguments, even preceding the Civil War. This is the idea of the creed.

Yet, over the course of the twentieth century, it is not just that the Constitution stands for the principles of the Declaration of Independence, there are a series of other things that we take for granted. First, we take for granted the idea that the Constitution is a civil libertarian document, and in this way it is anti-totalitarian. In other words, it highlights what differentiates the U.S. culturally from the Soviet Union or Nazi Germany. And in other words, the Constitution protects a sphere of individual autonomy for speech or for religious worship that ensures preservation of what amounts to one's own freedoms from an overweening state authority.

This civil libertarian commitment is also very interestingly tied to an account of economic liberty, within the kind of private sphere that's supposed to be outside the terms of the state. There's also assumed to be an economic sphere, one's access to property, that precedes government intervention, and that even if there's an appropriate place for economic regulation, there are certain bedrock property rights that ensure an economic liberty that's preserved against the state. Civil liberties and economic liberties are joined in this way, that it's not just the creed, but it is a civil libertarian ethos that's

also a commitment to some limited version, but nonetheless, an account of market capitalism. That is tied to a constrained representative government. This is the stuff of checks and balances. Yes, ultimately consent of the governed is the basis for American politics, as the legitimate source of political authority. Nonetheless, the U.S. has organized around a set of checks and balances that ensure against what's called a tyranny of the majority. The ultimate site, in some way, of that preservationist project is the Supreme Court as an insulated institution that preserves these checks and balances and ensures against tyranny of the majority. So, you have a strong defense of constrained representative government tied to an account of the Supreme Court.

Finally, all of that speaks to why the U.S. is understood as exceptional, why the U.S. is viewed as distinct from the rest of the world, why its Constitution can be thought of as near perfect and why, on a global stage marked by various forms of instability past imperial orders, the U.S. has the right and the authority to serve as the leader among equals, to be the backstop of a global rules-based order, and to step inside and outside of legal arrangements to ensure that that rules-based order is preserved.

Notice that we started with support for the Constitution. But when you hear politicians of both political parties talk about the Constitution, it is this constellation of commitments, and none of them necessarily has to go together. You can believe in the Constitution -- as folks in the American past did -- and reject the creed, the idea of universal equality. You can believe in the creedal constitution, the connection between the declaration and the text, but be suspicious of arguments from a civil libertarian ethos, or defensive market capitalism, or an account of American authority on the global stage. Yet, all these disparate elements have been fused in American culture into a single coherent story about nation and text that's part of the drinking water of being American. That is what we hear in speeches, what we understand as part of the civics education of public schools and universities more generally.

To highlight the novelty, in a way of what emerges in the 20th century, it is useful to juxtapose it against what would have been the dominant way of talking about the Constitution, and why it's worthy of support 100, and let's say 70 years ago in the years in the North before the Civil War. Here, the dominant story would have probably come from somebody like Daniel Webster, a Senator from Massachusetts who said, yes, the Constitution is worth venerating and defending, but it's worth defending as a compromise. The Compromise of 1787, in other words, was a compromise between the different regions of the country namely over the question of slavery. It allowed communities in different parts of the country to avoid addressing the thorny question of enslavement to ensure national growth, material prosperity, and territorial growth. Take a moment and step back from this story. Note, this is fundamentally different than our contemporary creedal one. If anything, it is almost the exact opposite of the contemporary creedal one. This is a story that would have been quite dominant in American life that says the Constitution is worth defending because it means we can avoid addressing slavery.

For us today, that is a profound moral and political failure and sin: the idea that you have a set of institutions that do not confront the basic foundational injustice that marks collective life, or that the reason it is justified is it allows us to avoid addressing slavery so we can engage in territorial expansion. But that is forcing us to come face to face with a history of Native American removal and maltreatment. That is not a justification for the constitutional system, that is yet another profound injustice that has to be reckoned with.

It requires us now to think about how the culture changed so dramatically and what has that has meant for our own contemporary politics. Now, on the one hand, this is a profound victory for this country that today we live in a world in which our understanding of constitutional meaning in the national ethos is a basic rejection of what would've been bedrock commitments during the antebellum period. It's a defense, effectively, of multiracial democracy. And yet there are these percolating questions about the extent to which the institutions, as well as the venerative culture around us and those institutions, is actually fulfilling the terms of what multiracial democracy should and would look like in the present.

In the late nineteenth and early twentieth centuries, probably the best mechanism for actually cohering the country was that project of territorial expansion. It was not necessarily a national text. Most of life was taking place at the local level, and it was the experience of settlement and expansion that incorporated new migrants into a project that can be thought of as American. What marked the end of the nineteenth, early twentieth century was the fact that all the basic elements of collective life through the first hundred years were up for grabs in a way that produced profound social conflicts. Then, there is the Civil War and its cataclysmic implications in terms of sheer casualties, but also, the effects of the Civil War and Reconstruction, which led to the move of black people from bondage to freedom. Then again, in the post-Reconstruction period, back to new forms of servitude and bondage, there is large-scale migration from Europe and elsewhere that creates a situation where upwards of 15% of the population was not born in North America. [...]

Aziz Rana

The closest we get to a defense of the creedal Constitution, would have been within the Black counter-public. It is black activists like Frederick Douglass who make the argument that with the Fourteenth Amendment the Constitution concretely fulfills the principles of the Declaration. But remember that their experience is not one in which Reconstruction only succeeds. It is an experience in which, increasingly, the country is marked by new forms of bondage and new structures of Jim Crow, that reassert the racially restricted nature of the project. It feels to many black people like they might back a creedal Constitution, but the rest of the society and perhaps the white majority does not. That creates real ambiguities of political attachment within black politics.

The labor movement made arguments about the extent to which the Constitution might be a counter-revolutionary document. Indeed, in many ways between 1887 and the late 1930s, the dominant popular conversation about the Constitution highlighted the extent to which the Constitution might stand as a roadblock for principles embedded in the Declaration. This was a period in which there are broad-ranging reform conversations about the text. Between 1913 and 1920, four Constitutional amendments were implemented on some of the most important issues of the day, like the direct election of the Senate, women's right to vote, temperance and prohibition, and federal income tax. These are all big social issues. Another Constitutional amendment almost passes, banning child labor, which speaks to a cultural context in which perhaps, the dominant academic as well as reform position, is that key elements of our constitutional system, either through a formally new text, a second convention, or informally through improvising changes, will have to shift to look a lot more like both democratic practices, at the state level and emerging forms of parliamentary and mass democracy globally.

Figures like W.E.B. Du Bois and Hubert Harrison argued that the problem of the constitutional system is the essential unit of the state. This essential unit makes it very difficult for communities, especially those without material resources – not only the black community, but also white workers and those who are poor and whose only resource is the vote to be able to shape national policy and by extension, state and local policy. Instead, the centrality of this state unit means that those with a great deal of resources can use the interstices of the existing federal system to be able to impose their ends even if those ends are deeply unpopular.

Du Bois and others argue for a basic shift in how Americans imagine their constitution. They say there are many ways of thinking of constitutionalism. If constitutionalism is about marrying rights with a principle of democracy, we could have a constitutional system that does not totally collapse the gulf between the Constitution as a higher law and legislation as ordinary law, but makes the constitution a more pliable instrument for the exercise of popular commitments. In other words, simplify the amendment process so that you can change the text and include various types of positive socioeconomic rights, alter the basic units–administrative units of representation so that those units more clearly map on to population centers, especially to interracial population centers in the South that have been contained by the pushback against Reconstruction–and shift the court system toward a structure in which various kinds of court reforms mean that you do not have life tenure for a small number of judges who don't have any ethics oversight and so on.

What they imagined became standard in the second half of the twentieth century across many parts of the world–systems of constitutionalism that combine forms of parliamentary and proportional representation, even if they mix a parliamentary and a presidential system with a much more extensive constitutional text. Today the average length of a constitution around the world is 20,000 words. The American constitution is 7,000. The Indian Constitution, for instance, is 150,000. State constitutions tend to be significantly longer. States like Alabama have upwards of 300,000 words in their constitution. Even without that great length, there is a way to imagine the constitution as a document far more capable of having detailed policy commitments, expansive rights provisions, and a more flexible way of relating between the legislative and the judicial branches.

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Excerpted from his Distinguished Lecture delivered in September 2024

II. THE FASHIONING OF ELECTORAL POLITICS

POLITICS WITHOUT POLITICIANS

Hélène Landemore
Political Science

I have good and bad news. The bad news is: electoral politics is beyond repair. The good news is: Democracy isn't. We can fix it.

Most of my talk will be about the good news, but I need to start with the failure of electoral politics. Believe me, it gives me no pleasure to see myself converging on a conclusion associated with the populists of the left and the right. But the truth is that the populists have a point: a system based on electoral representation is no longer conducive, if it ever was, to either democratic or good governance.

Consider that the United States Congress is currently at a 15% approval rating and is systematically hovering well below 50%, on average, except under exceptional circumstances (like right after 9/11). Is it because voters can never be satisfied or because Congress systematically does a subpar job?[1]

Consider that in three of some of the supposedly most 'advanced' democracies—the United States, France, and the United Kingdom—over 2/3 of the population think their governing elites are corrupt. In France, only 44% of the population still supports democracy in its current electoral form, while 37% would rather move to a system based on lottery and mass referenda. The youth, in particular, are so massively disenchanted by politics that their abstention rate is way above that of the rest of the population, which is not that high to begin with.

In the United States, fewer than half of Americans 18 to 29 voted in what was yet widely seen as a key election, the 2016 presidential elections that brought President Donald Trump to power. In France, youth abstention has recently skyrocketed, up to 70% in recent French elections. his trend of youth disaffection has been noted the world over, in over two dozen countries.[2]

Consider that when the media cover politics they only talk about the horse race, the personality drama, the scandals, the strategizing, the posturing, and rarely (and at best su-

perficially) the substance of issues. Consider that when political scientists crunch the numbers, they find that rich people's preferences seem to shape policy outcomes and law substantially more than those of the majority.[3]

We could blame these problems on external factors and forces, such as globalization, capitalism, the fast-paced changes brought by new technologies, foreign threats, or immigration. All these things undeniably make the job of governing at the scale of nation-states quite difficult. And politicians are naturally the first to place the blame for their failed policies and the persistent crisis of democracy on these external factors.

But excuses can only work up to a point. What chronic underperformance and systemic popular dissatisfaction with the system, and even retreat from it, tell us is that we should take seriously the idea that there is a problem with that system. While electoral representation may have made sense two hundred years ago, in a very different context and for very different populations, it is no longer fit for purpose, especially in modern societies of educated citizens with access to information.

This conclusion has imposed itself on me after a decade or more of resisting it. Like many people, I initially blamed empirical, external factors for the increasingly glaring inefficiencies and injustices of the system. My thinking was remedial: How can we improve the system without fundamentally changing it?

For example, what if we got rid of money in politics or at least engaged in campaign finance reforms that leveled the playing field? What if we reached out more aggressively to low-income people, minorities, and women so they are given greater opportunities to run for elections, in the hope that we then have a greater diversity of profiles in government? What if we introduced strict term limits to prevent power entrenchment and expand further the pool of decision-makers? Or how about we did more to educate the voters, who perhaps do not under-

stand the system or the issues well enough? If they knew more, they would care more, and democracy would yield better and more legitimate results. Surely, my thinking was: we have the politicians we deserve. The problem must be us, not them. Or as H.L. Mencken once said, "Democracy is the theory that the common people know what they want and deserve to get it good and hard."

But this way of thinking, it turns out, is wrong. Worse, it leads to blaming and indeed punishing the victim, the hapless ordinary citizens, especially those who have stopped caring about a failing system. The next step on that slippery slope is often: How about, as my colleague Jason Brennan proposes, we turn to solutions that either disenfranchise people who cannot be bothered to learn basic things about politics, or "correct" their votes to make them more aligned with the votes of educated people? How could it be objectionable to disenfranchise, say, 5% of the population, i.e., those who can't pass a basic civic test? Or how about "10% less democracy" and that much more of a role for experts, as economist Garett Jones has recently argued in a book by that very title? From these "solutions," it's a short hop and a skip to the autocracy of the (supposedly) knowledgeable.

If I'm correct, the question arises: why do most of us continue to adhere blindly to democracy and struggle to envision alternatives? The answer is quite simple. It's inherently challenging to imagine a future that diverges from our current reality and to move from what is to what should be.

Additionally, people currently in power are seemingly incapable of seeing the problems and the need for reform in a system that worked so well for them. So not unlike the boomers who self-righteously blame their kids and grandkids for failing to have a stable job, a house, and a couple of kids by age 30, as many of them so successfully did, our current elites (also mostly boomers) do not for a minute suspect that they might be part of the problem. And so, when people complain, they gaslight the rest of us into thinking that it's our fault because we don't vote often or well enough. Meanwhile, young people have figured it out. They no longer expect much from periodic elections and party competition. For them, life-changing politics— climate, social justice, and other topics of interest to them—happen elsewhere. I think they are unfortunately largely right.

What, then, would be a possible solution? I called it in earlier work "Open democracy." I now tend to call it "politics without politicians." I have become convinced that we would be better off doing the job ourselves, not all at once but in turn, as the ancient Greeks did.

I can already hear the protests. Yes, politicians are bad, but they are a necessary evil. Politics is a job, and we surely need to have professionals in charge, especially in large and complex industrial societies. If politicians are not going to do the job, then who will? Besides, isn't the nature of politics to create politicians? Even if we cast out all the unpleasant characters we are forced to choose between at regular intervals, wouldn't anyone sent to run the country in their place, whether regular folks or experts, eventually become politicians too? You can kick politicians out of politics, but politics will turn anyone with power into a politician. And anyway, what do you mean by "politician"?

By politician, I mean someone for whom politics is a job. By politics without politicians I mean a form of politics in which assemblies of non-professionals, chosen at random from among the population, would be in charge of setting an agenda for the country and making key decisions. The gist of this vision can be summarized by a famous quip by American conservative author and journalist William F. Buckley, Jr. He is quoted in a 1963 New York Times book review as saying: "I'd rather be governed by the first 2,000 people in the Boston telephone book than by the Harvard faculty."

On the face of it, this quote is just a tongue-in-cheek stab at Harvard elites, always an easy target, from someone who himself went to Yale. Most people interpret Buckley in an ironic way. Surely, saying that you'd rather be governed by a random group of Bostonians rather than members of the Harvard faculty is so absurd that you cannot possibly mean it. But there is another way—a literal way—to interpret this quote, and my best guess is that this is what Buckley meant in earnest. A large enough random draw of the population is not a bad cast of people, and at any rate, it would probably be better—and certainly more democratic—to be ruled by them than by a group of Harvard faculty.

If the first 2000 names in the Boston phone book are a better gamble, then wouldn't they also be a better gamble than the few hundred elected officials who actually govern us, an uncanny number of whom attended Ivy League institutions?

There are some very good historical and social scientific reasons today to back up that provocative and seemingly counterintuitive claim. I wrote my first book, Democratic Reason, collecting such reasons and will not return to them here. Suffice it to say that they have to do, among others, with the collective wisdom of a people and the way a true democracy, one in which all are included and given equal voice and votes, can uniquely channel it.

BRINGING THE SHY PEOPLE OUT

Another crucial element of my answer, however, is something I have come to appreciate more recently, and I elaborate for the first time today: The importance of de-

signing institutions from the perspective of and for the people least likely to seek or want power, those I will call, for lack of a better word, "the shy." I found myself inspired here by a quote by 19th-century British essayist GK Chesterton, an eclectic figure of both conservative and radical leanings, who authored this stunning definition of democracy. "All real democracy is an attempt (like that of a jolly hostess) to bring the shy people out."

It is a strange and unusual definition. It's also an "ought" type of definition, of course, not an empirically accurate or descriptive one. It says something about the nature or essence of democracy as a normative ideal, which reality typically fails to measure up to. According to it, democracy is not primarily about counting votes, elite competition, choosing one's rulers every few years, or "kicking out the rascals." It is about creating the conditions under which all of us, even the shy, feel comfortable enough to speak up and participate in public life.
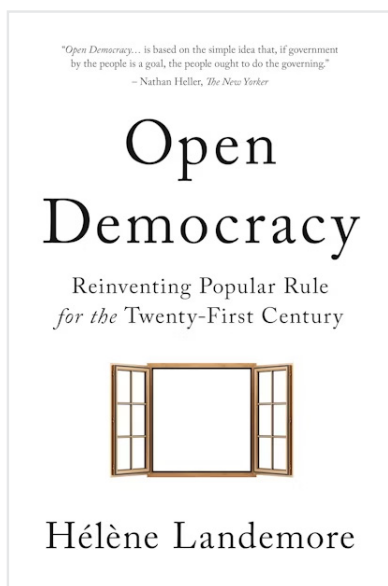
The content of Chesterton's parenthesis in the above quote—"like that of a jolly hostess"—is also important. There is certainly something a bit dated about the term "jolly hostess." The noun refers to a role that women in the 19th century did not necessarily choose and the adjective comes across as somewhat paternalistic, if not downright sexist. But there is also something powerful and even feminist that we can reclaim for modern times in the idea of an inviting, joyful female figure who seeks to make everyone feel included and good about themselves as the metaphor of democracy.

This quote also suggests that if the test of a real democracy is whether it can make room for and listen to its most shy people, we should therefore conceive of it not merely as a set of impersonal rules, procedures, and institutions. Instead, we should envision democracy as a certain way of treating people, perhaps even as a "way of life" as the American philosopher John Dewey put it. Chesterton, for his part, suggests that democracy ought to emulate a party hostess who at least attempts—tries hard—to make all feel welcome and valued. For him, a real democratic system encourages and prods the people who least want power and lack the self-confidence to speak up to find their inner voice and make it heard. How about that for a radical vision of politics? Contrast this with the definitions of democracy we are

more familiar with. They are often exalted and vague on the specifics, such as "rule of, for, and by the people." Or they are utterly uninspiring and even downright cynical, like this one, supposedly from Churchill, which declares democracy "the worst regime except for all the others."

Occasionally, definitions of democracy are both specific and uninspiring, as the one that still dominates political scientists' understanding of democracy as well as much of the political world. Democracy, in that view, is simply a method and specifically, "that institutional arrangement for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people's vote" (269).

This definition was formulated by an Austrian economist named Joseph Schumpeter, who was no friend of democracy. It is minimalist and premised on the worst possible assumptions about citizen competence and agency. Yet somehow it is now the official definition used by influential think tanks like Freedom House not just to define democracy but also to measure it around the world. Freedom House thus defines democracy as a political system "whose leaders are elected in competitive multi-party and multi-candidate processes in which opposition parties have a legitimate chance of attaining [...] or participating in power."

What is striking about both the original Schumpeterian definition and the derivative version by Freedom House is its exclusive focus on elites competing for power and the role of leaders, parties, and electoral candidates. Ordinary citizens—those who actually do the electing and for whom the whole system is supposed to be functioning—are nowhere to be found. Such an oversight is a good illustration of the problems with existing representative systems. Ordinary citizens are peripheral to them, convened now and again for the purpose of selecting representatives but kept at bay most of the time. When they are consulted on the substance of issues, in the occasional referendum, it is to express a simple yes or no, not the nuanced and rich opinions they often hold.

Another problematic aspect of this common definition of democracy is its simplistic majoritarianism, since the winning party is legitimized in implementing policies and laws against the preferences of minorities. Yet, while majority rule is an important, indeed indispensable, component of democracy, it is not the only one. Nor is it incompatible with the possibility of making minorities feel welcome and included. Yet the purely aggregative perspective of Schumpeterian approaches, focused on voting and competition, fails to take into account this constructive possibility. Let me define more precisely who the shy are. I conceive of shyness as something more than innate diffidence or reservation, though it can be that too. Shyness

"Open Democracy... is based on the simple idea that, if government by the people is a goal, the people ought to do the governing."
– Nathan Heller, *The New Yorker*

Open Democracy

Reinventing Popular Rule
for the Twenty-First Century

Hélène Landemore

is not, or not just, a tendency to be "quiet" in the vein of Susan Cain's description of introverts. Instead, shyness is an attitude of humility and lack of confidence with respect to one's place and power in society. This can be due to natural introversion of course. But it is more often than not socially constructed and, indeed, ingrained in certain categories of people from a young age. As a result, the shy are not timid in all contexts, but primarily in contexts that structurally alienate them. Psychologists have developed the concept of "learned helplessness" to describe the attitude of people who have such sustained experience of a lack of control over their circumstances that they entirely stop trying to change them, even when opportunities are available. I fear that this concept applies quite well to many people, not just in dictatorships, but in electoral democracies around the world.

Shyness, therefore, is not a vice or a character flaw, but neither is it a virtue. Rather, it is a symptom of disempowerment and alienation that needs to be redressed by working hard to reintegrate the perspectives of all citizens, especially the shy. Including the shy in our politics is necessary for fairness reasons but also because it is the only way to ensure that our politics fully mine the collective intelligence of a political community.

Shy people in our societies are often young, female, poor or working-class, people of color, LGBTQ+, or disabled people, precisely because shyness is as much a result of one's social environment, with all its biases and prejudices, as an innate, genetic predisposition to being reserved or introverted. But "shyness," as I understand it, cuts across so many other dimensions than these classic markers of identity politics that I prefer to avoid this vocabulary altogether, especially since these labels can be problematically essentializing of those included in them as well as those excluded from them. White, heterosexual, older, able-bodied men can be shy too, while some young people, women of color, or LGBTQ+ people can be loud and proud. In fact, the vast majority of us may, at some point in our life, fall into that category. And when you know that at any point in time, between a third and a half of the population see themselves as "introverts," you start to realize that the shy is all around us.

Yet the shy are not well represented in electoral politics. Elections thrive on the ability of individuals to stand out and compete. They oversample and empower the extroverted, the confident, and the downright arrogant and entitled. They turn off the self-effacing and easily intimidated, as well as those who despise aggressive tactics and self-promotion. As such, they are bound to exclude the shy. Why is that bad, however, you may rightly ask? Maybe politicians bring to the table qualities that overcompensate for their homogeneity and maybe the people who are missing at the table are missing for a good reason: they would have nothing to say or contribute to the discus-

sion. Conversely, what good would it do to "bring the shy people out"? Might there be a reason why talented orators and speakers should take, and hog, the floor in politics?

AN ALTERNATIVE SYSTEM

Let me first paint with a broad brush a picture of the alternative system I have in mind. In previous works, I called it "open democracy," emphasizing that it is a system in which power is accessible to all, and "open" in that sense. Here, I call it "politics without politicians," partly as a provocation, and partly because it more clearly suggests making room for regular people. Regular people, ordinary citizens, or everyday people—however we want to call them—are different from politicians in that, for them, politics is not a job, a business, or even a vocation. In my vision of politics without politicians, politics is neither a job nor a chore. It is instead a civic duty and an occasional, albeit momentous, responsibility.

My own vision (which is by no means the only possible one) centers on deliberative assemblies of citizens appointed through civic lotteries—large juries if you will—and combines those with regular moments of mass voting on salient issues or issues put to a referendum by citizens' initiatives, as well as other forms of local direct participatory mechanisms building on local practices and customs. Please keep in mind that this vision is not complete. It's not extremely detailed. It's not going to answer all your questions. But it's a vision that can hopefully guide a different kind of politics, whether we take it in a more radical direction or a more reformist one.

Some of you may balk at some of these ideas, in particular the idea of replacing elected politicians with citizens chosen by lot. Such an alternative goes by several other names – random selection, sortition, lottocracy, mini-publics, or citizens' assemblies – yet the underlying ideal is the same. Support for it is no longer fringe. There is now a long list of established academics and prominent activists who are pushing a sortitionist agenda and who will make an appearance in this book. The idea of a citizen parliament has even been endorsed publicly by no less a political figure than Kofi Annan, Nobel Peace Prize laureate and former General Secretary of the United Nations.

Reflecting on the crisis of democracy at the occasion of the 2017 Athens Democracy Forum, Annan said: We need to make our democracies more inclusive [...] to bring in the young, the poor, and minorities. An interesting idea [...] would be to reintroduce the ancient Greek practice of selecting parliaments by lot instead of election. In other words, parliamentarians would no longer be nominated by political parties, but chosen at random for a limited term, in the way many jury systems work. This would prevent the formation of self-serving and self-perpetuating political classes disconnected from their electorates.

Annan was picking up on ideas presented by my fellow sortitionist David Van Reybrouck at the same conference and embraced the more radical version of politics without politicians— the replacement of parliaments by citizen juries. But even the less ambitious but more likely path of a hybrid form of democracy—combining the principle of selection by lot with existing elected assemblies—would still be preferable if it transferred enough power from politicians to citizens' assemblies.

Whether you believe in it or not, this new form of democracy based on random selection is already taking shape as I write, albeit in still partial and limited form. All over the world, there are already ongoing efforts to augment existing political systems with various democratic innovations, including jury-like bodies that I'll call mini-publics as a shorthand.

Such mini-publics are in fact enjoying a revival unseen since ancient Athens. A famous 2019 report by the Organization for Economic Cooperation and Development (OECD) aptly subtitled "Catching the Deliberative Wave" documented up to 600 such randomly selected mini publics that had by then taken place in OECD countries, including Japan, Mongolia, China, Singapore, Uganda, Chile, Australia, and New Zealand. As of 2023, the number has been updated to over 732. As you can see from the list of countries, deliberative mini-publics have shown to be adaptable to all kinds of cultures and contexts, including profoundly divided ones.

These bodies of randomly selected citizens are today being used to generate ideas and policy recommendations, sometimes even legislative proposals. They have demonstrated time and again that under the right conditions, ordinary citizens are capable of informed deliberation, reasoned judgment, and even competent law-making, both of the ordinary and constitutional sort.

The evidence—which we will survey in later chapters— suggests that they do as well, and on some dimensions better, than professional politicians. The evidence also suggests that where needed they go for more radical solutions than elected politicians are capable of, whether on difficult moral questions like abortion or assisted dying, or highly technical and systemic ones, like climate change.

After 40 years of experimentation across the world, some cities and states are now moving to the institutionalization phase. In 2019, the (tiny) German-speaking region of Belgium became the first to create a permanent citizen jury of 24 randomly selected citizens in charge of setting the agenda for the local parliament, with the added power of convening citizens' assemblies of 50 randomly selected citizens to make policy proposals on specific issues.[4] In November 2022, Brussels, the capital of Belgium, announced the creation of a permanent citizens' assembly on climate, with 100 randomly selected citizens meant to rotate in and out of it for the indefinite future to help figure out the path to climate justice.[5] In November 2023, Paris created its own permanent and all-purpose citizens' assembly. In 2024 the second cohort of a 100 randomly selected Parisians produced its first citizen-written bill, containing 20 measures on homelessness, in collaboration with the city council.[6] The question is no longer if other cities, states, and international organizations are going to follow suit, but when. U.N. officials themselves are currently discussing creating a permanent Global Citizens' Assembly to complement their existing governance processes.

Meanwhile, corporations too, not just states, regions, cities, and international organizations are now looking into this way of including citizens' voices in important decision processes. In Fall 2022, after some initial trial phases at the national level, Meta gathered 6,000 randomly selected citizens from their global user base to deliberate on a common issue: How to regulate cyberbullying in the Metaverse. They followed up in 2023 with a similar (albeit smaller scale) process on AI regulation. In 2023 an investment fund in the Netherlands piloted a deliberative assembly of 50 randomly selected investors—a process they called a "Member Dialogue"-- to help determine its investment strategy going forward. In 2024 an Austrian heiress named Marlene Englehorn used a citizens' assembly to distribute her 25 million inheritance after the Austrian government refused to tax her.[7] In both the public and the private sectors, at both the collective and individual level, it appears the tired logic of strictly closed, elite decision-making is slowly making room (if only for PR purposes in some cases) for the logic of inclusive and open deliberations among ordinary folks. The analyses of these experiments are just rolling out as I write.

To conclude, I want to give you a taste of what politics without politicians looks like in practice. I observed two Citizens' Conventions in France in the last five years, the Citizens' Convention on Climate and the Citizens' Convention on End-of-Life (I was involved in the governance of the latter).

I came to these democratic experiments with the mindset of an epistemic democrat, interested in the collective intelligence phenomena I was theoretically convinced they should produce. They did not disappoint. The first Convention produced 149 proposals about how to reduce greenhouse gas emissions in a socially responsible way. These proposals led Parliament to formulate the most ambitious Climate law we've ever had (even if it's a much diluted version of what the CCC had in mind). The CCC is the process that convinced me

that citizens can be legislators, not just agenda-setters. But what struck me the most was the emotional dimension, the extraordinary bond forged by participants in this setting. It became clear that whatever collective intelligence emerged from these processes was crucially enabled by that bond, which they labeled and I had to identify as a form of civic love. That love allowed them to overcome deep disagreement and sustain a prolonged intellectual effort over months of work. It allowed them to have fun and experience joy doing politics (what a foreign notion!). It also allowed them to "bring out the shy" in just the way Chesterton's jolly hostess would. Bringing out the shy, I firmly believe, is indispensable to both the justice of the process and its epistemic quality.

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Excerpted from remarks delivered at the Clough Center's Fall Colloquium in October 2024

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[7] Steven Erlanger, "Marlene Engelhorn, Heiress to a Fortune, Wants to Give It All Away," *The New York Times*, June 19, 2024, https://www.nytimes.com/2024/06/19/world/europe/marlene-engel-horn-heiress-fortune.html.

Hélène Landemore

FEAR AND LOATHING IN AMERICA:

Political Apocalypticism in the 2024 U.S. Election

Aidan Vick

English

ABSTRACT

The 2024 U.S. presidential election cycle was dominated by invocations of fear, often reaching an apocalyptic register on the Republican side. In this essay, I will interrogate how apocalypticism can be imagined as a narrative form, allowing for a more flexible and generic deployment than what is seen in Christian millenarianism. I will then draw attention to the deployment of similar rhetoric during the white supremacist movement of the late-20th century, as well as how decentralized organization benefits extremist groups of both the past and present. Finally, I will synthesize these ideas by examining the co-option of extremist apocalyptic thought by the mainstream Republican party and its potential implications given the party's recent electoral successes.

INTRODUCTION

"Fear triumphs over hope," reads the headline of one *Guardian* piece from the morning after the 2024 U.S. election.[1] Was that really all Donald Trump's massive victory came down to? The answer, obviously, is no, yet it is equally obvious that the current political climate is dominated by anxiety and unrest. I initially proposed this essay's topic in response to the Project 2025 *Mandate for Leadership,* a 900-page manifesto published in 2023 by the conservative think-tank known as the Heritage Foundation. The document, which outlines a game plan for a then-prospective second term for Trump, elicited strong reactions from journalists and Democratic policy makers who warned that the changes proposed therein could undermine American democracy.[2] Yet, the document itself is replete with anxiety, identifying a wide range of supposedly existential threats to American stability in its opening pages: cultural Marxism, the administrative state, immigration, LGBTQ+ rights, drug addiction, and welfare, to name a few.[3] The Democratic party's electoral campaign sought to strike a balance between generic liberal hope and fear of a second Trump term, especially in its attempt to lure swing voters.

Harris' decision to try and win over conservative voters rather than her own base will likely be scrutinized for years as the Democratic party scrambles to regroup in the wake of their worst election loss since 1988.[4] What interests me here, however, is how Trump managed to galvanize his base with a platform based almost entirely on fear. I believe that the Republican party's apocalyptic tone in the 2024 election cycle effectively capitalized on the discontent of the median American voter, while the Democratic party failed to take the anxieties of its voter base seriously. For the theme of "Envisioning Democratic Futures," I intend to explore the deployment of political apocalyptic narratives within the mainstream Republican party and its origins in the white supremacist movement of the late 20th-century. By "political apocalyptic narratives," I mean the political rhetoric that anticipates a coming period of radical transition, one that does away with the existing sociopolitical order and inaugurates a new one. In the case of contemporary right-wing apocalypticism, this imagined change often involves (1) the revocation of civil liberties, particularly free speech and gun possession, and (2) the establishment of a new social hierarchy that devalues or even oppresses white people.

More generally, I intend to scrutinize the enduring rhetorical potency of apocalypticism and its resonance with the general anti-bureaucratic sentiments of American voters. I believe a more nuanced understanding of the discursive flow between right-wing extremist groups, conservative politicians, and the general population is required to answer this question. In this article, I will pursue this idea by outlining apocalypticism as a narrative form and tracing the history of eschatological narratives in right-wing ideology dating back to the 1970s, which saw the emergence of an organized white supremacist movement. I

want to emphasize the narrative element of apocalypticism in part because I believe it alleviates some of the concerns raised by scholars, particularly of the Christian millenarian tradition, that equating the end of a single nation-state or way of life with a *Book of Revelation*-esque armageddon is inappropriate.[5] This is not to suggest that nuanced differences do not exist between religious and secular visions of apocalypse, but rather that they typically appeal to similar emotional registers and are discursively used interchangeably in most non-academic contexts.

APOCALYPTICISM AS A NARRATIVE FORM

Before I dive into specific political engagements, it is important to introduce apocalypticism as a distinctively *narrative* concept. Though it can have more specific meanings in certain frameworks, the contemporary discursive use of the term is summarized well by Alison McQueen in *Political Realism in Apocalyptic Times*: "an imminent and cataclysmic end to the known world and the arrival of a radically new future [...] [being] at a rupture in time, at the edge of a great transformation."[6] Thus, the concept of "world" itself is fundamentally impermanent in this usage, allowing for more minute cataclysmic teleologies in addition to those concerning the cosmic, potentially limitless scope of material reality, which are really only conceivable in a theological context.[7] The literary scholar Frank Kermode identifies this transition to smaller-scale apocalypticism as the result of a pervasive sense of living "in a period of perpetual transition," where comprehensive historical teleologies are abandoned in favor of a generalized form of crisis that is repeatedly played out in the age of modernity.[8] In other words, the End is "immanent" rather than "imminent" in modern history.[9] This means that the general understanding of apocalypse is more flexible and thus more effective in political rhetoric since it is no longer predicated on a belief in Biblical millenarianism.

One recent piece of scholarship on political apocalypticism is Joe P.L. Davidson's "The Apocalypse from Below," which proposes a distinction between the apocalypse "from below," where apocalyptic fears are articulated by oppressed individuals and groups; and the apocalypse "from above," where these fears are disseminated by those in positions of power.[10] Davidson suggests than apocalypse from below properly "identifies the cause of oppression in the structure of the world as such, and [is] purifying, insofar that the starkness of the apocalypse refuses tempered accounts of the situation of the oppressed in which the dominant order appears redeemable."[11] Therefore, the apocalypse may offer an opportunity for social egalitarianism that cannot be enacted progressively through institutions in which certain forms of oppression are inextricable. No doubt there is a difference in the rhetorical power between apocalypticism espoused by

marginalized groups and socio-political leadership, even if the specific contours of their beliefs are not always distinct. Davidson suggests that certain ideological projects like fascism make claims to liberate oppressed groups but are, nevertheless, apocalyptic narratives from above because their central ideological tenets are constituted by those in power and in most cases do not actually benefit the oppressed in practice. The problem is, the distinction between real oppression and self-identified oppression, as accurate as it may be, is of limited use when considering how civilians are politically mobilized. Perceived oppression could theoretically be more operative than real oppression if enough people buy into it. I believe that this perceived oppression, which registers as an existential threat to a conservative outlook, is the primary feeling capitalized on by Republicans in both the national and state elections, which has only reinforced the longstanding appeal of such rhetoric to political malcontents on the right.

APOCALYPSE AND THE FAR RIGHT

On the very first page of the *Mandate for Leadership*'s foreword, Kevin D. Roberts, president of the Heritage Foundation, draws parallels between the political climates of the late 1970s and the early 2020s. He writes: "The late 1970s were by any measure a historic low point for America and the political coalition dedicated to preserving its unique legacy of human flourishing and freedom."[12] The intended message is clear: as they did with Reagan, conservative voters need to rally around an unconventional but action-oriented candidate to halt the rapid decline of American values inside and outside the elected government. Yet, another, more sinister parallel of American right-wing politics is invoked by the ostensibly populist rhetoric espoused by Roberts: the rise to power of a well-armed, well-coordinated network of white supremacists in the late 1970s and 1980s.

Kathleen Belew's *Bring the War Home* documents the rise of a unified white supremacist movement in the wake of the Vietnam War, bringing together religious extremists, neo-nazis, skinheads, and other racist organizations across ideological differences to form a nationwide militia group that carried out various terrorist activities throughout the 80s and 90s. The culmination of these actions was the 1995 bombing of the Alfred P. Murrah Federal Building in Oklahoma City, leaving over 600 injured and 168 dead. Because the bombing was primarily carried out by a sole actor, Timothy McVeigh, it was not widely believed to be connected to the white supremacist movement at large. However, Belew argues that the strategy of leaderless resistance adopted by the white supremacist movement, which meant that McVeigh was not acting under direct orders, successfully obscured these connections despite the fact that they were

essential in the planning and execution of the attack:

> The hell McVeigh described represented the culmination of decades of white power organizing. McVeigh, trained as a combatant by the state, belonged to the white power movement. He acted without orders from movement leaders, but in concert with movement objectives and supported by resistance cell organizing. The plan for the bomb came directly from *The Turner Diaries,* the book that had structured the activity of the white power movement since the late 1970s.[13]

It is not difficult to see parallels between the effectiveness of decentralized terrorist organizing here and the effort undertaken to elide the connection between the January 6th attack on the Capitol Building and cryptofascist groups like the Proud Boys.[14] The attack on the Capitol Building was coordinated online with no one obvious organizer (person or group) in charge. Donald Trump encouraged the attack at rallies and on social media platforms like Twitter, but he was not directly involved in the mobilization of the militia group in any verifiable way.[15] [5]This is not to suggest that Donald Trump is blameless in the January 6th attacks; quite the opposite. I would argue that revolutionary mobilization in the age of social media and in the wake of the white supremacist movement of the 80s and 90s is most effective where its organization is the least visible. The promulgation of extremist doctrine is carried out via a complex series of reticulated, often calamitous narratives that encourage individuals to act on behalf of a larger political movement. As such, politicians can espouse extreme rhetoric without directly connecting themselves to the white supremacist and anti-democratic organizations that produce these narratives.

As Belew mentions, William Luther Pierce's *The Turner Diaries* heavily inspired McVeigh's attack, and the 1978 novel has experienced a resurgence in journalistic and scholarly attention following the far-right attacks on Charlottesville and the Capitol Building.[16] A white supremacist dystopian novel, *The Turner Diaries* positions the government's seizure of civilian guns as the catalyst for a new state regime dominated by racial minorities, primarily Black and Jewish people. In response, a white supremacist terrorist cell group known as "The Order" covertly develops a militia and eventually launches a full-fledged insurrection against the state, culminating in mass violence against non-whites around the globe.[17] As with Project 2025, I have dedicated space to *The Turner Diaries* here because I believe it is emblematic of the far-right perspectives that the Republican party continues to flirt with, even if it is a rather extreme manifestation of the fears bolstering anti-Left sentiments. Most elected Republicans may not be explicitly invoking rhetoric about a New World Order, but their willingness to overlook the January 6th insurrection suggests a troubling apathy towards political violence and anti-government sentiments.

APOCALYPTICISM AS A POLITICAL STRATEGY

Thus far I have identified how apocalypticism functions as a narrative form, as well as how it has historically informed far-right terrorist activity. I now will consider its use in mainstream electoral politics, and examine why the transition away from traditional party conservatism has been so effective in recent years. Right-wing apocalyptic narratives tend to predict one or both of the following cataclysms: (1) that factors like the welfare state, unsecured borders, environmentalism, and support for organizations like NATO will gradually weaken American power and result in a "fall of empire," or (2) that the government will revoke civil liberties like gun rights and freedom of speech to the point that United States citizens are unable to live freely. The latter fear more commonly informs radical conservatism of the kind seen in *The Turner Diaries,* but both forms underlie Republican fear-mongering. Donald Trump notoriously referred to his political opponents as the "enemies from within," referring to them as "dangerous" and "crazy lunatics" at a rally in Wisconsin.[18] During a Fox Business interview, he suggested that Harris' economic policies would result in a downturn similar to the Great Depression, saying "you won't have a country left."[19] The apocalyptic register clearly hit home for many voters, showing how such appeals can skew a de facto apocalypse-from-above to seem like a genuine populist mobilization against tyranny.

The last few elections have marked the American electorate's vehement rejection of the bipartisan and self-regulating vision of government defined by neoliberalism. David Harvey defines neoliberalism as "a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade."[20] Since its emergence in the late 1970s, neoliberalism has been criticized for perpetuating class privilege and benefiting large corporations over working-class citizens.[21] Though commonly associated with Reaganism and the Republican party, neoliberalism was the prevailing economic system of both major American parties during the Obama administration. According to Nancy Fraser, this began to change as neoliberalism became more deeply intertwined with progressive social politics throughout the 21st century, prompting conservative voters to move toward a right-of-center position that she calls "hyper-reactionary neoliberalism," which she associates with reactionary populism.[22]

The combination of hyper-reactionary social politics and the meritocratic narrative of neoliberalism created a Republican platform that suggests the American economy is failing individuals, particularly in the working class, because of misplaced bureaucratic spending rather than any shortcomings of the capitalist system. This resonates with both economic and administrative frustrations of the American public. According to CBS exit polls, 27% of voters identified the ability to bring "needed change" as the *single* most important quality in a presidential candidate.[23] By capitalizing on eco-nomic dissatisfaction and the construction of diversity and welfare as potentially cataclysmic social policies, a long-standing belief of the far right, Republican politicians were able to win over voters with their proposed solutions. If democratic elections across the globe this year are any indicator, we are in a moment of profound governmental discontent, which typically favors the opposition party in a two-party system.[24] Apocalyptic panic is not the only alternative to the current legislative process, but it may be the one that shapes American politics for the coming years unless other options emerge soon.

[1] David Smith, "Fear triumphs over hope as Trump wins the presidency — how did it happen?" *The Guardian,* November 6, 2024.

[2] Trump has repeatedly denied any affiliation with Project 2025 despite his and J.D. Vance's connections to many of the people and organizations involved. Both Dans and Groves have worked directly for the Trump administration.

[3] Paul Dans & Steven Groves, eds., *Mandate for Leadership: The Conservative Promise* (Washington: The Heritage Foundation, 2023), xiv-7.

[4] In terms of the popular vote.

[5] This concern can be found in Ben Jones' *Apocalypse Without God* (Cambridge, Eng.: Cambridge University Press, 2022), which I discuss later, as well as Judith Shklar's "The Political Theory of Utopia: From Melancholy to Nostalgia," *Daedalus* 94, no. 2 (1965), 367–81, and Hans Blumenberg's *The Legitimacy of the Modern Age* (Cambridge, MA: MIT Press, 1983). I also use "apocalyptic" as a more general term and reserve "millenarian" and "eschatological" for specific theological deployments.

[6] Alison McQueen, *Political Realism in Apocalyptic Times* (Cambridge: Cambridge University Press, 2017), 2.

[7] The narrative construct model of "world" dates back at least to Nietzsche's concept of eternal recurrence and grew in popularity following the growth of phenomenology in the 20th century. Pheng Cheah's *What is a World?* (Durham: Duke University Press, 2016) offers a persuasive and in-depth explanation of world-making as a temporal rather than spatial category and its application to theories from Martin Heidegger, Hannah Arendt, Gayatri Spivak, Jacques Derrida, etc., as well as postcolonial world literature.

[8] Frank Kermode, *The Sense of an Ending* (Oxford: Oxford University Press, 2000), 28

[9] Ibid., 30.

[10] Joe P.L. Davidson, "The Apocalypse from Below," (*American Political Science Review,* 2024), 2, https://doi.org/10.1017/S0003055424000479.

[11] Ibid., 7.

[12] Kevin D. Roberts, "A Promise to America," in *Mandate For Leadership: The Conservative Promise,* ed. Paul Dans and Steven Groves (Washington: The Heritage Foundation, 2023), 1.

[13] Kathleen Belew, *Bring the War Home: The White Power Movement and Paramilitary America* (Cambridge: Harvard University Press, 2018), 210.

[14] Kutner, Samantha. "Swiping Right: The Allure of Hyper Masculinity and Cryptofascism for Men Who Join the Proud Boys." *International Centre for Counter-Terrorism,* 2020. Kutner defines cryptofascism as "a communication style that uses coded sanitized language and symbols that help Proud Boys obfuscate their fascist worldview, evade detection by people unfamiliar with the terms, and minimize the severity of their actions on and offline" (14). Though Kutner's article focuses primarily on the Proud Boys, the general tactics of cryptofascism are widely used by the alt-right to obfuscate ideological affinities with historical fascist regimes like the German Nazi Party.

[15] "Jan. 6 panel probes Donald Trump's 'call to arms' on social media." *PBS News,* July 12, 2022.

[16] See, for example, Alexandra Alter's "How 'The Turner Diaries" Incites White Supremacists" (*The New York Times,* Jan. 15, 2021) and Aja Romano's "How a dystopian neo-Nazi novel helped fuel decades of white supremacist terrorism" (*Vox,* Jan. 28, 2021).

[17] J.M. Berger of the International Center for Counter-Terrorism (ICCT) has written extensively about the continuing impact of The Turner Diaries on domestic terrorism. See in particular "The Turner Legacy: The Storied Origins and Enduring Impact of White Nationalism's Deadly Bible" (*International Centre for Counter-Terrorism,* 2016).

[18] Jonathan J. Cooper, "Who does Trump see as 'enemies from within'?" *AP News,* Oct. 26, 2024.

[19] Breck Dumas, "Trump says Harris' economic plans would put US in '1929-style depression." F*ox Business,* Oct. 4, 2024.

[20] David Harvey, *A Brief History of Neoliberalism* (Oxford: Oxford University Press, 2005), 2.

[21] Harvey being one such critic.

[22] Nancy Fraser, "From Progressive Neoliberalism to Trump — and Beyond," in *Identity Trumps Socialism: The Class and Identity Debate After Neoliberalism,* ed. Marc James Léger (New York: Routledge, 2023), 104.

[23] Jennifer De Pinto et al., "How Trump won the 2024 election — CBS News exit poll results." *CBS News,* Nov. 6, 2024.

[24] Richard Wike, Moira Fagan & Laura Clancy. "Global Elections in 2024: What We Learned in a Year of Political Disruption." *Pew Research Center,* Dec. 11, 2024.

THE IMPACT OF MONEY AND MEDIA ON VOTER WELFARE IN U.S. ELECTIONS

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Economics

ABSTRACT

Since the Supreme Court protected campaign contributions for independent expenditures in federal elections as a form of "speech," there have been no limits on these contributions. As a result, candidates engage in wars of attrition, competing in the scale and reach of their campaign advertising. The media receives a large portion of these expenditures to help candidates influence voters and, in turn, enhances their ability to shape public opinion. Given their significant influence, the media may demand policies that favor their interests from candidates, offering their cooperation and endorsement in exchange. This essay explores the impact of unlimited contributions for independent expenditures on media power and voter welfare, drawing on economic literature to argue that more intensive media campaigns are likely to reduce average voter welfare. The media, due to their perceived expertise, can influence elections and shape policy proposals, even when they openly disclose their interests. Legislative efforts aimed at increasing transparency around independent expenditures cannot fully mitigate the negative effects of media influence on aggregated voter welfare. This essay also calls for future research on the long-term impact of more intensive propaganda through media on voter policy preferences. Such research could inform policy changes to address the growing media influence fueled by unlimited contributions for independent expenditures.[1]

INTRODUCTION

In 2010, the Supreme Court ruled that any limit on corporate and union expenditures funded by their own treasury to endorse or reject a candidate in an election is unconstitutional, as long as such expenditure is not a result of coordination between the payer and the candidate (i.e., "independent expenditures").[2] As a consequence, it is also unconstitutional to impose any limit on contributions to entities that solely allocates independent expenditures to advocate for or against a specific candidate, commonly known as super political action committees (super PACs).[3] Donating money to support a favored candidate in an election via super PACs, regardless of amount, cannot be constrained as it has been considered a form of "speech" by the Supreme Court.[4] In addition, the Supreme Court does not consider welfare concerns as legitimate excuses to regulate such independent expenditures and related contributions protected by the First Amendment.[5] For example, the efficiency loss during election campaigns, which can arise from a war of attrition between candidates competing for advantageous positions in political propaganda, cannot stand as a basis to constitutionalize any contribution limits. Meanwhile,

the long-established legislative effort to increase transparency in such expenditures made by corporations and unions has not resulted in any concrete regulations.[6] The insufficient attention scholars have given to the effects of unlimited campaigning funding (in the name of "independent expenditures" via super PACs) on voter welfare naturally calls for scrutiny.[7] How does such a laissez-faire attitude, which treats these independent expenditures as a form of "speech" and prevents them from any regulations, impact voter welfare? Can laws aimed at better-informing citizens about the providers and beneficiaries of these independent expenditures offset their impact on voter welfare? This essay explores these questions through the lens of the media, a common conduit for political propaganda and as such, a natural destination for these independent expenditures. This essay will demonstrate that the strategic interactions between candidates and the media, driven by their necessary cooperation, can significantly impact voter welfare. The voter welfare discussed here is measured in two interchangeable ways: the average well-being of the electorate, referred to as "average voter welfare," and the total well-being of the electorate, referred to as "aggregated voter welfare."[8] The art of propaganda is based on the (often correct)

premise that social members cannot access all the information needed to determine the best policy (and candidate) for themselves and society. As a result, their beliefs about the true state of affairs can be shaped within certain limits. Media outlets that are trusted to consistently provide *bona fide* (lit. "sincere") information, whether mainstream or alternative, rightwing or leftwing, digital or print-based, have a greater ability to influence voters during elections. When these outlets serve as a natural bridge between politicians and the public, this ability is further strengthened by the unlimited expenditure of super PACs' campaign funding during the election. After briefly reviewing the economic literature, this essay will argue that more intensive media campaigns funded by unlimited contributions are likely to reduce average voter welfare. Furthermore, when the media is perceived by the public as having knowledge of the true state of affairs, their influence on elections and candidates' policy proposals remains unavoidable, even if they openly disclose their interests. Thus, legislative efforts intended for improving the availability of independent expenditure information to the public cannot fully mitigate the negative effects on the aggregated voter welfare caused by the media's impact on policy proposals.

THE RISE OF MEDIA IN ELECTIONS

Let's first step back and describe how the media has earned its key player status. The pecuniary contribution made to super PACs assists candidates in communicating their policies and ideas with the electorate, often through proper media channels. This requires a contractual relationship with the provider. The intensity of expenditure then converts into different "volumes" of propaganda that can be directly perceived by the voters as, for example, difference in mass and extensiveness of campaign advertising.[9] This can create sharp contrast between candidates who receive ample and those who do not. Therefore, equating money-driven political propaganda sponsored by the principals of large corporations with free speech undermines the principle of equal media access for all political parties and candidates, a cornerstone of democratic society. In addition, to avoid appearing defeated by the opponent's propaganda, candidates often compete by investing in public propaganda via mass media, which raises concerns about a war of attrition.

In the recently concluded 2024 U.S. election, both parties are estimated to have spent a total of $3.1 billion on campaign advertising, with the Democratic Party surpassing the opposition in total spending.[10] Notably, the super PACs and hybrid PACs (PACs that include a separate section functioning as a super PAC) supporting the Republican Party may have outspent their opponents.[11] More than $800 million of these expenditures were spent in the final week leading up to Election Day.[12] Despite their already significant advertising expenditures, Kamala Harris's campaign team consistently saw improved performance in battleground states with the most investment. Given the loss, some super PACs supporting Kamala Harris argued that certain campaign advertisements were underfunded and would have benefited from additional spending.[13] This suggests that the old concept of war of attrition still applies in current U.S. elections: additional investment in campaign advertising benefits one candidate while harming the opponent, and vice versa. As a result, candidates are incentivized to increase their spending on campaign advertising indefinitely. With the substantial amounts of money injected into elections, providers of communication services, often the media, receive the bulk of these funds and play a critical role in facilitating candidates' efforts to influence voters.

Throughout this process, the media obtain the opportunity to cooperate with the candidates and help them get elected. Nevertheless, media outlets in the United States mainly consist of private enterprises that can have their "own preferences" (over candidates, policies, and/or even ideologies) easily represented by the individual preferences of a few entrepreneurs that own these enterprises. These preferences will then incentivize large media corporations to take advantage of their huge influence on public opinion, perhaps by presenting biased information or partisan reporting on current events during elections to implicitly support certain candidates, possibly in exchange for policies that support the long-term advancement of the corporations and their interests.[14]

PRIVATE INFORMATION AND MEDIA POWER

Economists have devoted considerable attention to the strategic interactions between candidates and voters, and whether political figures will convey true and comprehensive information to the voters. In an early study, John Roemer argued that the formation of liberal or conservative ideology regarding government efficiency, both of which deviate from the actual situation, can result from optimal political campaign strategies. These strategies aim to distort the positioning of the moderate policy on the political spectrum and attract support from moderate voters.[15] Economists also acknowledge that voters tend always to appreciate certain candidate characteristics regardless of their policy preferences. These include diligence, honesty, and empathy. Boleslavsky and Cotton find that while parties on both sides tend to moderate their ideological inclinations to attract moderate voters, they may exploit voters' interest in other candidate characteristics, such as personal qualities, that appeal regardless of the candidate's policy proposals or ideology leanings. Parties can do so by focusing excessively on these characteristics during

election campaigns. This allows the parties to promote candidates with more extreme ideologies that better align with the interests of the party. Consequently, the election outcomes from such excessive election campaigns can eventually lower the average voter welfare.[16] From the perspectives of economists, even with rational (and perhaps well-educated) voters, political propaganda can still utilize partisan opinions to manipulate voters' belief on the true state of the economy and other related issues voters care about during an election, in exchange of voters' support on a policy proposal that serves the interests of a particular candidate and the party behind, but not necessarily those of the broader electorate. More intensive political propaganda, in addition, can help a radical candidate attract more moderate voters by revealing charming characteristics of that candidate, and hence successfully implement policies that coordinate better with the interest of the party behind, at the cost of the aggregated voter welfare. The key premise here is that voters lack some essential information during the election, for example about the state of government efficiency or the true characteristics of the candidates. As a result, various means of propaganda can exert influence on public opinion.

Recent studies have examined the roles of large media corporations as intermediaries between candidates and the electorate, focusing on how their innate preferences affect the policy proposals raised by candidates and influence the aggregated voter welfare. While large media corporations per se do not establish innate preferences, their owners typically do. The owner (or group of owners) of mass media may have a policy preference, possibly favoring the elite, that is different from those moderate voters typically have. Based on the same premise, if mass media hold private information about candidate characteristics, such as interview performance or inside stories, they could employ public endorsement as signals of positive characteristics to shift the policy outcomes towards their preferred ones. Chakraborty and Ghosh demonstrate that the mass media do have such influence over the voters and policy outcome of an election even if the electorate is well informed about the innate bias of mass media originated from their distinct policy preferences. They further illustrate that, under certain conditions, candidates only interested in being elected may fully comply with the policy preferences of the media to obtain endorsement and win the election. In addition, when the differences between the policy preferences of moderate voters and mass media are sufficiently large, aggregated voter welfare tends to decrease because of the existence of mass media.[17] Although it might be difficult to imagine a media corporation endorsing a candidate as a living human, if a specific media company maintains a good reputation and is widely regarded as a gold standard of excellence in the industry, accepting or (openly) rejecting the request of broadcasting campaign advertisements from a super PAC that leans toward a particular candidate can lead to a comparable impact as publicly endorse or dissent from that candidate.[18]

In a contrasting electoral setting emphasizing more on elite polarization among party candidates, Wolton shows that unbiased media might not always be optimal for voters. In Wolton's model, incumbents reported by impartial media as moderate politicians might exploit voters' risk aversion on having an extremist challenger to implement policies that lean further toward the interest of their parties.[19] Notably, the type of candidates (moderate or extreme) in Wolton's study resembles the setting of candidate quality in the study by Chakraborty and Ghosh. Subsequently, Wolton's conclusion about the welfare effect of biased media echoes the results in Chakraborty and Ghosh under the condition that the preferences of mass media do not deviate too far from the ones of moderate voters. Still, Wolton's conclusion holds in a richer environment, where multiple media corporations with different policy preferences are allowed.

CONCLUSION

At present, it seems inevitable that mass media, by serving as a key communication channel between candidates and the electorate, has gained enormous influential power over both the policy platforms chosen by candidates and the candidates whom voters perceive as favorable. This media power has been further strengthened through the removal of a hard limit on the amount of money that can be infused into political propaganda during the election. Moreover, the long-proposed remedy that improves the availability of independent expenditure information to the public cannot offset the loss on aggregated voter welfare caused by the removal.

The pessimistic results may call for a solution that supports unbiased public media corporations. One potential solution could be granting them a special charter for political campaigns. However, such a move should be considered only after more concrete findings emerge regarding the long-term impact of elevated propaganda in mass media on voter policy preferences. Notably, other influential groups, such as scholars, might possess private information about the true state of affairs but also have biased policy preferences shaped by other interest groups. When publicly endorsing political figures, their support can either benefit or harm the aggregated voter welfare, similar to the situation we have with private media corporations.[20] Therefore, we should take a more cautious approach and carefully examine the media's unique role in elections before advocating for any policy changes.[21] The concern regarding the media's power, further strengthened by an interpretation that regards certain political funding as "speech," however, is real, especially in an era of political polarization.

1 I am grateful for helpful comments from Ryan Faulkner, Chandra Mallampalli, Sravan Ramaswamy, Isaiah Sterrett, and an anonymous reader.

2 Citizens United v. FEC, 558 U.S. 310 (2010).

3 SpeechNow.org v. FEC, 599 F.3d 686 (2010).

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7 For quantitative research on how large independent expenditures may positively impact the election results of certain candidates, see, for example, Tilman Klumpp, Hugo M. Mialon, and Michael A. Williams, "The Business of American Democracy: Citizens United, Independent Spending, and Elections," *Journal of Law and Economics* 59, no. 1 (February 2016): 1-43.

8 When considering the overall welfare impact of a policy, traditional utilitarianism often assumes that the extent of (individual) happiness, or well-being, is comparable between different people. Thus, the change in the average level of well-being ("utilities") over a group of people resulting from such a policy can become a meaningful measure of the overall welfare impact of that policy. This measure is henceforth referred to as "average voter welfare." When the population remains constant, higher average level of utilities is equivalent to higher sum of utilities, hence the name "aggregated voter welfare" for the equivalent measure of total utility. For a more recent discussion about the axioms embedded in such utilitarian perspective in evaluating overall welfare impact and related dissent, see Hilary Greaves, "A Reconsideration of the Harsanyi-Sen-Weymark Debate on Utilitarianism," *Utilitas* 29, no.2 (June 2017): 175-213.

9 Section 315 of the Communications Act of 1934 (47 U.S.C. 315, often referred as the "equal time rule") only regulates that media corporations must offer comparable price (or the most favored price, depending on the time interval between the broadcast and the election date) of political advertisement to all "legally qualified candidates" and cannot reject the purchase request of political advertisement from a legally qualified candidate. It does not regulate the business between the media and super PACs, nor a minimum guarantee of airtime for candidates with insufficient funding.

10 Ben Kamisar, "The Final Price Tag on 2024 Political Advertising: Almost $11 Billion," *NBC News,* November 8, 2024.

11 Sarah Bryner and Brendan Glavin, "Total 2024 Election Spending Projected to Exceed Previous Record," *OpenSecrets,* October 8, 2024.

12 The result is calculated by assessing the difference between the expenditures reported ibid. and in Ethan Mort, Patrick Custer, Joshua Getz, and Timothy Dias, "The Play for the White House," *AdImpact 2024 Presidential Report: Part III* (November 2024).

13 Shane Goldmacher, "How Kamala Harris Burned Through $1.5 Billion in 15 Weeks," *The New York Times,* November 17, 2024. For a more detailed quantitative comparison of swing state performance, see Eva Xiao, Clara Murray, Jonathan Vincent, John Burn-Murdoch and Joel Suss, "Poorer voters flocked to Trump - and other data points from the election," *Financial Times,* November 9, 2024.

14 Although coordination is not allowed between the payer of independent expenditures and the candidate, there exists loopholes that allow alternative communication methods. See the example of Jon Stewart "coordinating" with Stephen Colbert, documented by Peter Grier, "Will Jon Stewart go to jail for running Stephen Colbert's super PAC?" *The Christian Science Monitor,* January 18, 2012.

15 John E. Roemer, "The Strategic Role of Party Ideology When Voters are Uncertain About How the Economy Works," *The American Political Science Review* 88, no.2 (June 1994): 327-335.

16 Raphael Boleslavsky and Christopher Cotton, "Information and Extremism in Elections," *American Economic Journal: Microeconomics* 7, no.1 (February 2015): 165-207.

17 Archishman Chakraborty and Parikshit Ghosh, "Character Endorsements and Electoral Competition," *American Economic Journal: Microeconomics* 8, no.2 (May 2016): 277-310.

18 Alternatively, an endorsement from the media owner or a prominent editor is likely to have similar effects. See, for example, the endorsement from Michael Bloomberg, majority owner of *Bloomberg* L.P., in "Why I'm Voting for Kamala Harris," *Bloomberg*, October 31, 2024.

19 Stephane Wolton, "Are Biased Media Bad for Democracy?" *American Journal of Political Science* 63, no.3 (July 2019): 548-562.

20 Archishman Chakraborty, Parikshit Ghosh, and Jaideep Roy, "Expert-Captured Democracies," *American Economic Review* 110, no.6 (June 2020): 1713-1751.

21 One key difference between internal academic policies and public policies is that academia allows the censorship of certain information deemed unprofessional, while doing so in the public domain is much more difficult due to freedom of speech. For an example of preventing the exploitation of private information through a general endorsement (signal) by deliberately censoring inadmissible information, see Nemanja Antic and Archishman Chakraborty, "Selected Facts." Working Paper.

DEMOCRATIC FUTURE CO-EXISTING WITH GENERATIVE AI

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ABSTRACT

This opinion piece explores the multifaceted consequences of widespread generative AI adoption on political discourse and social cohesion. It argues that the inherent biases in AI systems, stemming from training data and algorithmic design, will manifest in biased responses to user queries. This dynamic may lead to two primary outcomes: (1) the creation of politically siloed, ideologically aligned AI systems tailored to specific user demographics, which risks deepening political polarization by reinforcing existing viewpoints; and (2) the rejection of AI technology by certain groups, exacerbating digital divides and perpetuating socio-economic inequalities.

At the same time, many novel AI applications have great potential to improve our democratic future. By surveying the current landscape where democracy co-exists with AI, this article aims to ignite more in-depth discussions on the human-AI relationship and to explore strategies to harness the positive potential of AI as a tool for improved civic engagement.

DEMOCRATIC FUTURE CO-EXISTING WITH GENERATIVE AI

The launch of OpenAI's ChatGPT in November 2022 marked not just a technological milestone, but the dawn of a new era in democratic discourse. Amassing one million users in just five days,[1] this generative AI tool promised to reshape public engagement and challenge traditional notions of information dissemination. As these AI tools became more accessible, concerns about their impact on democratic processes emerged. "AI hallucination"— where systems produce convincing but factually incorrect information[2]—raised alarms about the potential for widespread misinformation threatening the informed citizenry, which is crucial to democratic functioning.

The inherent bias in AI systems challenges democratic ideals of equality and fair representation. The "Gender Shades" project[3] revealed how facial recognition systems, trained primarily on data from white males, were significantly more likely to misclassify women of color. Similarly, text-to-image AIs were found to magnify gender and racial stereotypes by generating pictures depicting most light-skinned males in respected positions like judges and politicians while depicting dark-skinned males as criminals.[4] A recent study published in Nature has shown that multiple large language models often recommend less prestigious jobs, higher conviction rates, and harsher sentencing for speakers of African American English compared to those who speak Standard American English.[5] This bias exhibited by generative AI displays a larger effect size than those observed in previous human experiments on dialect prejudice. These cases underscore how AI can inadvertently perpetuate societal inequalities, potentially undermining democratic principles of equal treatment and representation. Law enforcement around the world is using AI facial recognition technology to track suspects, victims, and witnesses.[6] Judges have been relying on AI to make decisions like whether to post bail or not for a decade.[7] AI biases can lead to systemic inequities, undermining the democratic principle of equal justice under the law.

Furthermore, the tendency of Large Language Models to reflect WEIRD (Western, Educated, Industrialized, Rich, and Democratic) societal perspectives[8] raises concerns about equitable global representation in AI-mediated democratic discourse. This bias could potentially marginalize non-WEIRD perspectives, challenging the democratic ideal of inclusive dialogue.

Generative AI's ability to manufacture misinformation and conspiracy theories alarms journalists and politicians, who fear its impacts on elections and other democratic processes.[9] However, research suggests such concerns may be overblown.[10] Interestingly, people tend to dehumanize content that contradicts their beliefs as AI-generated, more than content that aligns with

them,[11] revealing a complex interaction between human biases and AI in the democratic information landscape. In response to perceived biases, some groups have developed their own ideologically aligned AI models that inflate their own political bias.[12] This trend toward politically siloed AI systems contradicts the vision of a universally unbiased AI and raises concerns about deepening polarization in democratic discourse.

A logical extension of these observations is the concern that individuals who find AI-generated content misaligned with their lived experiences may perceive the technology as irrelevant or unreliable. This disillusionment could lead to a wholesale rejection of AI tools by certain groups. The potential consequences of such rejection are far-reaching, possibly exacerbating existing digital divides and leading to further financial and social exclusion for these groups in an increasingly AI-active world. Additionally, their non-participation excludes them from shaping future AI, worsening the quality of AI-generated content for all.

As generative AI continues to evolve and integrate into society, its impact on democratic processes, human behavior, and social dynamics becomes increasingly critical. This complex landscape necessitates a deeper exploration of how AI can be used as a force for good and how democracies can adapt to and harness the potential of AI while mitigating its risks. The challenge lies in fostering a future where generative AI enhances rather than undermines democracy, ensuring inclusive, informed, and equitable participation in the new era of AI.

GLIMPSES OF A DEMOCRATIC FUTURE

As we grapple with the challenges posed by generative AI, several potential and tested applications have emerged, offering intriguing glimpses into how these technologies might shape and potentially enhance our democratic future. These applications demonstrate both the promise and complexity of integrating AI into democratic processes. While the long-term impacts of generative AI are still being uncovered, embracing this technology with an informed and hopeful outlook could lead to transformative advancements in our democratic future.

Constitutional AI

A collaboration between Anthropic and the Collective Intelligence Project has demonstrated a novel approach to engage the public in developing large language models.[13] In this experiment, over 1,000 Americans participated in drafting a constitution for an AI system, which was then used to train one.[14] The project revealed a high consensus among participants regarding what AI should and should not do. Meanwhile, there were clear disparities between two distinct clusters of participants on certain items such as AI's role in social justice and whether AI should prioritize the needs of marginalized groups.

This initiative points to a potential future where the democratic legitimacy of AI systems is bolstered through direct public involvement in their development. It suggests a model where AI doesn't just serve democracy but is shaped by democratic processes from its inception. As AI continues to play an increasingly significant role in public life, we may see growing expectations for this kind of participatory approach to AI development, blending technological advancement with democratic principles.

AI in Moral Reasoning

Pre-AI age studies demonstrated that people were reluctant to delegate moral decision-making to machines even when the outcomes were positive.[15] As generative AI becomes more ubiquitous, it remains to be tested whether the aversion to moral decision-making will be eliminated.

Recent research showed that advanced language models like GPT-4 surpassed both a representative sample of Americans and a renowned ethicist in providing moral explanations and advice.[16] This raises intriguing possibilities for AI's role in ethical deliberation and decision-making processes, which are crucial to democracy. Yet, while GPT-4 excels at articulating moral reasoning, it lacks a genuine moral compass or sense of reality, making it callable to learn that the earth is both flat and round at the same time.[17] Furthermore, additional research revealed that while GPT's moral advice could be inconsistent, users underestimate the influence AI-generated suggestions have on their moral judgments.[18] These findings underscore the subtle, yet powerful ways AI can shape human thinking, even in domains as fundamental to democracy as moral reasoning.

These contrasting insights set the stage for a nuanced discussion about the potential and limitations of relying on AI for moral guidance within democratic systems.

AI as a Tool for Combating Misinformation

In a promising development for the health of democratic discourse, researchers trained an AI chatbot as an intervention against conspiracy theory beliefs. The study found that three rounds of conversation with the LLM could lead to significant, lasting, and spillover effects that reduce belief in conspiracy theories.[19] This research highlights a potential future where AI can be harnessed as a powerful tool to combat misinformation and enhance the quality of public debate. The success of this intervention suggests that AI could play a cru-

cial role in fostering a more informed citizenry, a cornerstone of healthy democratic societies. By helping to curb beliefs in conspiracy theories, AI could contribute to a more robust and fact-based public discourse.

Reimagining Historical Dialogue

Generative AI opens up unprecedented possibilities for "communicating" with historical figures, a capability that could profoundly impact our understanding and interpretation of democratic principles and processes. This application of AI technology allows us to engage in hypothetical dialogues with key historical figures, potentially influencing contemporary debates on constitutional interpretation and civil rights. For instance, imagine having a simulated conversation with George Washington on current debates about constitutional interpretation. How might his AI-generated insights shift public opinion on the original intent of the Founding Fathers? Similarly, consider the potential influence of interacting with historical figures involved in early gun rights precedents, such as the case of Sir John Knight in 1686 England, who was acquitted of carrying a gun in public. Could such interactions reshape today's discourse on gun control?

While these AI-generated historical dialogues could enrich our understanding of democratic traditions, developing these chatbots comes with the challenge of ensuring the accurate and faithful interpretation of historical representations. With our own bias, can we create an honest George Washington AI that is acceptable to all?

Facilitating Cross-Group Political Discourse

Beyond historical simulations, generative AI has the potential to facilitate cross-group political discourse in our increasingly polarized society. Previous research indicates that both conservatives and liberals are reluctant to engage with opposing political views.[20] In this context, AI chatbots could serve as more palatable intermediaries for cross-ideological communication. By acting as a devil's advocate, AI can encourage perspective-taking and elevate the quality of public debate.

Moreover, AI can function as "training wheels" for civil discourse, helping individuals develop skills for constructive dialogue with those on the other side of the political aisle. This approach offers benefits such as reduced emotional charge in discussions and customized engagement with challenging ideas. However, it also presents challenges, including ensuring authenticity of engagement and avoiding overreliance on technology. As we explore this potential, it's crucial to view AI as a complement to, rather than a replacement for, human political engagement.

OUR DEMOCRATIC FUTURE

Novel applications of generative AI offer insights into how technology might enhance democratic processes and decision-making. From participatory AI development to advanced moral reasoning and combating misinformation, these examples demonstrate the potential for AI to strengthen rather than undermine democratic principles. However, they also highlight the complexities and potential pitfalls of integrating AI into democratic systems. The malleability of AI in moral reasoning and the subtle influence it can exert on human judgment underscore the need for careful consideration and robust safeguards as we move forward.

As we envision a future where democracy and generative AI coexist, the key lies not in resisting technological advancement, but in actively shaping it to align with and enhance democratic values. They point towards a future where AI is not just a tool used within democratic systems, but an integral part of how we practice and evolve our democratic processes.

The challenge ahead lies in harnessing these positive potentials while mitigating the risks, ensuring that as AI becomes more deeply integrated into our democratic processes, it serves to amplify rather than diminish the voice and agency of citizens. This delicate balance will require ongoing dialogue, research, and adaptive policymaking to navigate the complex interplay between artificial intelligence and democratic governance.

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Theda Skocpol and Daniel Ziblatt

OVERCOMING DEMOCRATIC BACKSLIDING:

Harvard's Theda Skocpol and Daniel Ziblatt on American and European Democracy

Theda Skocpol:

This conference is testimony to the fact that political science is an extremely inclusive discipline that can bridge between people who imagine how democracy should be designed and people like me who believe that politics is not like Scrabble. You can't just turn in all the letters on your tray and start over again. I spent the entire summer thinking about how in the world American democracy has come to a situation in which the Supreme Court of the United States could overturn the anti-monarchical core of our Constitution with a poorly reasoned, historically unhinged decision. And how that could happen just as one of the two major parties, no less the one that was born as the anti-slavery party, has gotten to the point where it has nominated for President and Vice-President a presidential candidate who tried to violently overthrow the result of the 2020 election.

So, how did we get here? Over the summer, I made a timeline of steps the Republican Party, its politicians, and its affiliated groups and people that it has placed in power in the courts have taken since 2000, over the last two and a half decades, to limit accountable government and to roll back electoral access. My timeline shows the steps that have been taken with two kinds of tactics: 1) Legal hardball, which is stretching existing laws and customs – not quite beyond any kind of breaking point but to the limits. A good example of this, and the reason I call this McConnell-ism, is because of the use of the Senate filibuster to block all kinds of initiatives that popularly-elected Presidents and legislatures wanted to achieve, not to mention public opinion. 2) The other kinds of steps are by people in office and/or aspiring to high office in the states and at the national level countenancing or encouraging systematic harassment, violence, or threats of violence against the legal process and against even the ordinary citizens that administer

our elections. The U.S. Republican Party in this period, and it's happened in other ways in other periods, have accelerated their anti-democratic efforts, anti-accountable government, and elections. Since the 2000s and 2010s, they have used both hardball and extra-legal radical tactics. But the latter tactics, the extra-legal, have emerged much more prominently and consistently since the attempt to overturn the results of the 2020 Presidential election.

The other thing that strikes me as the most interesting is that within the existing U.S. representative and electoral system -- which is highly skewed and creates many opportunities for minority influence and rule -- the Republican Party that turned to all of these tactics, hardball and extra-legal, was winning elections! They controlled the Presidency for much of this period. They controlled the Senate with the filibuster all of the time whether they had the majority or not, and they held the majority and the House of Representatives for long periods. So, the question is: Has the Republican Party radicalized against electoral representative democracy in a way that goes beyond simply defending the chance of their politicians and associated groups to hold off the supposedly inevitable demographic tide of Democrats? I don't believe it is. Or: Do we have a party whose radical embrace of some of these anti-representative and anti-democratic tactics has actually gone toward a winner-take-all approach in the hope to transform the basic American constitutional system to a point that resembles Orban's Hungary, where elections would be, at most, decorations? I cannot answer that question, but we can understand the radicalization of the Republican Party as a pincer-movement, from above and below. I'm just going to state this and you can read all the evidence which grows out of many of the research projects my colleagues and I have carried forward over the last eight years or so.

First, in the early 2000s, disgruntled multi-millionaires and billionaires decided that George Bush Republicanism was not good enough and banded together to fund a network of organizations on the right of the Republican Party where the centerpiece is the Koch network. Ultimately, 400 millionaires and billionaires raised and deployed more money than the Republican Party committees themselves and did so to promote an effort to get Republican politicians and elected candidates to endorse anti-government steps such as: breaking union rights, cutting back on government regulation on the economy, and above all, cutting taxes and transferring further wealth to a plutocratic class that had already reached late 19th-century levels of relative wealth before they started.

That hollowed out the Republican Party, and it failed to satisfy the majority – not just a randomly selected group of people, not just Democrats – it failed to satisfy the popular constituencies on the right. Popular constituencies on the right from the Tea Party on through the MAGA movement behind Donald Trump, fueled by Christian evangelical conservatives, some other Christian conservatives as well, what I call "gun people." People for whom places like that, gun clubs in western Pennsylvania, are where they go to hang out, socialize, and learn what it means to be a citizen, an active citizen. And police unions, particularly white police unions, along with the Tea Party that rebelled against Barack Obama's presidency, those various network constituencies with very intense feelings that the America that they believed in, and experience they thought in their youth, was under threat from, frankly, from the people in this room, and from Democrats and racial minorities and above all, immigrants. I think immigration is a big part of what feeds this ethno-nationalist populist radicalism. But it's a set of organizations and networks focused on Donald Trump. And when he served in the White House, he fused together the plutocratic radicalism with the ethno-nationalist radicalism by giving each side a bit of what they want and setting the conditions for the current Republican Party that has embraced both the McConnell-ist tactics preferred by the Koch network, and the social-media-orchestrated call-and-response threat politics practiced by America's particular version of ethno-nationalist radicalism.

This election is going to decide if that fusion gets full control in Washington, D.C. They already pretty much have the Supreme Court. They have a lot of parts of the federal judiciary that can speed cases to the Supreme Court. What they're trying to do now, all of the different parts, despite some disagreements among them, but fused behind Donald Trump, is to win the Presidency and both houses of Congress at the same time. Here's where we get to the alternative possible futures. I don't know whether this is going to happen or not. If it does happen, there are

plenty of studies out there that suggest the United States will become Orban's Hungary. Project 2025 and other planning documents mean that there's an entire array of advisors, and determined organizational forces ready to staff the federal government, particularly crucial parts of it, with like-minded people prepared to move quickly to carry things like deporting millions of immigrants and imposing order on unruly liberals.

Can they do that? Yes, I believe they can. Will it turn the United States into Orban's Hungary? Here's the more hopeful part of what I have to say. I don't think there's a chance in the world that the United States, which despite a great deal of nationalization of our politics in a polarized era, can be turned into a purely centralized autocratic system. Certainly not in four years. Now, maybe there'll be more. Large parts of the country have revitalized local and state politics. Through changes and improvements in the existing competitive electoral and civic system that are involving more citizens in organized ways, I believe organization is the key to checking authoritarian power and politics. I'm right there with James Madison on that one. We can't get rid of organizations if we want space for ordinary people in majorities to place limits on abusive power. And abusive power is not going to disappear from politics no matter how many wonderful schemes are dreamed up in academia. So that's where I'm coming from and I don't think it's going to be possible for a political movement representing Elon Musk and a bunch of people who get extra leverage in a system that gives a great deal of extra power to less densely populated, more conservative-minded areas of the country to impose their will on an obstreperous American people -- we're obstreperous people, that's our great strength -- and especially, to do it in a way that would impose their will on the states and the areas of the country that are generating the most innovation, the most economic power and quite simply, the most taxes. So I think there are ways forward for people who believe in energetic participatory inclusive American democracy, even under the most authoritarian enhancing scenario of a complete win by the MAGA movement.

Daniel Ziblatt:

Over the last 10 years, compared to the United States, European democracies have been incredibly resilient. Freedom House gives every country in the world a democracy score from zero to 100. The U.S. had a score of 94 a decade ago -- along with Great Britain, Germany, and most West European democracies – and today it has a score of 84, the same score as Romania and two points behind Argentina, while European democracies have remained resilient. No democracy in Western Europe experienced the same kind of democratic backsliding over the last eight years. Think of the financial cri-

sis that came especially to Southern Europe, Portugal, Greece, and Spain: it was a massive economic shock. It is an underappreciated achievement that those democracies endured in the face of the kind of crisis that in the past would have dislodged democracy. The European achievement fits with what our theories would predict. The older, richer democracies of Western Europe have endured. The poorer, newer democracies of Eastern Europe or the post-communist world have experienced more democratic backsliding. The real anomaly, the thing to be explained, is the U.S., which is the outlier. My point here is not just to say everything is fine in Europe because there are things to worry about. I want to point to four dilemmas, similar to those facing the U.S., which have taken on a distinctive flavor in Europe that will shape the degree to which European democracies can remain stable.

1) The first is, echoing Professor Laurence's comments in the beginning, what to do with the Radical Right? In Western Europe and the United States, around 30% of voters vote for the Radical Right. In multi-party systems versus two-party systems, their impact is very different. In two-party systems, this 30% has an out-sized weight before elections on a selection of candidates, in the presidential primary process. In Europe, the 30% gets its own political party, so it matters a lot after elections in the process of coalition formation. The dilemma is: Do you form coalitions with them, or do you not, and what will be the effects of this? In some places, this coalition formation is already happening: In Italy, in France —in the parliament, to a degree — and in Austria. Is this bad for democracy or not? There's a lot of uncertainty because of the cordon sanitaire, a firewall. You're not supposed to cooperate with these parties. Which makes a lot of sense if these parties are really, genuinely authoritarian. One of the striking differences between the MAGA movement and a lot of the Radical Right in Europe is that the MAGA movement is much more overtly authoritarian. Parties of the Radical Right in Europe have tended to be a bit more subtle. They haven't engaged in attacks on the parliament to the same degree; there was a little attack on the parliament building in Germany a few years ago but that was not as significant. They haven't engaged in the same kind of election denialism. I don't want to downplay the risks of the Radical Right but there's a lot more uncertainty and so that's a little bit of the dilemma. Does it make sense to enforce this cordon sanitaire or not? How that question gets resolved, and the effects of those decisions will determine, to a large extent, how stable European democracies are.

2) Dilemma two, very much related, is how do European democracies become multi-ethnic democracies? In some ways, the U.S. is better equipped to become a multi-ethnic democracy, because we have a long tradition of immigration. European societies have tended not to think of themselves as countries of immigrants, although they actually are. One of the challenges is to think about how national identities can be built in a context of multi-ethnicity. To what degree are ethnic minorities within Europe, in their interactions with the state -- the rule of law, police, judicial systems, voting -- are they in a better than their equivalent counterparts in the United States? We don't know the answer, but that's a second dilemma.

3) The third dilemma is more salient in Europe than here. Can European democracies cope with climate change while remaining democracies? I am a big believer in liberal incrementalism, but if we really believe the climate science, then we have an urgent problem with a very short timeline. Can democracies deal with these challenges in a democratic fashion? How does one do this? This has two kinds of important elements here. First, there's a moralism in politics that comes with climate change because those who are standing still and not moving quickly enough are acting in some sense unethically. That's often the nature of the political debate in Europe. And second, if rapid action is necessary, how do democracies deal with this? On this third point, I genuinely don't have an answer.

4) The fourth dilemma is the question of how to achieve the kind of economic growth that is necessary to sustain a democracy. This may seem obvious, but it's very clear that democracies are premised on a social contract of intergenerational improvement of the people. The people have the sense that their children's lives will be better than theirs, or at least as good. If that intergenerational bargain collapses, it's hard to sustain a democracy. And here, all is not well in Europe. It is a great paradox: the American economy over the last four years has been remarkable. The European economy has suffered from incredibly slow economic growth and higher unemployment. This is a puzzle and a challenge for European democracies. There is a genuine crisis. European governments don't have the tools that the American government has to create a strong economy. Whereas the Biden Administration, its aggressive infrastructure bill, the CHIPS Act and so on, European CEOs and European government officials look at this with incredible envy. Why can't they do this? Why can't they spend money in the same way the United States does? They don't have the institutional tools and it's also a political choice. This reveals a real vulnerability of European democracies going forward. The European Union is an entity with a centralized monetary policy and no centralized fiscal policy. The tools at the European level are certainly not there.

Related to this is that in order to sustain monetary policy, monetary union, a common currency, many national governments think they can't spend money. They have to

abide by very strict debt limits. So they can't even spend their money. This is a political choice, to a degree, or an ideology in part. To use the example of the German government, the German constitution prohibits debt levels and deficit levels that we routinely enjoy in the United States. The effect of this is a massive underinvestment in infrastructure. And if you look at where the Radical Right does well in Europe, it's exactly in those areas that are suffering from a lack of infrastructure investment. Voters of the AfD complain that the public schools are too crowded and that there's too many foreigners in the public schools -- people who don't speak German. There's a demagogic nativist response to this but the underlying motivation for much of the Radical Right is the underinvestment in infrastructure.

There is a kind of tragedy here. European elites sit around worrying about the Radical Right and at the same time they support public policy that is generating the Radical Right. Figuring a way out of that will be perhaps the most challenging dilemma. To tie this back to Professor Skocpol's lecture. The reason the U.S. is the anomaly in terms of its backsliding in democracy is that we have this very outdated institutional constitutional structure. The irony would be that Europe begins to suffer that same problem because of its own Europe-wide institutional structures with many of those same problems related to an oversized power of supermajority rules that prevent actually responding to dilemma. That is a consistency between the challenges facing both European democracies and American democracy.

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Delivered at the annual Fall Colloquium, October 10, 2024.

Gerald Easter, Theda Skocpol, and Daniel Ziblatt

Theda Skocpol

Daniel Ziblatt

THE ULTIMATE ORIGINALIST

A.J. Jacobs
Author and Podcaster

The Year of Living Constitutionally is a semi-sequel to a book I wrote many years ago.

That book was called The Year of Living Biblically. It came about because I grew up in a very secular home. I had very little religion. As I say in that book, I'm Jewish, but Jewish in the same way the Olive Garden is Italian.

But I wanted to learn about the Bible and religion, and the way I like to learn about topics is by diving in, by immersing myself.

There's method acting. I try to do method writing.

Hence my clothing. I go all in.

For a year, I followed the Bible as literally as possible.

That meant following the Ten Commandments. It meant trying to love my neighbor.

It meant trying to be fruitful and multiply, which I was. I had twin boys, so I take my projects very seriously.

But in addition to the famous rules, I also wanted to follow the hundreds of lesser-known rules, many in the Old Testament. For instance, the Bible says you cannot shave the corners of your beard. I didn't know where the corners were so I just let the whole thing grow. Quickly I developed some alarming topiary on my chin. I looked like Gandalf.

The Hebrew Scriptures say to stone adulterers, so I tried to do that–although I used very small stones. Pebbles, really. No one got hurt.

It was a bizarre year, but also incredibly enlightening. It was both ridiculous and sublime. Because while I looked absurd, I learned so much about the Bible. I learned about topics big and small. I learned about gratitude and forgiveness and the power of ritual.

And I delved into a key issue, which is: how literally should we take the Bible in the twenty-first century? How much should we look for the original meaning? And how much should the Bible's meaning evolve as time goes on?

When I wrote that book, I always thought I could do a sequel with the Constitution because the same issues arise with the Constitution. And a couple of years ago I decided, okay, now is the time to do it.

Because that year, the majority of Supreme Court justices espoused some sort of originalism, and that philosophy had a huge impact on their decisions.

Originalism, as you probably know, is the idea that when you interpret the Constitution, you should look at what the words meant when that document was ratified 240 years ago. (Or if you're interpreting an amendment, when the amendment was ratified.)

So I decided that, for my book, I was going to take the same approach I did with the Bible. I pledged to be the ultimate originalist and to follow the Constitution using the technology and mindset of when it was written in 1787.

And that meant I expressed my Second Amendment right by bearing muskets around New York City on the Upper West Side, which got some strange looks.

It meant I wrote much of the book with a quill pen, because that's what the First Amendment back then meant. It did not mean social media, so I gave up social media.

It meant I quartered a soldier in my New York City apartment, and I also asked him to leave, as is my Third Amendment right.

And again, as with the Bible, it was a fascinating year.

It was often bizarre. My wife didn't love a lot of it. She didn't love the ink stains and the smell of beef fat candles.

But it also had a serious point. It was a crash course for me in the Constitution. I talked to dozens of amazing, brilliant constitutional scholars and read shelves full of books, including Madison's Hand, by Professor Bilder.

And I explored a crucial issue: How should we interpret the Constitution in 2024? How much should we look at the original meaning, and how much should the meaning evolve? Because the answer to that question is incredibly important to how we live our lives.

As I mentioned, the Supreme Court is now an originalist majority. And many of their recent decisions on women's health, on guns, on religion are because they interpret it using an originalist lens. So I wanted to explore what that really looks like. What does it mean? Is originalism the best way to interpret the constitution? What are the other options?

I'll end with just a little peek at some moments images from my year of living constitutionally to give you a taste of what my life was like:

I applied to be a pirate, a legal pirate, which is my constitutional right. The preferred term is privateer. I met with Congressman Ro Khanna to discuss this part of the Constitution, and he was very enthusiastic until I explained to him that I wanted to go out on the high seas and fight our enemies and keep their loot.

I expressed my right to petition government for redress of grievances, bringing my petition to the Capitol and met with Senator Ron Wyden to present my petition.

I spoke to the press, freedom of speech; and I chopped wood. That's not really in the constitution, but I try to get into the mindset by doing eighteenth-century activities.

I rode my horse in Manhattan.

I joined a Revolutionary War reenactor group and fought in the battle of Monmouth.

And one of my favorite parts of the project was bringing back the 18th century tradition of Election Cakes. The idea is to celebrate democracy and remind ourselves... democracy is sweet. And we have to fight to keep democracy because it is fragile.

Delivered at the annual What the Constitution Means to Us celebration, September 10, 2024.

A.J. Jacobs

III. DEMOCRACY, GOVERNANCE, AND EDUCATION

Working group members (l to r): Jonathan Laurence (Clough Center, Boston College), Martin Summers (History, Boston College), Linda Hogan (Ecumenics, Trinity College Dublin), Nelson Ribeiro (Communication Studies & Dean of Humanities, Catholic University of Portugal), Cathy Kaveny (Theology and Law, Boston College), Chris Higgins (Formative Education, Boston College), Elias Opongo, S.J. (Peace Studies and International Relations, Hekima University), Francisco de Roux, S.J. (Jesuits of Colombia), Angela Ards (Journalism and English, Boston College - not pictured)

INTRODUCTION

Jonathan Laurence
Director, Clough Center for the Study of Constitutional Democracy

The Global Ethics and Social Trust colloquium at Boston College's McMullen Museum in June 2025 will mark two years of high-level working group meetings on Democracy, Governance and Education (DGE). Chaired by Clough Center director Jonathan Laurence, DGE is one of two working groups of nine faculty from Boston College and seven partner universities around the world (in Bangalore, Tokyo, Santiago, Bogota, Nairobi, Lisbon, and Dublin) at the heart of the Global Ethics and Social Trust (GEST) program led by Vice Provost for Global Engagement James F. Keenan, S.J. Another working group on Climate Change and Migration is chaired by Boston College law professor Katharine Young. The GEST program has an ambitious goal: to model a form of interdisciplinary engagement and collaboration among faculty that is globally informed, ethically oriented, and committed to rebuilding social trust in our diverse communities. It is directed by Erik Owens, Director of International Studies at Boston College with the assistance of Jessie Babcock.

Working group participants engaged with one another across disciplinary and institutional boundaries from 2023-2025, meeting twelve times in hybrid format, with a three-day in-person summer colloquium at Boston College in June 2024 and in June 2025. The meetings unfolded with a cacophonous background: war in Ukraine and the Middle East, a wave of campus protest worldwide, and destabilizing election outcomes in Europe and the US. Conversations flowed freely and ranged widely, reflecting an authentic exchange across academic disciplines and vocations. Not all participants have Jesuit affiliation, but the members share a common approach of openness across cultural, national and linguistic boundaries. As the working group considered its tasks and proposals, discussions worked towards an understanding of the university's role in encouraging civic identity and democratic political participation.

Several of the distinctive voices that emerged from these thoughtful dialogues are contained in this special section. The reader will find essays by Linda Hogan (theology, Trinity College Dublin), Elias Opongo, S.J. (International Relations, Hekima University), Nelson Ribeiro (Catholic University of Portugal) and Erik Owens (Boston College), alongside two riveting conversations on how to approach the themes of Democracy, Governance(DGE): one with Cathy Kaveny (theology and law, Boston College) and Nelson Ribeiro (Communication Studies and Dean of Humanities, Catholic University of Portugal), and another between Martin Summers (History, Boston College) and Linda Hogan.

DIALOGUE ON DEMOCRACY, GOVERNANCE, AND EDUCATION

Linda Hogan & Martin Summers
Ecumenics & History

Are you hopeful for the prospects of constitutional democracy? Thinking about your home country from a comparative perspective, what are you most grateful for, in terms of institutions or political culture? On the other hand, what is in most urgent need of repair?

Hogan: When I think about the first question, "Am I hopeful for the prospects of constitutional democracy," I would say that I am very concerned about the durability of constitutional democracy in the parts of the world where it's still alive and seemingly durable. When we think about those forces, the transnational forces or trends–ecological, technological–and the challenges of global inequality and the seemingly difficulty or impossibility of our existing forms of governance to actually deal with these. Our states seem impotent in the face of these transnational forces. So I worry about that. I also worry about the fraying of the shared public realm of intelligibility in which we can debate these issues. For those reasons, I am very concerned about whether constitutional democracy can actually deal with these forces in ways that are equitable and adhere to the values of constitutional democracy.

In Ireland, we've had a recent election. We actually still don't have a government—we've just had an election ten days ago and various possible government parties are negotiating a program for government. In Ireland, we are a people of 5 million, so we are small and insignificant on the global scale. It seems as though, for the most part, a progressive center, social-justice-oriented set of values has prevailed. The worries about the dominance of anti-migration or far-right candidates haven't at all come about. In fact, the scale of the anti-immigrant and far-right vote is much smaller than any of the political commentators even worried about. For the moment, in Ireland, I think there is reason to be relatively hopeful, although all of those feelings of exclusion, marginalization, and impotence are there, under the surface. So our experience is relatively benign, currently, but always with a worry about what's happening around us and, obviously, in Europe, where our fate is very tied to the European Union, what

we're seeing there is also quite worrying in many different countries. So it's sort of a mixed assessment, for me.

Summers: I share that mixed assessment. I too am a bit concerned, especially, as Linda mentioned, about these transnational forces: the growth of authoritarian populism is certainly one which has come to the shores of the U.S. The prospects that the next presidential administration might—if not actually pull the United States out of some of its strategic alliances, which have really propped up the postwar liberal order—certainly will not aggressively build them up or continue to support them as previous presidents have; I think that that is a looming threat to constitutional democracy, certainly in Europe, and the West more broadly.

In thinking about the United States, I'm also somewhat hopeful for the prospects of constitutional democracy, especially when I think that: We're getting ready to celebrate our 250th anniversary as a constitutional democracy, but we've really only been a constitutional democracy for 60 years. For me, when I put it within that context, I also think that this "democratic backsliding," which we see happening, is not irreversible. There are important institutions and aspects of political culture in the United States that will help us preserve our constitutional democracy, even though it is going to take a lot to preserve it: the separation of powers, which is built into the Constitution; the existence of a free press; the right to assemble and to petition the government for a redress of grievances. All of those constitutional protections are certainly in jeopardy, but we have a history, as a country, of fighting to preserve those or fighting to obtain those for those groups that have been historically prevented from exercising those rights. I do think that it is going to be a challenge, but we have a history of, as I said, fighting for those rights, and that gives me some hope that we will continue to be able to do that.

Hogan: I'll add a question, Martin. One of the things that really concerns me when we talk about constitutional democracy is this sense of alienation, a lot of which is built

around economic disenfranchisement. The scale of the inequalities that we see around us.... One of the things, which I really worry about, is how can we build a system, or how can we be part of a culture that builds the system that begins to challenge those really profound inequalities? When we speak of politics we often focus on our political institutions or culture, but for a lot of people it's economics that really matters, or at least that shapes their capacity to participate, to feel that they have a stake in the democracy.

Summers: I certainly think that explains the movement towards Trump in this past election cycle, but I don't think that frustration or this increasing alienation that's really rooted in this extreme economic inequality is necessarily going to .... There's nothing inevitable about it moving to either the right or the left. As we saw, Barack Obama was able to get into the White House in two successive election cycles. He was winning some of these states which we can't conceive of voting Democratic now: Florida, Ohio, North Carolina. And it was precisely because of the extreme disillusionment that many working-class people had with the Republican Party: the disenchantment with the status quo, which was represented by the Republican Party and George Bush, and the "forever wars." There's always the possibility that the pendulum will swing back, especially if, as I imagine, many of the policies that the Trump Administration puts in place won't actually benefit....

Hogan: And may make things worse.

Summers: But, to go back to the other question: "What's in need of repair?" How we determine who represents us determines what is in need of repair, both in terms of the Electoral College and gerrymandering, which really characterizes our political system. Both of those are huge problems. Who becomes president is not actually determined by the popular vote, right? It comes down to a small number of people in a small number of swing states. The other thing with gerrymandering is the fact that so few congressional districts are actually swing districts. That really rewards extremism in a sense because the biggest threat to incumbents tends to be people who are further to the right or further to the left of them: The threat of the primary sets up obstacles to any kind of political compromise. I think that contributes to the increased political polarization. We need to address gerrymandering and the Electoral College in order to really shore up our constitutional democracy.

Hogan: One final word in terms of the Irish context and what is in need of repair (because I don't want to suggest an overly rosy picture): Our form of proportional representation doesn't reward extremes; in the end, it consolidates power in the center. In terms of structure, some of the risks and challenges related to the risk of there being this centrist consensus, and the risk is that those real, legitimate grievances that can't really get a voice, just fester and fester and then become real problems. So there is a risk there.

Which tools or traits will the current generation of students need to effectively participate in the democratic societies and politics of tomorrow? What can we do collectively, as professors, researchers, educators, administrators to bring that about?

Summers: There are two ways, in my mind, that the current generation of college students engaged in this recent election and the political campaign more broadly, that are concerning and which, I think, are related. One is their consumption of news. This actually goes back to something I talked about in the previous exchange: an institution that I am grateful for is the free press, but at the same time, the legacy media is becoming more and more irrelevant for younger people and they are getting more and more of their news through podcasts. One thing that struck me in the wake of the election: I had a conversation with some students and they talked about a lot of the podcasts by people like Joe Rogan or Charlie Kirk, some of these conservative influencers, are really targeting young men and really speaking to the alienation of young men. These are also some of the primary ways in which these young men are consuming news more generally, but they are also vehicles for political propaganda. So, for us going forward, we need to do a much better job at teaching media literacy as well as social media literacy.

Connected to that is my big concern for our current generation of college students: that, as long as they have been politically conscious, they only know of Donald Trump and the kind of caustic politics of the past 10 to 12 years. They are not aware of another kind of political environment in which you might have a caustic campaign but then after the campaign, there's a kind of return to civility, and there's more of a move to the center and a willingness to compromise with the other political party, right? There's a recognition of the other political party as the opponent but not as the enemy. I think that there is a way that our politics have become so divisive and polarized and that is the only kind of politics that Millennials or Gen Z–the generation we are in currently–know. That concerns me. I think that we need to do a lot of work in not just, as I said, developing greater social media literacy, but also really getting students to recognize the value of civility and compromise as norms: as social norms, as political norms.

Hogan: I absolutely agree, Martin, I think our students need those skills and we need to think about how we can teach those and model those. In addition—a byproduct of the polarization you've spoken about—I think our students need to recognize that one can hold one's beliefs with conviction and still be open to a plurality of views. The way in which we have all now been formed in these media bubbles and filter bubbles means that we don't encounter those radical differences as much;

we can avoid those differences. We've all become less and less tolerant of listening to the other point of view. Speaking in fora where one's voice isn't welcome and listening to voices one doesn't want to hear—that is a function of our politics globally in the last decade. So what our students and those of us who want to participate in democratic societies also need to work at is a respect for plurality of viewpoints on issues that we care very deeply about; being accountable to each other for our speech and our language; and properly paying attention to political complexity, moral complexity, trying to resist simplification, resisting essentializing other people, other viewpoints. All of that, I think, is part of what we teach in our academic subjects, whether it's philosophy or ethics or history or whatever, we're attentive to that.

The question is: How do we encourage students or teach students how to bring these skills into our common life? I find it challenging, myself, because of the way in which the media has become so polarized and toxic.... You know, when my husband turns on "Great Britain News," the equivalent of Fox News, to see what's happening, I say, "I don't even want to know what's happening. I don't want to hear them." But of course, that's not a mature way to act. What I'm saying is: learning how to do that, teaching our students how to do it and modeling it ourselves, and reminding ourselves of the importance of this—that's something that's part of building civility: being accountable to each other and respecting each other's sincerely-held beliefs, but also profoundly disagreeing and being clear about why. That's essential for our political culture, but it's very difficult to do. If I am honest, I'm finding it increasingly difficult to do. I never thought that I would find that difficult to do, but I do, such is the toxicity of the speech that I hear. It's a challenge.

Extending that discussion to university campuses: Do some boundaries serve the broader democratic and societal interest, and do others get in the way? There's a lot of talk about interdisciplinary collaboration – what has the experience of participating in this working group on Democracy, Governance, and Education changed or reinforced for you?

Summers: I'd like to respond to that second question through a little self-criticism. I'm a historian. I like to think that my historical scholarship actually has some relevance for the present and the future. But whenever I'm sharing my research and someone in the audience asks me to speak to a current event or something that might be related to the history that I'm talking about but is occurring in the present, I always fall back on this stock answer, "Well, I'm a historian. I look back at the past and not at the future." That's a cop-out. One of the things that historians like to do is to talk about the importance of providing a usable past, which means connecting up the historical research that we do with current and/or future problems. For me, it's important

to do more than just "diagnose" the problems or identify the roots of the problems, but also think really seriously about remedies. I think that, in order to do that, historians need to work with scholars from other disciplines, whether they be sociologists or political scientists.

One of the things that I've found most interesting about this experience in Global Ethics and Social Trust is really talking about ethics with theologians, with philosophers. I can't yet quite say how it's informing my own look at the past, but I know that it's bringing up some very interesting questions and making me think about how historical research can work with other epistemologies' ways of knowing, to confront some of our most urgent problems.

Hogan: Thank you. You know, although ethicists are often oriented to the issues of today, we too can spend a lot of time describing and re-describing the problem, and not necessarily thinking about solutions or addressing them. I think there is a hazard in many fields that our disciplines turn us inwards to the norms of our discipline and getting it [to a] more and more perfect articulation of the problem instead of thinking about the ways to address it. For me, this interdisciplinary exercise has been hugely productive in terms of getting me to really understand what different disciplines can bring to the conversation. I've always worked in an interdisciplinary way, mainly by reading other fields, but this interdisciplinary group over a period of time, and getting to know people, has really made me understand a little better what an educationalist can bring in terms of the kinds of questions; what a historian prompts us to ask about; also in terms of media and understanding communications more so. I think that that has really opened my eyes to the nuances that ethics needs to engage with.

The final thing I would say is: I think the global dimension has also been hugely illuminating because it's allowed me to see that there are similar challenges and trends in different parts of the world, but they're expressed very differently sometimes, and the immediacy is at a different level. Trying to work through some of these questions about the intersection of democracy, governance, and education in this global as well as interdisciplinary conversation has not only taught me a lot but taught me about how to engage our differences more and to listen more attentively as well. It has. I found it very illuminating, for sure.

Summers: And I will say this: especially from an American perspective, where we often think that the United States is the center of the universe....

Hogan: Well, it is! For everybody it is, unfortunately.

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January 2025

DIALOGUE ON DEMOCRACY, GOVERNANCE AND EDUCATION

Cathy Kaveny & Nelson Ribeiro

Law & Communication Studies

Are you hopeful for the prospects of constitutional democracy? Thinking about the United States and Europe in comparative perspective, what are you most grateful for in terms of institutions or political culture? On the other hand, what is in most urgent need of repair?

Kaveny: Those are tough questions. I would say that I am about as hopeful as Benjamin Franklin was back when they started all of this in the Constitutional Convention. A wealthy woman in Philadelphia said, "Dr Franklin, what do we have here?" And he said, "A republic, if you can keep it." That was over 200 years ago now. I think that that is the same situation we are in: a democratic republic is always a precarious enterprise. It's something that can never be taken for granted. The skills involved in it have to be passed down in a perennial way from generation to generation, but we also need to develop new skills to deal with new situations.

Today's big challenges have to do with the instantaneousness of mass media and the possibility of faction, which is what the Founders were very worried about. Not by a newspaper or by a meeting, but by the grouping of people on TikTok or on X. That's what I'm worried about: how do we address the new problems of division given that they are rooted in human experience but take different forms depending upon different technologies. That's where Nelson is going to help us solve the problem.

Ribeiro: Well, unfortunately, Cathy, I don't think that I can actually help much in solving the problem. However, I agree with your diagnosis that, of course, a democratic republic is always a precarious process. I valued your statement about the dangers which we face today: that they look different than in the past, but the precariousness has always been there.

When thinking about this question, I thought: here in Portugal we are quite a young democracy, only 50 years to be exact. This is very, very short. If we put this in perspec-

tive, we are actually in a much better shape than we were even 50 years ago when the dictatorship ended. We had very precarious political institutions. There was a lot of uncertainty whether a democratic system would actually hold or if it would soon collapse and go into a new type of dictatorship. We came from a right-wing, fascist-like dictatorship and there were a lot of steps being taken so that Portugal would become a communist dictatorship. Fortunately, that did not happen. Despite all the challenges that we are facing today, in comparison, I would say that we do have stronger institutions than just five decades ago. But, of course, now we are facing new challenges.

One new challenge is the fact that we now have easily accessible and widely available tools like social media which promote polarization. I don't think that social media is the issue that we have today, but it is certainly one of the issues that is playing against constitutional democracy. It is a tool that has been mastered by all those who want to undermine our ability to understand and debate with one another by using these tools as a way to polarize society. That's probably one of the biggest challenges that we face today because, as we see, we have a more fragmented society.

Another thing we see on social media, at least here in Portugal, where populism is a strong phenomenon is that it is somehow brought into political discussions. Ten years ago you could disagree with your political opponents, but there was language that you would not use. There was some level of trying to keep the discussion rational, while today, just as people do on social media, they transform everything into an irrational and emotional argument. That is now part of the political language used in Parliament, in speeches by political leaders. Once more, I'm not saying that this is only because of social media, but it does look like that this new way of saying whatever you want on social media is now also being used in politics. It reminds me of Ruth Wodak's concept of "shameless politics," in which everything that you used to be ashamed of saying you can now actually say.

Kaveny: I think you're right about that. In the United States, there's a couple of issues that have fed into this. One: over the past 50 years, we've become much more nationalized - nationalized defense programs, nationalized businesses, national healthcare, trains, planes, automobiles. So we've been knitting ourselves together into more of a homogeneous country on one level, but we haven't actually been homogeneous. I think we're seeing the divisions that, in some sense, have always been there. Part of what the U.S. is trying to figure out is what kind of divergence, what kind of disagreement, can we have and still remain one country? Part of what we are fighting about is what those are.

Unfortunately, in the American religious tradition is the emergent belief that we don't see people who disagree with us on controversial issues like abortion, same-sex marriage, and trans rights as wrong and someone that we need to convince, but instead as a person who is utterly evil and beyond the pale of the community. Is there a way, then, of thinking of our opponents, about any of these issues, as reasonable but wrong? Is there a space between agreement with somebody and toleration of them? We worked this out with respect to religious belief in prior centuries. Now we need to work it out with respect to moral differences.

Ribeiro: When I was growing up, what was really difficult for people to sit together and talk about was religion. Obviously there are still some difficulties when it comes to interreligious dialogue, but there is a lot that has been achieved in the last decades in terms of how you have that type of conversation. The Catholic Church has done a lot of work on that front. But now, as you said, Cathy, it looks like political opponents just became enemies. And with enemies you do not "argue," you "fight."

Kaveny: And not even just enemies, since an enemy can be honorable. You see this in some war stories. The person may be my enemy but there is still a humanity in them. The culture wars instead get to the point where people are erased for taking the wrong side on key issues. This happens on both sides. What I feel is missing the most are the people I call the "muddled middle." If you raise your hand as a "muddled middle" person, you're going to be shot at by both sides. Neither side is going to have your back. You can't say, "Well, they have a point there and they have a point here, and I'm confused." The religious people will say that you are like the salt that has lost its taste and are worth nothing, while the secular people might not cite Scripture but they will agree with the sentiment. So where then is the space to say, "You know, this is a hard question. I don't quite know what to do about it." That's what worries me.

Which tools or traits will the current generation of students need to effectively participate in democratic societies and politics of tomorrow? What can we do collectively, as a university community, to bring that about?

Ribeiro: I would mention two tools that I think are really needed. The working group has actually made me more aware that we need to make our students more knowledgeable about the values that underlie constitutional democracies. Constitutional democracy is not only about what is decided by the majority, but there are also rights that minorities must keep. Majorities and minorities need to live together under the same roof. They need to understand each other. I fear that this is a basic principle about what is a democratic republic that is very much forgotten by some of our younger generations. I think students today see democracy more and more as a kind of game in which you need to conquer the support of more people to form a majority, and then you get to decide whatever you want which leaves out a large portion of what is a constitutional democracy.

Second, we need to make sure that our students understand how the algorithms behind social media are promoting polarization and how this is curtailing our ability to discuss with others that think differently. I think that "filter bubble" has become a buzz concept that everyone has heard about, but I'm not sure that most people really understand how this affects them and how their own cognitive biases sometimes don't allow them—or don't allow us—to understand how we are also being trapped by these algorithms.

Kaveny: I totally agree with Nelson and I think, again, you can see this as a new iteration of an old problem. When advertising began on television in the '60s and '70s, we weren't doing a very good job of teaching children how to respond to this, how to protect themselves from this, how to recognize that this was an attempt to manipulate so that somebody could make money. So we haven't been doing a good job against this for a long time. Now the stakes are much higher so we have to.

In the US, we tend to look at social problems almost in an ahistorical context. What I find works well in getting people to hold their own views but also understand others is to take a broader time frame and look at the evolution of the debates we've had in this country on controversial issues and see how our concepts have changed but also our ability to handle disagreement has changed. When I teach Law and Religion, I look at the evolution of the concept of marriage in the United States and the fights we had over Mormon polygamy, for example, or the fights that we had over women having the right to own their own property so that their legal identity wasn't extinguished and invested in their husbands. When you have a broader sense of the values that are at stake and how they evolved or haven't evolved, then the students can say: I see what happened. Marriage went from an institution

of children and property where nobody was entitled to, say, personal satisfaction and emotional connection, you just married the person that was nearby and you had kids and property with that person—to, in the mid-20th century, it became an emotional and a romantic connection, where then we broadened out our sense of who was eligible for that kind of connection. It makes the conservatives make sense because they are holding on to an older view of marriage that's still important, and it makes the liberals make sense because they can see how marriage has changed. So it doesn't give them a sense that they are necessarily wrong about their own views, but they can see the point of the other side. That broader understanding helps reduce the culture war mentality that says, "I can't live with somebody like that; I can't be on the same block as somebody that holds that view." That's part of what I think education is about: giving broader context.

Ribeiro: I totally agree. Having this long timeframe is something crucial because it not only makes us aware, as Cathy just said, about other debates and discussions that existed in the past, it helps us rethink where we are now and probably contemporary debates. But when it comes to technology, we as a society struggle in helping people to make sense of it, to actually understand how it operates, whether it is television, radio, or social media. Many of the things happening today on social media, like the dissemination of fear, the promotion of hate, we have seen that in other periods of time in movies, on radio, on television. So it does help to take a step back and understand that we may have new technologies now which are reaching people differently, but the emotions that they are promoting are not so different.

This historical view also helps us to take into consideration something younger generations may be naive about when it comes to new technologies like social media and AI. They tend to look at these technologies as if they were created to help them as individuals. Hopefully they will also help them but, at the end of the day, these are all businesses. Algorithms are programmed with a goal which is not necessarily preserving democracy; they have other interests. I'm not saying that their interest is to erode democracy, but making money.

Kaveny: There has been a whole generation of young people who have been raised in a way that is different from how I was raised in the '70s. My parents had us, we were around, they kept us alive, we were part of the family. But I wasn't their "project." There were somewhat separate lives. But now there is so much pressure on young people and they have become so much intentionally parented. Everything is about them: "Well, you're having trouble? We will get you this tutor, that tutor. You are not doing well in soccer; I will get you a soccer tutor." If my parents rightly realized that I had no talent in soccer, they would have said, "Well, don't play soccer."

That would have been the end of the story. "You learned you aren't very coordinated. Good thing to know. Don't try to be coordinated in a situation where it matters." But these younger people come along and—I'm seeing the transition in Law School—where they are so used to everyone being for them: their parents are for them, their teachers are for them, everyone they meet is for them; it's about making them better. But when they go to a law firm, I have to say, "You are getting money out of this and possibly prestige, but this isn't about you. They are hiring you so that you can make things better for them. That's what this is. And this is a big transition you have to make." And the same thing with AI. It isn't about making them better. It's about using them, in a way, to make the AI or the algorithm make money for somebody else. Having a little bit of healthy cynicism about where you stand in this system is a good thing.

I think this is part of growing up: realizing that you are not the center of the universe and that some people are in favor of you, some people are neutral, and some people see you as a source of money or something else, and sometimes that can be good and beneficial and sometimes that can be harmful. But you have to be able to assess human relationships.

Ribeiro: Let me build on what you said about the style of parenting today. I think that this is also creating new generations that actually don't know—because no one ever let them learn—how to deal with frustration. I think that this is a problem for them as individuals because at some point in their lives they are going to have to deal with frustration, whether it is soccer or math or literature or whatever. I wonder if this also has to do with this lack of ability, as a society, to deal with frustration with problems that we have in society. That, instead of thinking that we all need to get together to see what we can do, it's easier to find a scapegoat of another group of people that we can say that they are responsible for this.

Extending that discussion to university campuses: Do some boundaries serve the broader democratic and societal interest, and do others get in the way? There's a lot of talk about interdisciplinary collaboration – what has the experience of participating in this working group on Democracy, Governance and Education changed or reinforced for you?

Ribeiro: Of course, universities have a lot of boundaries, especially when we think about how different disciplines interact with each other. We've been having this discussion inside the working group about the importance of interdisciplinary collaboration. What seems to be difficult is not to agree on how important it is but how do we actually make it work. From my personal experience here at Católica, we are trying a couple of things and are learning with some good experiences and learning with some mistakes. The working group itself, at a more

personal level, has alerted me that, sometimes, the fact that you are working within a field and only discussing with your peers, you don't actually see connections with broader questions that are central to society. We need to bring in people from other fields and actually look at this more in a broader picture of how this relates to what is happening with democracy, what is happening with our political institutions, but also what is happening to society as they become more polarized and fragmented.

The experience of this working group makes me think that even when you are inside a university, when you think you're having a lot of interdisciplinary discussions with people from different places in the world and that are working in different fields, you really feel that, yes, we need to do more in order to make interdisciplinary something valuable for your own work as a researcher.

Kaveny: I've learned from this group how hard it is to be interdisciplinary and how easy it is to talk about interdisciplinarity. But for universities to really mean what they say, put their money where their mouth is, they have to really allow people to take the time and space to get the training that they need in another discipline. Interdisciplinarity requires you to put aside your own ego as a professor and study something else, and that takes time and space.

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Vice Provost Jim Keenan, S.J., Principal Investigator of the program on Global Ethics and Social Trust

REFLECTIONS ON DIGNITY AND NON-VIOLENCE

Linda Hogan
Ecumenics

Our *Democracy, Governance and Education* seminar had only met once when the brutal attack by Hamas occurred on October 7th during which over one-thousand two-hundred Israeli and other civilians, including children, women and the elderly were murdered and taken hostage. Our deliberations continued in the shadow of the subsequent war in which we witnessed the daily horrors of the death and displacement, also of children, women and the elderly, in Gaza, the West Bank and Lebanon. Although it has not been at the center of our academic discussion, it has never been far from the surface, and each meeting has invariably begun with an informal sharing of our despair and sometimes anger about the evolving situation. We have also shared our assessment of how the war and its ultimate resolution is perceived in our varied geographical locations — in Colombia, Ireland, Kenya, Portugal, and the USA. We have discussed the character of faculty activism and student protests in all our countries, how well our respective universities are responding to the challenges that they raise, and the role of universities in this time of moral and political crisis. More recently we have shared examples of how different US universities are engaging the diversity of views on their campuses and have discussed how initiatives that address contested issues such as the *Courageous Conversations* program focused on racial justice at Boston College, can provide learnings for how universities can deal with this current crisis.

While this current phase of the conflict in the Middle East has raised many issues for universities in terms of our education and research, our relationships and funding, and our public service mission, it represents one particular instance of the perennial questions with which our universities grapple. In our GEST seminar there is an abundance of expertise that can aid our respective universities reflect on how they can be spaces for nuanced understanding of the conflict and the pathways towards its resolution, and how they can navigate the divisions within their own communities. Moreover, members of our seminar hail from countries that are actively dealing with the legacy of political conflict, including Colombia, Ireland, Kenya, Portugal and the USA. These diverse international experiences of conflict and the tortuous paths towards peace and reconciliation can serve both as cautionary tales and as hopeful examples of the possibilities of peace. Although informal and occasional, our global, multi- and interdisciplinary conversations on democracy, governance and education have thus been an important source of learning and have influenced my reflections on how universities can and should navigate these current challenges. I have engaged in these conversations as an ethicist working in the Christian tradition and as my university's Professor of Ecumenics. They have given me much to think about as I consider what my discipline can contribute to my university's reflection on its educational mission and practice at this time.

My own discipline of the study of religion has much to contribute. Colleagues who are experts on religions in antiquity can help to tease out what the millennia-long presence of the Jewish and Palestinian peoples in the region means for how this conflict is currently framed, and to understand what the multiple phases of expulsion, return and exile of both peoples means for any path to its resolution. It gives us a window on a past that profoundly shapes the present. Colleagues working on the textual, doctrinal, ethical and lived-religion aspects of the Jewish, Christian and Islamic traditions bring important perspectives that highlight the inherent contextuality and pluralism of religious traditions. They can help us understand the political and religious contexts in which sacred texts are composed and the hermeneutical practices that shape religious traditions of interpretation. They can explain both the lure and the dangers of essentializing religious traditions and peoples and can help us to understand how religions interact with politics and are themselves inescapably political phenomena. In addition, an integral element of the discipline, as it is taught in my university and in many departments around the world, is a commitment to advancing interreligious un-

derstanding, dialogue, and reconciliation through the study of religions and their practices. While it is acknowledged that each conflict is unique and has its own complex dynamics, nonetheless, the century-long tradition of ecumenical and interreligious engagement amongst and between religious traditions, and the commitment of many religious and secular peacemakers in the Middle East over many decades has much to offer today.

Of course, universities are themselves part of the ideological contests that are sweeping the globe and can never be conceived as places apart from politics. Notwithstanding this reality however, because of our educational and research mission, universities have a distinctive role to play in service of common good. So, in addition to the disciplinary and interdisciplinary expertise that we can bring to the understanding of specific issues, universities also have a particularly important role in teasing out the elements of the common good and in promoting practices that allow these to be better understood. Universities can show leadership by challenging our short-term politics by witnessing to the value of long-term thinking, particularly by asking what it would mean to be a good ancestor[1] in this context. Moreover, they have a vital role to play in refuting the simplifications and essentializations that abound.

Universities should especially be spaces for dialogue in a world where these spaces are increasingly difficult to create, defend and sustain. However, as we have discovered in all our institutions, conversations among colleagues, with students and even in our GEST seminar are difficult, and it is important to acknowledge these difficulties. Some friends and colleagues are personally and directly caught up in this brutal war. Others have been deeply invested in advancing the cause of peace, justice and security in the region for many years and are committed to specific avenues of protest, advocacy and dialogue. Moreover, these difficulties are amplified because the legitimacy of our valued academic relationships in the region which are central to our research and education are called into question. This is the context in which we must face the question of how we can think, listen and speak together in ways that respect the moral commitments and good faith of the other, recognising that there may be fundamental differences between us and acknowledging that what one person believes that their moral commitments require may be seen as moral bankruptcy by the other. In this context three fundamental moral commitments orient my thinking about the values that ought to guide our universities as they navigate these challenges. These are:

> (i) a commitment to the equal dignity of each person,
> (ii) a commitment to respect the plurality of views, to dialogue and encounter, and above all
> (iii) a commitment to non-violence.

EQUAL DIGNITY

The commitment to the equal dignity of each person is so obvious it seems banal. However, amid the political crisis it can easily be forgotten. The horror of sixteen months of captivity for those taken hostage on October 7th is only occasionally remembered in the media, while the relentlessness of the daily death count in Gaza means that we can lose sight of the individual lives destroyed. However, if we are committed to the idea of the equal dignity of each person then it means that each person counts for one, and no one counts for more than one.[2] It means that that the human rights of each person, understood as their basic needs, core freedoms and essential relationships,[3] are as important as those of every other. At the institutional level the commitment to equal dignity means that the university should be a clear and unequivocal voice for peace and for respect for international humanitarian and human rights law. In its institutional practices this commitment to equal respect must lead us to insist on the use of language, images and symbols that do not harm or dehumanize the other. Antisemitism, which has wrought such profound moral catastrophe in Europe for centuries, is on the rise again and our universities must be unequivocal in their zero-tolerance of antisemitism. Anti-Muslim sentiment and attacks are also on the rise. In Europe, Islamophobia is often entangled with anti-immigrant politics, so our universities must equally be spaces where language that demeans or dehumanizes based on religion, ethnicity or their intersections, is not tolerated. Making real the commitment to equal dignity would then put an ethical limit on free speech within the university community, that is, an agreed normative boundary based on a shared commitment to equal dignity. The commitment to equal dignity also means that we must strive to have empathy with those who feel threatened by the unfolding parameters of the debate and see in it echoes of past atrocities. It also requires empathy with those for whom this conflict is a reminder of their own experiences of war, violence, and displacement. Many colleagues and students from around the world see in this conflict, and in the international response, painful reminders of their respective countries' struggles for justice and peace. They highlight the lack of consistency, often hypocrisy, of the international response.

PLURALISM, DIALOGUE AND ENCOUNTER

Although we can often pay lip-service to the commitment to respect the plurality of views, to dialogue and encounter this current conflict often strains the limits of this commitment. Sometimes it is easier not to speak, or not to allow the other to speak, or not to expose oneself to the

plurality of sincerely held views. However conversation is a powerful tool, and the university is founded on a belief in the value and power of language and speech. In the context of this commitment to respect the plurality of views, to dialogue and encounter we need to develop practices through which we can be accountable to each other for our speech, through which we can properly honor the moral distress that so many feel, through which we can sustain honesty in the face of moral complexity. These considerations have animated the field of ecumenics from its beginnings. In my institutional home, the Irish School of Ecumenics, we have worked to try to create a determinedly pluralist space where minority voices are enabled to speak, where people can gather in a spirit of encounter, and where those committed to reconciliation and the global common good can learn, teach, and organize together. Our universities can learn from these and other practices as we consider how to center the idea of a shared good in our dialogue in a way that is both substantive and procedural. Indeed, this ultimately points to the question of and how we can build trust within our institutions, which is the basis of any culture of encounter.

NON-VIOLENCE

Finally, while some may think that in the present realities recourse to violence is the only moral choice, nonetheless the commitment to nonviolence and to the possibilities of "peace by peaceful means" is precisely the kind of commitment for which universities could and should be a voice. We know that the logic of violence is deeply embedded in our histories and politics, and that religious traditions have, at best, been ambivalent about the use of violence. Resisting the appeal of violence requires significant political, civic and moral leadership in order that political leaders do not abandon their trade (politics) for the unimaginative and destructive alternative of violence. In this context,

our universities can be places where the commitment to persistent nonviolent engagement with both the immediate crisis and its underlying causes can be shaped and skills for its practical realisation researched and taught. Indeed, there are many places where this expertise is already honed, so the issue is of scale, commitment and impact.

Our role as educators is to enable our students to frame and reframe fundamental questions of meaning and purpose, to identify the itineraries of silence in our cultural and political traditions and to challenge inherited orthodoxies. One of the most embedded orthodoxies in our politics today is the inevitability (and the morality, in certain circumstances) of violence. The fundamental ethical question, therefore, is how our politics can move away from the inherited seductions of political violence. In this context it is vital that universities are places where the voices of those who are committed to a new political and ethical imaginary can develop both the vision and the practice of persistent non-violence. In his essay collection *The Redress of Poetry,* Seamus Heaney speaks about poetry being "a glimpsed alternative, a revelation of potential that is, denied or constantly threatened by circumstances."[4] This too is fundamental to the role of our universities, that is to provide spaces wherein the ethical imagination can be cultivated, where "the imagination presses back against the pressure of reality,"[5] and where we provide a glimpsed alternative, that is, a non-violent way of doing our politics.

These three commitments are all of a piece – the commitment to equal dignity, to dialogue and encounter and to non-violence – and can provide a basis for our academic lives together as our universities try to find a way forward.

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[1] This is the title of Roman Krznaric's book *The Good Ancestor* (London: Penguin, 2021).
[2] Michael Ignatieff's phrase in his *Global Ethical Dialogues: Concept Paper* (https://www.carnegiecouncil.org/media/series/ged/global-ethical-dialogues-concept-paper).

[3] This is Henry Shue's characterization in *Basic Rights: Subsistence, Affluence, and US Foreign Policy* (Princeton: Princeton University Press, 2020), 18.
[4] Seamus Heaney, *The Redress of Poetry, Oxford Lectures* (London: Faber & Faber, 1995), 4.
[5] Ibid., xv

BRIDGING DIVIDES:

Jesuit Education Advancing Democracy and Reconciliation in Africa

Elias Omondi Opongo, S.J.
Peace Studies and International Relations

At a recent university graduation in Zambia, a keynote speaker posed a searing question that I found interesting: Why are so many corrupt leaders among the ranks of the well-educated? He boldly challenged the audience, asking, "What good is a university education if it fails to produce individuals of sound moral character?" This provocative query compels us to take a step further: Why should we pursue a Jesuit education if it does not inspire us to heal the broken, champion justice, and transform society? Education, at its core, is not just about acquiring knowledge—it is about relationships, service, and the collective pursuit of a more humane world. Achieving these values presupposes functional societies where democratic and participatory leadership is founded in promoting human well-being. Rooted in the Ignatian tradition, Jesuit education calls for something more significant: to form leaders who can confront Africa's unique challenges, fostering reconciliation and justice in the face of conflict and division.

JESUIT EDUCATION AND ITS ROLE IN TRANSFORMATION

Every step of Jesuit education is centered on the care of the whole person—*cura personalis,* the care of society—*cura societatis,* and the care of the universe—*cura universi.* This triad of care underscores the profound mission of Jesuit education: to serve humanity through individuals' moral and spiritual development. St. Ignatius of Loyola envisioned education as a transformative force that produces "men and women for others"— knowledgeable individuals deeply committed to justice and the common good.[1] This timeless philosophy resonates with the urgent need to address the pressing challenges of our world today, particularly in the African context, where governance crises, systemic inequality, and recurring conflicts prevail. Such challenges call for leaders who are critically aware, morally accountable, and resolute in advocating reconciliation and justice.

THE AFRICAN EXPERIENCE: CONFLICTS AND THE CALL FOR RECONCILIATION

Jesuit education in Africa is pivotal in advancing these comprehensive peacebuilding strategies. Through its emphasis on holistic education rooted in moral and ethical development, Jesuit institutions nurture leaders committed to fostering social cohesion by promoting unity among communities in conflict and preempting emerging tensions. These institutions actively support gender rights and peacebuilding initiatives, encouraging inclusive approaches to societal transformation. Women have participated in various peacebuilding efforts to achieve conflict transformation and human rights advocacy.[2] To a great extent, women are active mediators and are often considered creators of conducive environments for peace negotiations, such as "ripening the ground" for peace.[3] The high level of trust in women creates a positive environment for mediation, negotiations, and conflict resolution. In countries such as Kenya, Uganda, and Nigeria, more women attain university education than men, thanks to affirmative action promoting girl-child education in the 1980s and 1990s. This implies that paying attention to women's potential for triple (person, society, and universe) social transformation through education is critical.

Africa today holds one of the highest populations of youth in the world. Youth form more than half of the population in most African countries. Jesuit education cultivates the next generation of change-makers by empowering youth with critical thinking and conflict-resolution skills. Youth vulnerability to recruitment to terrorist and armed groups is high. Hence, it is essential to incorporate them into the education system at all levels and provide livelihood opportunities for them, too. Thus, Jesuit education must promote accountable governance to sustain peace and equip leaders with the moral com-

pass needed to address systemic challenges. Together, these efforts highlight the profound contribution of Jesuit education in building a more peaceful and just Africa.

Jesuit education in Africa stands at the forefront of addressing the continent's social divisions through its commitment to forming leaders dedicated to justice, reconciliation, and social cohesion. Institutions like the Hekima Institute of Peace Studies and International Relations, Hekima University College in Kenya, the Centre for Research and Action for Peace (CERAP) in Abidjan, Côte d'Ivoire, and Arrupe Jesuit University in Harare, Zimbabwe, embody this mission. These Jesuit universities nurture "men and women for others" who are equipped to bridge divides in societies fractured by ethnic and political conflicts. A central focus of Jesuit education is the promotion of the ethics of collective recognition, which emphasizes ethical values that honor shared identity and acknowledge the intrinsic worth of every individual. This approach fosters a sense of mutual respect and introduces students to social inclusion and social cohesion as transformative strategies for addressing and countering societal divisions. By embedding democratic values such as equity, inclusivity, and participatory governance into its curriculum, Jesuit education empowers individuals to engage constructively in society. These democratic principles serve as a foundation for bridging divides and fostering trust, ensuring inclusive and sustainable social cohesion.

Social cohesion, as measured by inequality, social trust, and identity,[4] becomes a critical framework for peacebuilding efforts. Inequality—marked by disparities in social, political, and economic spheres—often fuels violent conflicts. Research shows that fostering spaces for inclusive dialogue and deliberation enhances societal cohesion and participatory governance.[5] Jesuit education responds by promoting economic justice and addressing systemic inequalities to build a fairer society. Similarly, Jesuit institutions emphasize cultivating social trust by empowering leaders to rebuild trust in the state and among different societal groups, reducing the

risks of agitation, violence, and societal fragmentation. Further, Jesuit universities actively promote reconciliation and a stronger sense of national identity, which are key to reducing inter-ethnic or racial conflicts. Initiatives such as justice for survivors of violence, strategies for forgiveness, economic reconciliation, and inter-group dialogue are central to these efforts. For instance, CERAP focuses on reconciliation and economic justice. At the same time, Arrupe Jesuit University offers leadership programs to form leaders who can transcend social division and foster dialogue, human flourishing, and sustainable livelihoods. These efforts align with the Jesuit educational vision of healing divisions and cultivating leaders prioritizing shared national values over exclusive ethnic or racial loyalties.

The Jesuit emphasis on contextually testing and adapting these indicators of social cohesion ensures their relevance to specific African realities. By integrating peacebuilding activities with deep reflection on social justice, Jesuit universities in Africa contribute profoundly to creating societies characterized by unity, equity, and trust. This mission underscores their dedication to combating social divisions and fostering a future where all can thrive together.

CONCLUSION

Jesuit education, grounded in *cura personalis* (care for the whole person), *cura societatis* (care for society), and *cura universi* (care for the universe), provides a transformative approach to addressing contemporary challenges. By fostering ethical leadership, advancing reconciliation, and promoting democratic values, Jesuit institutions empower graduates to confront systemic inequities and strengthen social cohesion. Rooted in the Ignatian vision of forming "men and women for others," this holistic education equips leaders to build equitable, democratic, and peaceful societies, offering hope for Africa's journey toward reconciliation and justice.

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[1] Peter-Hans Kolvenbach, "The Service of Faith and the Promotion of Justice in American Jesuit Higher Education," *Conversations on Jesuit Higher Education,* 18, 8-19.

[2] Elias O. Opongo, Christine Wangechi Muthui, and Faith Ondeng, *Levels of Change in Women Participation in the Peacebuilding Process in Africa* (Nairobi: Paulines Publications Africa, 2021).

[3] Ibid.

[4] Julia Leininger, Francesco Burchi, Charlotte Fiedler, Karina Mross, Daniel Nowack, Armin von Schiller, Christoph Sommer, Christoph Strupat, and Sebastian Ziaja, *Social Cohesion: A New Definition and a Proposal for Its Measurement in Africa* (Bonn: Deutsches Institut für Entwicklungspolitik gGmbH, 2021)

[5] James S. Fishkin and Robert C. Luskin, "Experimenting with a Democratic Ideal: Deliberative Polling and Public Opinion," *Acta Polit* 40 no. 3 (2005), 284–298.

WHAT ROLE SHOULD UNIVERSITIES PLAY IN FOSTERING HEALTHY DEMOCRATIC CULTURES?

Erik Owens

International Studies and Theology

In the Spring of 2023 Erik Owens was invited to join a new Commission on Citizenship and Democracy established by the American Association of Jesuit Colleges and Universities (AJCU), an organization that represents Jesuit higher education in the United States and facilitates collaborative initiatives among its member and affiliate institutions. Led by co-chairs Daniel Klinghard and Amber Wichowsky, political scientists from the College of the Holy Cross and Marquette University, respectively (Dr. Wichovsky has since moved to the University of Wisconsin-Madison), the working commission included eight additional faculty from Jesuit universities around the country.

American universities (and liberal arts programs in particular) have in the past two decades faced increasing criticisms that they are too expensive, too inaccessible, too ideologically corrosive, and too detached from the lived experience and real needs of middle-class and working-class citizens. Many of these critiques lack nuance and are performed for partisan gain, to be sure, but they also reflect real and important problems within the contemporary university, not just the public perception of how universities do or don't contribute to broader social needs. And whatever the motivation, the result is a sharp and substantial decline of trust in higher education, as shown in a July 2024 Gallup poll.

This is a deeply complex situation without a single fix. Universities face structural challenges today rooted in the way they are organized, the way they are financed, and the way they conceive and pursue their educational aims, as Boston College's Vice Provost James F. Keenan, SJ, and formative education professor Chris Higgins have incisively argued in *University Ethics* and *Undeclared*, respectively.[1] But the declining trust in institutions of higher education begs a deeper question about the place of the university in society: What role should universities play in building and sustaining healthy democratic cultures? If universities are obliged to educate for democratic citizenship, as I think we must, how do we undertake a serious review of what has gone wrong and how we need to address the issue? The commission was tasked with evaluating whether Jesuit colleges and universities are doing enough to prepare students for democratic citizenship. The year before, in 2022, the Jesuit Superior General, Rev. Arturo Sosa, S.J., had called on the global network of Je-

suit universities meeting at Boston College to explore the global crisis of democracy and to address it in practice. He emphasized the threats of "the three P's": populism, polarization, and the transition to post-truth societies. Our commission took up this charge in the American context, meeting periodically for a year and producing a report that we presented in Chicago in July 2024 at the triennial AJCU Faith, Justice and Reconciliation Assembly. Our goal was to share that report with member institutions and other university around the world, to prompt deeper reflection and more sustained action on our campuses in the coming years.

The fifty-page report we produced, "Toward a Hope-Filled, Democratic Future: Educating for Democratic Citizenship in the AJCU," had at least three primary goals:

1. **We emphasized the value of *encounter*, and framed the report around hope.** Pope Francis has called for all people "to become experts in the art of encounter," to engage with others in the spirit of humility and not to retreat into comfortable spaces, whether those be the ivory tower of academia or the echo chambers of like-minded partisans. Democracy requires that we engage with others, and that we have a commitment to future generations, so we wanted to push against the doomsday mentality that our generation of faculty can sometimes implicitly convey about the climate crisis or the decline of democracy. Such fatalism can lead to (even more) panicked, anxious, and hopeless students who are less likely to engage the problems we all face and act on them with vigor.

2. **We argued explicitly that universities need to actively prepare students for democratic citizenship, with a global perspective.** Democratic cultures require knowledge, skills and dispositions that must be globally informed. Not only do we need to understand the global implications of our own political, economic, and military activities, we also need to learn from the struggles for democracy in other parts of the world. Americans should be eagerly studying how other countries nourish and sustain their democracies, or reclaim them after a period of deep social tension or civil war.

3. **We pushed for more reflection and action on the ways we model democratic citizenship on our own campuses.** St. Ignatius, the founder of the Jesuit order, is said to have frequently concluded his letters to missionaries with the injunction to "set the world on fire" with their Gospel message. It is sometimes noted that today in Jesuit universities we also encourage our students to work passionately for justice and peace in the world — but not on our own campuses, where challenging campus issues and calcified administrative structures lead us to guard the status quo. Our commission was adamant that we remember not just that our students deserve justice, too, but also that we (faculty and administrators) model a form of citizenship in how we conduct our classes, how we organize the university, how we talk to one another, and how we deal with difference. We need to be mindful about how we are doing all of these things.

As part of our preparation for the report, the commission conducted a survey of directors of core curricula at the twenty-six AJCU member institutions, seeking to capture their campus' efforts regarding four components of civic life. (These were drawn from "A Crucible Moment: College Learning and Democracy's Future," a prominent 2011 report from the Association of American Colleges and Universities.) We asked how member universities were doing in instilling civic ethos, civic literacy, civic inquiry, and civic action across the core curriculum, some undergraduate majors, co-curricular programs, and student life programs. Survey responses were diverse, but the most pronounced finding was that civic education is least visible in core curricula — the most universal educational component of the university.

The centerpiece of the report is a call for AJCU universities to undertake what we call a "civic examen," a deliberate reflection on the ways we are fulfilling the mission of education for democracy. (The daily examen is an ancient Catholic practice of prayer and reflection, further developed in the Jesuit tradition and employed in secular contexts as well to join contemplation with action in the world.) The civic examen is built around the foundational categories of knowledge, skills and dispositions that are central to civic education. Knowledge is of course a specialty of universities; we have in mind knowledge of fundamental political principles, of challenges to these principles, and of the principles of justice and encounter specifically embraced by Jesuit universities. We divide the central skills of citizenship into multiple categories: participatory skills (around the logistics of civic engagement); soft skills (cooperation, coalition building, etc.); deliberative/dialogue skills; debate skills; skills in counter-cultural action; and information skills. With regard to dispositions, or what Alexis de Tocqueville called "habits of the heart," we encourage universities to consider the ways in which they examine and inculcate internal habits (personal reflection, humility, resilience, etc.), habits toward our community (respect, engagement, responsibility), and habits toward fellow citizens (focus on the common good, empathy, tolerance, engagement, etc.).

Of course, the results of this civic examen will vary across institutions, pointing to particular areas of concern that can be addressed in the ways that best suit the needs of that university community. Education for democracy is deeply contextual, and universities need to meet the moment in their own communities, responding to the particular challenges faced by their particular constituents. But all members of the university community are implicated in the process, not simply political science faculty, or senior administrators, or student life colleagues. Coordination of these efforts on campus need not mean centralization; efforts can spring up in multiple parts of the university at once.

This work will not quickly resolve the present social mistrust of universities, any more than a recommitment to the virtues of democratic life will quickly resolve the broader decline of social mistrust. But without a commitment to this sort of civic educational reflection and action in our universities, I am convinced that we not only fail one of our central obligations to our students, we also fail in our obligation as citizens ourselves.

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January 2025

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[1] James F. Keenan, *University Ethics: How Colleges Can Build and Benefit from a Culture of Ethics* (Lanham, MD: Rowman & Littlefield, 2015); Chris Higgins, *Undeclared: A Philosophy of Formative Higher Education* (Cambridge, MA: The MIT Press, 2024).

DISINFORMATION, PROPAGANDA AND THE UNDERMINING OF DEMOCRACY

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At a time in which democratic institutions are being tested for resilience, there is increasing concern about the role being played by disinformation in the manipulation of public opinion. Among scholars analyzing such phenomena, there is widespread consensus that if one aims to understand today's circulation of (dis)information produced for the purpose of influencing the political process, one needs to comprehend the role being played by bots and sockpuppets in the dissemination of falsehoods. Likewise, one needs to consider how algorithmic biases shape how citizens make sense of reality.[1] Notwithstanding, in this article I will argue that there is also an urgent need to take a *long durée* approach to the phenomenon of disinformation – looking into the continuities of how the media have been used in different temporalities to shape people's perception and opinions.

Despite the tendency to discuss contemporary disinformation as a new phenomenon brought about by the digital environment, with nothing in common with former forms of disinformation, its usage of big lies and of "classic" propaganda techniques to promote fear does reveal that what today is being labelled as disinformation has a lot in common with what we used to call propaganda. Therefore, revisiting the literature on how propaganda permeates the social fabric can give an important contribution to steer our understanding of how the manipulation of public opinion works. Important lessons to be learned cover topics such as how individuals and societies at large are impacted by messages that aim to deceive[2] and how our cognitive biases lead us to consider that we are more immune to deception than others.[3]

Widely associated with the falsehoods, manipulation and brainwashing that often accompany times of war, propaganda acquired a negative connotation in the Global North, particularly after the end of the World War II, leading governments and civil society institutions to refuse having their own actions labelled as propagandistic. Regardless of its connotation, the practice of propaganda has always played a central role in human societies, performed by political, economic, religious, cultural, and social agents who aim to mold public opinion. And while this was very visible throughout the entire 20th century,[4] its practice can be traced back to the first politically organized societies. Its usage in Ancient Greece was well-documented by Thucydides in *The History of the Peloponnesian War,* in which he describes the manipulation of information in order to influence the process of decision making.[5]

In her analysis of how disinformation took on a major role in Greece in the 5th century BC, Gill Bennett (2020) stresses the importance that the creation of narratives — true and false — came to have for the Athenian oligarchy at a time when the established social order seemed to be under threat as a result of the 'development of international maritime trade, increase in immigration and the decline of religion.' That context finds many parallels with contemporary times in which migratory flows generate the emergence of nationalist narratives aimed at guaranteeing the exclusion of the "other" who is presented as a threat.

In his seminal book *Public Opinion,* published in 1922, Walter Lippmann dedicated significant attention to what he labelled "the manufacture of consent,"[7] an expression that he used to designate the act of managing information in order to achieve a specific response from its receivers. For Lippmann, the media play a significant role in shaping public opinion through the dissemination of information that makes use of myths and symbols that lead to the creation of stereotypes that are then used by people to interpret the world. Still, according to Lippmann, for propaganda to affect people's perception of reality, a barrier is needed between the public and the event: "Under certain conditions [people] respond as powerfully to fictions as they do to realities," he observed, adding that "in many cases they help to create the very fictions to which they respond."[8] These fictions that Lippmann refers to seem to have a lot in common with conspiracy theories and entertaining stories, many

of which became viral online and are shared by bots and sockpuppets, besides anonymous citizens who find the content "more entertaining" when compared with the "more tedious" nature of fact-based information.[9]

By using entertainment potential as a criterion for sharing information, our collective behavior resonates with what Neil Postman described in 1985, in *Amusing Ourselves to Death: Public Discourse in the Age of Show Business*. The book, best known for its critique of television, argues that different media stimulate different ways of thinking and claims that television promotes a short attention span and transforms all news, even the most serious and tragic news items, into entertainment delivered by what he labelled "talking hairdos."[10] Social media takes this a step further, especially when considering how the entertainment value is a variable that impacts significantly on how content becomes viral online. In contemporary societies, deeply marked by what David Altheide and Robert Snow (1979) defined as "media logic," false stories circulate more quickly on social platforms than other types of information because these tend to be more entertaining or to foment fear.[11] A study of the speed and dissemination patterns of 126,000 stories published on Twitter between 2006 and 2017 concluded that "falsehood reaches significantly further, faster, deeper and circulates more widely than the truth."[12] The theme of the stories did not have a significant impact on the circulation of disinformation, although faster and deeper dissemination was detected – *i.e.*, generating a greater number of shares – in the case of false political statements. The research also concluded that supposed "news" based on lies contain a greater amount of new information (as they are created to capture attention), suggesting that individuals have a high propensity to share what is new and what inspires fear, aversion or surprise. This means that such stories, besides being spread by propagandists that aim to deceive public opinion, are also being shared by citizens that thus become part of the "participatory propaganda" playing an active role in the dissemination of false or half-truthful information.

CONCLUSION

The information disorder we are faced with today is frequently presented as having no connection with how information was "managed" in the past to (mis)guide public opinion. This, I believe, does not help counter the impact of disinformation in contemporary societies, as it leads us to ignore the lessons learned on how to unmask propaganda. Even though it has become more difficult to distinguish between what is true and false, understanding how media were previously used to manipulate perceptions and promoting media literacy seems crucial to allow citizens to make more conscious decisions, namely when it comes to what we all decide to share online. The media literacy that we need in the 2020s is, however, very different from what was needed just a few decades ago. The toolkit needed to unmask propagandistic messages that aim to deceive is different. It is no longer enough to know about the journalistic processes. Instead, we need citizens to learn how algorithms work, how bots and sockpuppets foster falsehood, how algorithms influence what information we find online and ultimately how digital tools are being used by political and economic agents to gain, increase or maintain their own power at the expense of society and citizens, including those who inadvertently play an active role in the dissemination of disinformation.

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[1] Francesca Bolla Tripodi, *The Propagandists' Playbook: How Conservative Elites Manipulate Search and Threaten Democracy* (New Haven: Yale University Press, 2022).

[2] Garth S. Jowett, and Victoria O'Donnell, *Propaganda and Persuasion* (Los Angeles: Sage, 2019).

[3] Emily Pronin, "Perception and Misperception of Bias in Human Judgment," *TRENDS in Cognitive Science* 11, no. 1 (2006), 37-43.

[4] Philip M. Taylor, *Munitions of the Mind: A History of Propaganda from the Ancient World to the Present Era* (Manchester: Manchester University Press, 2003).

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[6] Gill Bennett, "Propaganda and Disinformation: How a Historical Perspective Aids Critical Response Development". In Paul Baines, Nicholas O'Shaughnessy, and Nancy Snow (eds.), *The Sage Handbook of Propaganda*. (Los Angeles: Sage, 2020), 248.

[7] Walter Lippman, *Public Opinion* (New York, NY: Free Press, 1998), 248.

[8] Ibid, 14.

[9] Soroush Vosoughi, Deb Roy, and Sinan Aral, "The Spread of True and False News Online", *Science* 359, no. 6380 (2018),1146-1151.

[10] Neil Postman, *Amusing Ourselves to Death: Public Discourse in the Age of Show Business* (New York, NY: Viking, 1985).

[11] David L. Altheide and Robert P. Snow, *Media logic*. Beverly Hills, CA: Sage Publications, 1979.

[12] Vosoughi, Roy, and Aral, "Spread of True and False News," 1147.

IV. RACE, ETHNICITY, AND POWER-SHARING IN DEMOCRATIC FUTURES

CATHOLIC MIGRATION ETHICS AMID NEW THREATS TO DEMOCRACY

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Theology

ABSTRACT

This article critically examines the moral and ethical implications of proposed U.S. immigration policies from a Catholic social teaching perspective. Kristen Heyer argues that mass deportations, border fortifications, and ideological vetting undermine human dignity, family unity, and the common good. Drawing on biblical justice and Catholic tradition, the piece challenges dominant anti-immigrant narratives and suggests that Catholic social ethics demand a broader, justice-oriented framework—one that recognizes migration as a human right, critiques structural sin, and promotes solidarity over exclusion.

On day one of his new term, President Donald Trump has pledged to enact sweeping changes that will directly endanger migrants and refugees. He plans to launch "the largest mass deportation program in American history," halt refugee resettlement and revoke humanitarian parole grants, and end birthright citizenship. His agenda thereafter also includes ending family-based immigration, completing the construction of the border wall, invoking the Alien Enemies Act , and implementing ideological vetting for admission to the U.S.

From a Catholic perspective, these plans raise deep moral concerns about undermining human dignity and the right to seek asylum, harming family unity and the common good, and risking a police state. They invite (further) demonization of racial, ethnic and religious minorities, a structural sin that has harmed human dignity and solidarity as well as malformed our collective imagination on immigration and national identity alike. How might Catholic imagination help to clarify our vision amid the seductions of extremism and polarization? How might we bridge the internalized borders that divide us in the face of new threats?

The year after the installation of the magnificent "Angels Unawares" sculpture in St. Peter's Square in 2019, Boston College hosted the replica of the artwork. Featuring immigrants from across time and locations forging ahead on a common ship, it evoked for me Pope Francis' first journey outside Rome after his election.

On that trip, he celebrated Mass on the Italian island of Lampedusa, which has become a safe haven for migrants seeking passage from North Africa to Europe. Prior to making any public statement, he blessed a wreath of flowers and tossed it into the sea, commemorating the estimated 20,000 African migrants who had died over the previous 25 years trying to reach a new life in Europe. The pope celebrated Mass within sight of the "graveyard of wrecks," where fishing boats carrying asylum seekers end up after they drift ashore. Other reminders that Lampedusa is synonymous with dangerous attempts to reach Europe abounded: The altar was built over a small boat; the lectern and the chalice were carved from the wood of shipwrecks. Pope Francis lamented in his homily our indifference to the plight of these vulnerable brothers and sisters and prayed for the grace to weep over our anesthesia of the heart.

In "Fratelli Tutti," Pope Francis again draws attention to these broader forces impacting so many on the move today; he expands the migration question to consider the impact of populist discourse, neoliberal economics and virulent individualism. This scope offers a welcome reorientation to discussions that often focus on states' rights or border crossers alone—much like his attentiveness to sinful indifference did on Lampedusa.

DOMINANT FRAMEWORKS

Our immigration debates have long been framed by narratives emphasizing security threats and social costs, despite rhetoric about liberty and hospitality. At the same time, studies regularly indicate that higher rates of immigration correlate with lower rates of violent and property crime. The rule of law rightly occupies a privileged place in the United States, yet the lack of accountability that marks Border Patrol procedures and the denial of due process to immigrant detainees belie this rationale.

Another populist script casts newcomers as economic threats, a perception historically fueled in times of economic downturn. In fact, studies show that immigrant laborers provide a net benefit to the U.S. economy and have helped to increase jobs in recent years; all the while, the detention industry has profited from irregular migrants, further confounding the frame of economic threat. The multibillion-dollar transnational "immigrant industrial complex" raises serious questions about the financial stakes in the broken immigration system, diminished public oversight and accountability. Core Civic and Geo Group stocks soared after Trump's reelection. Estimates suggest his mass deportation plan would cost at least $500 billion to implement, with annual losses of $126 billion in taxes and a reduction in the G.D.P. of $5 trillion over 10 years.

Finally, anti-immigrant sentiment demonizes racial, ethnic and religious minorities. Representations of the outsider as a social menace signal the salience of racism and xenophobia in our national imagination. Portrayals of immigrants as public charges or a dangerously porous border have also long shaped our collective self-understanding. This past election cycle, we heard PresidentTrump refer to migrants as subhuman "animals" who are "poisoning the blood of our country."

These diversionary tactics generally ignore structural relationships affecting migration. Reducing immigration matters to the border crossers in the Mediterranean or in the American Southwest eclipses transnational actors from view, much less blame. It refuses to consider those responsible for "push factors" like violent conflict, economic instability or climate change. Moreover, fear of difference is relatively easy to mass-market and shapes imagination in powerful ways.

As we all well know, actual encounters with reluctant or desperate migrants—and evocative artwork like "Angels Unawares"—can help unmask operative narratives. Catholic social teaching offers a contrasting vision marked by human dignity regardless of citizenship status and solidarity that crosses borders.

A CHRISTIAN COUNTER-NARRATIVE

The story of the Jewish and Christian pilgrim communities is one of migration, diaspora and the call to live in memory of those experiences. Indeed, as the theologian William O'Neill, S.J., has noted, after the commandment to worship one God, no moral imperative is repeated more frequently in the Hebrew Scriptures than the command to care for the stranger. And, as Pope Pius XII noted in "Exsul Familia" in 1952, the flight of Joseph, Mary and Jesus to Egypt in the New Testament establishes the émigré Holy Family as the archetype for every refugee family. Further, Jesus's praxis of hospitality to outsiders recurs throughout the Gospels.

One of the most persistently recurrent themes in Scripture is justice and compassion for the vulnerable. The Prophets repeatedly connect bringing justice for the poor to experiencing God. Concern for the economically vulnerable echoes throughout the New Testament as well, particularly in the Gospel of Luke, which depicts Jesus being born in a stable among mere shepherds and inaugurating his public ministry in terms that emphasize his mission to bring good news to the poor and release the oppressed. New Testament scholar Donald Senior has noted that in "the overall landscape of the gospel stories, the rich and powerful are often 'in place'—reclining at table, calculating their harvest, standing comfortably in the front of the sanctuary, or seated on the judgment seat passing judgment on the crimes of others." The poor, however, are "often mobile or rootless: the sick coming from the four corners of the compass seeking healing; the crowds desperate to hear Jesus, roaming lost and hungry; the leper crouched outside the door of Dives." Senior suggests that experiences of people on the move "reveal a profound dimension of all human experience" and "challenge false ideologies of unlimited resources [or] of unconditional national sovereignty" that "plague our contemporary world, choking its spiritual capacity."

Biblical justice—which demands active concern for the vulnerable and prophetic critique of structures of injustice—challenges approaches to immigration driven by market or security concerns alone.

A CATHOLIC MIGRATION ETHIC

Flowing from these biblical commitments, the Catholic social tradition champions robust rights for immigrants in its documents, outreach and advocacy. So Catholic im-

migration directives are rooted not only in biblical injunctions to welcome the stranger, but also in longstanding social teachings on universal human rights (as seen in the encyclical "Pacem in Terris"), an understanding of the political community as oriented to serving the common good, and a global rather than nationalistic perspective.

Catholic social teaching is grounded in a vision of the person as inherently sacred and made for community. All persons are created in the image of God and therefore worthy of inherent dignity and respect.

Catholic principles of economic and migration ethics protect *not* only civil and political rights, but also more robust social and economic rights and responsibilities. These establish persons' rights not to migrate—to live with full human rights in their homeland—or to migrate if they cannot support themselves or their families in their country of origin. In situations where individuals face pervasive gang violence or desperate poverty, the Catholic tradition supports the right to freedom of movement so that persons can live free from credible fears of violence or severe want.

I would add that this vision of the person is not fundamentally at odds with our national narrative at its best. As Simone Campbell, SSS, put it during a "Nuns on the Bus" tour, "fear is crippling us and promoting an unpatriotic lie of individualism…after all the Constitution begins 'We the People,' not 'We who got here first,' or 'We the owners of businesses' or even 'We the citizens.'" While the tradition recognizes the right of sovereign nations to control their borders, this right is not understood to be absolute. In the case of blatant human rights violations, the right to state sovereignty is relativized by the tradition's primary commitment to protecting human dignity. Hence, its doctrinal body of migration teaching protects the right to *remain* and the right to *migrate.*

Beyond its foundation in social and economic rights, the Catholic right to migrate is also rooted in the tradition's commitment to the universal destination of created goods—that is, the idea that the goods of the earth are generally intended for everyone. Pope Francis frequently underscores this social understanding of what belongs to those in need and constraints on market freedom.

Once people do immigrate, the Catholic tradition profoundly critiques patterns wherein stable receiving countries accept the labor of millions without offering legal protections. Such "shadow" societies risk the creation of a permanent underclass, harming both human dignity and the common good. Pope John Paul II condemned the exploitation of migrant workers based on the principle that "capital should be at the service of labor and not labor at the service of capital." This idea that the economy should serve the person—rather than vice versa—raises significant issues not only about the freedom of markets compared to people, but also about the significant financial stakes in the broken immigration system, where detained immigrants fill beds and those assigned for deportation fill private buses.

Pope Francis has spoken out against the dictatorship of faceless economies; his image of humans as commodities in a throwaway culture particularly resonates with vulnerable migrant workers' experiences.

CHRISTIAN SOCIAL ETHICS: (RE)CONTEXTUALIZING MIGRATION

With so many undocumented immigrants in the United States having lived here for over a decade, a "double society" increasingly threatens the common good. In their 1986 pastoral letter, "Together a New People," the U.S bishops called this double society "one visible with rights and one invisible without rights." Obstructing viable paths to legalization for the majority of immigrants welcomed in the marketplace but not the voting booth, college campus or stable workplace risks making permanent this underclass of disenfranchised persons, undermining not only Catholic commitments but also significant civic values and interests.

Not only are established communities and migrants often, in the words of the legal scholar and theologian Silas W. Allard, "bound together by history, politics and economics even before the act of migration bridges the distance of geography," but the dynamics of employer recruitment tend to be shaped by prior bonds forged by colonialism, military invasions or economic ties. For instance, the ongoing legacy of 19th and 20th-century U.S. foreign policy and economic strategies—with their attendant narratives—has generated migration flows from Latin America to the United States.

Given such systemic culpability, some have proposed that an "instability tax" be levied on private and governmental entities that destabilize regions that then experience large populations of migrants and refugees—whether that means hedge funds profiting from commodity-trading in African minerals, or weapons manufacturers profiting from selling arms to the Middle East or multinationals profiting from degrading or destabilizing poor nations.

In light of this moral proximity to harm, Georgetown ethicist David Hollenbach, S.J., has suggested that

countries that have gained economically from their colonies or that have histories of military involvement in another nation "have special obligations to people in flight from that nation." This is particularly relevant to the issue of refugee resettlement, now under threat.

Becoming a neighbor to the migrant through a social vision of the person and the good requires meeting basic responsibilities of justice, not charity or hospitality alone. A social anthropology that includes a focus on robust rights and global responsibilities helps to recontextualize migration in the face of tendencies to locate responsibility solely in a migrant's choice to cross borders.

STRUCTURAL SIN

The Catholic notion of structural sin explicitly connects these relationships with their harmful consequences and abetting ideologies. Distinct elements of structural sin—dehumanizing trends, unjust structures and harmful attitudes—shape complex dynamics that perpetuate inequalities and influence receptivity to outsiders. Whether in forms of cultural superiority or profiteering, social inducements to personal sin in the immigration context abound.

The concept of structural sin also draws attention to the connections between harmful structures and ideologies: for example, how powerful narratives casting immigrants as security threats or "takers" influence individuals' roles in collective actions that impact migration, such as voting in an election.

"Fratelli Tutti" repeatedly underscores other pervasive ideological threats to our social instincts as well, convincingly indicating how self-absorption fuels both apathy and hardened insulation or group preservation. Revisiting his theme of globalized indifference, Francis reflects in that document on the many ways we are tempted, like the priest and Levite in the parable of the Good Samaritan, "to pass at a safe distance," whether we "retreat inwards, ignore others, or [remain] indifferent to their plight." He elaborates how a culture of consumerist comfort abetted by social media distractions incubates false ideologies that can manipulate consciences and insulate them from different perspectives.

Beyond identifying the structural forces demanding institutional solidarity, then, a relational migration ethic entails interrogating those ideological dimensions of social sin that harden resistance to newcomers. On Lampedusa, Pope Francis lamented the pervasive idolatry that facilitates migrants' deaths and robs us of the ability to weep, a theme he revisited on visits to Manila and to Juárez, insisting that "only eyes cleansed by tears can see clearly."

The concept of structural sin offers a framework for critiquing histories of unequal relationships between countries, such as proxy wars, as well as harmful ideologies from xenophobia to meritocracy. Portraying immigration through a lens of individual culpability alone obscures these multileveled dynamics at play.

ENCOUNTERS WITH SOLIDARITY

For the 107th World Day of Migrants, Pope Francis adopted the theme "Towards An Ever Wider 'We.'" Given his approach to pastoral and social concerns alike, a dynamically more inclusive community provides an apt symbol for his migration ethic. In his 2021 message, the pope traced the history of our common origin and destiny, highlighting how we are redeemed as a people, not as individuals, "that all might be one" (Jn 17:21).

He linked this social salvation history to the present time, in which that "we" willed by God has become wounded and fragmented: "Our 'we,' both in the wider world and within the Church, is crumbling and cracking due to myopic and aggressive forms of nationalism and radical individualism. And the highest price is being paid by those who most easily become viewed as *others*: foreigners, migrants, the marginalized, those living on the existential peripheries."

As Robert Ellsberg noted in his introduction to Francis' *A Stranger and You Welcomed me: A Call to Mercy and Solidarity with Migrants and Refugees,* the central message repeated throughout his many addresses remains "migrants and refugees are human beings, precious in the eyes of God; they are our brothers and sisters; they are worthy of respect; what we do for them, we do directly for Christ."

The pope grounds his concern in scriptural texts, some reflective of the tradition he inherited, like the Exodus story, the Holy Family's flight, the parable of the good Samaritan and the summons to final judgment. He also incorporates less familiar applications, whether of Jonah and the Ninevites or the ideal of the new Jerusalem. In 2017, Pope Francis established a new Vatican office to oversee the church's response to migrants and refugees: the Dicastery for Promoting Integral Human Development. He personally oversees its Migrants and Refugee section.

Pope Francis first introduced four verbs that are central to his teaching in a 2017 address to participants in an international forum on migration and peace: *welcome, protect, promote and integrate.*

For Francis, *welcome* entails offering broader options for migrants to safely and legally reach destination countries; *protect* involves defending the human rights and

dignity of those on the move, regardless of their legal status; *promote* summons the empowerment of newcomers' participation in areas of work, religious expression, family integrity and active citizenship; and integrate refers to efforts at mutual intercultural enrichment, not the mere assimilation of newcomers. His emphases encourage a two-way street of integration rather than a unidirectional model marked by assimilationist paternalism that can tempt even ecclesial groups at times.

In our U.S. context, it is worth noting the pope's historic address to Congress in 2015, where Pope Francis exhorted lawmakers to apply the Golden Rule with respect to migration policy. Identifying as a fellow descendant of immigrants from a shared continent of immigrants, he asked our nation through its representatives to identify with the needs and dreams propelling those traveling north in search of a better life for themselves and for their loved ones, asking, "Is this not what we want for our own children?"

He pleaded with lawmakers to resist the temptation to discard migrants as troublesome or to fear and dehumanize them due to their numbers. With characteristic directness and clarity, he concluded, "In a word, if we want security, let us give security; if we want life, let us give life; if we want opportunities, let us provide opportunities. The yardstick we use for others will be the yardstick which time will use for us."

AN 'EVER WIDER WE'

In these days clouded by new fears and divisions, it might be instructive to return to the "Angels Unawares" sculpture installed in St. Peter's Square on the World Day of Migrants and Refugees. The piece was commissioned by Cardinal Michael Czerny, Prefect of the Dicastery for Promoting Integral Human Development, and produced by Timothy Schmalz. It incorporates Muslims escaping Syria beside Jews escaping Nazi Germany beside an Irish boy escaping the potato famine. One figure could easily be an Eritrean attempting to reach Lampedusa. The bronze and clay of "Angels Unawares" can help counter the collective delusion that we are not responsible for our neighbor and remind us that in our acts of welcome and widening we may be "entertain[ing] angels" (Heb 13:2). When I took my students at the time to see the replica that visited our campus, many instantly recognized their own family histories, their very identities. Like art, our religious practices, narratives and symbols—the tradition of Catholic social teaching—all hold potential to (re)shape moral imagination.

This pope has called attention to the urgency of this formation task, from Lampedusa to "Angels Unawares." His uses of scripture as well as his appeal to affect and encounters across difference illuminate a path toward the work for conversion and structural justice. These approaches to welcoming migrants spring from and move us toward an "ever wider we."

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DIALOGUE ACROSS RACE AND ETHNICITY ON CAMPUS FOR DEMOCRACY?

Great! Just Don't Make It About Democracy

Luke Brown

Higher Education

ABSTRACT

Dialoguing across race and ethnicity remains essential if higher education is to support the functioning of a multicultural, pluralistic democracy. Yet, colleges and universities in the US continue to struggle with how best to enact dialogue. There is renewed investment in dialogue on university campuses, and with that also comes greater criticisms. How to dialogue well perplexes educators.

This brief essay explores the following: what are some of the perennial tensions inherent in fostering a democratically engaged public through campus interracial and interethnic dialogue? What approaches to campus dialogue, aware of these tensions, can help prepare the next generation of democratic participants?

I put forward four internal paradoxes of dialogue that must be successfully negotiated: (1) striving for utopia while grappling with real-world conditions, (2) conceiving of dialogue as both a product and a process, (3) dialogue's potential both to heal and harm, and (4) dialogue being fostered from without (*e.g.*, facilitators, pre-selected content) while wanting to be fostered from within (*e.g.*, student lived experiences, emergent perspectives). A review of interdisciplinary, empirical literature in higher education highlights effective practices and approaches for meaningful campus dialogue, summarized as evidence-based strategies for the facilitation, timing, and framing of dialogue initiatives. Ultimately, I argue dialogue efforts on university campuses are best served by not explicitly orienting towards goals of civic participation or instilling of democratic sensibilities, but instead being trumpeted as an educative good in itself.

Dialoguing across race and ethnicity remains essential if higher education is to provide for the holistic growth of students, the functioning of pluralistic democracy, and the envisioning of a shared, more just future. Imagine you are tasked with creating space for students to dialogue across race and ethnicity to build democratic sensibilities and enhance civic engagement. This work is viewed as essential learning in higher education for the future of our multicultural, pluralistic democracy. You have the added responsibility of wanting to do so in light of the ongoing Israeli-Palestinian conflict. So, what is to be done?

To name just one complexity, consider epistemic injustice. By epistemic injustice, I refer to two things, pulling on Fricker.[1] The first form of epistemic injustice concerns the ways certain speakers are heard as less credible, such as when Black patients describing their pain are believed less than White patients.[2] The second form of epistemic injustice concerns how certain experiences have fewer language resources we can use to articulate them. Before there was the language for domestic violence, or polyamory, or multiraciality, it was far more difficult to hear someone speak to these realities. Epistemic injustice plays out on campus when only certain perspectives are made legible and heard readily. If an interethnic dialogue does not take into account the ways Palestinian and Jewish students have been rendered one-dimensional, inhuman, and un-American by larger longstanding tropes, then the dialogue runs the risk of perpetuating the very anti-Palestinian and anti-Semitic racism the dialogue might wish to challenge. Dialogue has been trumpeted as a way of addressing epistemic injustice and yet can reproduce these same forms of injustice.[3]

Colleges and universities in the US continue to struggle with how best to enact dialogue. There is renewed investment in dialogue on university campuses, yet also greater criticisms regarding such dialogue.[4] Resurgent anti-Diversity Equity and Inclusion (DEI) legislation seeks to silence dialogues on power, identity, and systemic inequities, threatening higher education's mandate for developing citizens who can understand and appreciate differences.[5] On the other hand, progressive educators caution against the undue burdens and exacerbated harms that dialogue can place on marginalized groups.[6]

How to dialogue well perplexes educators. I argue this confusion comes not from outside of dialogue but from inside of dialogue. This brief essay will explore the following: what are some of the perennial tensions inherent in fostering a democratically engaged public through campus interracial and interethnic dialogue? What approaches to campus dialogue, aware of these tensions, can help prepare the next generation of democratic participants?

FOUR INTERNAL PARADOXES OF CAMPUS DIALOGUE

Campus interracial and interethnic dialogues are a core method for building democratic sensibilities: increasing perspective-taking skills, building bridges across historically segregated communities, developing pluralistic orientations, and embracing conflict as part of democratic practice.[7] Despite the clear benefits, institutionalized efforts toward dialogue across differences confront significant obstacles. Many crucial challenges of dialogue are not external to dialogue—a matter of resources and logistics, or political will, or participant motivation—but rather are intrinsic. The following four major paradoxes inherent in campus dialogue work must be successfully negotiated by practitioners.

Dialogue strives for utopia while grappling with real-world challenges

Dialogue often gets talked about as an ideal interaction. The ready sharing of stories, the willingness to embrace one another in community, the sophistication of emergent knowledge that can inform future actions—dialogue promises each of these. Theorists of dialogue speak of it as a utopian ideal, naming it as part of the ideal speech situation for a public, a potent aspect of all communication, a sacred act of communion, and a necessary aspect of movements towards greater love and justice.[8] At the same time, dialogue seeks to meet people where they are and in light of real-world challenges. Campus dialogue efforts have a pragmatic bent, focusing on what exists in the messy realities of American and global life. Interracial and interethnic dialogues take as a given that the lived experiences of individuals should be centered as sources of knowledge.[9,10] All the complexities and misunderstandings wrapped up in the beliefs, experiences, and emotions of individuals become part of the dialogue.[11] Dialogue tries to orient towards both our lived realities and a shared utopian ideal.

Dialogue as process and product

The Intergroup Dialogue (IGD) model popularized by the University of Michigan centers co-facilitated, weekly dialogues for seven or more weeks rooted in a particular social identity, such as race and ethnicity; these intergroup dialogue experiences seek enhanced collaboration, understanding, and shared action across social groups.[12] Intergroup dialogue offers an avenue for civic engagement and intercultural understanding.[13] At the same time, in its very process, intergroup dialogue is civic discourse and intercultural understanding. This mirrors social justice efforts that seek greater equity and peace even as they also seek to embrace processes of greater equity and peace.[14] This may seem a purely theoretical point, but anyone who has grown tired of dialogue in favor of action, tried to explain the need to slow down communication to not reproduce harm, or sought to build understanding without demanding consensus has experienced the practical tensions of this paradox. Keeping both the process and the potential products of dialogue in mind, heart, and body simultaneously can be vertiginous.

Dialogue heals and dialogue harms

To hope for dialogue is to hope for social healing. Interracial and interethnic dialogue, in particular, have been framed as healing, liberating, and reconciliatory.[15] Interracial dialogue practitioners have referred to dialogue as a healing space given its capacity to mend relationships, acknowledge past harms, and work towards more life-affirming collaborations in the future.[16]

Yet many criticisms of dialogue programs on university campuses seek to highlight its dangers, particularly for those already marginalized and underrepresented in higher education.[17] These spaces are never fully safe: making oneself vulnerable risks further harm.[18] Epistemic injustices can also be reproduced in dialogue contexts, further harming those with salient marginalized identities. Taking epistemic injustice into account is notoriously difficult, with experts suggesting we need to try to tune our ears to the silences and gaps in understanding that can occur.[19,20] Best practices of generous listening, embracing silence, and setting shared community practices for conflict resolution can mitigate harm but never fully guarantee safety.[21] Dialogue can also be co-opted to serve institutional branding as opposed to fostering meaningful growth of participants: the brochure might be more important than the learning.[22] Dialogue spaces can heal and harm simultaneously.

Dialogue tries to foster education from within while being fostered from without

Dialogue seeks to help individuals better hear themselves, act from this internal wellspring, and engage in future, self-directed learning.[23] Through interracial and interethnic dialogue, individuals are confronted not just with the statements others make but the unexpected feelings they produce, not just differences but surprising affinities that can't always be fully articulate, not merely shared understandings but gaps between what one knows for oneself and what one can name for others. Dialogue is deeply personalized.

Yet conveners of dialogue also seek to account for epistemic injustices, enhance potential learning of all participants, and set shared practices for engaging together. Interracial and interethnic dialogue are often facilitated by individuals who frame the learning environment and directly intervene. Co-facilitation of interracial and interethnic dialogues have been correlated with a host of benefits, including greater intergroup understanding, collaboration, and shared action.[24] Campus dialogues try to foster inner voices while also relying on facilitators, agendas, and learning design to frame how these voices are placed into conversation.

THREE PRACTICAL QUESTIONS FOR EFFECTIVE DIALOGUE

These four paradoxes suggest that many crucial challenges of dialogue are intrinsic to it. When interracial and interethnic dialogues are framed in terms of their potential for pluralistic democracy, these paradoxes risk snapping dialogue. In fact, such dialogue efforts may even backfire if not designed with intentionality and care. I argue that intergroup dialogue efforts on university campuses are best served by not explicitly orienting towards goals of civic participation or instilling democratic sensibilities. This dynamic plays out across a few key questions: the facilitator question, the time question, and the framing question.

The facilitator question: how do we facilitate well?

Each facilitator practices in a slightly unique way: facilitation is an art not a science, after all.[25] However, advocacy facilitation—seeking to reinforce a particular perspective and challenge others—can often "silenc[e] participants whose perspectives it challenge[s]; and then that same ideology [is] used to justify their silencing" in a toxic negative feedback loop.[26] Advocacy facilitation negatively correlated with intergroup understanding and collaboration in a multi-university experimental study of intergroup dialogue programming across nine institutions.[27] Inter-

estingly, in a one-off political dialogue between mostly liberal, secular University of Pennsylvania students and evangelical, conservative Cairn University students, liberal students were more likely to view themselves as agents capable of shifting the political views of others and therefore engaged in more transactional exchanges. These attempts to instrumentalize dialogue for political ends backfired while interactions without an external agenda were most impactful for student learning.[28]

Multipartial facilitation appears as a stronger approach. Multipartial facilitation assumes any effective mediation must take into account the larger oppressive context, social group memberships, storytelling resources, and developmental lens framing individual responses.[29] This approach focuses on narratives that reinforce and narratives that challenge overarching ideologies. This aligns with attempts to account for epistemic injustices. For example, a dialogue initiative at Clark University found it essential to normalize active listening and embracing silence as a virtue, as opposed to trying to seek to change others' views. Students reflected on the nature of dialogue in preparation for more thematic and hot topic dialogues. This paid off later when a student group offered dialogues focused on the Israeli-Palestinian conflict and contributors could pull on their shared dialogic skill set for more generative conversation.[30] Effective campus dialogues can serve democratic ends but must let go of seeking a defined shift in participant political views, attitudes, or behaviors. Instead, programs should seek to welcome all perspectives while making explicit how these relate to dominant narratives in political life, such as the American Dream or fear of the stranger. Multipartial facilitation helps attend to structuring silences and power imbalances without demonizing any particular participant.

The time question: how much time do we need?

Time is valuable and increasingly scarce on overscheduled and pre-professional college campuses. There could always be more time for dialogue. One-off dialogues are often deployed to address particular moments of increased tension, such as a recent controversial election or reported hate crime.[31] Many scholars argue interracial and interethnic dialogue can only be meaningfully done with a significant time investment. Ben David and colleagues offered a series of dialogue experiences over the course of a year with Palestinian and Israeli students, foregrounding the need for extended engagement over time.[32] The Intergroup Dialogue model popularized by the University of Michigan is predicated on extended duration: usually at least 1.5-2 hours each week for at least 7-8 weeks.[33]

Dialogues clearly benefit from extended durations, with course-based dialogues being a natural fit for extended, weekly engagement. Intensive dialogue experiences—

such as a short series of weekend dialogues or an alternative Spring Break dialogue experience—may reap similar effects as a semester-long course. One promising Israeli-Palestinian dialogue model took place over two weeks in a midwestern US city. The model found that students needed time and space to navigate cultural differences in communication—such as Israeli students having more direct assertions and Palestinian students having more indirect statements—and unpack the roots of divergent historical narratives of contemporary issues.[34] Intensive, shorter-term dialogue experiences may offer a meaningful alternative to course-based dialogues, but additional research on retreat settings, pre-orientation programs, and other intensive dialogue experiences are needed.

The framing question: for what purpose(s)?

Interracial and interethnic dialogue scholar-practitioners highlight the importance of academic and administrative leaders' support for effective dialogue.[35] Institutional framing can provide much needed resources, validation, and publicity for dialogue programming. Yet calling something a dialogue does not make it so.

Institutional efforts that promote dialogue as a way to pacify critics, blanket over tensions on campus, or strive too quickly for kumbaya moments without creating space for navigating conflict, can backfire. Radical possibilities of dialogue risk being diluted by watered down diversity discourse in higher education institutions.[36] Dialogue that has the capacity to transform re-

quires fewer learning objectives that pull students into application. Interracial and interethnic dialogue needs to be centered as its own end instead of being treated as a means to some other end. If we instrumentalize dialogue too explicitly—such as liberal students wanting to use dialogue to flip the mindsets of conversative participants or building to specific actions predetermined by facilitators as effective democratic participation—then we shortchange its transformational potential.

Conclusion: Dialogue for its own sake

Trying to force dialogue to serve quantifiable democratic ends, such as increased voting rates or scales of democratic sensibility, can backfire. Advocacy facilitation, one-off or abridged dialogues, and an overreliance on institutional rhetoric can exacerbate these issues. Proponents of democratic education take note. Attempting to instrumentalize dialogue undercuts the very dialogic moments that support individuals as they explore their inner life and interdependent commitments. Instead, dialogue efforts should be oriented towards (1) multipartial facilitation that helps explore dominant and resistant narratives and their differential and overlapping impact on individuals, (2) semester-long curricular experiences and intensive, shorter-term dialogue opportunities that go beyond one-off dialogue offerings, and (3) framing dialogue as its own end as opposed to in the service of some other good. Intergroup dialogue in higher education can best serve democratic ends by not being oriented towards explicit goals of civic participation or instilling democratic sensibilities.

[1] Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing,* (Oxford: Oxford University Press, 2007), 20-21, 158.

[2] Kelly M. Hoffman, Sophie Trawalter, Jordan R. Axt, and M. Norman Oliver, "Racial Bias in Pain Assessment and Treatment Recommendations, and False Beliefs about Biological Differences between Blacks and Whites," *Proceedings of the National Academy of Sciences* 113, no. 16 (April 19, 2016): 4298–4299.

[3] For more on how dialogue can reproduce the injustices it seeks to address, see Nicholas C Burbules, "The Limits of Dialogue as Critical Pedagogy," in Trifonas, P. (Ed.), *Revolutionary Pedagogies: Cultural Politics, Education, and Discourse of Theory,* ed. Peter Trifonas (New York: Routledge, 2000), 251-273.

[4] Mount Holyoke's Intergroup Dialogue Center, Villanova's Dr. Terry Vance Center for Dialogue, and the University of Texas at San Antonio's Center for Dialogue & Deliberation offer a mixture of curricular, co-curricular, and extra-curricular opportunities for campus dialogues. A range of schools have adapted the Intergroup Dialogue (IGD) Model—a four-stage dialogue model pioneered at the University of Michigan—for their campus constituencies, such as UMass Amherst, Syracuse University, and Skidmore College. Tufts has built out their Generous Listening and Dialogue Initiative (GLADI), Northwestern its Center for Enlightened Disagreement.

[5] See Alex C. Lange, and Jasmine A. Lee, "Centering Our Humanity: Responding to Anti-DEI Efforts across Higher Education," *Journal of College Student Development* 65, no. 1 (2024): 113–16, and Teri A. Murray, Sarah Oerther, and Krista J. Simmons, "Anti-DEI Legislation Targeting Colleges and Universities: Its Potential Impacts on Nursing Education and the Pursuit of Health Equity," *Nursing Outlook* 71, no. 4 (2023): 101994.

[6] Chaddrick D. James-Gallaway and ArCasia D. James-Gallaway, "Structural Acuity: Black Women Undergraduate Students in Cross-Racial Intergroup Dialogues," *Journal of Diversity in Higher Education,* (2023): 7.

[7] Sylvia, Hurtado, "The Next Generation of Diversity and Intergroup Relations Research," *Journal of Social Issues* 61, no. 3 (2005): 605.

[8] For Habermas, a philosopher of the public sphere, dialogue is an ideal speech situation where all individuals can fully articulate their positions without interference (see Jürgen Habermas, The Theory of Communicative Action Volume One Reason and the Rationalization of Society, trans. Thomas McCarthy [Boston: Beacon Press, 1984]). For Bakhtin, a literary theorist, all communicative acts carry dialogic potential that can open up new vistas of possibility (see Mikhail M. Bakhtin, *The Dialogic Imagination: Four Essays.* trans. Michael Holquist [Austin: University of Texas Press, 1981]). For Buber, working at the intersection of Judaism and education, dialogue is a sacred act of mutual encounter (see Martin Buber, *I and Thou,* trans. Walter Kaufman [New York: Scribner, 1970]). For Bohm, a theoretical physicist turned dialogue facilitator, dialogue is a good in and of itself and needs no agenda (see David Bohm, *On Dialogue,* trans. Lee Nichols [New York: Routledge, 2004]). For Lorde, the intersectional poet-activist, threading across experiences while centering marginalized perspectives can breathe new life into personal and collective movements towards love and justice (see Audre Lorde, *Sister Outsider: Essays and Speeches,* [New York: Crossing, 1984]).

[9] Grant R. Jackson, "Using Student Development Theory to Inform Intergroup Dialogue Research, Theory, and Practice," *Journal of Diversity in Higher Education* 15, no. 2 (2022): 201.

[10] Bridget Turner Kelly, Milagros Castillo-Montoya, Rani Varghese, and Ximena Zúñiga, "Braids and Bridges: A Critical Collaborative Autoethnography of Racially Minoritized Women Teaching Intergroup Dialogue," *Journal of Diversity in Higher Education,* (2024): 8.

[11] For a fuller account, see the chapter on empathy in intergroup dialogues in Patricia Gurin, Biren (Ratnesh) A. Nagda, and Ximena Zúñiga, *Dialogue Across Difference: Practice, Theory, and Research on Intergroup Dialogue,* (New York: Russell Sage Foundation, 2013): 180-210.

[12] Patricia Gurin, Biren (Ratnesh) A. Nagda, and Ximena Zúñiga, *Dialogue Across Difference,* 43-45.

[13] Sylvia, Hurtado, "The Next Generation of Diversity and Intergroup Relations Research," 607.

[14] Lee Anne Bell, "Theoretical Foundations for Social Justice Education," in *Teaching for Diversity and Social Justice* (3rd Ed.), ed. Maurianne Adams and Lee Anne Bells, (New York: Routledge, 2016), 3.

[15] Yael Ben David, Boaz Hameiri, Sharón Benheim, Becky Leshem, Anat Sarid, Michael Sternberg, Arie Nadler, and Shifra Sagy, "Exploring Ourselves within Intergroup Conflict: The Role of Intragroup Dialogue in Promoting Acceptance of Collective Narratives and Willingness toward Reconciliation," *Peace and Conflict: Journal of Peace Psychology* 23, no. 3 (2017): 2, 7.

[16] Bridget Turner Kelly, Milagros Castillo-Montoya, Rani Varghese, and Ximena Zúñiga. "Braids and Bridges," 7.

[17] Chaddrick D. James-Gallaway and ArCasia D. James-Gallaway, "Structural Acuity," 7.

[18] Brian Arao, & Kristie Clemens, "From Safe Spaces to Brave Spaces: A New Way to Frame Dialogue around Diversity and Social Justice," in *The Art of Effective Facilitation,* trans. Lisa M. Landreman (New York: Stylus, 2013), 136.

[19] Fricker, *Epistemic Injustice,* 169.

[20] Sara Ahmed, *Complaint!,* (Durham: Duke University Press, 2021), 3-4.

[21] Donna Rich Kaplowitz, Shayla Reese Griffin, and Sheri Seyka, *Race Dialogues: A Facilitator's Guide to Tackling the Elephant in the Classroom,* (New York: Teachers College Press, 2019), 28-30, 46.

[22] For more on how institutional rhetorics of diversity and social justice education can be destructively misused, start with the work of Sirma Bilge, "We've Joined the Table but We're Still on the Menu: Clickbaiting Diversity in Today's University," in *Routledge International Handbook of Contemporary Racisms 1st ed.,* ed. John Solomos (New York, NY : Routledge, 2020), 317–31. https://doi.org/10.4324/9781351047326-24.

[23] This matches the experiential, self-motivated approach to learning put forth by John Dewey. See John Dewey, *Democracy and Education,* 1916, (New York: Free Press, 1997).

[24] This has been a throughline on dialogue encounters based in intergroup dialogue (IGD) pedagogy. For overviews of the essential role of cofacilitation in these learning environments, see Stephanie D. Hicks and Donna Rich Kaplowitz, F*acilitating Transformational Dialogues: Creating Socially Just Communities* (New York: Teachers College Press, 2024), and Patricia Gurin, Biren (Ratnesh) A. Nagda, and Ximena Zúñiga, *Dialogue Across Difference.*

[25] Lisa M. Landreman, *The Art of Effective Facilitation: Reflections from Social Justice Educators,* (New York: Stylus, 2013).

[26] Christine Clark, "Diversity Initiatives in Higher Education: Intergroup Dialogue as Pedagogy across the Curriculum," *Multicultural Education* 12, no. 3 (2005): 55.

[27] Patricia Gurin, Biren (Ratnesh) A. Nagda, and Ximena Zúñiga, *Dialogue Across Difference,* 4.

[28] Rachel Wahl, "Agency: The Constraint of Instrumentality," *Journal of Philosophy of Education* 56, no. 4 (2022): 518.

[29] Leah Wing, and Janet Rifkin, "Racial Identity Development and the Mediation of Conflicts," in *New Perspectives on Racial Identity Development: A Theoretical and Practical Anthology,* ed. by Charmaine L. Wijeyesinghe (New York: New York University Press, 2001), 182–208.

[30] Sarah Buie, and Walter Wright. "The Difficult Dialogues Initiative at Clark University: A Case Study." *New Directions for Higher Education* 2010, no. 152 (2010): 30-31.

[31] For examples, see D. Chase J. Catalano, "The Paradoxes of Social Justice Education: Experiences of LGBTQ+ Social Justice Educational Intervention Facilitators." *Journal of Diversity in Higher Education* 17, no. 4 (2024): 518–26, and Wahl, "Agency: The Constraint of Instrumentality."

[32] Yael Ben David, Boaz Hameiri, Sharón Benheim, Becky Leshem, Anat Sarid, Michael Sternberg, Arie Nadler, and Shifra Sagy, "Exploring Ourselves within Intergroup Conflict," 3.

[33] Jaclyn Rodríguez, Biren (Ratnesh) A. Nagda, Nicholas Sorensen, and Patricia Gurin. "Engaging Race and Racism for Socially Just Intergroup Relations: The Impact of Intergroup Dialogue on College Campuses in the United States." *Multicultural Education Review* 10, no. 3 (2018): 228.

[34] Phillip L. Hammack, and Andrew Pilecki, "Power in History: Contrasting Theoretical Approaches to Intergroup Dialogue," *Journal of Social Issues* 71, no. 2 (2015): 382.

[35] This extends back to the four criteria put forth by Allport—when researching effective school desegregation efforts following *Brown v. Board of Education* (1954)—for effective intergroup contact: equal status, group cooperation, common goal(s) and, apropos of this conversation, the approval from authorities. See Gordon W. Allport, *The Nature of Prejudice,* (Cambridge, MA: Addison-Wesley, 1954).

[36] For more on the defanging of radical possibilities of transformative social justice and diversity education in higher education, see Sara Ahmed, *On Being Included: Racism and Diversity in Institutional Life,* (Durham: Duke University Press, 2012), and Roderick A. Ferguson, *The Reorder of Things: The University and Its Pedagogies of Minority Difference,* (Minnesota: University of Minnesota Press, 2012).

BEYOND WORSHIP:

The Civic Role of Minoritarian Religious Institutions in Majoritarian Contexts

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ABSTRACT

This article examines how minoritarian religious institutions in India function as civic actors within a majoritarian political landscape. Amidst rising Hindu-centric governance under the Bharatiya Janata Party (BJP), religious minority groups such as Christians face challenges in accessing public goods and resources. Drawing on theories of civic associations and political mobilization, this research explores how these institutions leverage social capital and cohesive networks to engage in informal political negotiations. Through a case study of a Christian church in Haryana, this paper highlights the dual role of religious institutions as spiritual sanctuaries and platforms for civic engagement. Findings underscore that, under exclusionary pressures, religious institutions foster resilience and mobilize their communities to advocate for shared needs, offering a model of democratic participation that supports inclusivity within restrictive environments.

INTRODUCTION

Religious minorities in majoritarian political contexts often struggle to secure equitable access to public goods and services due to policy biases that favor the dominant religious group. India exemplifies this dynamic, where the rise of the Bharatiya Janata Party (BJP) and its Hindutva agenda has deepened religious polarization, promoting a Hindu-centric vision of the state that often marginalizes Christian, Muslim, and other minority religious communities. While the influence of religious institutions on political and public life is widely studied, much of the research has focused on dominant entities. For instance, studies like Grzymała-Busse's (2015) exploration of the Catholic Church's political influence in Europe tend to overlook the nuanced political roles of smaller religious institutions within minority communities, especially in non-Western, multi-religious societies such as India.[1]

While the literature has explored social capital and resilience among minority groups, the idea that majoritarian pressures can actively fortify religious institutions is distinct and central to my analysis. By responding to exclusion, religious institutions can consolidate their influence and serve as both spiritual centers and platforms for political mobilization, directly supporting the community's social and material needs. This exploration seeks to address this research gap by examining how minoritarian religious institutions in India function as civic associations, mobilizing social capital to engage in political transactions that secure resources and public goods for their communities. The central question guiding this research is: how do small, minoritarian religious institutions in majoritarian political settings leverage political power to secure public goods?

Drawing on theories of civic associations and political mobilization, the paper posits that even minority religious institutions with limited size and resources can organize effectively to form reciprocal relationships with political actors, thereby advancing their congregants' material interests. Extending Grzymała-Busse's (2015) argument that religious institutions wielding moral authority can significantly shape policy, this study applies these ideas to the South Asian context, where groups unified by shared faith, caste, or ethnicity leverage collective action to influence state resource distribution.[2]

In line with the Clough Center's theme, "Envisioning Democratic Futures," this study considers how religious minorities, through informal civic networks and social cohesion, contribute to democratic resilience even in restrictive, majoritarian environments. The article begins

with a review of existing literature on civic associations, social capital, and informal networks within religious institutions, then outlines a theoretical model that frames minoritarian religious institutions as civic actors. Following this, evidence from a case study of a Christian minority church in Haryana, India, is presented to illustrate the model's practical applicability. Finally, I reflect on broader implications for democratic resilience and inclusive governance, offering insights for future research.

LITERATURE REVIEW

Civic associations are foundational in political science, comprising voluntary organizations that build community bonds, encourage shared values, and promote collective action. Defined by Putnam (1994) as non-governmental organizations operating outside state structures, these associations foster "social capital"—networks, trust, and reciprocity norms that enable community cooperation.[3] Building social capital has been shown to enhance civic engagement and community resilience, giving individuals tools to advocate for their interests and navigate complex social landscapes. While Putnam primarily focuses on secular organizations, recent studies have acknowledged religious institutions as crucial civic actors, particularly in settings where political participation may be limited by dominant religious or political groups.[4]

In minority communities, religious institutions often act as civic associations by building social capital that enables members to engage with political actors, even when formal avenues are restricted. Social capital becomes a strategic resource for these communities, allowing them to organize and collectively overcome structural barriers to political participation. Grzymała-Busse (2015) illustrates that, by leveraging their moral authority and cohesive networks, religious institutions can effectively advocate for community needs without formal political power.[5] Similarly, minoritarian religious institutions in India foster shared identity and solidarity, which can then be channeled into efforts to secure community resources.

In politically restrictive environments, religious institutions may serve as civic associations in disguise. These institutions leverage internal networks to foster unity and advocate for their communities under the guise of religious activities, allowing them to negotiate for public goods without attracting state scrutiny. Social capital within these spaces thus provides minority communities a secure foundation for collective action, even in environments where overt political organization is limited. However, I posit that majoritarian ideologies—ironically, through exclusionary policies—can strengthen religious institutions in minority communities by fostering resilience and solidarity. Re-

ligious institutions go beyond their conventional roles in these contexts, becoming critical hubs for spiritual support and civic mobilization. This transformation allows them to meet the dual needs of community identity and political advocacy, thereby increasing their relevance and authority among congregants.

Additionally, informal networks within religious institutions create channels for marginalized communities to engage with political elites, particularly in decentralized systems where formal representation may be limited. Auerbach (2002) illustrates that these networks facilitate mutually beneficial exchanges with local leaders who may allocate resources to minority communities in return for political support.[6] Mattingly (2020) elaborates on this, showing that communities in restrictive environments often establish "alternative civic spaces" where social capital enables strategic, informal negotiations with local elites.[7] For minority religious institutions in India, such networks allow religious leaders to communicate their community's needs to political actors, positioning religious institutions as effective intermediaries.

Beyond ideological motives, social and economic incentives also drive religious institutions to engage in political life. Rational choice theorists argue that people participate in religious institutions to maximize spiritual and social benefits, especially where these institutions provide "club goods" like community support, moral guidance, and welfare resources.[8] In marginalized communities, religious institutions often negotiate for public goods on behalf of their congregants, functioning much like secular civic associations. In India, minority religious institutions frequently serve as spiritual and civic organizations, mobilizing resources to secure improvements aligned with their community's needs.[9]

Research on Indian civil society has typically focused on issues like caste and ethnicity, with limited examination of religious minorities as civic actors. While caste-based movements have shown how marginalized communities use civic associations to challenge inequality, studies often overlook the political agency of minoritarian religious institutions. This paper addresses this gap by examining how these institutions use social capital and informal networks to advocate for their communities.

In summary, this literature review establishes a framework for understanding minoritarian religious institutions as civic associations that leverage social capital and negotiate political transactions in majoritarian contexts. Through cohesive networks, shared identity, and informal pathways, these institutions provide minority communities with a model for civic engagement that reinforces the dual role of religious institutions as spiritual and political entities,

with my original insight emphasizing their growing strength and resilience under majoritarian pressure.

MODEL AND EVIDENCE

In majoritarian societies, where political structures often marginalize minority communities, religious institutions within these groups can serve as critical civic associations. These institutions generate and mobilize social capital—rooted in trust, cohesion, and shared identity—which becomes a powerful resource for minority groups to secure public goods and advocate for their welfare.

In restrictive political settings, formal avenues for political engagement are often limited or inaccessible to minority communities. To address this gap, religious institutions create informal networks that connect congregants with political actors, allowing leaders to negotiate on behalf of their communities. Acting as intermediaries, these institutions foster communication channels that enable reciprocal exchanges. In these systems, trust-based relationships effectively link marginalized communities to local governance, facilitating the negotiation of resources and services that benefit community members.

Moreover, majoritarian pressures, particularly those reinforced by exclusionary ideologies, often enhance internal cohesion within minority communities. These challenges imposed by dominant political ideologies compel minority groups to consolidate their communal identity and organize cohesively. Under these conditions, religious institutions provide a spiritual sanctuary and a platform for civic mobilization. By fostering a strong collective identity, they enable minority communities to present themselves as cohesive voting blocs. They use this unity to negotiate for public goods and influence the local political landscape.

The evidence for this study is based on qualitative interviews conducted in the summer of 2023 with members and leaders of a Christian minority church in northern India. Due to privacy concerns, the exact identity and location of the church remain undisclosed; however, these details are secondary to the church's broader role as a representative case of how religious minority institutions operate within a majoritarian political landscape. The church is a compelling example of how religious institutions can function as civic actors, organizing their communities to advocate for communal interests in a challenging environment.

Qualitative interviews reveal that this church has evolved beyond its primary role as a place of worship, becoming a focal point for community gatherings, civic engagement, and informal negotiations with local political figures. Church leaders leverage its status as a trusted community institution to foster unity and collective purpose, mobilizing congregants around issues beyond religious concerns. Members describe the church as a "second home" and a space where their voices are amplified spiritually and civically. For instance, one congregant shared, "During the last election, our pastor encouraged us to think about candidates who would listen to our concerns as Christians and work for our safety and welfare." This sense of community solidarity becomes especially apparent during election periods, as church leaders organize special gatherings to discuss local political issues and highlight candidates sympathetic to the Christian community's needs. These discussions often include informal forums where members are encouraged to voice their concerns and collectively strategize their political engagement.

The church's activities exemplify its role as a civic association that organizes members for communal benefit. Attendance records indicate a threefold increase in participation, especially in the months leading up to local elections, a trend directly tied to the church's role in civic engagement during this period. Church leaders observed that many members attended specifically to stay informed about political developments, with one noting, "As elections approach, our services become more than just worship—they are spaces where we discuss candidates and strategize how to advocate for our community's needs." This surge underscores the church's dual function as a spiritual and political hub, particularly during politically significant times.

Volunteer participation in church-led initiatives further reinforces its influence as a civic institution. Records show high engagement in programs such as neighborhood clean-ups, skill-building workshops, and voter registration drives, which align with times of heightened political activity. During these events, church leaders actively engage congregants in discussions about local political issues and encourage them to support candidates sympathetic to the Christian community's needs, such as improved access to public goods like electricity, street renovations, and public restrooms. One interviewee noted, "We are not just coming here to pray; we are coming here to find strength as a community, to stay connected, and to protect each other's interests."

The church's leaders also negotiate with local political actors to address community issues like infrastructure improvements and safety concerns. Although unofficial, these interactions illustrate the church's role as an intermediary between its members and the local political landscape. For instance, through informal meetings with political figures, church leaders secured several public goods, including repaving streets around the church and installing new street lighting

to improve neighborhood safety. One church leader explained, "We may be a small community, but people listen when we come together and speak with one voice. Our church gives us that voice." This example underscores the church's capacity to advocate for tangible improvements in its members' quality of life.

In sum, this church exemplifies how religious institutions, by fostering internal cohesion and building social capital, can navigate majoritarian constraints to secure communal resources and assert their presence in the local political arena. These interviews highlight how religious institutions serve as civic agents, providing both spiritual support and political leverage for their communities. Despite operating within a restrictive environment, this church has positioned itself as a reliable partner for political actors, negotiating public goods in exchange for electoral support. By organizing its congregants around a shared identity and fostering a collective sense of civic purpose, the church demonstrates how minority communities use religious institutions to sustain resilience and advocate for their interests within a majoritarian context.

IMPLICATIONS AND CONCLUSIONS

Exploring a Christian minority church in India provides valuable insights into how minoritarian religious institutions function as civic actors within majoritarian political settings. By mobilizing social capital, leveraging cohesive networks, and engaging in informal negotiations with political elites, these institutions empower marginalized communities to secure public goods and advocate for their interests. This case study underscores religious institutions' dual role as spiritual sanctuaries and civic organizations capable of navigating restrictive environments to achieve tangible improvements for their members. While the analysis focuses on India, its implications extend beyond national boundaries, inspiring hope for similar empowerment in other contexts.[10]

In many countries, particularly those with dominant religious or ethnic groups, minority communities face similar constraints in accessing political resources and representation. The strategies observed in this study—informal networking, cohesion-based leverage, and the strategic use of social capital—present a universal model of political engagement that is relevant to other contexts where minority groups encounter exclusionary policies or limited political influence. Religious institutions within marginalized communities in diverse settings, such as Muslim communities in Western Europe or Buddhist minorities in parts of Southeast Asia, may employ comparable approaches to advocate for public goods, negotiate with political figures, and foster resilience among congregants.[11] Recognizing religious institutions as civic actors highlights a universal model of political engagement that transcends specific religious or cultural boundaries, broadening our understanding of political participation.

Aligned with the Clough Center's theme, "Envisioning Democratic Futures," this study contributes to our understanding of democratic resilience within restrictive or exclusionary systems. By organizing and mobilizing their communities through religious institutions, minority groups challenge traditional notions of political engagement and participate in democratic life in ways that bolster inclusivity. This model of governance shows that minority voices, even with limited formal representation, can shape local policies and resource distribution. The findings suggest that a future democratic vision should embrace informal civic actors, like religious institutions, which empower marginalized groups to advocate for their needs and uphold democratic values within complex social landscapes.

Furthermore, this study demonstrates how democratic systems can benefit from recognizing and supporting the civic roles of religious institutions, especially within minority communities. When viewed as civic actors, these institutions offer unique forms of social cohesion, negotiation power, and resilience that strengthen democratic systems by ensuring diverse voices contribute to the public good. This perspective encourages policymakers and civic leaders to consider the informal political potential of religious institutions and their role in bridging the gap between marginalized communities and governance structures, fostering more equitable, participatory systems.

In conclusion, minoritarian religious institutions exemplify how democratic values can thrive even under restrictive conditions. By fostering collective identity and civic engagement, these institutions equip minority communities with tools for resilience, advocacy, and meaningful democratic participation. Future research could further examine these dynamics across various contexts, offering broader insights into how religious institutions contribute to democratic governance and inclusion. Embracing this vision of democratic futures that integrates informal networks and values civic diversity opens possibilities for resilient, inclusive, and representative systems that empower all communities, regardless of size or status.

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FROM CONFLICT TO CONSENSUS:

Power-Sharing and the Path to Democracy

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Political Science

ABSTRACT

When and how do peace agreements incorporate power-sharing institutions, and under what conditions do these institutions foster stable democracies in post-civil war societies? This essay examines the critical role of power-sharing provisions in transitioning from the aftermath of civil war to a stable democratic society. Drawing on examples such as South Africa, Northern Ireland, and Lebanon, it explores how power-sharing agreements address the mistrust and commitment problems between former adversaries. While power-sharing arrangements provide mechanisms for representation and dispute resolution, they are not sufficient guarantees of democratic outcomes. Instead, their success depends on the design and adaptability of institutions, and the broader context in which they are implemented.

DEMOCRATIZATION AND CIVIL WARS

Democracy is difficult to establish in a fractured society, even more so when recent violence has left shadows of fear and mistrust. Civil wars are often followed by a period of political fragility, since the violence frequently leads to further instability and distrust, increased repression, and the entrenchment of authoritarian regimes. The breakdown of state institutions and the militarization of society during a civil war can create conditions in which power becomes centralized in the hands of a few, especially those who led military factions during the conflict. These leaders may use their control over security forces to suppress political opposition and curtail democratic processes. Similarly, post-war environments are rife with distrust between factions, making it difficult for rival groups to cooperate peacefully. This mistrust often leads to the resurgence of violence or coups, as was the case in South Sudan, where a fragile peace deal collapsed into renewed fighting just two years after its signing.

Civil wars can also create unique opportunities for democratization, particularly when peace agreements address underlying political grievances and promote reforms. Power-sharing agreements or constitutional reforms that include representation for all major factions can help prevent the domination of any one group and lay the groundwork for a more inclusive political system. Power-sharing agreements, particularly in post-conflict settings, serve as a bridge between the chaos of war and the order of governance. By including mechanisms for representation, dispute resolution, and mutual accountability, they can mitigate the fear and mistrust that hinder lasting peace. However, not all power-sharing agreements are equally successful. The cases of South Africa and Lebanon illustrate the potential strengths and pitfalls of these arrangements. South Africa's inclusive post-apartheid framework facilitated a stable transition to democracy, while Lebanon's power-sharing arrangements entrenched sectarian divisions, perpetuating political fragmentation.

This essay explores how the design and implementation of power-sharing agreements shape democratization outcomes in post-civil war contexts. It does so by addressing two central questions: When does a peace agreement incorporate power-sharing institutions, and when do these institutions foster a stable democracy? The central argument is that strong institutions and inclusive power-sharing provisions are necessary to make the transition from a civil war environment into a stable and democratic society. This essay focuses on post-civil war contexts, examining how power-sharing arrangements can mitigate the risks of authoritarian-

ism and renewed violence while fostering democratic governance. It argues that power-sharing institutions are most successful in achieving stability and democratization when they are inclusive, addressing the concerns of all major factions involved in the conflict.

In the next part of the essay, I will explain what power-sharing institutions are and why they are important after civil wars. Then I will discuss how power-sharing works in post-conflict societies. To investigate the impact of peace agreements on democracy, I will use data from the UCDP and V-Dem datasets on 52 countries that experienced conflict and signed peace agreements between 1975 and 2021. I will analyze this data to show when peace agreements are signed and what types of conflicts are more likely to lead to power-sharing arrangements, and how they impact democracy.

When does a peace agreement incorporate power-sharing institutions?

Power-sharing institutions define how decisions are made and allocate decision-making authority within a state.[1] While such systems exist in many societies, they take on unique importance in contexts of political division or post-conflict reconstruction. In democracies, power-sharing typically aims to balance competing interests and prevent the dominance of any one group. For instance, in Switzerland, a consociational democracy, power is shared across linguistic and religious groups, with mechanisms like a rotating presidency and proportional representation in the Federal Assembly ensuring inclusion and cooperation. Similarly, Belgium's federal system accommodates linguistic and regional divisions by granting significant autonomy to regions and communities, while mandating equal representation in key institutions.

In post-conflict societies, power-sharing often takes on a more urgent role as a mechanism to manage distrust and prevent the recurrence of violence. Formal agreements, such as constitutions or peace treaties, frequently establish these institutions. For example, the 1995 Dayton Accords in Bosnia and Herzegovina created a highly structured power-sharing arrangement, dividing authority between the Federation of Bosnia and Herzegovina (predominantly Bosniak and Croat) and the Republika Srpska (Serb-dominated), with additional guarantees for minority representation.

Throughout this essay, I will use data from UCDP and V-Dem to investigate the impact of peace agreements on democracy.[2] The sample selection has 52

different countries that experienced a conflict and signed a peace agreement between 1975 and 2021.
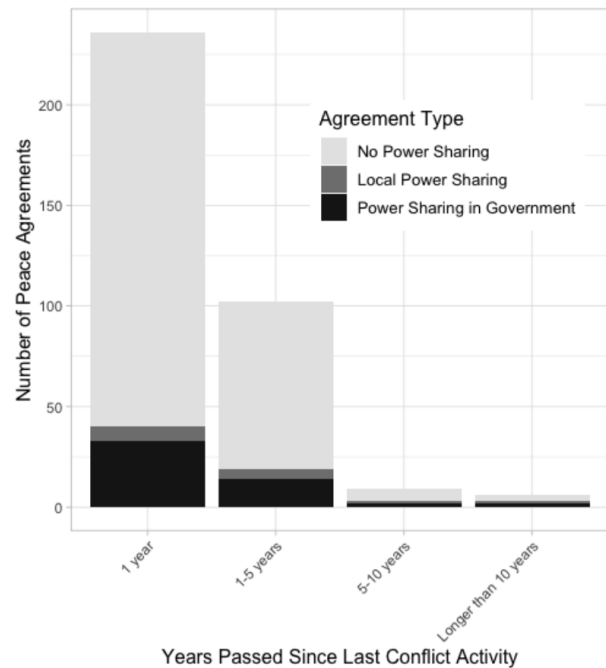

Table 1: When are the peace agreements signed?

When we look into the peace agreements as a whole, a striking majority — over 200 agreements — were signed within the first year after active conflict stops, with most lacking any form of power-sharing arrangements.[3] Agreements signed between 1-5 years after conflict activity significantly decline to a little over 100, while those signed beyond five years become increasingly rare. Across all timeframes, agreements without any power-sharing consistently outnumber those with either local power-sharing or power-sharing in government. Notably, over 100 agreements signed within the first two years were subsequently terminated by either of the parties involved. Out of those terminated agreements, 84% of them did not have any type of power-sharing while only 2% had both local and government power-sharing.

A logical follow-up question is: What types of conflicts are more likely to result in power-sharing provisions? Examining the second table, we find minimal differences between conflicts centered on government control and those focused on territorial disputes in terms of their likelihood to include power-sharing agreements.[4] Likewise, conflicts ending with federalism or independence show nearly identical percentages, each accounting for less than 6%.
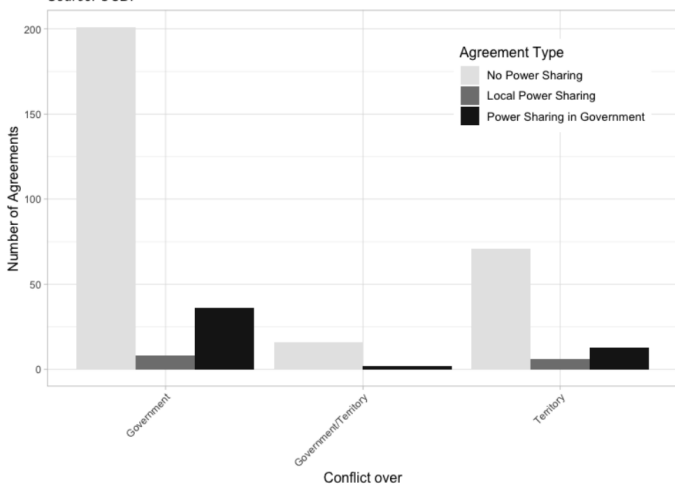
Table. 2: Conflict Type and Power-sharing

However, Jarstad and Nilsson[5] find that about 75% of political pacts contained in peace agreements are implemented, but this percentage drops to 55% for territorial pacts and 34.5% for military pacts.[6] When we look into the implementation of peace agreements, I find that 27% of agreements with local power-sharing and 51% of agreements with power-sharing in government had not been implemented, while a higher percentage of 58% of agreements without power-sharing were not able to be implemented.[7]

BUILDING TRUST BETWEEN GROUPS: FEAR, COMMITMENT PROBLEMS, AND AGREEMENT DESIGN

So far, we established that there is no one solution for a conflict. To transition effectively from conflict to peace, power-sharing models must be tailored to the unique dynamics of each society. The lasting peace after civil war depends on mitigating commitment problems between former adversaries. Both sides operate under a climate of fear and mistrust, stemming from the inability to commit credibly to upholding peace agreements.[8] This inability to trust arises because each party fears the other will exploit the peace process to its advantage, potentially leading to a sudden attack or political marginalization. For example, in the Rwandan Arusha Accords (1993), the agreement attempted to integrate both the Rwandan Patriotic Front (RPF) and the government army into a unified military. However, mistrust and fear of domination by the opposing side ultimately led to the collapse of the agreement and the escalation into genocide. Similarly, in Angola, the Bicesse Accords (1991) failed because the two main factions, MPLA and UNITA, mistrusted each other's commitment to disarmament and elections. This mistrust contributed to the resumption of civil war shortly after the elections.

The fear of future opportunism undermines negotiated settlements and creates a situation where even actions taken in good faith can be misconstrued as hostile, leading to a breakdown of peace.[9] The successful resolution of civil wars hinges on the credible commitment of combatants to peace, a commitment strengthened by incorporating power-sharing elements into peace agreements.[10] Power-sharing is vital when combatants, wary of political exclusion and domination after demobilization, require assurances beyond democratic elections alone.[11] In the fragile period following conflict, nascent democratic institutions often lack the strength to enforce such arrangements effectively, leaving factions susceptible to exploitation. As a result, combatants generally favor provisions that secure them control over key positions, such as government quotas, ministerial roles, or shared executive authority, to guard against domination by rivals.[12]

Power-Sharing and Post-Civil War Democracy

The specific agreement provisions can address these commitment problems and reduce the likelihood of renewed violence. Mattes and Savun (2020) argue that fear-reducing provisions, such as third-party guarantees and power-sharing arrangements, directly address the anxieties of both sides, while cost-increasing provisions, like separation of forces or border seals, make the resumption of hostilities less appealing.[13]
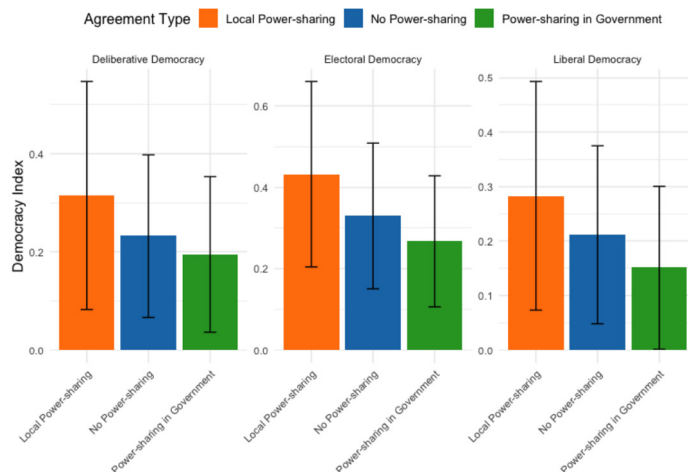
Figure 3: Impact of Peace Agreement Type on Democracy[14]

The impact of power-sharing on democracy can vary depending on the specific form of power-sharing implemented. As illustrated in Figure 3, power-sharing arrangements show differing effects on deliberative, electoral, and liberal democracy indices. Local power-sharing tends to have higher scores on democracy indices com-

pared to other arrangements, potentially because it fosters greater inclusivity and representation. In contrast, power-sharing in government appears to have lower democracy index scores. Meanwhile, cases with no power-sharing display intermediate levels of democracy, suggesting that the absence of such arrangements neither strongly promotes nor hinders democratic development.

Power-sharing provisions have the potential to foster democracy in post-conflict environments. In South Africa, post-apartheid power-sharing arrangements ensured representation for all major groups, fostering a relatively stable and inclusive democratic transition.[15] In El Salvador, the 1992 Peace Accords facilitated the inclusion of the Farabundo Martí National Liberation Front (FMLN) in the political process, marking a significant step toward democracy. While the agreement did not include formal power-sharing provisions, it ensured the FMLN's transformation into a legal political party and restructured the political system to allow for fairer representation. Reforms such as demilitarization, judicial changes, and electoral system improvements helped assuage fears of political repression, creating the conditions necessary for a more inclusive and democratic governance structure.[16]

On the other hand, there are examples of how power-sharing has hindered the democratization process. Roeder and Rothchild (2005) critique power-sharing for potentially entrenching elites and limiting broader democratic participation.[17] They argue that the focus on elite interests can undermine inclusive governance, risking future instability. Lebanon provides a striking example of how power-sharing arrangements can block the path to democracy. Since the collapse of the Ottoman Empire, Lebanon has experienced multiple iterations of power-sharing, beginning under the French mandate and continuing thereafter. While these arrangements were designed to facilitate democratic development, they instead entrenched existing divisions within the society.[18] By institutionalizing these cleavages, power-sharing solidified sectarian identities, preventing the emergence of a unified democratic framework and perpetuating political fragmentation.

CONCLUSION

Power-sharing institutions play a crucial role in post-conflict societies by addressing deep-seated mistrust and fostering pathways toward stability and democracy. However, their effectiveness depends heavily on their design, implementation, and adaptability to the specific political and social context of each conflict. While power-sharing can mitigate fears of exclusion and domination, it is not a panacea. Poorly designed agreements may entrench divisions or empower elites at the expense of broader democratic participation, as seen in cases like Lebanon.

The analysis presented in this essay demonstrates that power-sharing arrangements, particularly those enshrined in formal agreements, can create opportunities for democratization by providing frameworks for representation, dispute resolution, and mutual accountability. By addressing fears of exclusion and creating structures for representation, power-sharing agreements can foster trust and lay the groundwork for democratic practices. However, as the cases of South Africa and Lebanon illustrate, the design and implementation of power-sharing agreements are critical in determining their success. While South Africa's arrangements facilitated a stable transition to democracy, Lebanon's institutionalized divisions highlight the risks of entrenching societal cleavages. Ultimately, the ability of power-sharing agreements to foster stable democracies depends on their capacity to evolve alongside the political and social dynamics of post-conflict societies, ensuring they remain relevant and effective in achieving lasting peace and democratic governance.

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When I began writing this essay, Syria served as an example of a civil war in which the ruling al-Assad regime had suppressed opposition forces and consolidated power. However, before this essay reached editorial review, the long-standing al-Assad regime was overthrown, creating a significant power vacuum. This development raises pressing questions about Syria's future. I hope the examples and analysis presented in this essay can illuminate potential pathways for Syria in the wake of this monumental change.

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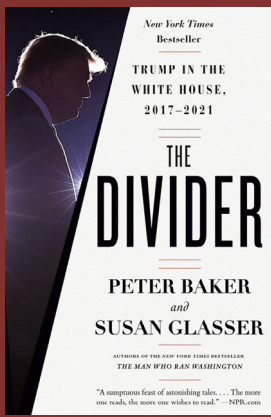
THE NEW YORKER'S SUSAN GLASSER ON THE U.S ELECTIONS:

"We're not there yet"

I was at a conference in Moscow, ten years after the fall of the Soviet Union, at the Carnegie Moscow Center with one of the leading democratic reformers in Russia. He was a leader of the liberal party which was by then a very small party in the opposition. He was asked on the panel discussion, "What do you think, sir, is the future of democracy in Russia?" And he thought for a minute, and he said, "Okay, well, let me give you an old Soviet anecdote.

An ambulance driver in Moscow goes to pick up a guy, and they're driving and driving through traffic in Moscow. The guy sits up finely in the back, and he says to the ambulance driver, 'Excuse me, where are we going?' And the driver says, 'We're going to the morgue.' And, obviously, the patient in the back of the ambulance was not very happy with that answer and he said, 'What do you mean? I'm not dead. Please don't take me to the morgue.' And the ambulance driver says, 'Yes, but we're not there yet.'"

Of course, at the time that he told this, it was a morbid joke about Russian democracy and its uncertain progress after ten years. Now, you couldn't even tell that joke in Moscow because it wouldn't be funny, and the premise of the question would be almost absurdist. But it kind of works, unfortunately, as a commentary about what's happening here in the United States less than a month away from an election, in which Donald Trump will appear on the ballot as the third consecutive nominee of the Republican Party.

This is the only time in American history since the Republican Party was founded in the mid-19th century that they have had one person appear three consecutive times as the nominee. This is out of the script. I tell this story about Russia because it proved to be, unexpectedly, a chance to eyewitness something that became the playbook for a period of democratic rollback in Russia, which had very new, fledgling, and flawed institutions of democracy after such a short period of time, post-Soviet Union. But in many ways, that has become the script, the template, and the playbook for what's happened in other countries — not only in Western Europe, but I think in many ways here in the United States. There was a question earlier to-day — "Is the crisis of American partisanship something that Donald Trump created or owns, or does it predate him?" We thought a lot about this in writing our book, *The Divider*. Donald Trump did not create these divisions in American society, and the Tea Party is a great example that underscores that. Structure matters, institutions matter. But over these last nine years, we keep making the same category error again and again and again. And this is also something that we have in common with our assessments of Putin's Russia. We made the same mistake for 20 years again and again and again with Russia, both with presidents who are Democrats and presidents who are Republicans.

I see many of the same category errors that have kept us having circular conversations about Donald Trump, both by many Republicans as well as many Democrats. Here's a horrific quote that illustrates this from the forthcoming Bob Woodward book. He cites Ron Klain, who was Joe Biden's first White House Chief of Staff. A very experienced official in Washington, very savvy. He quotes Ron as saying in the very first weeks of the Biden administration, "Donald Trump is over. Donald Trump is going to be a side show." That's the quote that's going to haunt my dreams. "Tuning out" was something that Republicans as well as Democrats did. Even at the time, it was kind of clear that that was a mistake, but so many people made it that I think it has helped to shape the outcome of where we are.

Another persistent fallacy that I have observed in the Trump years is the notion that, "Well, the Republicans will just snap back, that there's some going to a reversion to a kind of a status quo ante." The fact that Donald Trump has taken over the Republican Party is often dismissed. In this age when parties matter less, maybe people don't think about it, but structurally speaking this is a key ingredient for him. The way that our democracy works, the way that our system works, is that there are so many inherent advantages to the two parties. And if you take over one of the two parties, that gets you almost to 50% of the vote. And that's where we're at right now.

Delivered at the annual Fall Colloquium, October 10, 2024.

V. CRIMINALITY AND THE SCOPE OF STATE POWER IN DEMOCRACY

HISTORICAL ITERATIONS OF THE AMERICAN AND ENGLISH CRIMINAL JURY AS INSPIRATION FOR REFORM

Clara Taft

Political Science & Classics

ABSTRACT

The Sixth Amendment guarantees Americans the right to a jury trial in criminal cases. However, fewer than 2% of criminal defendants exercise their right to a jury trial. Many observers are concerned about this trend because they believe that the jury trial is an important feature of American democracy that protects values like freedom and justice.

This article will compare the modern American jury to earlier American and English iterations and argue that the criminal jury in its modern form is inconsistent with its original purpose because it is so rarely used, and that earlier forms of the jury, because this institution has changed so dramatically, can serve as inspiration for future reform to a limited degree.

The jury trial developed very organically in England as a way to provide helpful information to judges deciding cases. In this early period, the jury resembled a group of witnesses who had background knowledge, rather than unbiased finders of fact. Even many centuries later, when Americans adopted the English jury into their legal system, the jury was not representative of the broader society. It could often make decisions about law as well as facts, and was more susceptible to outside influence—qualities that would seem very foreign to a modern observer. The Framers of the American Constitution wanted the jury to protect the rights of the defendant and also allow the jurors to participate in government. They thought of the jury as an institution with affirmative power, not an elective right for individuals to exercise. By the time the jury had developed into a form similar to our own, it was already declining in use.

Reforming the jury will probably result in a new institution with qualities that have never before been combined. This goal will require reformers to have especially sophisticated conversations about what values Americans care about with respect to the justice system.

The Sixth Amendment protects a criminal defendant's right to be tried by a jury of their peers, and this protection still enjoys broad esteem from Americans.[1] Nevertheless, most defendants in criminal cases do not exercise this right, and the proportion of cases that receive a jury trial declined dramatically in the 19th and 20th centuries. This article will argue that the jury trial right lacks its original meaning when, as is the case now, defendants experience coercive pressures to plead guilty such that jury trials rarely occur; however, although the historical character of the jury should serve as inspiration for reform, a reformed criminal justice system would include a new iteration of the jury trial that has never before existed. This paper will establish that the Framers of the Constitution intended for the jury to be an insti-

tution with affirmative power and consider factors that influence defendants to waive their right to a trial, such as mandatory minimum sentences and plea bargaining. I will then compare the historical character of the jury to its modern conception and discuss how its positive features made historical juries a better vessel for bringing ordinary citizens into the functioning of the government while acknowledging the ways in which historical juries do not live up to modern ideals of equality and representativeness. As many Americans become increasingly disillusioned with the criminal justice system, serious reform becomes progressively possible. Reformers may find it inspiring to consider previous iterations of criminal juries as they consider how to build a better system.

THE FRAMERS' ORIGINAL INTENT FOR JURY POWER

From March 2019 to March 2020, fewer than 2% of federal criminal cases were resolved through a jury trial.[2] Paradoxically, although Americans place great importance on the protections of the Sixth Amendment, almost all criminal defendants waive their right to be tried by a jury. There is good reason to believe the Framers of the Constitution intended for the jury to be an institution with affirmative power, not merely a right that a defendant can choose to exercise or waive. Both Federalists and anti-Federalists wrote about the jury as a means for ordinary people to participate in government and safeguard their rights. The anti-Federalist Federal Farmer compares jury service to representation in the legislature: both forms of political participation "are the means by which the people are let into the knowledge of public affairs [and] are enabled to stand as the guardians of each others [sic] rights."[3] He gives particular importance to jury participation since juries may decide cases contrary to judges whose conduct is "severe and arbitrary" and who "tend to subvert the laws."[4] Federalists thought similarly; Thomas Jefferson said that he would rather leave the people out of the legislative branch than the judicial branch if someone forced him to choose one or the other.[5] Like the Federal Farmer, Jefferson found similarities between participation in the legislature and participation in the judiciary, which suggests that jury trials, aside from protecting the accused from arbitrary punishment, are also a means—perhaps the most important means—by which ordinary people become involved in democratic government and look after their own interests, as well.

The importance of juries for contemporary commentators manifests itself most clearly in Article III, Section 2 of the Constitution, which says, "The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury." Unlike the Sixth Amendment, which seems to establish a personal and waivable right to a jury trial for an individual defendant, Article III, Section 2, as most readers would likely understand it, precludes bench trials or any other way of trying a case other than a jury trial. Nevertheless, the Supreme Court found in *Patton v. United States (1830)* that a defendant could choose to waive their right to a jury, since the Constitution establishes the jury trial as a right for the individual, not an institution of the government.[6] Without taking any particular position on the merits of jury trials or bench trials, the Supreme Court's belief that the word "shall" means "does not have to be" is very unorthodox, and out of line with the opinions of earlier commentators. Publius writes in Federalist 83 that Article III, Section 2 is an "express injunction of trial by jury in all such cases," and the Federal Farmer writes that he understands Congress to have the authority to organize the judiciary within certain boundaries, one stipulation being that "there must be a jury trial in criminal causes."[7]

HISTORY OF PLEA BARGAINING

Even if one believes that the Supreme Court was wrong to say that bench trials are constitutional, their decision does not have much effect on the current situation, since jury trials are mostly replaced by guilty pleas, not bench trials. For example, in the 12-month period ending September 2018, there were 79,704 criminal defendants in U.S. District Courts. Of those, 6,275 had their cases dismissed. Of the remaining defendants, 218 were acquitted or convicted in a bench trial; 1,661 were acquitted or convicted by juries, and 71,550 (97.44%) pleaded guilty.[8] The Framers would likely not have foreseen the possibility that such a high proportion of criminal defendants today plead guilty, since guilty pleas were remarkably uncommon in the 18th century and usually discouraged. English legal scholars including Matthew Hale and William Blackstone comment that, if a defendant decided to plead guilty, the court would implore them to reconsider.[9] As recently as 1892, when the petitioner in the U.S. Supreme Court case *Hallinger v. Davis* originally pleaded guilty to murder, the trial court appointed him counsel and adjourned for three days so that he could consult with his lawyer and reconsider his guilty plea.[10]

Guilty pleas became dramatically more common throughout the 19th century: In New York, New Haven, and London, guilty pleas made up 50% of felony dispositions in 1860, but 90% in 1900;[11] in New York, this was itself an increase from 8.4% in 1840.[12] One popular explanation for this change is that lawyers and police officers became more effective at securing and leveraging evidence, and lawyers could assess which cases were ones in which the defendant was obviously guilty.[13] Increasing workloads and more complex trials also encouraged them to engage in plea bargaining.[14] Mike McConville and Chester L Mirsky in their book *Jury Trials and Plea Bargaining*, offer a competing explanation, taking New York City as an example. Technically, it was possible pursuant to the 1829 Penal Code to offer the defendant the opportunity to enter a guilty plea to a lesser offense, after which the District Attorney would enter a *nolle prosequi* and decline to prosecute the greater offense that may have better described the actual crime.[15] Essentially, this is plea bargaining. However, there was no indication that District Attorneys actually used this strategy to induce defendants to give up their right to a jury trial,[16] and the increase in guilty pleas did not occur until at least a decade later.[17] In fact, the court did not treat defendants pleading guilty more leniently than those pleading not guilty.[18] This changed in the period 1850–1865. Many defendants pleaded guilty to uncharged lesser included offences; however, in 73% of these cases, there was no

mitigating factor or external consideration (such as a lack of evidence) that explains why they were allowed to plead guilty to the lesser charge.[19] McConville and Mirsky believe that this pattern reflects that plea bargaining had become relatively common in this period of time.[20] They also point to the politicization of the District Attorney, who, as an elected official, became dependent on the support of the political machine and their working-class constituency, many of whom had an adversarial relationship with the law.[21] The District Attorney thus adopted a pattern of allowing defendants to plead guilty to lesser charges to maintain the support of Tammany Hall.[22] At the same time, he could point out to more tough-on-crime observers that a large proportion of defendants were convicted.[23] Whichever of these two hypotheses—lawyers' increased professionalism or the political machine's capture of the District Attorney—is more accurate, plea bargaining probably did not originate as a malicious strategy to deprive innocent people of their right to a trial.

REASONS FOR WAIVING THE RIGHT TO A JURY TRIAL

Many criminal defendants certainly plead guilty to crimes because they know they are guilty and feel remorse or do not want to go through a trial. However, external pressures induce at least some people who believe they are innocent to plead guilty anyway. One study found that 19% of adults who pleaded guilty to felonies in New York City maintained that they were innocent,[24] and 11% of those exonerated by DNA analysis had pleaded guilty.[25] The choice of whether to plead guilty can occur through coercion. A 2020 study by Shari Seidman Diamond and Jessica M. Salerno surveyed judges, defense attorneys, and prosecutors and asked them what factors influenced defendants to waive their right to a trial.[26] It seems that two major causes are mandatory minimum sentences and sentencing guidelines. Half of judges and 85% of defense attorneys (although only 25.7% of prosecutors) said that mandatory minimum sentences had a medium or large effect,[27] and defense attorneys on average said that sentencing guidelines had a medium effect (both judges and prosecutors tended to believe that the effect was small).[28] The authors of the study explain that mandatory minimum sentences force the defendant to decide "whether it is worth taking the chance of going to trial when the penalty if convicted will be predictably and unavoidably harsh" when prosecutors offer them the option of pleading guilty to a less serious charge.[29]

Andrew Manuel Crispo writes in more significant detail about the practices that often make plea bargaining exploitative of defendants. If a prosecutor is hoping to obtain their preferred sentence without the inconvenience of a trial, they might use three strategies to pressure a defendant to plead guilty: they might threaten an astonishing number of charges ("piling on"); they might inflate the seriousness of the charges themselves ("overreaching"); or, when negotiating with the defendant, they might reduce the number and severity of the charges to approach the arrangement they wanted in the first place ("sliding down"). Therefore, a prosecutor can give the defendant the impression that the defendant, by agreeing to plead guilty to a seemingly lesser charge, has avoided worse consequences when the original charges the prosecutor was offering were completely unrealistic.[30]

HISTORICAL FEATURES OF THE JURY

The result of these developments is that the criminal jury has almost ceased to exist. This is, of course, not a good thing for defendants who wish to plead not guilty but feel the risk is too great. However, I would also argue that it is unfortunate for ordinary Americans who should have the opportunity to participate in and become educated about the government. People who believe that the criminal justice system should be fair as opposed to coercive should naturally support reforms to the system that would reduce the pressure on defendants to plead guilty to crimes. Although it may be helpful to look at the Framers' understanding of juries, it is impossible to learn only from history. There is not an obvious "ideal state" of the jury trial to return to, since many of its earlier features would be very foreign to modern observers. In England, the concept of a juror originated after the Noman Conquest and simply referred to someone who swore an oath (for example, to a census taker) that a fact was true.[31] In the 12th century, traveling judges began soliciting groups of people to share their knowledge of a situation surrounding a trial.[32] Juries today must be sequestered from outside information considering a case so that they do not develop preconceived ideas before they deliberate; on the other hand, judges selected early juries specifically because they had helpful background knowledge. Modern juries are also very limited in their role: they are triers of fact and do not decide questions of law or otherwise participate in the trial. However, the law/fact distinction is very recent. In early 19th century America, criminal juries could be empowered to determine the law when there was disagreement regarding the interpretation of a statute, or if no statute existed.[33] In some instances, juries also played a greater role in the trial and were allowed to question witnesses.[34] In general, the boundary between the jurors and outside influences was much more permeable, sometimes in coercive ways. For example, one 18th century English judge felt the jury was deliberating too slowly, so he had them locked in a cold, dark room with no food until

they delivered a verdict (which they quickly did).[35] Finally, the principle of two defendants being tried by a jury of their peers was not fully realized until women and racial minorities could participate in juries. However, in the U.S., it was legal to discriminate against women in jury selection until the Supreme Court ruled in *Taylor v. Louisiana* (1974) that excluding women from juries violates the Sixth amendment.[36] Likewise, it was not until the case *Batson v. Kentucky* (1986) that the Supreme Court established that it was a violation of the Equal Protection Clause to exclude a juror on the basis of race.[37] By the time a jury of one's peers was truly a jury of *all* of one's peers, jury trials occurred in only a small minority of criminal cases. In summary, the vision of a representative, unbiased, sequestered jury deciding questions of fact in a large fraction of criminal cases has never existed; if plea bargaining reforms succeeded in returning the jury to its former relevance, this would be an entirely new iteration of the criminal jury trial.

CONCLUSION

When reformers consider what changes they would like to make to the criminal justice system such that defendants feel truly free to exercise their Sixth Amendment rights without fear of a penalty, it could be valuable to look back on the history of jury trials in England and early America. There are potential benefits to looking outside the confines of the role of the jury as we generally understand it, perhaps by allowing jurors to participate more in the trial process or deliver broader verdicts. Most former jurors agree with Thomas Jefferson and the Federal Farmer that jury service was an edifying experience. I expect positive outcomes would result from creating the greatest possible opportunity for jurors to learn about their rights and the law through their experience and feel that they are important participants in democracy.

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[2] Emanuella Evans, "Jury trials are disappearing. Here's why," *Injustice Watch,* February 17, 2021, https://www.injusticewatch.org/criminal-courts/2021/disappearing-jury-trials-study/.
[3] Federal Farmer, "Letters from the Federal Farmer (XV)" in *The Complete anti-Federalist* ed. Herbert J. Storing (Chicago : University of Chicago Press; 1981), 320.
[4] Ibid.
[5] Akhil Amar, *The Bill of Rights* (Harrisonburg, VA: Yale University, 1998), 95.
[6] *Patton v. United States,* 281 U.S. 276 (1930).
[7] Federal Farmer, "Letters from the Federal Farmer (XV)," 317..
[8] United States Courts, *Table D-4. U.S. District Courts–Criminal Defendants Disposed of, by Type of Disposition and Offense, During the 12-Month Period Ending September 30, 2018* (September 30, 2018), distributed by Judicial Business, https://www.uscourts.gov/sites/default/files/data_tables/jb_d4_0930.2018.pdf
[9] Albert W. Alschuler, "Plea Bargaining and Its History," *Columbia Law Review* 79, no. 1 (1979): 7-8.
[10] *Brady v. United States,* 397 U.S. 742 (1970).
[11] Mike McConville and Chester L. Mirsky, *Jury Trials and Plea Bargaining: A True History* (Portland, OR: Hart Publishing, 2005), 1.
[12] Ibid, 210.
[13] Ibid, 2.
[14] Ibid, 5-7.
[15] Ibid, 155.
[16] Ibid, 156.
[17] Ibid, 210.
[18] Ibid, 158.
[19] Ibid, 290.
[20] Ibid, 305.
[21] Ibid, 220.
[22] Ibid, 307.
[23] Ibid, 310.
[24] Tina M. Zottoli, Georgia M. Winters, Tarika Daftary-Kapur, and Conor Hogan, "Plea Discounts, Time Pressures, and False-Guilty Pleas in Youth and Adults Who Pleaded Guilty to Felonies in New York City," *Psychology, Public Policy, and Law* 22, no. 3 (August 2016): 250-259.
[25] *The Trial Penalty: The Sixth Amendment Right to Trial on the Verge of Extinction and How to Save It* (Washington, DC: National Association of Criminal Defense Lawyers), 10, https://www.nacdl.org/getattachment/95b7f0f5-90df-4f9f-9115-520b3f58036a/the-trial-penalty-the-sixth-amendment-right-to-trial-on-the-verge-of-extinction-and-how-to-save-it.pdf.
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[27] Ibid, 147.
[28] Ibid, 148.
[29] Ibid, 147.
[30] Andrew Manuel Crespo, "THE HIDDEN LAW OF PLEA BARGAINING," *Columbia Law Review* 118, no. 5 (2018): 1313-1314.
[31] Sir Patrick Devlin, *Trial by Jury,* (London: Steven & Sons Limited, 1956), 5.
[32] Ibid, 8.
[33] McConville and Mirsky, *Jury Trials and Plea Bargaining,* 40, 139.
[34] Suja A. Thomas, *The Missing American Jury: Restoring the Fundamental Constitutional Role of the Criminal, Civil, and Grand Juries* (New York, NY: Cambridge University Press, 2016), 15.
[35] Sir Patrick Devlin, *Trial by Jury,* (London: Steven & Sons Limited, 1956), 51.
[36] *Taylor v. Louisiana,* 419 U.S. 522 (1975).
[37] *Batson v. Kentucky,* 476 U.S. 79 (1986).

HATE THE SIN, SAFEGUARD THE RIGHTS OF THE SINNER:

Punitive Castration in a Democratic Society

Shaun Slusarski

Theological Ethics

ABSTRACT

Child sex offenders are among the most despised groups in American society. While the gravity of sex crimes against children necessitates unequivocal denunciation and robust prevention efforts, a commitment to liberal democracy nonetheless requires the fair treatment of all individuals, even those guilty of heinous crimes, as well as the protection of their fundamental rights. In June 2024, Louisiana enacted a law allowing judges to mandate surgical castration for individuals convicted of aggravated sexual offenses against minors under thirteen. This law represents a troubling erosion of basic protections, reflecting the pervasive societal contempt for sex offenders and marking the latest chapter in what scholars and activists have termed the "war on sex offenders." This punitive trend has historically stigmatized offenders through harsh sentencing, indefinite civil commitment, and public sex offender registries—often exceeding what is necessary to ensure public safety.

The essay critiques Louisiana's law as a violation of constitutional protections against cruel and unusual punishment and an affront to the principle of bodily integrity, a cornerstone of human dignity. It argues that surgical castration is both unnecessary, given the availability of chemical castration and existing sentencing mechanisms, and undemocratic, in its dehumanization of a marginalized group. To promote the strengthening of democracy for the future, the essay calls for a shift from punitive measures toward rehabilitation-focused strategies that address the root causes of sexual violence. By highlighting the incompatibility of retributive punishment with democratic principles, it envisions a criminal justice system that upholds public safety while respecting the dignity and humanity of even the most reviled individuals.

Liberal democracies are defined in part by their ability to protect vulnerable minorities, even those society most despises. The challenge is particularly acute when the group in question is defined by their heinous crimes, namely, sex offenders. Balancing the need for justice and public safety with the fundamental human rights of those who commit heinous crimes is not an easy task. A new Louisiana law enabling surgical castration for child sex offenders fails to keep that balance. By violating offenders' bodily integrity and constitutional protections against cruel punishment, the law represents not justice, but vengeful contempt for a marginalized group. This essay argues that punitive surgical castration fundamentally contradicts liberal democratic values. I make this case first by describing the law and contextualizing it in the recent "war on sex offenders." I then demonstrate that the use of castration is both unnecessary, given the other available mechanisms for accountability and public safety, and undemocrat-ic, given the law's violation of bodily integrity. I conclude by suggesting that democratic punishment must focus less on retribution and more on rehabilitation.

THE SURGICAL CASTRATION LAW

Louisiana's new surgical castration law constitutes an ominous development in the state's approach to criminal justice. Signed by Governor Jeff Landry in June 2024 and enacted in August, the law grants judges discretion to mandate surgical castration as a sentence for those convicted of aggravated sexual offenses against minors under the age of thirteen.[1] The surgical option is an escalation from a 2008 chemical castration law. Chemical castration of sex offenders is legal in Alabama, California, Florida, Georgia, Iowa, Louisiana, Montana, Oklahoma, Oregon, Texas, and Wisconsin.[2]

Louisiana, however, is the first US state in recent history to mandate surgical castration. Indeed, it is one of only a few jurisdictions around the world that have authorized the procedure, along with Madagascar, the Czech Republic, and Nigeria's Kaduna state.[3] The new law represents the latest development in a series of tough-on-crime laws that the state has recently enacted, including the expansion of death penalty methods, the elimination of discretionary parole, and the establishment of harsher penalties for certain crimes.[4]

The surgical castration law was championed by State Representative Delisha Boyd, who has argued that it serves as a necessary deterrent for egregious crimes against children. Boyd, a Democrat from New Orleans, introduced the legislation in response to a specific case that deeply disturbed her: a registered sex offender was found to have committed multiple offenses, including the rape of a 12-year-old. Boyd argued that Louisiana needed stronger deterrents for repeat offenders in cases involving serious crimes against minors.[5] While critics of the law claim that it violates the Eighth Amendment's prohibition of cruel and unusual punishment, Boyd has emphasized that, under this law, surgical castration is not a mandatory penalty but an option at the judge's discretion for qualifying cases. Those convicted may also opt out of the procedure but would face an extended prison sentence as an alternative.

CONTEXTUALIZING THE LAW: THE WAR ON SEX OFFENDERS

Louisiana's new law constitutes the latest expression of US society's contempt for sex offenders. Of course, sexual offenses against minors deserve society's unequivocal denunciation. The profound psychological harm inflicted by sexual abuse stems not just from the act itself, but from the systematic manipulation that often precedes it. By occupying youth-facing roles, including religious leaders, coaches, and teachers, offenders are able to exploit the authority and trust placed in them. Through sexual grooming, abusers build an emotional connection with the child in order to take advantage of them. Sexual abuse can devastate a child's emotional world, instilling confusion, self-blame, and a profound sense of betrayal that can persist long into adulthood.[6] Indeed, victims are at increased risk for a range of chronic psychological effects, including depression, anxiety, and post-traumatic stress disorder. Studies have shown that such experiences can lead to a disrupted sense of self-worth, impaired trust in others, and a higher likelihood of self-destructive behaviors.[7]

Given the profound harm caused by sexual abuse, it is unsurprising that sex offenders are among the most stigmatized groups in American society, often facing intense public condemnation and social exclusion. Even in prisons, sex offenders endure a unique degree of disdain, and thus they are often placed in segregated housing for their protection.[8] While moral outrage and demands for justice are valid, scholars and criminal justice reform advocates have argued that public attitudes frequently extend beyond condemnation of these crimes to a wholesale dehumanization of offenders. This pervasive stigma fuels demand for highly punitive measures, sometimes exceeding what is necessary to ensure public safety. Such attitudes risk portraying all sex offenders as irredeemable, regardless of the severity or context of their offenses. Consequently, many offenders face penalties and social restrictions long after their formal sentences have been served.

Some scholars have embraced the term "the war on sex offenders" to capture the excessively punitive treatment of this group that began in the 1980s and '90s.[9] Between 1993 and 2000, there was a 400% increase in sex crime convictions despite a drop in the number of sex crimes committed. Through two-strike and mandatory minimum sentence laws, sex offenders have been routinely subjected to long-term and lifetime prison sentences.[10] Many sex offenders have also been subjected to *de facto* life sentences through civil commitment laws. Passed in twenty states and the federal government, civil commitment laws enable the indefinite detention of those convicted of sexually violent crimes who are at an elevated risk to reoffend.[11] Since it is framed as treatment rather than punishment, the Supreme Court has largely upheld civil commitment laws, despite criticisms that they violate the basic constitutional protections from double-jeopardy and cruel and unusual punishment.[12] Since civil commitment occurs after the completion of a prison sentence, offenders are essentially detained for what they *might do* rather than what they *have done*. Concerns have also been raised about effectiveness, cost, misuse of psychological principles, and fair access to legal representation.[13] Many have identified low discharge rates as especially problematic. Minnesota, for example, only released 21 of the 946 who had been civilly committed between 1995 and 2003.[14]

Beyond tough sentences and civil commitment, sex offender registries and residency restrictions further stigmatize this marginalized group. Upon release, offenders must submit personal information to a public database, with noncompliance punishable by prison time. Proponents argue that registries protect communities, but their public nature often exposes offenders to harassment and vigilante violence.[15] Additionally, thirty states, including Louisiana, enforce residency restrictions, barring offenders from living near places where children gather. These laws severely limit housing options, rendering entire cities, such as San Francisco, inaccessible. Residency restrictions also complicate compliance with registration law. If a person has nowhere to live, how can they add their address to a registry? In one case, a man left homeless by such laws was sentenced to life in prison in 2007

for failing to submit his information to the registry.[16] Besides formal sanctions, dehumanizing rhetoric is widely used to speak about sex offenders. Legal scholar John Douard has pointed out that labels like monsters and predators are routinely used to dehumanize this hated group. Indeed, the laws that authorize civil commitment are categorized as "sexually violent predator laws."[17] Language mediates reality. How society frames a phenomenon determines how people understand it. Douard notes that by portraying sex offenders in this way, "society can then justify depriving them of liberty beyond the constitutional constraints of the criminal code on the ground that incarceration is necessary to protect the public."[18]

SURGICAL CASTRATION: UNNECESSARY AND UNDEMOCRATIC

Louisiana's surgical castration law is the latest weapon in the war on sex offenders. Prior to the law, the state had already imposed severe penalties on sex crimes, including life without parole for aggravated rape of minors under thirteen and 25 to 99 years for child molestation.[19] The law, introduced without any notable rise in sex crime convictions, adds permanent mutilation as a punishment rather than replacing existing sentences, rendering it an unnecessary and even draconian measure.

Louisiana also has allowed judges to impose chemical castration for various sex crimes since 2008.[20] The ethical legitimacy of this intervention is also questionable. It relies on the administration of medroxyprogesterone acetate, which results in the suppression of testosterone to prepubescent levels.[21] While it too may contradict liberal democratic principles, it is at least reversible. If chemical castration is available as a penalty in the state, why is there an additional need for surgical castration? Neither Boyd nor other proponents of the law offered evidence of its superior effectiveness.[22]

While lawmakers need to ensure public safety, they must do so without violating the basic rights of offenders. As the US Supreme Court made clear in *Brown v. Plata* (2011), "prisoners may be deprived of rights that are fundamental to their liberty," but they nevertheless "retain the essence of human dignity inherent in all persons."[23] The minimal way to respect their human dignity is to protect their right to bodily integrity. The right to bodily integrity is the fundamental principle that every person has sovereignty over their own body and the right to make decisions about it free from coercion, interference, or violence.[24] As Thomas Douglas observes, "The body is often treated as having a special moral – and indeed legal – significance, such that interfering with a person's body is more problematic than interfering with her life in other ways, for example through altering her natural or social environment."[25]

While freedom of movement is an important right, bodily integrity is even more fundamental. This is in part because, as Elizabeth Shaw observes, violating bodily integrity is more disrespectful than violating freedom of movement. Shaw makes this argument with respect to the mandatory use of punitive pharmaceutical interventions, but her analysis is also applicable to surgical castration. For Shaw, disrespect means valuing a person less than their human dignity demands.[26] She argues that bodily integrity violations are more disrespectful than movement restrictions because the body is inherently expressive of personhood. While personhood cannot be reduced to the body, the body is a constitutive dimension of personhood. Movement restrictions, conversely, demean personhood only indirectly. It is more accurate to describe them as interferences of a person's interests.[27] Of course, these interferences can also be deeply humiliating, especially in US prisons where degradation is commonplace.[28] Still, such restrictions can at least theoretically be understood as narrowly "addressing the person's problematic behavior, rather than denying that the person...has value."[29] A minimal regard for human dignity thus requires respect for bodily integrity.

The disrespect inherent to bodily integrity violations is intensified when it involves an act historically used to humiliate people. Indeed, castration has been a strategy of degradation since ancient times.[30] As Nicholas Vanderveen notes, the Eighth Amendment prohibition on cruel and unusual punishment has been specifically interpreted as a safeguard against penalties like castration.[31] In 1872, the Georgia Supreme Court determined that its state constitution's cruel and unusual punishment clause "was, doubtless, intended to prohibit...castration."[32] In 1910, the US Supreme Court affirmed this interpretation in *Weems v. United States,* specifying that the Eighth Amendment was "intended to prohibit the barbarities of...castration."[33] This legal history suggests that Louisiana's violation of sex offenders' bodily integrity would be a uniquely cruel and unusual act of disrespect.

The right to bodily integrity has also stood as a cornerstone of medical ethics for decades. In medical settings, the primary safeguard against infringement of this right is the securing of informed consent. Before any type of medical procedure, patients must indicate that they truly understand the effects of the procedure and explicitly establish their consent. A person's carceral status does not undermine the need for this consent. In fact, the history of medical abuses conducted in prisons is one of the primary catalysts that led to the standardization of bioethics in the 1970s.[34] While many rights are suspended during incarceration, the right to bodily integrity remains intact. As Boyd pointed out, convicted offenders retain some agency under the new law since they have the choice either to submit to surgical castration or endure three to five additional years of incarceration. It is doubtful, however, that

a person facing this decision is able to make it freely. Given the undesirability of incarceration, offenders may choose castration without fully appreciating the stakes of the decision, undermining the voluntariness of the decision.[35] Without assurance that an offender's consent is voluntary, castration becomes an imposition rather than a choice.

TREATMENT OF SEX OFFENDERS IN A DEMOCRATIC SOCIETY

While punitive castration should be rejected, democratic societies must nonetheless develop meaningful responses to sexual violence. These responses should be rational and constructive, focusing not on vengeance but on addressing the root causes and preventing future harm. As Martha Nussbaum argues, retributive justice—which seeks to impose suffering proportional to the crime—is ultimately irrational.[36] Proponents of surgical castration laws may claim deterrence as their goal, but the approach dangerously echoes the ancient principle of *lex talionis*—"an eye for an eye"—suggesting a more visceral desire to make offenders suffer. While this may be emotionally satisfying, making wrongdoers suffer offers no constructive response to crime.[37] Democratic criminal justice systems, Nussbaum argues, must not seek to inflict further suffering, but instead should promote the welfare of the individuals involved in the crime as well as society at large.

In this vein, democratic societies must also support the rehabilitation rather than the mere incapacitation of offenders. Punitive measures like castration reflect the abandonment of the rehabilitative ideal of criminal justice.[38] While such sanctions may marginally decrease recidivism, a holistic therapeutic approach that treats offenders as human beings capable of change rather than as problems to be managed better respects their dignity and could even be more effective at crime prevention. Ward and his colleagues observe, "If the aim is to encourage offenders to appreciate the rights and interests of their victims, then it seems counterproductive to violate their own rights and interests in order to achieve this goal."[39] A rehabilitation-focused approach may not satisfy immediate desires for retribution, but it offers the most promising path to a safer society.

CONCLUSION

In this essay, I have argued that Louisiana's law allowing punitive surgical castration undermines democratic values by targeting a hated minority, violating their bodily integrity, and ignoring more effective, humane approaches to public safety. While presented as necessary in the recent "war on sex offenders," this practice is both excessive given existing accountability mechanisms and fundamentally undemocratic. Instead of pursuing such retributive measures, a democratic society should prioritize rehabilitation. While this essay has focused on Louisiana's treatment of sex offenders, those convicted of various types of crime routinely face discrimination, contempt, and violations of their basic rights. As we envision a democratic future, we must develop approaches to preventing and responding to crime that preserve human dignity—even for those who have committed the most serious offenses.

1 ACT No. 651

2 Jesus Mesa, "Here Are the States That Allow Chemical Castration as Punishment," *Newsweek,* June 4, 2024, https://www.newsweek.com/louisiana-chemical-castration-surgical-law-child-sex-offenders-1908158.

3 Anne Zimmerman, "Is Castration of Sex Offenders Ever Ethically Justified?" *The Hastings Center,* September 9, 2024, https://www.thehastingscenter.org/is-castration-of-sex-offenders-ever-ethically-justified/.

4 Jaclyn Diaz, "What to know about Louisiana's new surgical castration law," NPR, July 1, 2024, https://www.npr.org/2024/07/01/nx-s1-5020686/louisiana-new-surgical-castration-law.

5 Diaz, "What to know."

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DEVELOPING AN AMERICAN POLITICS OF FUTURITY:

From the Early Nation to Dobbs v. Jackson

Mackenzie Daly

English

ABSTRACT

In 2021, the Jackson Women's Health Organization challenged Mississippi's Gestational Age Act in the Federal District Court. The act was challenged on the grounds that it violated precedents established in *Roe v. Wade* (1973) and P*lanned Parenthood of Southeastern Pa. Casey* (1992) concerning the right to abortion. This argument engendered a reevaluation of the Court's decisions in *Roe* and *Casey* which were overturned in 2022. In his concurring opinion, Justice Clarence Thomas troublingly foreshadowed the potential reevaluation of other cases that guaranteed protections under the Due Process Clause of the Fourteenth Amendment—cases like *Griswold v. Connecticut* (1965), *Lawrence v. Texas* (2003), and *Obergefell v. Hodges* (2015). In light of these recent decisions, this paper will interrogate the long history of political investment within the private sphere. From the seduction novels of the early republic to emerging gynecological discourses of the nineteenth century, this paper will map their continued influences in our contemporary political moment.

INTRODUCTION

In 2021, the Jackson Women's Health Organization challenged Mississippi's Gestational Age Act in the Federal District Court on the grounds that it violated the "Court's precedents establishing a constitutional right to abortion" set by *Roe v. Wade and Planned Parenthood of Southeastern Pa. v. Casey*.[1] The contested Act stated that "[e]xcept in a medical emergency or in the case of a severe fetal abnormality, a person shall not intentionally or knowingly perform... or induce an abortion of an unborn human being if the probable gestational age of the unborn human being has been determined to be greater than fifteen (15) weeks."[2] This argument engendered a reevaluation of the Court's previous decisions in the case of *Roe* and *Casey*—decisions which were overturned in 2022. The court held that "[t]he Constitution does not confer a right to abortion...and the authority to regulate abortion is returned to the people and their elected representatives."[3]

This ruling was troubling for many reasons—the most obvious being that it restricted access to abortion and, consequently, access to forms of reproductive health care and the freedom to choose when and how one decides to become a parent. However, this ruling also served as a threat. Among the amendments that *Roe* ruled as protecting a right to privacy, the Fourteenth Amendment stands out in particular. In fact, the Court which ruled over *Casey,* "grounded its decision solely on the theory that the right to obtain abortion is part of the 'liberty' protected by the Fourteenth Amendment's Due Process Clause."[4] For many, the ruling in *Dobbs v. Jackson* could serve as a potential catalyst for future court cases which may similarly reevaluate other protections currently guaranteed by the Fourteenth Amendment. Decisions such as *Obergefell v. Hodges*—which argued that marriage between same-sex couples is protected by the "Due Process and Equal Protection Clauses of the Fourteenth Amendment."[5]

Lauren Berlant notes that his debate over the extent to which one's private sphere activities have a bearing on one's intelligibility as a citizen was fortified during the era of Reagan Republicanism. During this era of Reagan's campaign and presidency, Berlant argues, American politics concentrated its focus on the private sphere and located the formation of citizenship at the family level. This engendered a fixation on a politics of futurity—a politics that privileged the child and the unborn as symbols of political and national futurity. Berlant and Lee Edelman interrogate the ways in which this collapse of the public and private spheres has shaped contemporary political discourse around feminist causes (access to abortion in particular) and queer activism.

In this paper, I will argue that the privileging of the child and the unborn as proprietors of political and national futurity is embedded in the beginnings of the American nation: from the political and literary discourse around seduction and ruin in the early national period to the biopolitical regimes and burgeoning gynecological discourses of the nineteenth century. It is difficult to conceptualize a moment in American history when political discourse has not been heavily invested in the private sphere—specifically regarding the sexual lives of its citizens. I will begin by accessing early national and nineteenth century political discourses surrounding national futurity, focusing specifically on seduction plots in popular literature and early gynecological discourse. From here, I will demonstrate how aspects of these discourses have manifested in contemporary political debates concerning access to abortion and gay marriage.

SEX, THE BODY, AND THE EARLY NATION

On March 15, 1804, John Adams wrote to William Cunningham concerning his fears about democracy: "Democracy is Lovelace, and the people are Clarissa. The artful villain will pursue the innocent lovely girl to her ruin and her death."[6] Central to Samuel Richardson's novel *Clarissa*, which Adams references here, is a seduction plot—a plot which would come to define much of the literary production in the early national period. Seduction plots typically resemble the following formula: a young girl meets an older man, this older man "seduces" her (though seduce is often a pseudonym for sexual assault), the girl becomes pregnant and dies either during or shortly after childbirth. Novels of this genre, such as Hannah Webster Foster's *The Coquette* (1797) and Susanna Rowson's *Charlotte Temple* (1791), were exceedingly popular in the early nation, especially among young women who were the targeted audience. These novels, which may now seem to us silly moral tales, reflected growing fears about the vulnerability and futurity of a new nation. In his letter to William Cunningham, John Adams is playing into a common refiguring of the American nation as a young woman vulnerable to sexual advances that may result in her ruin. Novels like *The Coquette* and *Charlotte Temple* encouraged their audience steadfastly to hold onto their moral and religious values to avoid their own ruin and the country's ruin. In other words, the white female body became the apparatus through which the integrity of the nation would be maintained and its future ensured.

This conflation of sexual ruin and national ruin perpetuated in the literary and political discourse of the early national period would greatly inform nineteenth-century medical literature, especially that which surrounded the emerging field of gynecology. For Dr. Elizabeth Blackwell (1821-1910) and Dr. Mary Walker (1832-1919)—two early female physicians—the vagina was the "apex of the refined nervous system" and thus "exemplified the civilized body's powers of memory, sensitivity, plasticity, and communication."[7] The vaginal nerves of the "civilized" woman were so sensitive that any stimulation of these nerves during sex could result in "deep and lasting changes in neurological structure and function that had repercussions throughout longevity."[8] The repercussions of these "lasting changes" extended far beyond any immediate harm to the woman or child. Gynecological discourses of the nineteenth century argued that the future health of the nation was dependent on the health of the nation's women and more specifically the health of their vaginas. As Blackwell writes in *How to Keep a Household in Health* (1870): "[P]hysical and mental health, working together, are the source of all other good; the foundation of social progress, and national prosperity."[9]

This science was first and foremost a racialized one that sought to differentiate the "civilized" and "uncivilized" races based on biological differences. As Kyla Schuller writes in *The Biopolitics of Feeling*, Blackwell and Walker were reifying already existing medical discourses that nerves "differentiated the delicate, precise, and sensitive faculties of the civilized from the coarse, unrefined, and overly reactive bodies of the savage races."[10] Blackwell and Walker not only reified these discourses but located the politics of national and racial futurity to the vagina. The concern that ruined women would engender a ruined nation which was metaphorically represented in the seduction novels of the nineteenth century was now understood as scientific fact. Engaging in extramarital or too frequent sexual activity was no longer a metaphorical threat to the futurity of the nation, but a biological one.

This science was also weaponized to differentiate women based on class. Blackwell argued that poor women "possessed an inferior capacity of self-regulation and self-knowledge" which is why they participated too frequently in sex acts. Thus, they possessed vaginas that had a low affective capacity and, in some cases, none at all.[11] For Blackwell, poor and working-class women were also more likely to have an illness or marry someone with an illness that made them unfit to procreate. As Blackwell writes: "Two persons, both possessing one of these diseased tendencies, should be forbidden by law to intermarry, for the offspring are certain to be either idiots, cripples, or defective in organization."[12] A biological failing was also a moral failing. neither of these failings made women candidates for procuring the kind of future that Blackwell envisioned "The greatest good that working women can do now for their country," Blackwell writes, "is to leave it."[13]

A CONTEMPORARY POLITICS OF FUTURITY

We are still living in the shadow of nineteenth-century biopolitics. While much of Blackwell and Walker's research has since been disproven, we still conceive of our national and political futures as beginning in the womb. As Lee Edelman writes in *No Future*: "We are no more able to conceive of a politics without a fantasy of the future than we are able to conceive of a future without the figure of the Child."[14] The sexual lives of citizens are still very much a political matter. Lee Edelman and Lauren Berlant have both interrogated this contemporary political fixation on the figurative Child. Berlant notes a move towards a privatization of citizenship during the Reagan era which saw the formation of citizenship as beginning at the family level. "[T]he intimate public sphere of the U.S. present tense," Berlant writes, "renders citizenship as a condition of social membership produced by personal acts and values, especially acts originating in or directed toward the family sphere."[15] Anyone who threatens the image of the American utopian family is no longer intelligible as a citizen. Those who will not reproduce or cannot do so in a way that is intelligible to a heteropatriarchal society are a threat to the nation. As a result, private matters like sex, marriage, and reproduction become public issues.

As Edelman notes, the figurative Child "remains the perpetual horizon of every acknowledged politics, the fantasmatic beneficiary of every political intervention."[16] The most valuable citizens are those who cannot yet act as such. The image of the Child is consistently the weapon that is hurled against feminists and queer activists. Pro-life movements, for instance, rely on a concept of "fetal personhood" which imputes "a voice, a consciousness, and a self-identity to the fetus that can neither speak its name nor vote."[17] The figurative fetus is given agency and privilege over the female adult citizen who is an active participant in their social and political worlds. We might even think back to Mississippi's Gestational Age Act, quoted earlier in the essay, which uses the term "unborn human being" to refer to the fetus. The language of "human being" implies consciousness, agency, and identity. Fetuses are not beings that will *one day* develop consciousness, agency, and identity—they have already attained it.

It is of utmost importance to be keyed into the history and intricacies of the rhetoric of national futurity and the discourse around the public and private spheres as it is currently engendering legislative decisions which will continue to impact the lives of women and queer people. The overturning of *Roe v. Wade* is a representation of the ways in which ideas about national futurity—as it has been conceptualized since the nineteenth century—are continuing to be reified. Not only are these ideas continuing to be reified, they are expanding into other facets of life. Concern around the private lives of queer individuals, and specifically in this current moment transgender and gender non-conforming individuals, has consumed right-wing political discourse. In fact, one of the central promises of the Trump and Vance campaign has been to restrict access to gender affirming care.

This intensified scrutiny of the private lives of women and queer people places much of the current legal protections of privacy in danger. *Obergefell v. Hodges* is one of the primary cases which many are concerned will face a similar fate to *Roe v. Wade*. As Edelman notes, one of the most prominent rallying cries against the legalization of gay marriage has focused on the perceived inability of same-sex couples to procreate. The idea of a non-procreative marriage is troubling to those whose idea of national futurity centers around an image of the idyllic nuclear family. *Obergefell* addressed these concerns, stating that "[p]recedent protects the right of a married couple not to procreate, so the right to marry cannot be conditioned on the capacity or commitment to procreate."[18] If procreation is necessarily tied to marriage and the precedent concerning procreation has changed, it is possible that the precedent concerning marriage may change too. Indeed, in his concurring opinion in *Dobbs,* Justice Clarence Thomas writes, "in future cases, we should reconsider all of this Court's substantive due process precedents, including *Griswold, Lawrence,* and *Obergefell.*" Of course, we can only predict what our future will hold, but it is unlikely that the political fascination with private sphere activities will cease anytime soon.

[1, 2, 3] *Dobbs v. Jackson Women's Health Organization,* No. 19-1392 (5th Cir. 2021-2022), 1.

[4] Ibid., 2.

[5] *Obergefell et al. v. Hodges,* Director, Ohio Department of Health, et al., No. 14-556 (6th Cir. 2015), 4-5.

[6] John Adams and William Cunningham, *Correspondence between the Hon. John Adams, late president of the United States, and the late Wm. Cunningham, Esq., beginning in 1803, and ending in 1812* (Salem: Cushing and Appleton, 1824), 19.

[7, 8] Kyla Schuller, *The Biopolitics of Feeling: Race, Sex, and Science In the Nineteenth Century* (Durham: Duke University Press, 2018), 100.

[9] Elizabeth Blackwell, *How to Keep a Household in Health. An Address Delivered Before the Working Woman's College* (London: Victoria Press, 1870), 5.

[10] Schuller, *The Biopolitics of Feeling,* 108.

[11] Ibid., 111.

[12] Blackwell, *How to Keep a Household in Health,* 8.

[13] Ibid., 22.

[14] Lee Edelman, *No Future: Queer Theory and the Death Drive* (Durham: Duke University Press, 2004), 11.

[15] Lauren Berlant, *The Queen of America Goes to Washington City* (Durham: Duke University Press, 1997), 5.

[16] Edelman, *No Future,* 5.

[17] Berlant, *The Queen of America Goes to Washington City,* 98.

[18] *Obergefell et al. v. Hodges,* Director, Ohio Department of Health, et al., No. 14-556 (6th Cir. 2015), 5.

[19] *Dobbs v. Jackson Women's Health Organization,* No. 19-1392 (5th Cir. 2021-2022), 3.

ASSESSING A YEAR OF ELECTIONS WORLDWIDE

Sheri Berman, Rahsaan Maxwell, Lauren Honig, and David Hopkins

Sheri Berman on elections in Europe:

I want to talk about three things about the right-wing populist parties that are interesting and worth considering for the future, and which are true for both Western Europe and the United States. First, what are the issues that these right-wing populist parties seem to thrive on? Across both sides of the Atlantic, economic issues top voter concerns—whether it be cost of living, inflation, etc,. We've also seen the rising importance—the rising salience—of immigration. Right-wing populist parties really stress this issue. Now, why? Why do people vote for these parties? What is motivating this sentiment?

One thing I want to stress is that we cannot reduce this entirely to racism and xenophobia. I say this not to mean that there aren't voters who are motivated by racism and xenophobia, but that is not the whole story here. We can talk about, for instance, in Western Europe, cross-national trends. There are lots of countries where racism and xenophobia are quite low. My favorite one is Sweden, which has a very large right-wing populist party. Other places where racism and xenophobia are quite high, like Ireland and Portugal, do not have strong right-wing populist parties. It is also important to note that over time, racism and xenophobia have declined. So, if we were to start in the 1980s or 1990s and look at levels of racism and xenophobia on both sides of the Atlantic, they would have gone down, which is, of course, the same period in which right-wing populism has grown.

There has been a general trend in a positive direction, but much more rapid among certain kinds of voters. That means that in the United States, for instance, the Democratic Party has moved further away from voters on these issues. In Western Europe, it hasn't just been center-left parties but also many center-right ones as well. If you were to look at the positions of these parties on immigration and related issues in Western Europe, you would see that while voters were generally becoming more progressive, these parties became dramatically more so. I

can talk more about that; that is an important reason why right-wing populist parties were able to capture so many of these voters.

Rahsaan Maxwell on elections in Europe:

When we think about immigration, what exactly are we talking about? Which specific policies are we addressing? In reality, you can get people to agree on letting in fewer but being more open, or letting in more while being more restrictive. The share of Western Europeans in the most pro-immigration segment—now around one-third—has increased quite dramatically from its previous share of one-fifth. Meanwhile, the share of the most extreme anti-immigration segment—around one-third—is declining over time. This runs counter to the narrative that Europe is becoming more anti-immigration and hostile. As Professor Berman mentioned, people are actually becoming more supportive of immigration, and the share of people who oppose immigration is declining.

The other point I want to make is that voters who are anti-immigration are increasingly likely to pile into these far-right parties. But twenty years ago, there were actually more anti-immigration voters in Europe, and they were spread across parties—voting for the left, center-right, far-right, and others. They weren't really voting based on immigration issues. They were voting based on other issues and just happened to dislike immigrants in the background. Now, twenty years later, their numbers have stabilized or even declined, but immigration has become a much bigger issue for them. They've decided to pile into these parties. The issue is getting a lot of attention, but it's not as if the public has suddenly become a raving, anti-immigration majority. There's a strategic game at play, and the salience of the issue has slightly shifted things. Support for immigration is actually much larger than many people realize, and opposition is even smaller—but over time, it's become more concentrated, giving it political power.

Lauren Honig on elections in Africa:

This has also been a big year for democracy and elections on the African continent. While you may have heard about a recent wave of coups, there have also been success stories related to democratic consolidation. One of the main challenges in elections on the African continent, particularly in new democracies, is the extent to which elections are contested. The key question is: Can the opposition win?

There are success stories. In Senegal's February 2024 elections, President Macky Sall initially attempted a term limit contravention by claiming constitutional changes had reset his term limits, allowing him to run for a third term. This sparked mass protests, even in rural areas, as civil society strongly opposed his claim. Eventually, Sall conceded and announced he would not run again. Later, he attempted to delay the elections from February to December, but popular protests once again forced a reversal. His chosen candidate lost heavily to the opposition, and the new president, Diomaye, went from prison to presidency in just two weeks. This marked a significant victory for democratic processes and civil society in Senegal.

Another notable example is South Africa's May 2024 elections. Liberation parties, like the African National Congress (ANC), often retain legitimacy from their role in ending colonization. Historically, the ANC enjoyed electoral dominance as Mandela's party, regardless of its governance record. However, in 2024, frustrations with the ANC's handling of unemployment, water, energy, and corruption led to its loss of a majority, securing only 40% of the vote. The ANC was forced to form a coalition with the opposition, marking a significant shift in South Africa's political landscape and an important sign of democratic consolidation.

Botswana also made history in its October 2024 elections. While Botswana has held multi-party elections since independence in 1966, the ruling Botswana Democratic Party (BDP) had never lost. Every president had previously been a vice president from the ruling party, making it a de facto one-party state. On October 30th, for the first time, the opposition won. President Masisi conceded immediately, acknowledging his defeat and ensuring a smooth transition of power. This is another example of democratic consolidation as incumbents lose elections.

As Professor Laurence mentioned earlier, dissatisfaction with the status quo is driving these changes. Even in countries with relatively new democracies, incumbents losing elections is a positive sign of consolidation and the democratic process at work.

David Hopkins on U.S. elections:

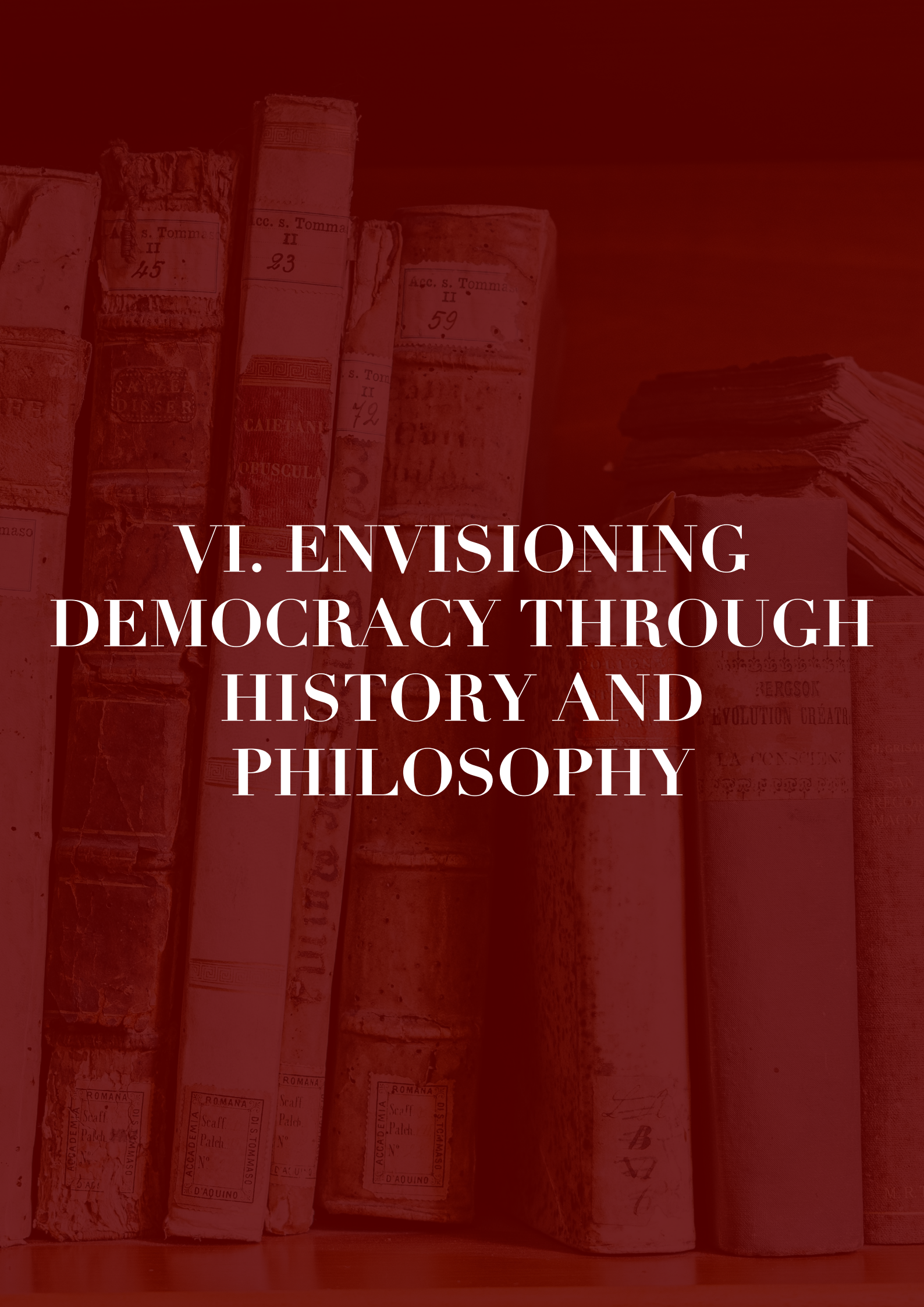I'll focus on two key factors: one short-term and one long-term, both of which shaped Tuesday's election outcome.

The short-term factor is the perception of the national economy in 2024. Exit polls show that voters overwhelmingly viewed economic conditions as poor. When asked about the nation's economy, far more voters said it was doing badly than said it was doing well. Many Democrats found this frustrating, pointing to positive indicators: historically low unemployment, steady GDP growth, a strong stock market, and rising wages. Yet these metrics were overshadowed by inflation. Here's a political reality: When you get a raise, it feels like a reward for your hard work. But when prices rise, it feels like the president is at fault. Voters don't credit Democrats for wage increases when inflation erodes their purchasing power.

Now for the long-term factor: the diploma divide in American elections. This trend separates college-educated Democrats from non-college-educated Republicans, reversing a historical norm where college-educated voters lean Republican. So far, this divide has been most pronounced among white voters. However, recent evidence suggests it's spreading to racial minorities. For instance, one of the largest shifts towards Trump in 2024 occurred in counties with over 25% Hispanic populations, where a nearly 10-point swing was recorded. Again, this is not unique to the United States. Across rich democracies, educational attainment increasingly defines party systems, overtaking wealth and income as dividing factors. Parties of the left represent well-educated, culturally progressive voters, while parties of the right attract nationalist, less-educated constituencies. The Democratic Party has increasingly become the home of educated, globalized progressives, resembling Europe's Green parties. Meanwhile, the Republican Party has fused its traditional corporate base with nationalist, populist forces—a volatile mix exemplified by Trump.

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Delivered on November 7, 2024.

VI. ENVISIONING DEMOCRACY THROUGH HISTORY AND PHILOSOPHY

DEMOCRACY IN EXILE:
Jacques Maritain, World War II, and the Free French University

Jacob Saliba
History

ABSTRACT

In 1941, while living in New York City, the French Catholic philosopher Jacques Maritain helped to co-found and lead the École Libre des Hautes Études (the "Free French University"). A war-time initiative primarily created by American and French intellectuals in exile, the university became an important hub for rescuing and employing nearly two hundred individuals from across the world. Elected president in late-1942, Maritain worked closely with the New School for Social Research, the Rockefeller Foundation, the International Rescue and Relief Committee, Free France (including agents in the Resistance), and foreign diplomats. The university provided a unique material context for animating a global pivot in Maritain's intellectual project as well as his first-hand involvement in the construction of alternative avenues for democratic thinking and institutions, namely, higher education. While Maritain has been well-recognized as a key thinker of modernization in the Catholic Church, this paper reconstructs an intellectual history of Maritain's novel work as a global thinker of global democracy. My argument is that Maritain represents a vibrant example of Catholicism's influence in responding to pressing war-time issues of transnational cooperation, the European colonies, and anti-Semitism. This paper not only gives an empirically rich narrative of Maritain's intellectual project in a time of crisis but also furnishes an instructive example for thinking through discourses of democratic life in the modern world.

INTRODUCTION

In 1941, with support from president Alvin Johnson of the New School for Social Research, the French Catholic philosopher Jacques Maritain with medieval historian Gustave Cohen, art historian Henri Focillon, and philosopher Alexandre Koyré co-founded the *École Libre des Hautes Études* (the "Free French University") in New York City. Initially appointed as vice-president, Maritain by late-1942 was elected president. Leaning on Johnson's ongoing model at the New School since the 1930s for a "university in exile," the university attracted other members such as the anthropologist Claude Levi-Strauss, legal theorist George Gurvitch, and Nobel-prize winning physicist Jean Perrin. Built by exiled scholars for exiled scholars, the university quickly grew into a major institutional vehicle for rescuing an entire intellectual generation.

At present, scholars tie Maritain's work to a wider sphere of influence outside the Catholic world, such as his involvement in anti-fascism, secular philosophy, and cross-cultural exchange.[1] Indeed, these newer interpretations of Maritain can be seen as part of an even larger wave of scholarship that recognizes how modern Catholicism itself may disrupt and cut across pre-conceived boundaries of the secular public sphere.[2] The present essay reconstructs an intellectual history of Maritain's religious and political thought while serving at the Free French University during World War II. My argument is that the problems of the war and the material opportunities and resources of the university provided rich conditions in which Maritain creatively reimagined global discourses of cosmopolitanism, empire, and human rights. By engaging with emergent global discourses of empire, race, and human rights, Maritain helped facilitate a new trajectory of democratic thinking within a rapidly changing political landscape. While democracy was seen to be in exile, Maritain's religious and educational convictions kept its ideals intact.

A CATHOLIC PHILOSOPHER LEADS THE FREE FRENCH UNIVERSITY

After arriving in 1940 to Toronto, where Jacques taught for a short stint at the Pontifical Institute of Mediaeval Studies, the Maritains resettled in Manhattan where Jacques taught courses at Princeton and Columbia Universities. Soon after, Maritain formed a strong friendship with the president of the New School for Social Research, Dr. Alvin Johnson. Having met Johnson for the first time in 1940, Maritain often called on him for information on the war, specifically, the fate of scholars and writers who were still in danger in Europe. In 1940, Maritain officially joined the Emergency Rescue Committee as well as the International Rescue and Relief Committee. In June of that year, these organizations came together to strategize a transportation network between Marseille and New York City as well as to create a list of approximately two hundred names of scholars in pressing need of escape. Invited to the meeting by organizer Varian Fry, Maritain provided a list of a dozen Jewish intellectuals that he (or his close friends) knew from France, including Gustave Cohen, Vladimir Jankélévitch, Paul Vignaux, Marc Chagall, Jean Wahl, and more, many of whom would arrive safely on American shores by the following year. To commemorate the partnership, Maritain gave a keynote address at a November meeting in which he affirmed that by "paying the many expensive fees of so many passages, [you] will save men and women in dire distress and who are surrounded by deadly perils."[3] During the summer of 1941, one of Maritain's first actions was to facilitate the escape of the Jewish scholar Gustave Cohen—one of the founding members of the soon-to-be Free French University.

Maritain did not know Cohen very personally, though he was close friends with Cohen's Jewish friends and colleagues Jean Wahl and Vladimir Jankélévitch in France (at the time, still under Nazi occupation). Through his mutual friend Henri Grégoire who taught at Harvard, Maritain secured a letter from Cohen asking for his help in facilitating safe passage from occupied Marseille to New York.[4] After Cohen's arrival shortly thereafter, in September 1941, he convened a meeting with Maritain, Johnson, and fellow émigré historian Henri Focillon to create a "Free French University" to serve as a permanent place of social refuge and academic flourishing for scholars in exile. With initial start-up grants provided by General de Gaulle and Maritain's Free Belgium connections, the university generated enough financial support to be established.[5] Moreover, with resources and rooms provided by the New School for Social Research, the university opened its doors in January 1942. Henri Focillon was elected as its first president. By early 1942, Focillon's health began to decline. In winter 1942, Maritain was elected as the next president with Vice-President Alexandre Koyré, a famed theorist of religion and science as well as a previous acquaintance of Maritain in Paris. As president, Maritain's efforts were motivated by the early principles of the university's founding. When giving remarks at the inauguration in February 1942, he declared that the Free French University with a commitment to both "the faith of the Cathedrals" and "the Declaration of Rights" aspires to "reject the older prejudices and misunderstanding, [and] to raise our thinking to the level of new things that are in preparation."[6] In connection to his reflections on religious art and politics, Maritain believed the university accomplished the same task as the Cathedral; it was an entry point—literally and figuratively—into expressing the beauty of fellowship and redemption on earth.[7]

THE "ALGERIAN QUESTION"

Just after the liberation of North Africa from German hands in late 1942, Maritain delivered a presidential address in which he used the recent military success as a backdrop for arguing for a new Christian model of peace and justice.[8] Keen to realize his words in action, Maritain soon after organized the "Projet de réponse aux questions d'Alger" ("Project in Response to the Question of Algeria"), a solidarity effort between Free France, the University of Algeria, and European diplomats to promote Algeria as the next hub of global politics.[9]

For the next three years, Maritain provided resources to the University of Algeria. He sent books, supported professors teaching there, and even received professors from Algeria to teach at the university in New York.[10] This connection with Algeria was strengthened not only through scholarly contacts but also by agents in the African wing of the French Resistance. Pierre Cot, a former minister in the Popular Front government and diplomat to the Soviet Union at the outbreak of the war, was a key ally. After French defeat in 1940, Cot followed General de Gaulle to London before transferring to the U.S. with a position at Yale. In 1942, Maritain offered Cot a position at the Free French University after his communist sympathies became more well-known and, to some American academics, problematic. After a short stay in New York, Maritain helped to arrange for Cot to travel to Algeria in late 1943 under the pretense that he would take up a position at the University of Algeria. Once there, he linked up with agents in the Resistance.

Back in November 1943, Maritain gave a presidential address in New York arguing that the pressing question of democracy would require not only the liberation of Europe but also "the liberated peoples of the East, too."[11] The success of democracy would rely on a "fight against itself" in which it must overcome prejudices and "contradictions in the social and spiritual domains."[12] No doubt in reference to racial colonization, Maritain asserted that it was specifically sinful to forcefully submit political subjects to a structure

of "false gradations."[13] As observed in an early essay "Christianity and Democracy" (predating the book manuscript), he argued that democratic politics must take on "the inspiration of the Gospel" to "abolish servitude and bring about the recognition of the rights of the human person."[14] As a result, Maritain observed, "there will be no shortage of work for Christians."[15]

Recognizing the peculiar relationship between natural law and divine law, Maritain insisted that social conditions of religious values can give rise to new and greater expressions of politics and law. In other words, without denying that politics and law have objective realities, he preserved an element of historical consciousness. Thus, in "Communion et Liberté," published in the Algerian-based journal *L'Arche*, Maritain summarized:

> Nothing is more significant from this point of view than the friendship which unites in a common work that which doctrinal, philosophical, or religious positions had long kept them apart from each other. Despite these divergences ... an intellectual fraternity is possible. Intellectual fraternity and spiritual freedom, these are the great things in which ... we find ourselves giving witness to.[16]

The publication of this essay in Algeria in 1943 was no coincidence. It followed from and aided in his attention to the periphery within the context of wider global tensions. For him, Algeria represented more than a passive and distant colony in the empire but rather a central and active site for redefining future possibilities for the post-war order.

ANTI-SEMITISM AND GLOBAL POLITICS

In December of 1938, before his family's eventual exile to New York two years later, Maritain was invited for a lecture by the National Conference of Jews and Christians in New York. The lecture, "A Christian Looks at the Jewish Question," was modelled after a similar lecture delivered in February in Paris, the very same year in which he published a critique of contemporary racism against Jews. In contrast to his previous writings in the 1930s that were motivated by theological and philosophical concerns, his 1938 lecture in New York seemed to stem from a greater eagerness to identify practical-political solutions to a rapidly growing world crisis. In it, Maritain analyzed the attack on Jewish communities in Russia, Germany, Austria, Hungary, France, and the United States as a failure of "nations" to protect the rights of their citizens. Maritain focused, in particular, on the repercussions of internal government policies, immigration laws, and the social effects of relocation of Jews outside of Europe.[17] Because anti-Semitism exceeded national and even continental boundaries, Maritain appealed for wider "constitutional and international guarantes" on a global scale.[18]

In February 1942, Maritain co-organized with the U.S. General Secretary of Education an International Catholic Congress in Washington D.C for students from across the country. There, he outlined a set of plans that might be undertaken to rebuild laws, reestablish civil liberties, and rejuvenate international relations. As he writes: "We face a positive international problem, that while appearing "deeply spiritual" are also of "a practical, political, and international nature."[19] By August 1942, *Commonweal* had published "In the Face of the World's Crisis." A manifesto declaring opposition to totalitarianism, it was signed by dozens of well-known European Catholics. Maritain was a principal writer and editor of that manifesto. For him, the rise of totalitarianism was due to an international excess of materialism: the historical materialism of communism and the biological materialism of fascism. Both led to the destruction of what he calls, "the inalienable dignity of the human soul."[20]

Martian's model of international protections of the Jewish community was further discussed in a radio broadcast in New York from November of 1943, Maritain alerted listeners to a forthcoming "new type of democracy" based on President Roosevelt's preparations for the United Nations organization.[21] For Maritain, this democracy should be realized through Christian principles. While appearing to be a primordialist argument on the relationship between the Catholic Church and modern politics, Maritain rather considered the ways in which Christian values have also been ironically realized by non-Christian agents, namely, the political Left.[22] In another radio broadcast in June of 1944, Maritain spoke of the similarities between socialists and Christians in trying to make anew the post-war world. Both groups, however dogmatically different in theory, understood the core relationship between human dignity and institutional reforms while also prioritizing "international cooperation."[23] Maritain, in some respects, was inspired by the expertise and convictions of the French Resistance. Operating as a semi-provisional governing body, the Resistance built a far-reaching network with a vast core of members combating the fascist threat. Wanting to re-organize and expand on those very efforts, Maritain cited an anonymous article in *Liberation,* entitled "Beyond the Nation," in which he considered that the Resistance—ever close to liberation—ironically seemed to limit itself to "national ideals"[24] rather than "international ideals." A system of international law would be necessary to facilitate post-war renewal from above without risking corruption from within.

CONCLUSION

In autumn of 1944, Maritain was called by General de Gaulle to undertake diplomatic projects in war-torn France. Maritain's four years at the Free French University—however short in time, in the end—may be remembered as a source of profound transformation in his intellectual career. Maritain was more than a representative of modernization in twentieth century Catholicism. He was also a global thinker. The fullest expression of his global activities may certainly be found in the drafting of the Universal Declaration of Human Rights in 1948, when Maritain gathered with scholars and leaders from around the world to create a body of law to protect rights, guarantee democratic freedoms, and offset any risk of future threats of totalitarian extremism and genocide. Echoing *The Person and the Common Good* one year prior, Maritain asserted that the truest realization of human rights—*e.g.*, equality, freedom, and justice—depends upon normative principles grounded in a rationally coherent framework of the common good. Further expanding on the philosophy of natural law from *The Rights of Man and Natural Law*, Maritain emphasized that the common good was part of a larger, universal economy of God-given personhood. Only with this recognition of a higher plane of religious normativity written into the very structure of human reason can a political state hope to cultivate a community of persons in the fullest expression of their human dignity. The great example of Maritain is that he practiced during the war—in lived time with real people—the very ideas that underwrote his political and philosophical thought.

Ultimately, the history of Maritain at the Free French University demonstrates those occasions of transformation that have emerged and can continue to emerge in an increasingly globalized world. The lack of closure regarding the religious-secular divide in contemporary politics provides a critical opportunity to reevaluate past moments when dialogue and democratic action may have seemed impossible tasks in their moment but were achieved nonetheless. Working within a climate of extreme uncertainty and polarization—a time not entirely unlike our own—the story of Maritain remains instructive. His religious vision of cosmopolitanism, anti-racism, and decolonization offers insight into the vibrant resources behind the Catholic tradition for promoting a democratic model of politics and culture today.

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[1] See James Chappel, *Catholic Modern: The Challenge of Totalitarianism and the Remaking of the Church* (Cambridge, MA: Harvard University Press, 2018); Ed Baring, *Converts to the Real: Catholicism and the Making of Continental Philosophy* (Cambridge, MA: Harvard University Press, 2019); Brenna Moore, *Kindred Spirits: Friendship and Resistance at the Edges of Modern Catholicism* (Chicago: University of Chicago Press, 2021).

[2] See Gerd-Rainer Horn, *Left Catholicism 1943–1955: Catholics and Society in Western Europe at the Point of Liberation* (Leuven: Leuven University Press, 2001); Piotr Kosicki, *Catholics on the Barricades Poland, France, and "Revolution,"* 1891-1956 (New Haven: Yale University Press, 2018); Sarah Shortall, *Soldiers of God in a Secular World: Catholic Theology and Twentieth-Century French Politics* (Cambridge, MA: Harvard University Press, 2021).

[3] Jacques Maritain, "The Work of the Emergency Rescue Committee," in *Pour la justice: Articles et Discours, 1940-1945* (New York: Éditions de la Maison Française, 1945), 36.

[4] Gustave Cohen, *Ceux que j'ai connus* (Montréal: Éditions de l'Arbre, 1946), 203.

[5] See Julie Kernan, *Our Friend Jacques Maritain,* 126-127; see A Light in Dark Times, 154-155.

[6] See Jacques Maritain, *Pour la justice: Articles et Discours,* "Inauguration de l'Ecole Libre des Hautes Etudes," 79.

[7] See Jacques Maritain, "Some Reflections Upon Religious Art," in *Art and Scholasticism with Other Essays* (London: Sheed and Ward, London, 1947).

[8] Jacques Maritain, "La conquête de la liberté," *Messages: 1941-1944* (New York: Éditions de la Maison Française, 1945), 36-38.

[9] See Maritain, "Projet de réponse aux questions d'Alger," in Box 8/04 at JMC.

[10] See letter from Alex Frenkley to Maritain (May 29, 1944) in 18/10 at JMC.

[11] Maritain, "Christianisme et Démocratie," *Messages,* 94.

[12] Ibid.

[13] Maritain, "Human Equality," in *Ransoming the Time,* 4-5, 22-23.

[14] Maritain, "Christianisme et Démocratie," *Messages,* 25.

[15] Ibid.

[16] Maritain, "Communion et Liberté," *L'Arche* 3 (April-May 1943), 4.

[17] Jacques Maritain, *A Christian Looks at the Jewish Question* (New York: Longmans, Green and Co., 1939), 73-74

[18] Ibid.

[19] Jacques Maritain, "A Proposed Plan for an International Catholic Congress Presented to the Washington Group of Catholic Personalities Assembled for the Study of Post-War Reconstruction" (February 9, 1942) in Box 18/01, 2 at JMC.

[20] "In Front of the World Crisis," *Commonweal* (1942).

[21] See Maritain, "Christianisme et democratie," in *Messages,* 92-93. In particular, Maritain was referencing President Roosevelt's State of the Union speech from 1938.

[22] Maritain, "Suite du precedent," in *Messages,* 90-91.

[23] Maritain, "Socialistes et Chretiens" in *Messages,* 205.

[24] Maritain, "Un Article de 'Libération,'" in *Messages,* 138-140.

TWO EARLY MODERN STRATEGIES FOR TOLERATION

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ABSTRACT

One feature of the phenomenon known as democratic backsliding is a growing intolerance of perceived political adversaries, leading to attempted disenfranchisement and an erosion of shared democratic norms. In order to add to our "toolkit" for addressing this pernicious intolerance, this paper will reintroduce and defend two early modern strategies for addressing intolerance. The first strategy, found in the thought of Thomas Hobbes, is the sovereignty approach. For Hobbes, the state must wield power to prevent intolerance now in order to avoid wielding much more power later on. The sovereignty approach reminds us that too libertarian of an approach can undermine the liberty it sets out to preserve. The epistemic approach, best seen in the writings of Immanuel Kant, is a strategy for persuading intolerant actors to become more tolerant by adopting and reinterpreting premises important to them. In Kant's case, this meant abandoning the language of his critical philosophy and embracing language familiar to his Prussian Protestant contemporaries.

INTRODUCTION

Social scientists observe that we live in an age of democratic backsliding.[1] The quality of our common democratic life and citizens' commitments to democratic norms have eroded both in the United States and around the globe. One aspect of this phenomenon is a rise of a deepening intolerance against perceived political enemies—often members of some singled-out minority—leading to attempts to disenfranchise or to wield the power of the state against them.[2] Intolerance and backsliding reinforce one another, and it seems clear that to arrest the spread of the latter we must correct the problem of the former.

The problem of intolerance was deeply familiar to early modern political philosophers. Religious wars racked Europe for the better part of two centuries, and the phenomenon we now recognize as the Enlightenment was predicated in very large part on the prevention of these wars.[3] Moreover, it became very clear how the modern nation-state, emerging at that time, could aggrandize itself at the expense of religious minorities. The problems of liberty and toleration were closely linked.[4] The coterie of seventeenth and eighteenth century thinkers were confronted with problems resembling ours, and they therefore devised solutions that are worth intro-

ducing to our present dilemmas, including the problem of intolerance. This essay will reintroduce two early modern strategies for promoting toleration: what I am terming the sovereignty approach and the epistemic approach. As found in the thought of Thomas Hobbes and Immanuel Kant, respectively, these approaches ought to re-enter our debates over toleration and backsliding.

While below I will explore these approaches in greater detail and engage with some of the scholarly literature on these two figures, I want first to introduce them in a schematic form, and then to offer a brief justification for choosing these two approaches in particular. The sovereignty approach, as found in Hobbes, is to empower the state to restrain intolerant actors before they can wield force, public or private, against their enemies. Its perhaps paradoxical conclusion is that an anterior investment of power in the state will prevent the need for a much larger empowerment later on, when a more formidable intolerant faction must be restrained or when that faction uses the state against its adversaries. The epistemic approach, on the other hand, found in Kant, assigns to the intellectual the task of giving *reasons* for toleration to the intolerant. Kant exemplifies the approach of beginning with premises held by the intolerant and using those premises to make the case for a newfound toleration. What recommends these approaches is that much of

the contemporary normative literature on toleration focuses on what Rainer Forst calls the "respect conception" of toleration, where individuals grant each other equal recognition irrespective of identity or group affiliation. This is undoubtedly an ideal to strive towards. Yet in order to reestablish norms of political toleration, we ought to focus on what Forst calls the "coexistence conception," where groups come to see mutual toleration as the best possible arrangement.[5] Since John Rawls's dismissal of this idea (what he calls the "modus vivendi") as undesirably unambitious, there has been much focus on securing the respect approach, thereby ignoring the coexistence approach.[6] Hobbes and Kant, in their own ways, contribute toward advancing coexistence, and we ought to study their approaches as we proceed ultimately toward building a more lasting respect.

HOBBES AND THE SOVEREIGNTY APPROACH

Hobbes's *Leviathan* was published in 1651, in the middle or at the end of several momentous disruptions in Europe: the English Civil War, the Thirty Years War, and the uprising of French nobles known as The Fronde.[7] His times were marked by social breakdown and civil war, and his political philosophy is, among other things, an attempt to provide a solution to these maladies. This solution, as is well known, is to invest the state with absolute power. While such a power is constructed for the end of social peace, Hobbes also insists that it can be consistent with the liberty of subjects, defined as "the silence of the law" (XXI.18). Because this liberty "is in some places more, and in some less," there are evidently circumstances that demand reductions in liberty and others that allow for a more expansive realm of it. Although Hobbes would not identify the maximization of freedom as the end of political life, the laws can be more "silent" when the state's integrity is unthreatened. As we shall see, fanatic factionalism threatens this arrangement, and the exercise of sovereignty protects it. For Hobbes, sovereignty protects liberty.

The main argument of Hobbes's *Leviathan* is widely known, and I will recount it only briefly here. Man in the state of nature finds himself in a state of war with all other men, because each equally seeks power over the others in order to satisfy his desires and to avoid suffering a violent death at their hands. Reason, as a fundamental law of nature, commands men to seek peace, and a further precept of reason commands them to forgo their right to all things and to vest that right in a sovereign with the absolute power to enforce peace among its constituent subjects. Hobbes frames the original contract as men exiting the state of war and the sovereign as primarily concerned with keeping peace between individuals.

Within the civil state, however, a number of new threats arise that are absent from the state of nature. Chief among these are religious factions. According to Hobbes, "factions for government of religion...are unjust, as being contrary to the peace and safety of the people, and a taking of the sword out of the hand of the sovereign" (XXII.32). Religious groups that attempt to wield power, either alongside or, worse, in the stead of the sovereign threaten public peace. For those religions without aspirations for power, however, Hobbes is willing to let them be. "The independency of the primitive Christians," he says, where "every man [follows whom] he liketh best" is "*if it be without contention... perhaps the best*" (XLVII.20; emphasis mine). As Teresa Bejan has aptly noted, this is not an unconditional endorsement of the free exercise of religion, only of an arrangement that does not spill over into open disagreement.[8] Against those scholars according to whom Hobbes hopes to instill tolerance as an individual virtue, I agree with Bejan that toleration is rather a state of affairs to be guaranteed by the state.[9] What I want to clarify is how an anterior assertion of sovereignty makes possible this arrangement in the first place. For Hobbes, giving these factions free rein will lead to "contention" and to the refusal of free exercise altogether. It is better, according to Hobbes, to limit their abilities to combat each other than to disallow religious exercise as such.

Hobbes clarifies this dynamic in his discussion of the causes that tend toward the dissolution of the commonwealth. The first he adduces is the "want of absolute power," which "disposeth great numbers of men...to rebel" (XXIX.3). Should this not end back in the state of war, it leads the state to encroach further on its subjects' liberty than before. Hobbes uses the Roman Republic, in which "neither the senate nor people pretended to the whole power," as an example of this. At the resolution of the civil wars that followed, Rome found itself under a monarchy (XXIX.4). He similarly warns against investing subordinate bodies with the power to coerce others, which is to say empowering majorities to rule minorities. For if the sovereign provides them with the freedom to coerce others, then to prevent future coercion entails revoking that leeway altogether. The sovereign could either prevent the formation of coercive factions or, after they form, wield tremendous force against them.

To illustrate this dynamic, I want to introduce an example with which we are familiar from American history. At the end of the American Civil War, Congress enforced Reconstruction legislation and the Reconstruction Amendments against the occupied South in order both to secure the citizenship of the formerly enslaved and to drum the remnants of antebellum culture out of the region. Amidst all this, however, the nation flinched. Congress ended Reconstruction, and paramilitary organizations (like the Ku Klux Klan)

and state governments stepped in to wield coercive power, this time used to terrorize Black Americans. When, nearly a century later, the federal government dismantled Jim Crow and reimposed a state of toleration, this effort required a massive expansion of federal powers and capacities. While this was necessary for rectifying a deeply entrenched system of segregation, it illustrates Hobbes's point well: to decline to use sovereign power now will require more of it later on.

Hobbes's insight is crucial for states debating whether to act against intolerant internal actors, as it reveals that there are costs to delaying that decision. But the Hobbesian account suffers from one problem that makes it inapt in certain situations, because Hobbes presumes a scenario where the state is confronted by intolerant substate actors. What, however, do we do when intolerant actors seize the state, as we have seen in Hungary or in India? Hobbes's answer would seem to be to prevent such a seizure before it occurs. He has little to say in such circumstances. It is here that Kant's approach supplements what we have already seen. While the state can restrain intolerant actors from wielding power, Kant looks to persuade those actors not to pursue, or to relinquish, their coercive power.

KANT AND THE EPISTEMIC APPROACH

Kant's epistemic approach runs parallel to Hobbes's, for Kant is interested far less in prescribing what how the state ought to ensure tolerance. And while Kant does discuss what toleration is in the abstract—that is, what sort of disposition a tolerant person has—he also has writings promoting toleration that try to instill, rather than describe, an ethic of toleration.[10] I locate this strategy most prominently in Kant's essay *Religion within the Limits of Bare Reason* (1793). The work represents a departure from the methodology of Kant's three critiques, and a change in conditions can help us understand why. Coincident with the publication of the third critique, the *Critique of Judgement,* was the formation of the French Constituent Assembly—the start of the French Revolution—and, after the storming of the Bastille, the beginnings of the revolution's radical phase. In Kant's own Prussia, King Frederick William II reacted strongly against the news from France, further retreating from the "enlightened" style of his predecessor Frederick the Great. Already before the Revolution, Frederick had sharply curtailed freedom of religious instruction, and his suspicion of all sources of potential dissidence placed religious toleration under great strain.

Under these circumstances, Kant departed from the highly abstract style of the three critiques and wrote for an educated, but nonetheless popular, audience in order to urge toleration. *Religion within the Limits of Bare Reason* was the result. "Only common morality," he says, is needed to understand the text (*Religion* 6:13).[11] On the basis of this common morality he sets out to reinterpret inherited Christian doctrine, and especially Christian Scripture, in such a way that it demands tolerance from the Christian believer. He thus establishes a threefold division of doctrines, which he will use to make his claims. The first are the religious propositions that he holds to be demonstrable on the basis of pure practical reason, namely the existence of an omnibenevolent God and of an immortal human soul. Beyond these are reasonable, inherited doctrines, which cannot be universally demonstrated but which can nonetheless be given a salutary reinterpretation. Finally, there are those doctrines that are both nondemonstrable and morally pernicious. By appealing to the first two categories, Kant tries to drive his reader to relinquish an attachment to the third category.

Kant identifies the source of coercive intolerance in a quasi-Hobbesian diffidence: we have a suspicion of "the anxious endeavor of others to attain a hateful superiority over us" and so we "try to procure it [i.e., superiority] for ourselves over them for the sake of our security" (6:27). Kant here describes the social mistrust that leads individuals or groups to acquire and to wield coercive power over their adversaries. This is an all-too-common phenomenon, namely, an irrational fear of being dominated that spurs a corresponding drive toward domination. Part of what Kant must do is to persuade his reader that such domination is *bad* for them. This is especially true of majorities who are in a position to dominate. The state may restrain them, but this is a rather unstable form of tolerance, and democracies experience the danger that an intolerant group will capture the state itself. Kant is aware of these problems, and his efforts at persuasion supplement the shortcoming in Hobbes's account, which we identified above. Intolerant groups must cease *wanting* to dominate their adversaries.

Kant's appeal is based on his "fundamental maxim of safety/certainty [*vereinbarte Sicherheitsmaxime*]," the principle which the tolerant individual must observe. The maxim relies on common sense to arrive at the threefold doctrinal distinction mentioned above. It is as follows: "Whatever...can be made [object of] my cognition not through my own reason but only through revelation, can be introduced into my profession solely through the intermediary of a historical faith...this I cannot indeed believe and assert as certain, but just as little can I reject it as certainly false" (6:189). What Kant has done here is to draw a distinction between the universally accessible and the historically contingent (i.e., revelation) that does *not* banish the latter to the realm of falsehood. Revelation becomes a genuine object of faith, not cognition, but we ought not assert its falsity for that reason. What we cannot do, however, is wield it as a basis

for coercing others. They cannot be held responsible for their ignorance of what is accessible only to some people.

But Kant must still motivate his reader to draw this distinction. Why, that is, should a religiously committed person care? Kant answers: "The very man who has the temerity to say: He who does not believe in this…historical doctrine…*that one is damned*, would also have to be ready to say: If what I am now relating to you is not true, *let me be damned*" (6:190n). Whoever is willing to make the veracity of a religious utterance a condition for salvation is compelled to submit his own articles of faith to the same scrutiny. But he cannot affirm this with conviction, because he does not have objective, which is to say universally accessible, grounds for his belief. He could not truthfully make this a condition of salvation or a matter of coercion lest he expose himself to the same criterion. Kant's message is simple: you must not compel another on grounds of which you yourself are unsure. If there is to be a public religion, "the whole human race should be capable of this faith" (6:181), and coercion can only be on the basis of universally shared reasons.

Kant's appeal is for an epistemic humility, a recognition that many of our most deeply held beliefs are not accessible to all people, who ought not to be punished for failing to hold them. This is the kind of maneuver that reestablishes tolerant *norms* between individuals. What is distinctive about this approach is that it grounds arguments for toleration in a language and reasons that are accessible and familiar to the recipients of the ar-

guments. In Kant's case, this meant eschewing the abstract language of his critical philosophy in favor of the language familiar to Prussian Protestants. This act of translation, of locating our appeals to toleration within the traditions of those to whom we appeal, ought to be resurrected. In our day, it is easy to lapse into the vocabulary of a secular, cosmopolitan liberalism that is far from universally persuasive. If we hope the cause of toleration will ultimately triumph in the public sphere, our appeals must comprise a more diverse set of vocabularies and moral sources, including religious and national traditions. This, in turn, requires locating in these traditions those sources that support, or even require, toleration.

CONCLUSION

By reintroducing Hobbes's sovereignty approach and Kant's epistemic approach, I hope to have added some resources to our thinking about toleration and how to secure it. Holding these thinkers side by side, we have seen that a solution can be multifaceted, with some responsibilities assigned to the state and others to intellectuals. And while these strategies are far from sufficient—and perhaps they are not even necessary in all cases—they nonetheless add to the set of strategies by which we can resist backsliding by combating intolerance. Intolerance, as we have seen, causes a scramble to disenfranchise one's opponents and to erode democratic processes once one is in power. These approaches therefore contribute to the fight against backsliding by staunching it at one of its major sources.

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[1] See, for example, Steven Levitsky and Daniel Ziblatt, *How Democracies Die* (New York: Viking, 2018); Nancy Bermeo, "On Democratic Backsliding," *Journal of Democracy* 27(1) (2016), 5-19.

[2] Jacob calls these parties "anti-pluralist." See Marc S. Jacob, "Citizen Support for Democracy, Anti-Pluralist Parties in Power and Democratic Backsliding," *European Journal of Political Research* (2024). https://doi.org/10.1111/1475-6765.12703. See also Anna Grzymała-Busse, "How Populists Rule: The Consequences for Democratic Governance," Polity 51.4 (2019), 707-717.

[3] Richard Whatmore, for example, defines Enlightenment as a strategy to combat religious wars. *The End of Enlightenment* (London: Allen Lane, 2023).

[4] A whole host of early modern political tracts set out to establish exactly this point. In addition to those I will treat below are Spinoza's *Tractatus Theologico-Politicus;* John Locke's "Letter Concerning Toleration;" and Pierre Bayle's *Commentaire philosophique sur ces paroles de Jésus-Christ "Contrain-les d'entrer."*

[5] Forst, "Pierre Bayle's Reflexive Theory of Toleration," *Nomos* XLVIII: Toleration (2008), 80-1.

[6] Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 146f.

[7] References to *Leviathan* will be provided in-text and come from Hobbes, *Leviathan* (Indianapolis: Hackett, 1994).

[8] Teresa Bejan, "Difference without Disagreement: Rethinking Hobbes on 'Independency' and Toleration," *The Review of Politics* Vol. 78, no. 1 (2016): 1-25.

[9] For some defenses of the "more tolerant" Hobbes ed., see Alan Ryan, "A More Tolerant Hobbes?" in *Justifying Toleration: Conceptual Historical Perspectives* (ed. Susan Mendus, ed.) (Cambridge, 1988), 37-59; Edwin Curley, "Hobbes and the Cause of Religious Toleration," in *The Cambridge Companion to Hobbes's Leviathan* (ed. Patricia Springborg, ed.) (Cambridge, 2007), 309-36; and David Johnston, *The Rhetoric of Leviathan: Thomas Hobbes and the Politics of Cultural Transformation* (Princeton, 1989).

[10] For the best account of what Kant thinks toleration looks like, see Onora O'Neill, "The Public Use of Reason," *Political Theory* 14(4) (1986): 523-551. See also Andrew Bain and Paul Formosa, "Toleration and Some Related Concepts in Kant," *Kantian Review,* Vol. 25, no. 2 (2020), 167-92.

[11] References to Religion will be provided in-text and are from Volume 6 of Kant's *Gesammelte Schriften* (Berlin: Walter de Gruyter, 1900-). I have benefitted also from Allen Wood's translation in *The Cambridge Works of Immanuel Kant.*

"THE WITHERING AWAY OF THE STATE" REVISITED:

The Immanent Liberal Aims of German Marxism Before the First World War

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History

ABSTRACT

This essay reassesses the liberal democratic credentials and imagined emancipated future of German Marxism before the First World War—after Karl Marx (1818–1883) and before the Soviet Union (1922–1991). These pioneering Social Democrats developed a complex body of thought aimed at converting the ideas of Karl Marx into a practicable political strategy for social emancipation. They soon won the support of the vast majority of the German working class, built the first million-member political party in the world, and definitively beat out anarchism and terrorism as the dominant ideology of the workers' movement, none of which had been achieved in Marx's own lifetime. Around the turn of the twentieth century, mass socialist parties, led by the Social Democratic Party of Germany, represented the most ardent proponents of democracy, republicanism, and civil liberties, including freedom of religion, in the advanced industrial world. Unlike the state ideology of the Soviet Union and connotations of a state command economy associated with Marxism up to this day, I argue, early German Marxists incubated a thoroughly liberal political practice and a utopian vision of a liberated future, in which not only would class distinctions disappear, but the coercive, bureaucratic aspects of the state apparatus that resisted civil-democratic accountability would also wither away. In light of our dissipating faith in democracy and growing political pessimism, their historical example offers an improbable model for fostering a radically liberal oppositional politics, as a leftwing alternative to the proto-fascist one on the rise today.

INTRODUCTION

In 2024, as we struggle to cope with democratic backsliding and the political nihilism it engenders, one unlikely resource for envisioning a free and fair future is the historical model of pre-World War I Marxism. Diametrically opposed to the totalitarian state-dominated societies that would develop in the twentieth century, Marxists in the era after Karl Marx (1818–1883) and before the Soviet Union (1922–1991) aspired for a classless society that would be autonomous and unencumbered by the state. This was the era of the Socialist International (1890–1916)—subsequently dubbed the Second International—a federation of mass socialist parties across dozens of nations, including the Socialist Party of America led by Eugene V. Debs, which understood itself as a socialist world government in waiting. Compared to non-socialist parties of this time, social-

ist parties represented the most ardent proponents of not just social equality but democracy, republicanism, and civil liberties, including freedom of religion. Nowhere was this more true than in the illiberal and undemocratic German Empire (1871–1918), where the Social Democratic Party of Germany (SPD) constituted the greatest democratic force and the leading party of the Second International. (Before the First World War, "social democracy" was synonymous with revolutionary socialism and did not denote a politics of welfare statism within the maintenance of capitalism.) The SPD was led by fervently Marxist intellectuals, such as Friedrich Engels, Karl Kautsky, Rosa Luxemburg, Franz Mehring, Alexander Parvus, Clara Zetkin, and Anton Pannekoek. These early Marxists critiqued capitalism primarily on the basis of its degradation of liberal principles via the imperialist state's domination over society, and they organized a powerful, autonomous, mass

civil-social movement that was completely independent of state governance. After a brief historical account of the inception of Marxism as a mass politics, this essay takes us through the SPD Marxist critique of capitalist illiberalism and their anti-ministerial "socialist liberal" alternative. By circumventing appeals to the state and instead harnessing populist opposition in a radically liberal rather than proto-fascist direction, their precedent gives us a glimpse into a provocative alternative to the apathy and inertia of participatory democracy today.

THE RISE OF POLITICAL MARXISM

In the late nineteenth century, pioneering German socialists developed a complex body of thought aimed at converting the ideas of Karl Marx into a practicable political strategy for social emancipation. They soon won the support of the vast majority of the German working class, built the first million-member political party in the world, and definitively beat out anarchism and terrorism as the dominant ideology of the workers' movement, none of which had been achieved in Marx's own lifetime. More than any other socialist party in the International, the SPD represented the driving force of democracy in its nation, both in terms of electoral performance and its ideological principles. In their first federal election in 1890, they outperformed all other parties with 19.7 % of the vote, and by 1912, the last election before the war, they won 35% of the vote, over twice as much as the next highest performing party. The SPD was the only German party that programmatically called for such liberal democratic demands as universal suffrage for both sexes from age twenty, proportional representation, an eight-hour workday, no child labor for those under fifteen, and direct graduated income tax. However, their ideologically Marxist Erfurt Program of 1891 subsumed such immediate demands for reform under the long-term aim of revolution, by situating these demands within the party's operational objective of obtaining political power as a means to enacting the strategic goal of proletarian self-abolition.[1]

Exemplified by early SPD theory, Second International Marxism entertained a thoroughly utopian vision of the socialist future, based on the concept of the "withering away of the state." What distinguished Marxism from other socialisms was its dialectical strategy that insisted on the necessity of *political revolution* as a springboard for the subsequent gradual, thoroughly more radical *social revolution* of human practice and consciousness. Marx's lifetime collaborator, Friedrich Engels (1820–1895) made clear, "State-ownership of the productive forces is not the solution of the conflict, but concealed within it are the technical conditions that form the elements of that solution." Under the

state rule of the proletariat, a dialectical transformation of quantity into quality was to transpire, in which, "the government of persons is replaced by the administration of things, and by the conduct of processes of production. The State is not 'abolished.' *It dies out.*"[2]

Thus, for leading SPD intellectuals, "socialism" referred to a categorically different future society, in which not only would class distinctions disappear, but the coercive, bureaucratic aspects of the state apparatus that resisted civil-democratic accountability would also dissipate. Much like the radical liberal *philosophes* of the Enlightenment, they aspired to realize a society in which the state and politics itself, understood as the necessary exercise of physical power against those without it, would evaporate and the full flourishing of human potential, abundance, and plurality could be manifested. Their concept of the social revolution out of capitalism centered on gradually transcending what Marx called "bourgeois right" *(bürgerliche Recht)*, or, labor as the basis of social value.[3] The preeminent SPD intellectual Karl Kautsky (1854–1938), known by contemporaries as the "pope of Marxism," touched on the post-revolutionary unfolding of the socialist society in his exegesis of the Erfurt Program, known as *The Class Struggle.* As a baseline, socialism would provide "certainty of livelihood—a security that today the greatest fortune cannot guarantee." Ultimately, however, it promised "the foundation of the highest freedom yet possible to man." As he declared, "It is not the freedom of labor, but the *freedom from labor,* which in a socialist society the use of machinery makes increasingly possible, that will bring to mankind freedom of life, freedom for artistic and intellectual activity, freedom for the noblest enjoyment."[4] The cosmological scope of human transformation entailed by the "social revolution" was clearly utopian by any definition today.

CAPITALIST ILLIBERALISM: THE BONAPARTIST STATE AND IMPERIALISM

Unlike most communists since the twentieth century, SPD Marxists prioritized freedom over equality. Accordingly, they critiqued capitalism on account of its illiberalism and pointed out the ways in which democracy in capitalism effectively contradicted the liberal legal basis on which it rested. As good Marxists, SPD theorists tried to remain immanent to the capitalist present and reticent to postulate exactly what the future classless society entailed, taking their cue from Marx's dictum that the social revolution "can only draw its poetry from the future, not from the past."[5] Instead, they consciously based their vision of socialism on contemporary liberal ideals of a globally cooperative civil society, which they believed capitalism currently impeded. Back then, "capitalism" was widely understood as *unfreedom.*

As Jürgen Kocka points out, the term "capitalism" initially emerged in the nineteenth century as a pejorative for characterizing the *disintegration* of the free society of labor exchange that Adam Smith observed in the pre-industrial eighteenth century.[6] Only in the twentieth century, and especially in the Cold War struggle between east and west, did arguments *for* capitalism arise, as liberal bourgeois society and capitalism became conflated semantically. As SPD Marxists conceptualized it, the problem of capitalism was not free labor or individual private property but rather their *destruction* under industrial conditions of production. However, they distinguished themselves from the "petty bourgeois" anti-capitalism of those who wanted to reverse modern industrialization and globalization to return to the days of small-scale, local production, which both the Marxists and the capitalists knew to be an impossibility.

For SPD Marxists, democracy in capitalism violated the liberal principles of bourgeois society primarily through the institution of the "Bonapartist" state as an authoritarian apparatus over and above civil society.[7] Some political scientists today still recognize the non-identity and liberalism and democracy, such as Alan Ryan, who notes that liberalism "is not necessarily a democratic doctrine, for there is nothing in the bare idea of majority rule to show that majorities will always respect the rights of property or maintain the rule of law."[8] According to SPD Marxism, contrary to the radical liberal promise from the preceding bourgeois era of reducing and subordinating the state to society, in capitalism greater social interdependence and democracy produced its opposite—"the greater becomes the need of a strong state power to enforce the law," including "the necessity for a large police force."[9]

One increasingly prominent expression of Bonapartism at the turn of the century was imperialism. SPD Marxists generally conceptualized imperialism as arising from the needs of the state in core capitalist countries to suppress domestic class conflict by carving out foreign colonies, where cheap forced labor drove down wages back at home. In the era of "new imperialism" at the turn of the century, "imperialism," or *Weltpolitik* ("world policy"), as the Germans used synonymously, referred to the new configuration of protectionist policies for sealed off domestic and colonial national markets, which gave rise to intense economic competition between European Great Powers and supplanted the liberal era of free trade associated with "Manchester liberalism." Kautsky and Heinrich Cunow (1862–1936), a less well-known SPD Marxist, further specified its meaning by theorizing imperialism as a qualitatively new level of capitalist self-contradiction defined by the two overlapping concepts of *finance capital* and *monopoly*. Finance capital denoted the *export of capital*—particularly through the medium of newly prominent central banks—rather than

the export of commodities for sale, as the new driving force of colonial expansion. Kautsky and Cunow linked imperialism to the expansion of new monopolistic institutions, such as cartels, syndicates, and trusts. Just as politically capitalism destroyed bourgeois civil society, civil liberties, and the promise of peace, so economically did it degrade bourgeois free trade via its opposite, monopoly. As they observed, capitalist monopolization and imperialist militarization grew inseparably, since industries that were most concentrated pressed most strongly for protectionist policies from the state, including tariffs and colonial armies, in order to monopolize further markets.[10] In turn, intensified monopolization generated what Kautsky called "the increase of warlike entanglements" between global superpowers, and hence the growing prospect of a catastrophic war at an unprecedented scale, eventually realized in 1914.[11]

SOCIALIST LIBERALISM: ANTI-MINISTERIALISM AND PRO-CIVIL LIBERTIES

In the face of the violation of civil society by the illiberal capitalist state, the SPD adopted a staunchly anti-state politics via the Marxist principle of *anti-ministerialism*. Epitomized by the party's slogan, "To this system, no man and no penny!" anti-ministerialism stated that, short of workers' control of the state, socialists were to disclaim all responsibility for capitalist governance.[12] In the pre-revolutionary meantime, party activity was largely confined to the civil-social and educational tasks of increasing the proletariat's self-organization and revolutionary consciousness, so that they could eventually lead society out of capitalism. The main legislative task of the party's parliamentary representatives was to vote against state budgets and bills, which generally sought to increase indirect taxes on consumer goods and strengthen the military. Despite being the largest, most popular party in Germany, the SPD passed virtually no bills from 1890 to 1914. Engels left open the possibility for positive contribute to legislation but stipulated, "The questions on which social democratic representatives can emerge from pure negation are very narrowly limited," namely "questions in which the relation of the workers to the capitalists comes directly into play," such as factory legislation, length of workday, and wages, plus a few "purely bourgeois" measures expanding civil liberties. Otherwise, he clearly demarcated the limits of positive political activity thus: "to grant nothing which will increase the power of the government vis-à-vis the people."[13]

If SPD Marxists viewed political democracy in the capitalist epoch as but a tool for overcoming capitalism, they held civil liberty to be more precious and vital. As Engels had stated, "unless there is freedom of the press, the right of association, and the right of assembly, no

workers' movement is possible."[14] One largely forgotten SPD spokesman for this view in the party's early years was Dortmund-based Franz Lütgenau (1857–1931), the first socialist intellectual to systematically inculcate Marxism in the Ruhr, the fastest growing region and the economic centerpiece of Germany's rapid industrialization and rise to Great Power status, where the workers' movement centered on miners' unions and fierce strikes. Lütgenau, the first Social Democrat elected to the German parliament in all of Westphalia, delivered lectures across the region on such diverse topics as Marxism, Buddhism, philosophy, art, and literature, but he made his most substantial contribution to the party's stance on civil liberties, especially religion.[15] As an ex-theologian, Lütgenau was treated as a guardian of the issue within national party discourse.[16] He spoke up at the 1894 party conference in Frankfurt, where, despite being a convert to atheism himself, he upheld the right to religious freedom and the separation of church and state as the appropriate socialist position, against other delegates, led by Philipp August Rüdt, who advocated adopting militant atheism as formal party doctrine. Rüdt, claimed Lütgenau, by encouraging the party to adjudicate matters of personal beliefs, abdicated Marxist anti-ministerialism and fell *below* liberalism—"his behavior goes beyond that of national liberals and is strictly governmental."[17] As Lütgenau explained in the article, "Workers of All Worldviews, Unite!" the movement's self-division along religious lines served the interests of those wishing to fracture the working class.[18]

CONCLUSION

Naturally, disagreements within the SPD arose throughout the prewar period about the complex relationship between liberalism and democracy, as it related to their goal of overcoming class society. Most debates, including the notorious revisionism dispute starting in 1898, came down to the divergence of emphases on the short-term political revolution versus the long-term social revolution, and how exactly they related. As written by Anton Pannekoek (1873–1960), a Dutch Marxist who wrote for the SPD party press and moved to Berlin in 1906, "While the revisionist mutation [*Abart*] of socialism sees only the movement without the end goal, the anarchist mutation views only the end goal and thus stumbles immediately over the hurdles that it finds in front of it."[19] Starting with the party's vote for war credits to support the German war effort in 1914, the reformist elements of the party ultimately won out, but it is at our own expense that we forget the utopian, liberal—really dialectically post-liberal—aims of the early SPD. Unlike the state ideology of the Soviet Union and connotations of a state command economy associated with Marxism up to this day, the original Marxists dreamed of the "withering away" of both the modern state apparatus and the labor-based foundation of social relations, to be supplanted by an entire new stage of humanity's self-development. The neglected legacy of early German Marxism throws into relief our relatively pessimistic visions of the future today. Their example invites us to recover such historical optimism in order to begin to imagine radical, emancipatory social transformation anew.

[1] Die Sozialdemokratische Partei Deutschland [SPD from here on], trans. Thomas Dunlap, *The Erfurt Program* (1891), https://www.marxists.org/history/international/social-democracy/1891/erfurt-program.htm (Accessed November 7, 2024).

[2] *"Absterben,"* translated as "withering away" elsewhere. Friedrich Engels, *Socialism: Utopian and Scientific* (Moscow: Progress Publishers, [1880]1954), 63, 65–6. All italics are Engels'. *Socialism: Utopian and Scientific* is an abbreviated pamphlet version of Engels' longer 1877 work, *Anti-Dühring,* which served as the most formative book for many leaders across the Second International.

[3] See Karl Marx, "Critique of the Gotha Program," in Robert Tucker, ed., *The Marx-Engels Reader,* 2nd ed. (New York: Norton, [1963]1978), 530–31.

[4] Karl Kautsky, trans. William. E Bohn, *The Class Struggle (Erfurt Program)* (Chicago: Charles H. Kerr, [1892]1910), 147, 152, 158. Italics are Kautsky's.

[5] Karl Marx, "The Eighteenth Brumaire of Louis Bonaparte" (1852), in *Marx-Engels Reader,* 597.

[6] Jürgen Kocka, "Writing the History of Capitalism," *Bulletin of the German Historical Institute* 47 (Fall 2010), 9.

[7] For the best distillation of Marx's theory of Bonapartism, see Marx, "Eighteenth Brumaire," Section I, 594–603.

[8] Alan Ryan, *The Making of Modern Liberalism* (Princeton, N.J.: Princeton University Press, 2012), 24.

[9] Kautsky, *The Class Struggle,* 57.

[10] Heinrich Cunow, "Handelsvertrag und imperialistische Expansionspolitik," in Richard B. Day and Daniel Gaido, eds., *Discovering Imperialism: Social Democracy to World War I* (Leiden: Brill, 2011), 177–93, originally in *Die Neue Zeit* 18/2 (May 16, 23, 1900), 207–15, 234–42; Karl Kautsky, *Handelspolitik und Sozialdemokratie* (Berlin, 1901), cited in Dick Geary, "Karl Kautsky and the Development of Marxism" (Diss.: University of Cambridge, 1970), 71.

[11] Karl Kautsky, "Germany, England and World Policy," in *Discovering Imperialism,* 172, originally in *Vorwärts* 105, 107 (May 8, 10, 1900).

[12] See Gary P. Steenson, *"Not One Man! Not One Penny!": German Social Democracy, 1863 –1914* (Pittsburgh, PA: University of Pittsburgh Press, 1981).

[13] Friedrich Engels to August Bebel (November 24, 1879), in August Bebel and Werner Blumenberg, *Briefwechsel Mit Friedrich Engels* (London: Hahue, 1965), 81.

[14] Friedrich Engels, "The Prussian Military Question and the German Workers' Party" (1865), in Karl Marx and Friedrich Engels, trans. Richard Dixon, *Karl Marx, Frederick Engels: Collected Works,* vol. 22 (New York: International, 1975), 76. On the importance of civil liberties for Marx and Engels, see Spencer Leonard, "Introduction," in Karl Marx and Friedrich Engels, ed. Spencer A. Leonard, *Marx and Engels on Bonapartism: Selected Journalism, 1851–59* (Lanham: Lexington Books, 2023), 22–8.

[15] Edith Lerch, *Kulturelle Sozialisation Von Arbeitern Im Kaiserreich: Ein Beitrag Zur Historischen Sozialisationsforschung* (Frankfurt am Main: P. Lang, 1985), 369. Lütgenau's articles on free speech include "Pressfreiheit!" *Rheinisch-Westfälische Arbeiterzeitung* [RWAZ from here on] 5/37 (February 13, 1896) and "Die 'Freiheit' der Presse," *RWAZ* 5/129 (June 5, 1896), Archiv der sozialen Demokratie [AdsD], Friedrich-Ebert-Stiftung, Bonn, microfilm MF 33.

[16] Friedrich Wilhelm Saal, "Franz Lütgenau, der erste sozialdemokratische Reichstagsabgeordnete des Ruhrgebiets und Gründer der Volkshochschule Dortmund," *Beiträge zur Geschichte Dortmunds und der Grafschaft Mark* 72 (1980), 125.

[17] SPD, *Protokolle über die Verhandlungen der Parteitage der Sozialdemokratischen Partei Deutschlands* (Berlin, 1894), 106, http://library.fes.de/parteitage/index-pt-1890.html (Accessed November 11, 2024).

[18] Franz Lütgenau, "Proletarier aller Weltanschauungen, vereinigt euch!" *RWAZ* 3/259 (November 5, 1894): 1.

[19] Anton Pannekoek, "Revisionismus und Anarchismus," *Leipziger Volkszeitung* 12/211 (September 12 1905): II., 1–2.

SOLITUDE AS MEANS TO CIVIC RESPONSIBILITY

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ABSTRACT

Seventeenth-century thinker Blaise Pascal wrote, "…all human unhappiness comes from one thing alone, the inability to remain quietly in a room."[1] This aversion to sitting with oneself in thought has only grown more potent since Pascal's time. Far from being just an issue of the self for the self, this neglect of solitude also leads to a lack of personal responsibility and aversion to political life. That is, the neglect of solitude, and the thinking that arises from this solitude, paradoxically also causes people to become incapable of engaging in political life.

20th-century political theorist Hannah Arendt targets loneliness, as distinguished from solitude, as the precursor to the rise of totalitarian regimes. I will use her works on thinking and personal responsibility to shed light on the salutary role of solitude for civic participation. Arendt's focus on the *vita activa* encourages us to bridge abstract philosophical explanations of the self's two-in-one with today's challenges of American democracy. In envisioning democratic futures, one must think about the state of thinking and its relation to acting for democratic citizens. Democracy requires *each citizen* to take on responsibility; in order to assume responsibility, one must be able to engage in a proper dialogue with oneself. Without this foundation of solitude, of the harmonized two-in-one, political life crumbles into a bureaucratic machine that lacks any sense of conscience or responsibility. By using Pascal and Arendt to shed light on man's need for solitude, I hope to urge democratic citizens to take thinking more seriously.

INTRODUCTION

Modernity gives us boundless opportunities for distraction and allows us to run away from ourselves. Whether we are spending time on the latest social media app or Facetiming a friend, there rarely comes a time in our daily lives when we have to sit with ourselves, alone. The allure of distraction–other than the object of attraction itself–is that it pulls us away from ourselves and our consciousness of ourselves. When we think about being at a football game or a concert, for example, we think about getting swept away by the collective effervescence of the people around us. While we may wish to feel that way forever, we can only lose ourselves for a small amount of time until we're thrust back into ourselves; after a football game, win or lose, we must always go home. Solitude is a fundamental aspect of human existence. Should we neglect its cultivation, we risk the decay of the self and our very ability to interact with the world.

This article frames the topics of the dangers of distraction and the necessity of solitude around the writings of seventeenth-century thinker Blaise Pascal and twentieth-century political theorist Hannah Arendt.[2] The thrust of this article's argument lies in the connection between the self as a solitary being and the self as a political being, rooted in the sense of responsibility one feels when one is aware of one's freely made actions. This paper explores questions such as: How does distraction and the lack of solitude cause one to lose harmony with oneself? How does this disharmony lead to a loss of personal responsibility for moral and political actions? What are the political repercussions for a democratic country of distracted citizens?

When academics or politicians speculate on what could cause the ultimate downfall of American democracy, they often point to poor decisions made by the American public–decisions that result in polarization, in-fighting, gridlock, or the election of destructive leaders. What is easily missed is the role of the individual citizen, who, along with other citizens, creates the political whole. To envision democratic futures, one ought to prioritize individual harmony and personal responsi-

bility as factors that contribute to the upkeep of a democratic nation. To achieve this, one must appreciate solitude as the foundation for the political human being.

Contemporary writers such as Robert Putnam and Robert Bellah have discussed the rapidly decreasing involvement in both politics and one's community.[3] It would seem paradoxical, at first glance, to encourage solitude in an age where people are hiding away from the world now more than ever. Yet, I argue that people's increasing withdrawal from society stems precisely from the same problems surrounding distraction and solitude that Pascal and Arendt emphasize. Distraction in the world, in which one participates in a club, has been replaced by the lonelier distraction of the phone screen.

By drawing upon the work of Pascal and Arendt, this article describes the human being's resistance to spend time with oneself and think and analyzes how this resistance undermines the pursuit of democracy. One must find harmony within oneself to properly engage and create meaning in the world and advance the project of democracy. Democracy requires *each citizen* to assume responsibility; in order to do so, one must be able to engage in a proper dialogue with oneself. Without this foundation of solitude, political life crumbles into a bureaucratic machine that lacks any sense of conscience or responsibility. Part I of this article explains the devastating effects of distraction as outlined by Pascal. Part II discusses Arendt's conception of loneliness, as distinguished from solitude, and concludes by showing how proper solitude acts as the foundation for political responsibility.

PASCAL AND DISTRACTION

Pascal famously proclaims in his *Pensées*, "…I have often said that all human unhappiness comes from one thing alone, the inability to remain quietly in a room… That is why gambling and women's company, war and high office are so sought after."[4] This sentiment certainly reflects people today, who have ever-decreasing attention spans and ever-increasing distractions. Pascal argues in various fragments that an individual seeks out mindless distractions in order to lose oneself and not have to face oneself. Yet, the pursuit of distraction has the opposite effect of what the individual intends, only increasing one's misery. Pascal writes, "The only thing that brings us consolation from our miseries is diversion, and yet that is the greatest of our miseries. For this above all is what prevents us from thinking of ourselves, and that imperceptibly brings about our downfall."[5]

Pascal's message on the dangers of distraction rings out as loudly to the modern ear as it did for seventeenth-century *hônnete homme*. Distraction, Pascal argues, prevents one from thinking about the wretchedness of one's existence and occupies one's mind with idle temporary pleasures. Taking away distracted people's various activities causes them to "look at themselves and think about what they are, where they come from, and where they are going."[6] This experience, as Pascal describes, "lies in the natural unhappiness of our weak and mortal condition, so wretched that nothing can console us when we think about it more closely."[7] Facing oneself is not a pleasant experience, and distraction allows the individual to simply ignore any aspect of the self that does not please them. Pascal quips, "It is easier to bear death without thinking about it than the thought of death even when one is not facing it."[8]

In a world of constant motion and incessantly moving toward the next thing that promises happiness, the distracted person *forgets how* to sit with him or herself. Distracted persons "believe that they are sincerely seeking rest when in effect they are seeking only agitation."[9] Such confusion surrounding distractions, Pascal argues, stems from custom and society. Pascal notes, "From childhood onward, men…are overwhelmed with responsibilities…" We see this today whenever schools encourage students to join as many clubs and honor societies as possible, distracting them from a reflective solitude so as to "maximize" their personal development. Pascal continues, "And so they cannot be too occupied or distracted, and that is why, after having been given so many responsibilities, if they have any time for relaxation, they are advised to spend it diverting themselves, gambling, and keeping themselves fully occupied." Even the so-called relaxing activities serve to distract people from themselves and do not consist of genuine rest.

We do not seek out distraction for its end result. When we go bowling with our friends, most of us are not bowling purely to win, but rather for the enjoyment of the activity itself. As Pascal says, "We never pursue things themselves, only the pursuit of things."[10] The satisfaction one receives from distraction does not arise from the ends, but the *means*. As we flit from distraction to distraction, we receive small pleasures that we hope will last forever. Yet, inevitably they are insufficient or become boring, and we move with false hope onto the next distraction.

What does one gain from stepping away from ceaseless distraction? Why ought one to face the terror of oneself? As Pascal eloquently states, "The cold is agreeable so that we may get warm."[11] One must feel the wretchedness of the self in order to feel one's greatness; "all those miseries prove his greatness."[12] The confrontation of the self, therefore, is not *perpetual* torment, and instead acts as means to *true* happiness. Tearing oneself away from distraction is painful because one has ignored the self for such a long time. One ought to understand distraction as a tool for ignoring the underlying problem–a problem that, if fixed, can beget true and lasting happiness.

ARENDT, SOLITUDE, AND POLITICAL RESPONSIBILITY

In analyzing the origins of totalitarianism, Arendt concludes that totalitarian domination "bases itself on loneliness, on the experience of not belonging to the world at all, which is among the most radical and desperate experiences of man."[13] The lonely man, like Pascal's distracted man, is isolated from himself. Yet, unlike Pascal's discussion of distraction, Arendt's understanding of loneliness has an explicitly political thrust; loneliness refers to when the isolated human being can no longer act in the "political realm of action" or the "world of things," and individuals feel "deserted by all human companionship."[14] The first section of this paper identified the problem of distraction, as identified by Pascal; the following section will explore Arendt's conception of loneliness, the subsequent alienation of the self, and the role of solitude in personal political responsibility.

Arendt understands solitude as that inner dialogue one has with oneself when alone. Solitude becomes loneliness only when individuals can no longer participate in the political realm. Arendt writes, "In solitude, in other words, I am "by myself," together with my self, and therefore two-in-one, whereas in loneliness I am actually one, deserted by all others."[15] Arendt aptly describes the difference as follows:

> The problem of solitude is that this two-in-one needs the others in order to become one again: one unchangeable individual whose identity can never be mistaken for that of any other. For the confirmation of my identity I depend entirely upon other people; and it is the great saving grace of companionship for solitary men that it makes them "whole" again, saves them from the dialogue of thought in which one remains always equivocal, restores the identity which makes them speak with the single voice of one unexchangeable person.[16]

In understanding the self as a two-in-one, Arendt understands solitary thinking as the back-and-forth between the self's speaker and respondent. For the person to become a unified whole again, they must appear in public, in front of others; loneliness arises when "I am alone without being able to split up into the two-in-one."[17] That is, solitude becomes loneliness when one is neither in dialogue with oneself nor able to appear as whole in public.

Solitude and appearing in public ought to balance one another. Arendt argues that "a life spent entirely in public, in the presence of others, becomes, as we would say, shallow."[18] In public, one does not have the time or ability to think deeply about issues; one is not split into dialogue with oneself, and necessarily appears as a unified whole by virtue of appearing in public. A

life in total solitude, on the other hand, loses a fundamental aspect of human existence; "men in plural, that is, men in so far as they live and move and act in this world, can experience meaningfulness only because they can talk with and make sense to each other and to themselves."[19] Arendt even goes so far as to assert that a life without speech and action "is literally dead to the world; it has ceased to be a human life because it is no longer lived among men."[20] One needs solitude in order to create depth within oneself and develop a moral conscience, and one needs to appear in the world in order to create meaning and be human.

Yet, one needs solitude *in order to act properly* in the world of appearances. Socrates proclaims in the *Gorgias*, "And yet I think, you best of men, it is superior that my lyre be out of tune and dissonant, and the chorus I might provide for the public, and that most human beings disagree with me, rather than that I, being one man, should be discordant with myself and say contradictory things."[21] As Arendt explains, this statement reveals two aspects of solitude and appearing: first, that solitude and the harmonizing of oneself requires one to think in the I-I dialogue, in which "you always need at least two tones to produce a harmonious sound"; second, that disagreement and dissonance are okay, and even crucial, to public and political life.[22] Plurality of thought and debate allow individuals to distinguish themselves from others and pursue greatness, which by its very nature breaks "through the commonly accepted and reach[es] into the extraordinary."[23] One must, therefore, seek to harmonize oneself in solitude, even if it comes at the cost of harmony in the world of appearances.

This brings us to our final discussion on conscience and political responsibility. Arendt understands conscience as "the anticipation of the fellow who awaits you if and when you come home."[24] This conscience is created as a product of going between thinking and appearing, in which one moves from the world to solitude and vice versa. Arendt describes the relationship between thinking and appearing, writing, "If thinking… actualizes the differences within our identity as given in consciousness and thereby results in conscience as its byproduct, then judging, the byproduct of the liberating effect of thinking, realizes thinking, makes it manifest in the world of appearances, where I am never alone and always too busy to be able to think." The two-in-one of thinking in solitude, in other words, produces the conscience and is realized in judging. Solitude both allows one to judge in the world of appearing and creates the conscience that one must return to when re-entering solitude *from* the world of appearing.

Without the conscience and judgment that inclines one to act a certain way, personal responsibility in politics loses its meaning. Individuals must feel as though they

are the agent of their actions in order to be morally culpable for them; this is why the plea of insanity exists. Solitude enables one to develop one's reason, and reason tells the will "this is good, in accordance with reason; if you wish to attain it you ought to act accordingly."[25] Without a harmonious self, reason cannot influence one's actions. The will, then, acts on whims rather than decisions, thus rendering political responsibility meaningless. Arendt relies on the Kantian categorical imperative in order to determine the harmony of oneself, in which man "must not contradict himself by making an exception in his own favor..."[26] Only when the self is in harmony with itself can a person make real moral judgments on the world around them. Furthermore, only in anticipation of the conscience–that self that one returns home to every night–does the citizen assume personal responsibility for their actions in the political world.

CONCLUSION

This article hopes to bring attention to the problems surrounding distraction and lack of solitude. Most people do not engage in proper solitude, distracting themselves by either chasing thoughtless and scattered activities or mindlessly scrolling on anonymous algorithmic platforms in order to avoid confrontation with themselves. If the conscience is "the anticipation of the fellow who awaits you if and when you come home," distraction is what works to ensure that you never go home.[27] Living purely in a world of appearance, or more precisely the world of *distraction*, one becomes shallow and loses the ability to make proper moral judgments towards both oneself and others. Without solitude, individuals lose the foothold they need for their moral judgment and fall for politicians that promise the world at the cost of their conscience. When people lack judgment, they lack responsibility.

In democratic societies, each individual citizen has a responsibility towards one another through civic participation. Every time a citizen enters the voting booth, goes to a protest, or debates a topic with a fellow citizen, they necessarily make moral judgments on both the world around them and themselves. A world without the feeling of responsibility, a world without acting upon one's conscience, is a world without true political activity. As Arendt says, "Best of all will be those who know only one thing for certain: that whatever else happens, *as long as we live we shall have to live together with ourselves.*"[28] The harmonization of yourself through the act of solitude, and thus the act of thinking, is fundamental in order to properly engage with the world around you.

Endless distractions prohibit you from entering into dialogue with yourself and allow you to avoid the inevitable question: Are my actions reflective of my thinking, and can I live with myself knowing the actions I have taken? Am I expecting a moral and civic standard from the people around me that does not reflect my own actions? Solitude does not fix political problems, and it does not create any sort of social or political consensus. Moral questions are the hardest questions to answer, but they are the worst questions to avoid. Solitude cultivates the moral beliefs and conscience that give democratic citizens the courage to stand up for what they believe is right. We cannot enjoy the fruits of a garden if we did not first work to cultivate it; likewise, we cannot have a flourishing and morally upright democratic society if we do not first examine our own moral beliefs. All of this to say: the next time you find yourself in a moment of stillness, I urge you to avoid the temptation to go straight to your phone. Instead, try to enter into that "two-in-one" dialogue with yourself, consider thinking about a purposeful *activity,* and see how you can turn any internal dissonance you may find into a beautiful harmony.

1 Blaise Pascal, *Pensées,* edited by Pierre Zoberman and David Wetsel (Washington, D.C.: The Catholic University of America Press, 2022), fr. 168.

2 Blaise Pascal (1623-1662) was born in France to influential and highly educated Catholic parents. While he is most widely known as the person who created "the Wager," Pascal was also a widely regarded mathematician, philosopher, theologian, inventor, and physicist. A man of many talents, Pascal's contributions ranged from inventing the calculator to organizing the world's first transit system in Paris. In the *Pensées,* a fragmented collection of Pascal's thoughts over the course of his life, Pascal is intent on urging the distracted person of his time to turn towards God and choose a pious life.

Hannah Arendt (1906-1975) was born in Germany to bourgeois secular Jewish parents, and she studied under some of the greatest philosophers of the time when getting her doctorate in philosophy. She is most well-known for her writings on totalitarianism and the 1961 trial of Adolf Eichmann.

3 As Putnam points out, "... at least, nearly half of America's civic infrastructure was obliterated in nearly a decade" (*Bowling Alone,* 60). He goes on to argue that formal membership in organizations in the last third of the twentieth century has decreased by "perhaps 10-20 percent," and "...active involvements in clubs and other voluntary organizations has collapsed at an astonishing rate, more than halving most indexes of participation within barely a few decades" (*Bowling Alone,* 63). Even informal and spontaneous associations appear to be declining; "we spend less time in conversation over meals, we exchange visits less often, we engage less often in leisure activities that encourage casual social interaction, we spend more time watching...and less time doing" (*Bowling Alone,* 115). Even though people are withdrawing from those around them, people are as lonely as they have ever been.

For more contemporary literature surrounding increasing loneliness in modern America, see Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York, NY: Simon & Schuster), 2000; Robert Neelly Bellah, Richard Madsen, William Sullivan, Ann Swidler, and Steven Tipton, *Habits of the Heart: Individualism and Commitment in American Life: with a New Preface* (Berkeley, CA: Univ of California Press, 2008); Jack Citrin, "Political Culture," in Peter H. Schuck and James Q Wilson, *Understanding America: The Anatomy of an Exceptional Nation.* 1st ed. (New York, NY: PublicAffairs, 2008).

4 Blaise Pascal, *Pensées,* edited by Pierre Zoberman and David Wetsel (Washington, D.C.: The Catholic University of America Press, 2022), fr. 168.

5 Ibid., fr. 33

6 Ibid., fr. 171.

7 Ibid., fr. 168.

8 Ibid., fr. 170.

9 Ibid., fr. 168.

10 Ibid., fr. 637.

11 Ibid., fr. 636.

12 Ibid., fr. 148.

13 Hannah Arendt, *The Origins of Totalitarianism.* New Ed. with Added Prefaces (New York: Harcourt Brace Jovanovich, 1973), 475.

14 Ibid., 474-475.

15 Ibid., 476.

16 Ibid.

17 Hannah Arendt, *The Life of the Mind* (1st Harvest/HBJ ed., Harcourt Brace Jovanovich, 1981), 185.

18 Hannah Arendt and Margaret Canovan, *The Human Condition* (Chicago: University of Chicago Press, 1998), 71.

19 Arendt, *The Human Condition,* 4.

20 Ibid., 176.

21 Plato, and James H Nichols, *Gorgias* (Ithaca, NY: Cornell University Press, 1998), 483b-c.

22 Arendt, *The Life of the Mind,* 183.

23 Arendt, *The Human Condition,* 205.

24 Arendt, *The Life of the Mind,* 191.

25 Arendt, *Responsibility and Judgment,* 71.

26 Ibid., 67.

27 Arendt, *The Life of the Mind,* 191.

28 Arendt, *Responsibility and Judgment,* 45, my emphasis.

BEHIND THE GLASS & IN THE INK

Jesse Claire Julian

English and Philosophy

behind the glass sits words i squint to read
We the People, white men whisper to me i
never knew who "We" were 'sposed to be
surely i was not thought of in the ink

behind the glass i seek and struggle to reach these
words that have meant near nothing to me i
never know who "We" were 'sposed to be i
never felt that I was in the ink.

because if i were really in the ink,
I wouldn't fear the air i have to breathe i
wouldn't watch my neighborhood on fire i
wouldn't think my house was short on time, or

if I were really in the ink,
i wouldn't think i'd have to have a
child by unfair force, religious
                                conspire,
my health held thin against metal wire –

if i were really in the ink,
i wouldn't need to read the fine print
i'd trust the words that sit behind the
glass i wouldn't plead for life in my own
                                ink.

–

Delivered at the annual What the Constitution Means to Us celebration, 2023.

IT'S STILL IN WORK TODAY

Jesse Claire Julian
English and Philosophy

summer, 1787.

fighting for the principle
protecting liberty for all
finding direction; what's right in what is left
when search and seizure is now considered theft

freedom of speech
freedom of religion
freedom of assembly
freedom to petition

framework for the government
made with good judgment
altered with Amendments
to fix the accidental dents

i live under protection
away from misdirection
in this country, i feel safe
but there's still so much to change

like women's rights and healthcare
and breathing cleaner air
controlling the pandemic
and better academics

in *fall, 2022.*

–
Delivered at the annual What the Constitution Means to Us celebration, 2022.

VII. AFFECTIVE DEMOCRACIES: FEELINGS, EMPATHY, AND THE QUEST FOR UNITY

THE IMPORTANCE OF THE HEART FOR LISTENING IN CONVERSATIONS

Abbey Murphy

Philosophy

ABSTRACT

This paper gives an account of the listening heart as first put forth by Pope Benedict. It argues, with reference to Simone Weil and Edith Stein, that a person with a listening heart is a heart that listens with love and is able to recognize the truth of another person's perspective. Approaching a conversation with a listening heart can lessen polarization because people then may feel heard and recognized, even if the other person disagrees with them. This then can strengthen democracy because the focus of the conversation is on finding the truth of the topic of discussion and helping the country become a better place.

In his 2011 address to the democratic German Parliament, "The Listening Heart: Reflections on the Foundations of Law," Pope Benedict discussed the nature of discerning right and wrong in a democratic society. The question, for Pope Benedict, was "How can we possibly know what is true and further, how to transfer this truth to the law?" Pope Benedict then discussed the nature of reason, but interestingly identifies the heart as the locus of discernment. Referring to St. Paul's letter to the Romans, he writes, "Here we see the two fundamental concepts of nature and conscience, where conscience is nothing other than Solomon's listening heart, reason that is open to the language of being."[1] Pope Benedict's address was a short address and naturally could not give an in-depth philosophical account of 'the listening heart.' This paper uses Edith Stein's philosophy of the heart and Simone Weil's philosophy of attention to unpack what Pope Benedict may have meant by 'the listening heart.' It argues that someone with a listening heart is open to the truth of the object of consideration and responds to this truth with her whole personhood. To develop this argument, I will first discuss the need for listening in political conversations and its importance for the future of democracy. I will then draw upon Weil and Stein's perspectives to argue for the unique importance of the heart in listening.

THE NEED FOR LISTENING IN DEMOCRACY

Persons in a democratic society who have some political agency, whether by voting, being in a political office, or even just by participating in political debates, should rationally and thoughtfully inform their beliefs. One's beliefs should not be based on biases, prejudices, and pure emotion, and instead should consider the common good. With this imperative, though, comes the question about which criteria should be used to determine the truth and further, what would serve the common good. Pope Benedict highlights the importance of individual rational deliberation when he writes, "Yet it is evident that for the fundamental issues of law, in which the dignity of man and of humanity is at stake, the majority principle is not enough: everyone in a position of responsibility must personally seek out the criteria to be followed when framing laws."[2] Finding the criteria, then, by which moral and political truths ought to be judged by is not just the job of philosophers and political theorists; instead, every person with some sort of political agency should try to find this criteria in order for their moral and political judgments to accord with it.

One of the ways in which a person can deliberate about moral and political issues is through conversation. By discussing a moral or political question with another person, one can hear another perspective on the issue and compare one's own perspective to it. The other persons in the conversation can ask the person questions about her perspective, encouraging her to further think through all the implications of her view and parts of her view which she may not have recognized before. Conversations can also lead to agreement between persons who previously disagreed. Andrew Dobson summarizes Habermas's view on the importance of conversation for democracy as such, "Rather than democracy being simply a question of aggregating the given and unreflective preferences of people through the vote, deliberation offers the prospect of people's minds being changed as discussion takes place, as they are exposed to the 'force of the better argument.'"[3] Even if the conversation does not lead to agreement or a transformation of one's view, the conversation can lead to a deeper understanding of all presented viewpoints.

The problem, though, is that conversations often become more of a competition between various viewpoints rather than a collective search for truth. Uncharitable listening, rude comments, and dismissing demeanors are all too common in political conversations, inclining participants to become more stubbornly entrenched in their original beliefs. Polarization and further division then make common deliberation and common action less likely. How then, do we make conversations a means toward greater political understanding and common deliberation?

One way in which to have conversations with a genuine search for the truth is to encourage all participants to truly listen. Conversations by their nature always include some type of listening. Even in polarized conversations, people do in fact hear and listen to others, but they listen to refute them and not to recognize the potential strengths of their arguments. In acts of true listening, persons ingest the other's arguments as potentially true and consider the other's perspective as something they can learn from. The difference between these two types of listening is what the person is listening *for*. In the first case, the person is listening for the weaknesses of the argument, while typically ignoring the truth of the argument, in order to demonstrate the superiority of her own perspective. In the second case, the person is looking, and even in a sense hoping for, the truth of the other's perspective, because then she can learn from this perspective and argument. The desired outcome of the conversation differs for both cases too: in the first case, the desired outcome is victory,

and in the second case, the desired outcome is truth.

Many authors have argued for the importance of listening for democracy. Dobson argues that "apophatic listening," which is similar to Simone Weil's philosophy of attention, is the best type of listening for political conversations. Dobson writes that apophatic listening "involves a temporary suspension of the listener's categories in order to make room for the speaker's voice and to help it arrive in its 'authentic' form."[4] One lets the other's viewpoint present itself as it is, instead of immediately interpreting the viewpoint within one's own framework, an interpretation which may actually be a misinterpretation. This gives the person the opportunity to speak for herself and also sets the conditions for the listener to recognize the potential truths of the viewpoint. Mutual understanding and even change of viewpoint can then come about because all persons in the conversation are open to a change of mind.

William P. Eveland Jr., Christina M. Henry and Osei Appiah discuss the concrete effects of listening in conversations. In their article, they connect listening to a lessening of anxiety in political conversations.[5] They do not explicitly state this in the article, but one can argue that the lessening of anxiety is due to all persons in the conversation trusting that the others will seriously consider their viewpoint. Further, as I will argue below, true listening implies that the person is charitably interpreting the other person's viewpoint. Therefore, the person speaking does not have to present her own viewpoint from a defense standpoint; instead, she honestly presents it as it is.[6] They also explain that listening helps the listener become more comfortable responding to differences and disagreements in conversations. This can, as I will argue below, lead to a greater sense of objectivity in the person's orientation in the conversation.

Another interesting topic in studies on listening and democracy is the role of empathy in listening. Mary F. Scudder argues that empathy understood as projecting oneself in another person's situation has inherent limitations because of the difference between persons. In essence, how one person experiences a certain situation may not be, and is frequently not, how another person may experience that situation.[7] Instead of empathy leading to understanding, then, it can lead to misunderstanding which can possibly create further divisions between people. Further, people normally empathize with people of similar groups, rather than those of other groups. When empathy exists only between similar groups, this can further sediment division if different groups do not try to understand each other.[8] Below, I will argue that Scudder's concerns are valid under her

definition of empathy, but under a different understanding of empathy and listening, which I will present below, these difficulties are resolved, at least partially.

While these various sources highlight the importance of listening and the risks of empathy, not much is written about the role of the heart in listening and empathy. The listening heart is a heart that listens because it is able to understand objective truths about the world and other persons. To begin arguing for this, I will first explain the 20th century French philosopher Simone Weil's philosophy of attention. Weil argues that attention is an essential component of prayer.[9] Her essay focuses particularly on schoolwork, whose essential and primary purpose is to cultivate deeper attention. Even if the person does not do well on the school assignment or she does not grow in understanding the subject, the work bears fruit because the quality of her attention increases which will then contribute to her prayer life.

SIMONE WEIL AND EDITH STEIN ON ATTENTION AND THE HEART

Simone Weil's description of attention can help us understand how one listens. She contrasts true attention with "muscular effort" which is mere active effort and commonly results in fatigue. Attention is instead a "negative effort."[10] She describes it as such, "Attention consists of suspending our thought, leaving it detached, empty, and ready to be penetrated by the object; it means holding in our minds, within reach of this thought but on a lower level and not in contact with it, the diverse knowledge we have acquired which we are forced to make use of...Above all our thought should be empty, waiting, not seeking anything, but ready to receive in its naked truth the object that is to penetrate it."[11] When a person pays attention, they do not impose their own understanding of the object, but instead let the object appear as it is. They wait to interpret what they learn in light of their previous knowledge until after the object manifests itself. This requires patience and wisdom, but attention sets the conditions for both to arise.

This view of attention can help us cultivate a better environment for discussion. Instead of listening in order to find a flaw in the other's viewpoint, or even listening while constructing one's response to the viewpoint, one places all of one's focus on what the other person is saying and waits for them to articulate their belief. This gives the person the space and the time to articulate their belief without feeling rushed, uncharitably criticized, or ignored. Simone Weil argues that errors in schoolwork, or any task, are primarily due to a failure in attention. She writes that they are "due to the fact that thought has seized upon some idea too hastily, and be-

ing thus prematurely blocked, is not open to the truth. The cause is always that we have wanted to be too active; we have wanted to carry out a search."[12] Misunderstandings, wrong conclusions, and imprudent statements in political conversations can arise from a lack of attention. What is important here is Weil's claim that not paying attention closes one off to the truth of the object, and in political conversations, the goal of the conversation should be to find the truth about the topic of discussion. If the people in the conversation pay more attention while listening, there is a greater chance of them recognizing the truth, whether actual or potential, in the statements of the other persons. Further, even if statements do not contain much truth, they can learn something from them, understand their own perspective better, and figure out a way to turn the falsity of their statements into truth. When truth is recognized as the end goal of conversations, humility is encouraged, because they are open to changing their minds.

At the beginning of her essay, Weil writes that "warmth of heart" is not as important in prayer as attention. Despite this, she connects attention to love, which too is more than warmness of heart. She writes, "Those who are unhappy have no need for anything in this world but people capable of giving them their attention.[13] The capacity to give one's attention to a sufferer is a very rare and difficult thing; it is almost a miracle, it *is* a miracle."[14] One may ask, what does this have to do with political conversations? This relates to democracy and political conversations because many people in these conversations are suffering, and their perspectives are cultivated from a desire to improve the conditions of those who are suffering. When people recognize that perspectives may be rooted in people who are suffering, one's heart may soften, and it may be easier for them to take the other's perspective seriously. Ideally, they will start to care about that person and genuinely try to contribute to that person's good. A heart that listens, then, is one which is attentive to the sufferings of others and the truth which the person expresses, whether directly or indirectly. The listening heart responds with neighbor love which can help create caring environments for conversations to arise.

Another author who can help us understand the listening heart is Edith Stein (St. Teresa Benedicta of the Cross), a 20th century German philosopher. Stein argues in her work *On the Problem of Empathy* that a person can empathize with a person and even if the person is very different from the person empathizing. This is because empathy is a "non-primordial" act, meaning that the other's experience is experienced not as our own experience, but precisely as the other person's experience Stein.[15] It is similar to viewing the other's experience from a third-person point of view. This is a disagreement with Scudder's claim above, that empathy frequently does not actually understand otherness. Empathy by its essence,

for Stein, experiences the otherness of the other person. If Edith Stein is right, and there is good reason to think she is, then empathy is an essential part of listening, because when we listen, we understand the viewpoint as coming from a person who is different from ourselves.

For Stein, each person has a unique personal core which is the foundation of their individuality. This personal core is unnamable, but their true self is rooted in this core, and many, if not all, of their actions reveal something about this core. We cannot understand the personal core, whether of ourselves or of others, through rational understanding or even imagination, instead we can have some understanding of it through a feeling. Stein writes that this feeling is a special type of feeling because it "is itself of value for our knowledge, for it discloses something to us, a something that the feeling is the way of access to. The feeling is a mental "act," a "mental perceiving [*Wahrnehmen*]."[16] She also refers to this as a "perceiving with the heart."[17] In order to understand other people in political conversations, then, we have to cultivate our hearts to be attentive to the personal core of others. Then, we gain an understanding of who each person is as a unique individual.

It is important to note that this feeling is unique because it reaches into the depths of the soul. The person's core affects our soul in a unique way and "asks to be taken in" our hearts.[18] Our hearts, then, have to remain open and ready to take in the meaning which we encounter in our lives and then appropriately respond to meaning and value. Stein references an example of two persons who hear important political news and one person is basically unaffected while the other is interiorly affected. The person who is "thinking with his heart" meditates on the event, feels the appropriate emotions, and attends to the consequences of the event on a global, social, and personal level.[19] Stein argues that the whole person is responding to the event, rather than just the intellect or the emotions alone. The listening heart, then, meditates on each perspective they hear and thoughtfully reflect on and respond to this perspective. This brings a sense of genuineness, thoughtfulness, and personality to political conversations.

Cultivating listening hearts can encourage political conversations which try to overcome polarization. When another person's perspective is listened to with care, the other person feels recognized and heard rather than feeling dismissed and ignored. The people in the conversation, then, are not opponents in a debate but rather fellow humans who are trying to make their common home a better place. This desire to help each other and the country can work towards the unity of people even if they disagree. A unity of persons in truth, then, results in a stronger democracy because each person recognizes the humanity of everyone else.

CONCLUSION

This paper argued that a listening heart is essential for political conversations because listening hearts are open to the truth of the conversation and are personally interested in the perspectives of the other persons. Simone Weil showed us that attention lets those in the conversation speak for themselves because the others listen with a sense of love. Edith Stein showed us that empathy can help us understand others as they are as unique individuals, and that listening hearts express a sense of genuine personal interest in the reality being discussed. They also respond to the perspectives in an appropriate way and with love. When we listen with our hearts, then, we can help create conversations which serve the common good.

[1] Benedict XVI, "The Listening Heart: Reflections on the Foundations of Law," *Arion: A Journal of the Humanities and the Classics,* no. 3 (2012): 6.
[2] Ibid., 5.
[3] Andrew Dobson, *Listening for Democracy,* (New York, NY: Oxford University Press, 2014), 116.
[4] Ibid., 68.
[5] William P. Eveland Jr., Christina M. Henry and Osei Appiah, "The implications of listening during political conversations for democracy," *Current Opinion in Psychology,* (2023): 3.
[6] Ibid.
[7] Mary F. Scudder, *Beyond Empathy and Inclusion: The Challenge of Listening in Democratic Deliberation,* (New York, NY: Oxford University Press, 2020), 61.
[8] Ibid., 62.
[9] Simone Weil, "Reflections on the Right Use of School Studies with a View to the Love of God." in *Waiting for God,* translated by Emma Craufurd, (New York, NY, 2009), 57.

[10] Ibid., 61.
[11] Ibid., 62.
[12] Ibid.
[13] Ibid., 57.
[14] Ibid., 64.
[15] Edith Stein, *On the Problem of Empathy,* (Washington, D. C.: ICS Publications, 1989), 7.
[16] Edith Stein, *Finite and Eternal Being,* (Washington, D. C.: ICS Publications, 2024), 397.
[17] Ibid., 397.
[18] Ibid., 397.
[19] Ibid., 346.

YOUNG MINDS, BIG IMPACT:

Cultivating Children's Potential in Safeguarding Democracy

Jacob Glassman

Psychology

ABSTRACT

Today's intergroup conflicts are extreme, violent, and threaten democratic institutions by undermining the social cohesion, trust, and empathy required for thriving democracies. Although modern intergroup conflicts are particularly severe, decades of psychological research in adults have examined and implemented interventions aimed at resolving intergroup conflict. However, adults' entrenched biases and aversion to change may pose significant challenges to effective intergroup conflict resolution. In contrast, children may be uniquely equipped to facilitate intergroup conflict resolution because of their malleability. Children also display a strong aversion to inequity, make personal sacrifices to ensure equality, and act to rectify inequalities. With the appropriate guidance, children could further develop their natural capacities to overcome negative social influences, contribute to resolving intergroup conflicts, and embrace democratic ideals. Furthermore, children rapidly grow to become the adults responsible for resolving intergroup conflict, and understanding their political development would enable an informed preparation of children for this responsibility. However, relatively little research has explored the childhood origins of intergroup conflict resolution. Therefore, society must invest extensive resources in research and policy aimed at both understanding and harnessing the developmental foundations of intergroup conflict resolution. Children represent one of the greatest untapped sources of novel interventions for social and political change, and it is our duty to foster their development as conflict resolvers capable of preserving democracy and achieving lasting peace.

"Children are the future" is a nice sentiment to motivate childcare and education policies. But, this statement is not only a hopeful slogan. It is a fundamental truth that must be internalized for the preservation of democratic societies. Modern democracies face many challenges, including intergroup conflicts, waning trust in institutions, political apathy, and burgeoning authoritarianism. Some political challenges may have quick solutions. Healthcare policy, for example, might quickly benefit from permitting Medicare to negotiate drug prices with pharmaceutical companies. But, the most dangerous threats to democratic futures are longstanding problems shaped by decades of social, political, and economic developments. Long-term problems require long-term solutions, which means thinking in terms of generations as opposed to election cycles. What can be done to ensure that future generations are equipped with the necessary skills, values, and motivation to address these challenges and sustain liberal democracies? More broadly, how can we preserve democratic societies for generations to come?

Intergroup conflict threatens democracy by creating fault lines among citizens that diminish their capacity for public reasoning, trust, consensus building, and a shared commitment to democratic norms. Using findings from child and developmental psychology, this essay argues that investigating how children grow to participate in intergroup conflict resolution and intervening to support this development is critical for resolving intergroup conflict and preserving liberal democracy. In what follows, I will first describe intergroup conflict and the threat it poses to democracy. I will then discuss the psychological literature on intergroup conflict resolution and present evidence of children's abilities to facilitate conflict resolution. Finally, I will argue for researching and investing in children to sustain democracies and discuss potential applications.

INTERGROUP CONFLICT

Conflict between social groups, otherwise known as *intergroup conflict*, represents one of the greatest threats to the future of democracy. Intergroup conflicts, both within and between countries, frequently manifest as ethnic, national, and political conflicts, sometimes resulting in violence. In 2024, more countries were involved in violent intergroup conflict than at any other time since World War II.[1] Political polarization continues to increase globally, innocents are suffering and dying, and authoritarian movements are gaining popularity while democratic institutions weaken.[2] Healthy democracies require a strong degree of social cohesion, trust, and good faith deliberations, but intergroup conflicts systematically, and sometimes violently, undermine the social cohesion, trust, and empathy that are required for democracy to thrive.

THE PSYCHOLOGICAL STUDY OF INTERGROUP CONFLICT

Although contemporary threats to democracy are the most acute they have been in decades, the threats themselves are not new. Decades of psychology research have explored how to resolve intergroup conflict with implications for preserving democracy, some of which have been implemented by governments.[3] Emerging from the shadow of World War II, social psychology researchers, including Jewish Holocaust survivors, explored the causes of the deadliest authoritarian conflict in history. Since that time, psychological research has shed light on the determinants of intergroup conflict, including negative intergroup attitudes, prejudice, social conformity, stereotyping, threat perceptions, authoritarian personality traits, discrimination, and dehumanization, among other topics.[4] These findings enabled the creation of effective conflict resolution interventions like intergroup contact, in which members of different groups interact and develop friendships.[5] Other effective intergroup conflict resolution strategies include apology and forgiveness,[6] empathy and perspective taking, and superordinate goals, in which members of different groups cooperate to achieve interdependent and mutually beneficial goals. More recently, developmental psychologists have examined how intergroup conflict, prejudice, and stereotyping arise within childhood experiences. The persistence of longstanding intergroup conflicts, they argue, requires children to learn, implicitly or explicitly, to perpetuate them. Understanding and intervening to prevent the internalization of prejudice and the socialization of conflict perpetuation during childhood are therefore central to ultimately resolving intergroup conflict.[7] Their work has found that not only are young children aware of intergroup conflicts in their societies,[8] but they are commonly socialized to perpetuate them.[9] However, while young children exhibit some degree of ingroup bias, they also display a strong aversion to inequity. They sacrifice resources to ensure equality, and they rectify inequalities, indicating that, with the right support, children could develop the capacity to overcome negative social influences and not perpetuate conflict.[10] Accordingly, developmental psychologists have designed interventions to reduce prejudice in childhood, finding that, like adults, intergroup contact[11] and perspective taking[12] facilitate prejudice reduction.[13] Ultimately, understanding the development and disruption of intergroup conflict in childhood represents an important and often ignored facilitator of the trust and social cohesion necessary for the maintenance of healthy democracies.

INTERGROUP CONFLICT RESOLUTION IN CHILDHOOD

While researching the development and prevention of conflict-perpetuating phenomena is important, far less research has explored the development and promotion of *conflict-resolving* phenomena in children. Within the past few years, some developmental psychology researchers have made similar observations. Drawing from literature in peace studies, Dr. Laura Taylor, a leading developmental and social psychologist, conceptualized the Developmental Peacebuilding Model.[14] Taylor argues that children are not only victims of intergroup conflict but are what she calls "peace builders," meaning that children have the capacity to contribute to resolving conflict and establishing peace. Leaning on previous work, Taylor highlights children's ability to actively influence their environment, noting that children act prosocially from a young age, meaning that they engage in "sharing, helping, comforting, cooperating, and supporting others," among other helping behaviors.[15] She argues that understanding how to encourage prosocial behavior toward outgroup members is key to pursuing peace. A unique component of the Developmental Peacebuilding Model is that it promotes the exploration of phenomena beyond the interpersonal and intergroup. Her research advocates for examining how sociological and cultural factors contribute to children's outgroup prosociality, including the antecedents of civic engagement and activism. She has since found that adolescents who have higher trust in an outgroup are more likely to support structural change benefiting minority groups.[16] Taylor has also identified different modes of youth peace building, with some adolescents voicing support for but not acting for peace and other adolescents volunteering and fundraising.[17] Overall, Taylor's argument that studying the development of peace building has supporting evidence in adolescents and bolsters the idea that children may have the capacity to participate in intergroup conflict resolution.

Additional developmental psychology researchers making a similar argument are Drs. Michal Reifen-Tagar and Andrei Cimpian. These researchers note that while political psychology has revealed much about political attitudes and behavior in adults, there is a dearth of literature on the development of political cognition and behavior in children. They argue that understanding the development of political beliefs and behavior has the potential to provide insight into adult political behavior, contributing to improved political functioning.[18] Citing decades of adult work, the researchers assert that the psychological traits of authoritarianism (motivated by preserving ingroup cohesion), social dominance orientation (motivated by maintaining ingroup superiority), and hawkish ideology (motivated by maintaining ingroup strength) jointly explain adult political ideology and behavior.[19] These psychological traits have also been found to be associated with perpetuating intergroup conflict.[20] To better understand adult political attitudes and behavior as well as to address intergroup conflict, the researchers argue that it is essential to explore the origins of these attitudes and beliefs in childhood. Together, Taylor, Reifen-Tagar, and Cimpian provide compelling evidence and arguments for the importance of children in resolving intergroup conflict and thus in establishing stable democratic futures.

CHILDREN ARE ESSENTIAL FOR RESOLVING INTERGROUP CONFLICT AND PRESERVING DEMOCRACY

Although their work has made novel contributions with important implications for developmental research on resolving intergroup conflict, Taylor, Cimpian, and Reifen-Tagar's research could be extended even further. Their work investigates the development of intergroup prosocial behavior and political traits, but no studies specifically examine or advocate for exploring the development of intergroup conflict resolution. Therefore, I advocate for an explicit study of the development of intergroup conflict resolution in childhood. Specifically, I argue that researchers, academic institutions, pro-democracy think tanks, non-profits, and governments must invest in child research and intervention to maximize our ability to resolve intergroup conflict and sustain democracies. Researching the childhood origins of intergroup conflict resolution requires asking a host of previously unexplored topics motivated by three broad research questions: 1) How do children think about and behave in intergroup contexts; 2) How do children think about and engage in intergroup conflict resolution; and 3) What interventions are effective for nurturing the development of constructive intergroup conflict resolution?

CHILDREN'S ATTITUDES AND BEHAVIOR IN INTERGROUP CONTEXTS

It is not possible to investigate the development of intergroup conflict resolution without understanding whether and how children have distinct thoughts and behaviors in intergroup contexts. A robust body of literature on children's group cognition exists, but most of these studies explored interpersonal conflicts between individuals belonging to different groups and not conflicts between entire groups. Can inferences be made from interpersonal conflict? Or, do children have unique thoughts and behaviors in intergroup settings? What factors (e.g., cognitive, social, pedagogical, sociological, political, cultural) contribute to children's perceptions of and behavior in intergroup contexts? Engaging in developmental psychology research to address these questions will enable a more precise study of intergroup conflict resolution in children and will situate this work in a broader context.

CHILDREN'S PARTICIPATION IN INTERGROUP CONFLICT RESOLUTION

To date, there is almost no research that explores how children think about and engage in intergroup conflict resolution. As Cimpian and Reifen-Tagar note, this may be because researchers have previously underestimated children's cognitive capacities and social awareness. Yet, as Taylor, Cimpian, and Reifen-Tagar assert, decades of developmental psychology research have shown that children value fairness, have complex group cognition, and can be prosocial to outgroup members. These facts make it likely that children have conceptions of intergroup conflict resolution and may even act to resolve conflict, but these remain open empirical questions. How do children think about and engage in different conflict resolution strategies like intergroup compromise, intergroup apology and forgiveness, and intergroup perspective taking and empathy? What roles do parents, schools, peers, and the media play in the development of children's intergroup conflict resolution cognition and behavior? Investigating these questions and others would provide essential insight, not only for resolving today's conflicts but also for ensuring that resolved conflicts remain stable and resolved across generations.

CHILD INTERGROUP CONFLICT RESOLUTION INTERVENTIONS

It is not enough to understand the development of intergroup conflict resolution; this information must be applied to generate effective interventions to facilitate the healthy development of constructive intergroup conflict resolution attitudes and behaviors in childhood. Critically, questions in this area depend on the answers to the previous sections. If children identify trust as a crucial factor for resolving intergroup conflict, then interventions that attempt to induce intergroup trust should be explored. If certain pedagogies or parenting styles are associated with constructive intergroup conflict resolution, then they should be promoted. Only after understanding the development of intergroup conflict resolution can effective interventions be designed, tested, and implemented.

CHILDREN ARE OUR BEST HOPE FOR CONSTRUCTIVE CONFLICT RESOLUTION AND STABLE PEACE

Today's intergroup conflicts are extreme, violent, and threaten to undermine democracies. Promoting a stable and peaceful future requires disrupting the intergenerational transmission of intergroup conflict and replacing it with constructive intergroup conflict resolution attitudes and behavior. Even though most of the proposed interventions have targeted adults, entrenched biases and social norms may make it more challenging for adults to support and engage in conflict resolution. In contrast, substantially less attention has been given to understanding how children become political agents or how they think about and engage in resolving intergroup conflict. As they grow, children quickly become the adults responsible for resolving intergroup conflict, and they will act either to undermine or defend democracy. Understanding the development of children as political actors broadly, and intergroup conflict resolution in particular, is one of the greatest untapped sources of novel interventions for protecting and preserving democracy. This research may have profound implications for our ability to resolve intergroup conflicts and should receive heavy investment. Insights from this research area should be applied by governments, schools, media, and parents invested in future democratic continuity. Children remain the most potent potential agents of change, and it is our duty to nurture them to be conflict resolvers capable of preserving democracy and achieving peace.

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ELEGIAC IMAGINATION:

Re-claiming Rural Futurity through Grief

Michaila Peters

Philosophy

ABSTRACT

Four years before J.D. Vance published his memoir, *Hillbilly Elegy,* which propelled him to power and fame, and shaped the nation's perception of rural poverty, bell hooks published her own *Appalachian Elegy.* These two elegies represent not only two contrasting narratives about rural decline, but also dealing with grief. Vance carries an air of condescending pity towards rural grief. hooks, on the other hand, in keeping with the real "wistful mourning" of elegy, allows herself to feel grief for the environmental, economic, and social destruction of rural places in order to appreciate their value and take responsibility for rebuilding them. Yet, despite having been published first, hooks' text has been largely ignored, where Vance's became an instant bestseller and landed him the Vice Presidency. Envisioning a democratic a future will require re-centering voices—like that of hooks—that rebuild democratic agency rather than division, as Vance sets out to do. This article explores hooks's account of elegiac imagination, how it serves democratic futurity, and how we might cultivate a healthy recovery from grief in a world shaped by the emotional exploitation of divisive narratives.

INTRODUCTION

To imagine a more democratic, American future, we first must grieve.

In American politics, so much of our polarization and democratic decline is driven by resentment. Resentment towards the loss of livelihoods across rural America—resentment towards folks who undermine important institutions because they feel they have been failed by the political establishment—resentment towards folks who make minorities the scapegoats for their economic suffering. This grief over the increasing inequality and violence in America has not been processed in a healthy way, but rather, is systematically exploited by narratives of charismatic yet self-interested pundits who prey on emotional vulnerabilities to cement their own power. The democratic, and even ecological, instability that has resulted from this deep grief threatens all of American futurity. Yet, grief need not dissolve futurity. Rather, a healthy processing of grief can reclaim it. In this article, I will argue that the respective Appalachian elegies of J.D. Vance and, four years prior, bell

hooks, represent not only two contrasting narratives about rural decline, but about how to deal with grief over the loss of rural livelihoods. Vance's supposed "elegy" carries an air of condescending pity towards rural grief. bell hooks, on the other hand, in keeping with the real "wistful mourning" of elegy, allows herself to really feel grief for the environmental, economic, and social destruction of rural places in order to appreciate their value and take responsibility for rebuilding them. Yet, despite having been published first, hooks's text has been largely ignored, where Vance's became an instant bestseller and propelled him to the status of vice-president elect. Therefore, in order to make use of her wisdom, we must also understand the role of misogyny in censoring perspectives like hooks's on rural poverty, rather than Vance's, and how we can re-center voices that rebuild democratic agency rather than division.

GRIEF AS THE DRIVING FORCE OF AMERICAN POLARIZATION

What we've learned, in the almost decade since 2016, is that the lives of many Americans living in middle and rural America are defined by grief. When giving a tour of their homes, many rural people introduce the present only in relation to the past. "This used to be a school...now it's a prison." "This used to be a nursing home..." as one stands, melancholically, before a pile of rubble. Futurity has been dissolved through the persistence of poverty, and resulting intersectional conditions of brain drain, food insecurity, drug epidemics, rising sexual violence and human trafficking, and environmental degradation.

The nostalgia campaign of Make-America-Great-Again, as is now well-known, tapped into this sense of loss of livelihood across rural America. With the rise of industrial agriculture, movement away from extractive jobs like coal mining, and exporting of manufacturing in pursuit of a neo-liberal fantasy that white Western men may only work white collar jobs, rural people didn't merely lose labor roles, but entire community identities.[1] Farming, mining, and so on structured seasons, leisure traditions, ethical values—entire life worlds, collapsed now into poverty. Rural folks lost their sense of identity, and their familiar sources of meaning. Instead, they found themselves in a situation of deep vulnerability–precarity. Patriarchal norms meant that men who lost their jobs experienced debilitating shame and expressed their grief through rage at anyone they could blame for their new reality. Minorities, their wives, their children.[2]

J.D. VANCE'S POLARIZING WEAPONIZATION OF GRIEF IN *HILLBILLY ELEGY*

The broader American political community remained blissfully ignorant of these dynamics until the rise of Trump's MAGA movement and the publication of numerous rural narratives that worked to explain their political attitudes. Now Vice-President Elect J.D. Vance's *Hillbilly Elegy* was perhaps the most popular among these, selling over 400,000 copies in 2016.[3] Urban liberals were shocked and moved by this sob-story exposé of social dysfunction, meth kitchens, and the lack of running water that drove political resentment. Numerous people handed me Vance's book, informing me with delight that they had "heard of my story" when I first moved to D.C. in the fall of 2017.

Rural Americans themselves, if they knew of the book at all, resented Vance's and other opportunistic-objectifying-predatory portrayals of the failures of rural Americans to pull themselves up by the bootstraps and rise to the occasion of meritocracy as Vance had in his own hero arc.[4] As summarized by one such critic, Kenneth Oldfield,

Elegy is an account of growing up poor in Appalachia (e.g., 'hillbilly') and how, through hard work and determination, its author bootstrapped his way to the upper class. The book pays homage to individualism, self-reliance, and limited government. Besides accounting for his own exceptionalism and self-propelled ability to rise, Vance believes that given the region's prevalent culture, the public sector has little power to improve the lives of the Appalachian poor. He argues that too many of the area's residents are dependent on government assistance and illegal drugs. Fatalism predominates there. For most people, these self-destructive beliefs and actions discourage any hope of escaping the region's dire circumstances. Vance argues that the only new attitudes and actions toward work, self-reliance, and self-discipline, traits government has little power to instill, can remedy the widespread poverty he describes in *Elegy*.[5]

Vance's triumphing his rise to Yale Law School and becoming a writer within conservative outlets like the *National Review,* a success of American meritocracy, was a narrative that appealed widely to the conservative base, Oldfield confirms.[6] The problem, however, is that the work is contradictory and furthers the deep prejudices that already exist against the Appalachian poor amongst the elite class, including anti-institutionalism, sexism, and other harmful narratives. This ultimately undermines the purpose of the book as raising social consciousness about the relationship between poverty and political disillusionment.[7]

Amidst the combined force of popular journalistic fetishizations of rural poverty and the rise of the MAGA movement, discussions of rural poverty became synonymous with the story of the white, working-class man and *his* loss—his rage, his resentment.[8] As urban liberal folks grew increasingly disgusted with the hate associated with MAGA, and by extension, white rural resentment, they became increasingly hostile to discussions of rural poverty. Vance's inaugurated genre of rural poverty sympathique led to a common assumption that to discuss rural poverty was to apologize for, or excuse rural racism. Aren't we just making excuses for hate, by revealing its relationship to economic oppression? And so, polarization escalated.

Yet, in dismissing discussions of rural poverty in the honorable interest of demanding accountability for racism, liberals allowed white, especially male, misogynists, to speak for *everyone* in rural communities. In a misogynistic environment, the vulnerable work of grieving is deemed shameful.[9] Thus, folks become pressured into evading grief by repressing their feelings of precarity. When the vulnerable feelings are bottled up long

enough, they eventually transform into rage and resentment against one's own weakness, or scapegoats who are blamed for that weakness.[10] To keep their shameful, vulnerable grief concealed, misogynists had to police any alternative expressions of grief, or narratives of rural resentment (especially those that pointed out the injustice of resentment-fueled violence and abuse, racism, sexism, homophobia, xenophobia, etc.) This was compounded by misogynists already feeling the most entitled to defining reality for everyone, and with this, expressing their emotions with no regard for how it might impact others. Instead, those targeted by their rage and violence—rural women, queer and racialized folks, etc. were left walking on eggshells around rural rage, constantly anticipating and interpreting their feelings towards poverty so as to avoid triggering explosive violence.[11]

Misogynistic expressions of grief, then, constrained the social and democratic imaginary. It repressed rural agency, silencing and policing further-marginalized rural folks. Sob stories like Vance's worked to benefit him, and to some degree, further polarize America, rather than to help actual rural communities grieve and move forward.

RECONSIDERING THE MEANING OF ELEGY AND THE POLITICAL IMPORTANCE OF GRIEF

Why, then, would I suggest that we need to grieve, in order to imagine a democratic future?

Vance claims to be writing an elegy—a wistful expression of grief. Yet, his story is about "overcoming" his rural roots and leaving his community in the past. From the perspective of other rural Americans, it was a projected, imposed narrative of *their* loss being nothing but a failure of responsibility. Inauthentic.

The white, misogynistic, resentful folks he describes? In trying to mask their shameful vulnerability through rage, they run away from their feelings and fail to grieve at all. Great point! Instead, their feelings get mis-projected in hyper-reactive blaming of anyone and anything. Not, as Vance would have it, because they refuse responsibility in all senses. But because patriarchy denied them healthier means of processing, their feelings, structural injustices, and Trump's emotional manipulation made them feel that populist-extremism was their best bet for hope, both ultimately eroding, rather than re-claiming, agency. What does it really mean to grieve? Etymologically tied to the grave- to death, burdensome sorrow—grief is, fundamentally, about loss. About death. Making sense of the past, and our relationship to it. In identifying

a loss, we identify the value in what was. In confronting the overwhelming sorrow, we are pushed to integrate that loss into a path forward. What happens now?

That is, the affective force of grief opens the door to the re-imagination of futurity. What was is lost, it cannot be again. Imagination is required to give rise to something new. Yet, our hopes for this new future are always defined in relation to the value of what was lost. Past and future come together in our mourning. Our lives are the agency in between—the imaginary force. The responsibility. When we deny our feelings of grief, we are burdened only with the negative affect and deny ourselves the agency to be found in remembering what was valuable in what we lost and is worth finding a way to restore.

BELL HOOKS'S THEORY OF ELEGIAC IMAGINATION A ND THE RECLAMATION OF DEMOCRATIC FUTURITY

Four years before Vance's infamous *Hillbilly Elegy*, the great feminist-abolitionist bell hooks wrote her *Appalachian Elegy*.[12] The antithesis of Vance's under-dog odyssey, hooks's elegy centers the community-based responsibility to be found through grief. It adopts authentic, vulnerable mourning as the impetus for imagining how to recover a more valuable rural future.

In her words, "*Appalachian Elegy* is a collection of poems that extend the process of lamentation. Dirge-like at times, the poems repeat sorrow sounds, connecting the pain of a historical Kentucky landscape ravaged by war and all human conditions that are like war."[13] She calls out the ways in which misogyny has censored the sub-altern feminine, queer, racialized, ["subaltern" is usually not hyphenated] disabled, and indigenous perspectives of rural America. These sub-altern rural folks have been silenced by privileged rural folks like Vance. In her own day, hooks felt similarly censored by the male thought leader Wendell Berry who likewise got to define the story of rural decline for the entire rural community.

She writes, "As a black woman writing about Appalachia, I receive little notice. I can talk about race, gender, and class and be heard, but few listen when I speak on environmental issues and how rural black folks hold the earth sacred. Then, as a voice for Appalachia, Wendell Berry is heard. Suddenly, I listened to his words and learned. Fervently, he teaches me. But like a mighty giant, a goliath, as a Kentucky black female writer, I stand continually in his shadows. I am not considered a companion voice. We do not join together to speak our love for Kentucky, our hopes for earth free from exploitation."

hooks, too, condemns the dual censorship of sub-altern rural folks not merely by rural misogynists, but by urban, liberal elites who, although rightfully disgusted by bigotry fueled by rural resentment, have ignored rural voices altogether and privileged white men to speak for everyone. In an essay on her experience of urban and academic social justice spaces, hooks notes that she had never identified as a "hillbilly" or "Appalachian" woman until college, when these labels were projected onto her, and there, she found herself constantly having to mask her accent and her roots to be taken seriously.[14] In spaces committed to liberation values, she found herself experiencing deep alienation only healed when she eventually returned to Kentucky, where only Gloria Steinem ever came to visit her.

hooks's *Appalachian Elegy* is a companion volume to a prior collection of essays, *belonging: the culture of place,* wherein she aims to call out all of these forms of censorship and the insights of forgotten rural voices to "give voice to the collected past of black folks in Kentucky. [These] essays are almost always written in clear polemical prose, nothing abstract, nothing mysterious."[15]

Despite ranging across the structural features of rural oppression, from environmental degradation in mountain-top removal to racialized housing inequality and social dynamics, to rural prejudices in higher ed and the value in the loss of Black, joyful agrarian culture, the raw freedom of being raised "wild," and the sustainability wisdom of Black and indigenous folks—especially feminine care ethics, hooks finds that the essays are not enough to advocate for rural futurity. No amount of rational argumentation, historical and political insight, and rigor, all of which one can find in hooks's essays, proved to be enough. Rather, she felt that the follow up poetry—the elegy, in its wistful grief—was oriented at reclaiming the imagination of the future, responding to, and uncovering responsibility towards the past The elegy was required to capture her project of imagining a new, more democratic future—a beloved community.

hooks writes,

> "When poetry stirs in my imagination it is almost always from an indirect place, where language is abstract, where mood and energy is evocative of submerged emotional intelligence and experience. Poetry is a useful place for lamentation. Not only the forest Sojourner found solace in, poems are a place where we can cry out."

hooks's elegy came from the place of deep, genuine emotion—an affective call from her past, from the dead. It is an expression of authentic grief, and seeking to hold and honor the value of what was lost with the devastation of the land and community she grew up in. That grief, then, opened the door for her political responsibility—reflection on what was lost that mattered allowed her to begin imagining what democratic future we ought to be building. She writes,

> "Psychohistory and the power of ways of knowing beyond human will and human reason allow us to recreate, to reimagine. Poems of lamentation allow the melancholic loss that never truly disappears to be given voice. Like a slow solemn musical refrain played again and again, they call us to remember and mourn, to know again that as we work for change our struggle is also a struggle of memory against forgetting."

Where Vance's elegy condemns the dead for their laziness, hooks's recalls their brilliance—the wisdom of their traditions, and laments their loss. The wistful mourning wills a re-claiming of the joy in Black agrarian culture—the sacredness of tobacco from the cancerous commodification and corruption of it in industrialized cigarettes, the raw freedom of growing up "wild," of the indigenous and Black orientations of seeing oneself as in a deep, intimate, responsible relation to nature and community, and indeed, only having a sense of self through this relation.[16]

In her words,

> "All my people come from the hills, from the backwoods, even the ones who ran away from this heritage refusing to look back…To be raised in a world where crops grown by the hands of loved ones is to experience an intimacy with earth and home that is lost when everything is out there, somewhere away from home, waiting to be purchased."[17]

When we fail to remember this heritage, we lose the embodied knowledge of sustainability grounded in belonging and the responsibility that is always tied to freedom, both of which are Essential lessons for democratic futurity. In this moment of environmental and social-alienation crises, memory helps us engage in vital imagination, and activates our responsibility.

"Freedom," she says, in the first poem of the elegy, "is all in the now. No past, no present." Hearts become awakened as they move from "unnamed loss" to "fierce, deep grief." It is the grief that can bear the burdens of darkness- the loss of meaning, as in the loss of the rural lifeworld.[18] She writes that we must

> hear them cry
> The long dead
> The long gone
> Speak to us

From beyond the grave
Guide us
That we may learn
All the ways
To hold tender this land
Hard clay dirt
Rock upon rock
Charred earth[19]
In time
Strong green growth
Will rise here
Trees back to life
Native flowers
Pushing the fragrance of hope
The promise of resurrection.[20]

Hear the dead and learn from their ways of living, sustainably, and caring for one another and the land through adversity. It is these lessons in moments of struggle—the charred earth—that primes the soil for new growth—our hope is a fragrance, deeply lodged in intimate nostalgia—Memory. It is this meaningful, relational Memory that *promises* resurrection, promises *futurity*. For hooks, the democratic futurity of a beloved, sustainable community.

In this moment where nostalgia politics seem to have weaponized rather than engaged grief, hooks's words stand as deeply relevant and hopeful clues as to where we might go from here. We need not turn on others in order to reclaim our future. We need not view democracy as a resource of scarcity. When we look to the real sources of love, joy, growth, and freedom of the past, and let ourselves feel their value and try to honor it through new political habits, we begin to imagine the practical details of a deeply American future. When we push others away, and hide our feelings behind rage, we fracture the core of American democratic community. Now, more than ever, we need to learn how to engage genuine elegiac imagination.

[1] Anne Case and Angus Deaton, "Mortality and Morbidity in the 21st Century," *Brookings Papers on Economic Activity* 2017, no. 1 (2017): 397–476, https://doi.org/10.1353/eca.2017.0005; Cara Daggett, "Petro-masculinity: Fossil Fuels and Authoritarian Desire," *Millennium: Journal of International Studies* 47, no. 1 (2018): 25–44, https://doi.org/10.1177/0305829818775817; Joshua Nelson, "Petro-masculinity and Climate Change among White, Politically Conservative Males," *International Journal of Applied Psychoanalytic Studies* 17, no. 4 (2020): 282-295, https://doi.org/10.1002/aps.1638.

[2] Daggett, "Petro-masculinity;" Nelson, "Petro-masculinity and Climate Change."

[3] Jim Milliot and John Maher, "'Hillbilly Elegy' Sales Soared Last Week; Sales of Books by Kamala Harris Growing," *Publishers Weekly*, July 25, 2024, https://www.publishersweekly.com/pw/by-topic/industry-news/bookselling/article/95564-hillbilly-elegy-sales-soared-last-week-sales-of-books-by-kamala-harris-growing.html.

[4] Elizabeth Catte, *What You Are Getting Wrong about Appalachia* (Cleveland, Ohio: Belt Publishing, 2018); Kenneth Oldfield, "Hillbilly Elegy: Deconstructing J.D. Vance's Views on Government Intervention, Merit, Outlaws, and Slackers," *Administrative Theory & Praxis* 40, no. 2 (2018): 159-172, https://doi.org/10.1080/10841806.2018.1454242; Douglas Dowland, "The Politics of Resentment in J.D. Vance's Hillbilly Elegy," *Texas Studies in Literature and Language* 61, no. 2: 116-140 (2019); Anthony Harkins and Meredith McCarroll, *Appalachian Reckoning: A Region Responds to Hillbilly Elegy* (Morgantown, West Virginia University Press, 2019).

[5] Oldfield, "Deconstructing J.D. Vance's Views," 160-161.

[6] Ibid., 161.

[7] Ibid., 162.

[8] Secondarily, the hate of other misogynistic and racist voices, e.g., extremist white women. See also Kate Manne, *Down Girl: The Logic of Misogyny* (New York: Oxford University Press, 2018), 1, quoting bell hooks on the 2016 election and the censorship of feminism by misogyny.

[9] See Daggett, "Petro-masculinity;" Nelson, "Petro-masculinity and Climate Change." By misogyny, I follow Daggett, "Petro-masculinity" and Manne, *Down Girl*, where misogyny is a system of policing behaviors, including the expression of feelings.

[10] Sara Ahmed, *The Cultural Politics of Emotion*, 2nd ed. (Edinburgh: Edinburgh University Press, 2014), 104, 112; Daggett, "Petro-masculinity;" María Lugones, "Hard-to-Handle Anger," in *Pilgrimages/Peregrinajes: Theorizing Coalition against Multiple Oppressions* (Lanham, Md.: Rowman and Littlefield, 2003), 103-18; Anthony J. Steinbock, *Moral Emotions: Reclaiming the Evidence of the Heart* (Evanston, Ill.: Northwestern University Press, 2014), 81.

[11] In the broader version of this project, I relate this to Ellie Anderson's conception of hermeneutic labor. In her words, "Hermeneutic labor is related to emotional labor because it works on the emotions—and, more broadly, the emotional domain of interpersonal life. Yet, it is distinct from emotional labor because it pertains to explicit processes of interpreting emotions (as well as desires, intentions, and motivations) through cognitive processes such as deliberating and ruminating." Ellie Anderson, "Hermeneutic Labor: The Gendered Burden of Interpretation in Intimate Relationships between Women and Men," *Hypatia* 38, no. 1 (2023), 178. This phenomenon is enhanced along racial lines as well, with white rural people feeling less obligated to manage emotions like white fragility, especially when caught up in narratives that pin racial minorities as scapegoats of rural decline. See Nabina Liebow and Trip Glazer, "White Tears: Emotion Regulation and White Fragility," *Inquiry* 66 no. 1 (2019), 1–21.

[12] bell hooks, *Appalachian Elegy: Poetry and Place* (Lexington: University of Kentucky Press, 2012).

[13] Ibid., 7.

[14] bell hooks, *Belonging: A Culture of Place* (New York: Taylor & Francis, 2009). See especially Chapter 6, "To be Whole and Holy," 53-68.

[15] hooks, *Appalachian Elegy*, 7.

[16] See also essay in hooks, *Belonging*, "Drive by Tobacco," 106-115.

[17] Ibid., 5.

[18] Ibid., 2, 12.

[19] Ibid., 3, 13.

[20] hIbid., 1, 11.

WORRYING AND LOVING ONE'S COUNTRY:

Reimagining Patriotic Sentiments

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Philosophy

ABSTRACT

Patriotism is one of the most featured notions in the American political climate. Proponents of patriotism consider it crucial in developing citizens' responsibility towards their nation, while its opponents consider it dangerous because of its affinity with nationalism and ethnocentrism. In this paper, I provide an alternative critique of patriotism that is independent of the ideology it is associated with. Specifically, I offer a phenomenological analysis of two forms of patriotic sentiment: loving one's nation (*Aiguo*) and worrying for one's nation (*Youguo*), as illustrated in classical Chinese poetry. I argue whereas *Youguo* and *Aiguo* both suggest an affective commitment to one's nation, the patriotic sentiment of *Youguo* is potentially more democratic compared to the sentiment of *Aiguo*. My goal is that, even though only provisionally, the phenomenology of *Youguo* would point to an alternative "patriotism" that is conducive to democratic practices and virtues.

It would not be an overstatement to say that patriotism is one of the most featured notions in political campaigns in the U.S. One of the facts that attest to this is that, while there have been consistent contestations on the meaning of *true* patriotism,[1] patriotism is frequently endorsed in seemingly opposite camps with different ideologies and beliefs. For instance, Ronald Reagan, in his farewell speech of his presidency, mentioned the importance of developing an "informed patriotism" as a collective task. Patriotism, for Reagan, was "the love of country" with an "appreciation of its institutions" through the attention to America's history and the recognition of "the idea that America was special."[2] It implies that citizens should love their country by performing civil duties to preserve and improve the institutions that brought and sustained the exceptionalism of America.[3] The emphasis on patriotism as "the love of country" is echoed on the opposite side of the political spectrum. In her recent election campaign, Kamala Harris, just like many other Democratic candidates before, mentioned on different occasions the phrase patriotism in the form of a "love for one's country". For Harris, such love towards one's country points to a civil responsibility to "fight to realize the promise of America", and the performance of this civil responsibility is deemed as "one of the highest forms of patriotism."[4] Patriotism, as the "love of country", can maintain a relatively universal status because it is a common place

from which individuals can share a sense of belonging, unity, and solidarity. While people's ideologies and political commitments may be different, they are united in their love towards their country. It represents, in other words, a deeper level of commitment to the flourishing of the place where we live and the other citizens that are around us. The importance of "love of country" in the contemporary political landscape notwithstanding, critics have doubted to what extent patriotism is truly favorable to a political order. Nussbaum, for instance, criticized patriotism on the grounds that it carries within itself danger of chauvinistic, nationalistic tendencies. Patriotism, she maintains, is inevitably attached to a form of local identity that would tarnish one's global sensitivity and one's ability to use universal reason for other individuals outside of the country. So instead of patriotism, cosmopolitanism is preferable because it allows us to respond to the whole community of human beings and not just our countrymen. Nussbaum's relatively short paper has raised a number of responses from defenders of patriotism. Appiah, for instance, rejects Nussbaum's premise that patriotism would imply ethnocentric, chauvinistic nationalism. The main fault of Nussbaum, for Appiah, is that she has failed to understand that patriotism is fundamentally just a "sentiment" and not an ideology.[5] In Appiah's argument, patriotism, as "love of nation" at its core, should not be mistaken for nationalism, which already implies ad-

ditional beliefs that do not belong to the patriotic love proper. While Nussbaum remains insistent on the importance of a global, cosmopolitan outlook, she gradually moved closer to recognizing patriotism as a "crucial force for good" despite its possible danger. That is to say, essentially in agreement with Appiah, just as patriotism can take up the qualification of "ethnocentric" as a specific form, it can also take up the qualification of "globally sensitive". Drawing on the examples of Lincoln and King, Nussbaum highlights that patriotic love, to its core, is crucial because it motivates citizens to debate and engage in the future of the country.[6]

If, following Appiah, patriotic love does have inherent value independent of the ideology it is accompanied by, it would be pertinent to inquire about the exact nature and meaning of this love to clarify what that value is. An inquiry of this sort would require us not to see patriotic love simply as a psychological state or a neurological matter, both of which are devoid of any direct, concrete meaning to ethical and political concerns. Instead, I suggest that it would be beneficial to employ a phenomenological method to "go back to the things themselves" and study the structure of patriotic love. Doing so would allow us to unearth what patriotic love entails and its significance for ethical and political concerns.

As reflected in the descriptions by Reagan, Harris, and Nussbaum, one of the most important elements of patriotic love is its "temporal thickness". By "temporal thickness", I am referring to the nexus of relations that patriotic love unfolds in terms of the past, the present, and the future: (1) Patriotic love, first of all, involves structurally a reference to a past that is taken up as valuable and lovable. Such a past can be historical and concrete, as in the case of Reagan's emphasis on promoting informed patriotism about the greatness of America's history and achievements; but it can also be abstract and imagined, as in the case of the white supremacist myth of the origin of America in D. W. Griffith's film *The Birth of a Nation*. (2) The valuable and lovable past is taken up by the patriotic lover at the present moment through a sense of belongingness and attachment to the country. Depending on the situation, this sense of belongingness and attachment can also take various shapes, such as nostalgia, a feeling of the need for recovery, or a sense of responsibility befallen on one's shoulder to continue the history–all of which are to some extent present in Reagon and Harris's description of patriotic love. (3) In this light, patriotic love,[7] perhaps quite different from personal love, involves a *creative* envisioning of an ideal future that solicits actions and sustained emotional commitments from the patriotic lover. It is "creative" because it does not simply receive an ideal image of the nation from the collective imagination, but actively creates one in a dynamic dialogue with existing narratives. The contents of these envision-

ings are, of course, dependent on the specific ideology of the individual and the collective imagination. But, striving towards something ideal is a common structural characteristic that they all share. It is because of this temporal thickness that patriotic love is fundamentally related to both the construction and the debates about an ideal nation. Much in agreement with Nussbaum's acknowledgment, at its core, patriotic love seems to be beneficial to civil engagement and discussions, both of which are conducive to democratic citizenship.

Is it fair, however, to offload all the negative connotations of patriotic love to ideologies that are external to this pure love? Given how closely related those ideologies are to patriotic love, at least from a psychological point of view? I would argue that the real problematic manifestations of patriotic love throughout history, at the very least, call for an intellectual hesitation to accept this conclusion. I suggest that one of the ways in which we can rethink patriotism is by first suspending the very idea that patriotism needs to be manifested in the form of love. So contrary to the dominant rhetoric of patriotism, I would not only (i) suggest that patriotism is not reducible to the emotion of love but can also be expressed in the form of worry, but (ii) also argue that worrying for one's nation is potentially a better form of patriotism that can be more conducive to democratic citizenship and avoid some of the pitfalls associated with patriotic love.

One of the main motivations of this contention springs from ancient Tang-Song poetry, where both the phrase and the form of patriotic love (愛國 *ai-guo*) are virtually nonexistent even in poems showing intense sentiments towards the nation and its people. Rather than patriotic love, one finds the prevalence of worrying about one's nation (憂國 *you-guo*) as the dominant paradigm. To illustrate this point, it would suffice to take a look at one of the most famous politically-themed poems by Dufu:

> ### Spring Vista[8]
>
> *A kingdom smashed, its hills and rivers still here,*
> *spring in the city, plants and trees grow deep.*
>
> *Moved by the moment, flowers splash with tears,*
> *alarmed at parting, birds startle the heart.*
>
> *War's beacon fires have gone on three months,*
> *letters from home are worth thousands in gold.*
>
> *Fingers run through white hair until it thins,*
> *cap-pins will almost no longer hold.*

From the splash of tears, and the startle of heart, to the slow scratching of the hair, Dufu's poem presents a striking difference between the proactive, idealistic patriotic love in Reagan and Harris. Here, what is presented is a

person in deep emotional distress about the war in the country and the fear of losing their family. The poet's emotional distress culminates in the restless worrying about the country, to the point of losing his measly remaining hair. Dufu's portrayal of this patriot in the mode of *you-guo* (worrying for the country) is representative not only of his works but many other poets around the same historical period. While one may want to identify this worrying emotion as just another type of patriotic love but with a lower intensity, from a phenomenological perspective, I argue that this structure of worrying presents a qualitative difference to that of *ai-guo* (patriotic love).

Worrying about one's country seems to involve a different temporality than that of loving one's country. Despite still being inherently related to the past, present, and future, in worrying, there is a stronger emphasis on the present as "not ideal," "subpar," and indeed "worrisome" and less so on the past and the ideal future. Worrying involves an awareness of the loss of something valuable but without a clear reference to either an actual history or an imagined past. The reference to the past remains in effect in the emotion of worrying, but it is only latent and implicitly implied in the words "kingdom smashed," the persistence of "the hills and rivers," and the ongoing "beacon fires." The present of the worrying poet is not a present of resolution and clarity, but rather only a profound mental turmoil about the current state of affairs and a restlessness in search for an answer. For this reason, even though worrying wishes for a better future, this ideal future is only implied and rarely obtains a level of clarity comparable to the envisionings of patriotic love. Worrying is the longing for the absence of negative state of affairs, like wars and family separations, but it does not represent a clear vision of an ideal state for a country to reach to "fulfill its promise."

This phenomenological analysis sheds light on the qualitative difference between the structures of patriotic love and worrying for one's nation. It is not the intention of this paper to suggest that they are two completely unrelated emotions. While acknowledging that there is indeed a close affinity between these two emotions and that they can morph into each other, the irreducibility of worrying for one's nation to patriotic love reveals that the contemporary conception of patriotic sentiment as singularly patriotic love should be challenged.

The analysis also sheds light on why worrying for one's nation can provide a useful critical reflection on the impact of patriotic love in democratic discussions. The difference between worrying and loving one's country in terms of their temporality highlights different ways in which the past, present, and future can be experienced in different patriotic sentiments. One important conclusion that can be drawn from the above is that worrying for one's country, as opposed to patriotic love, is much less likely to be attached to a rigid, reified conception of the past and an ideal future. This conclusion does not reject Rorty's claim that a good patriotic love should be open to different conceptions of the ideal.[9] But it is clear that, from our phenomenological analysis, worrying for one's country is characteristically more resistant to this outcome. This resistance comes from the fact that worrying is fundamentally about being attentive to the concrete shortcomings of the present and the restless reimagination of the status quo. Such difference, I would like to suggest, reflects the higher degree of likelihood that patriotic lovers can be transformed into hatred and animosity towards each other. While not essential to it, hatred and animosity between patriotic-loving individuals are fundamentally related to a difference in their concrete imagination and narrative about the past and future. When each party presents a different view on what those imaginations and narratives are, one may falsify the patriotic love of their interlocutors, deeming them to be "not-patriotic," "betraying the country," and even "committing treason." Worrying for one's nation, on the other hand, has an internal resistance to this tendency of falsifying the other's patriotic sentiment because of its focus on the assessment of the present. Even if their conception of the past and future differ, it is much more difficult for worrying individuals to claim that the other person is not worrying about the state of the country and is not trying to come up with a solution in response to it. The persistent focus on the current conditions and the relative openness of worrying with regard to what exactly an ideal future would be is, I suggest, more conducive to democratic discussions because it speaks to a more equal and respectful relationship with our compatriots. In worrying for one's country, it is not a shared conception of the past or the future that unites individuals. Rather, it is the shared concern that one has about the current state of affairs that unites us despite our differences.

During the 2020 election, *The New York Times* published a collection of reader's responses to the question "What Does It Mean to Love Your Country?" The myriad of responses combine to form a celebration of patriotic love and imagination of the American ideal. Indeed, patriotic love is and should remain extremely crucial as a political emotion. However, it is important to remind ourselves that it is not the only mode that patriotic sentiment can present. If what this essay argues stands, there are good reasons for us to critically reflect on the type of political emotional life that is perpetuated in our political climate of the contemporary world. It is true that "[l]ove isn't passive. It's not a sit back, relax and enjoy the show kind of deal."[10] However, perhaps there is a different activity of patriotism that is different from "looking cleareyed at its promises and its practices" and "working to bridge the gap between them." Perhaps a missing entry to the article should suggest that to be patriotic can also be to worry about one's country and to want to find a solution, without immediately posting an ideal that we deem to be certain and true.

[1] One of the main philosophical debates on patriotism in the US sprang from a series of articles in response to Richard Rorty's argument for the importance of patriotism and national pride in contemporary society, see Richard Rorty, "The Unpatriotic Academy," *New York Times*, February 13, 1994, https://www.nytimes.com/1994/02/13/opinion/the-unpatriotic-academy.html.; Richard Rorty, *Achieving Our Country: Leftist Thought in Twentieth-century America.* (Harvard University Press, 1998). The subsequent debate centered around Martha Nussbaum's cosmopolitan critique against Rorty, see Martha Nussbaum, *For Love of Country: Debating the Limits of Patriotism* (Boston: Beacon Press, 1996).

[2] Ronald Reagan "Farewell Address to the Nation." Ronald Reagan Presidential Library Entry, January 11, 1989, https://www.reaganlibrary.gov/archives/speech/farewell-address-nation.

[3] Ibid.

[4] Kamala Harris, "Remarks by Vice President Harris at a Campaign Event," https://www.whitehouse.gov/briefing-room/speeches-remarks/2024/10/31/remarks-by-vice-president-harris-at-a-campaign-event-phoenix-az/.

[5] Kwame Anthony Appiah, "Cosmopolitan Patriots," *Critical Inquiry* 23, no. 3 (1997): 617–39.

[6] Martha Nussbaum, Martha, "Teaching Patriotism: Love and Critical Freedom," *The University of Chicago Law Review* 79 (2012): 215–251.

[7] This is to contrast the phenomenological analysis of person-directed love in other phenomenologists. See Anthony Steinbock, *Moral Emotions: Reclaiming the Evidence of the Heart,* (Evanston: Northwestern University Press, 2014).

[8] *An Anthology of Chinese Literature: Beginnings to 1911*, trans. and ed. Stephen Owen (W. W. Norton & Company: 1996); title translation mine.

[9] Rorty, *Achieving our Country.*

[10] Rachel Harris and Lisa Tarchak, "What Does It Mean to Love Your Country?" *The New York Times,* November 2, 2020.

THE IMPORTANCE OF EMPATHY

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Psychology

ABSTRACT

Political polarization has been a serious social issue, intimidating our democracy. This article demonstrates how empathy plays a pivotal role in building a healthy democratic society. Empathy is the ability to think and feel others' thoughts and emotions, which is essential for social beings. It enables individuals to understand different perspectives, eventually contributing to a democratic society where diverse identities and thoughts coexist. Through various studies, it has been discovered that empathy is highly intertwined with political science, especially regarding ideological differences. Empathy influences an individual's political attitudes by forming preferences toward specific policies and political parties. Empathy is a malleable, rather than static, attribute like a muscle. Individuals can enhance empathy by making an effort and diverse methods have been studied, including perspective-taking, growth mindsets, and newly-developed technologies (e.g., Virtual Reality). Empathy intervention has been actively applied not only in psychology but also in political science. Highly vivid perspective-taking was used to make participants empathize with those who have different political backgrounds. However, much work needs to be done in political science to encompass diverse intervention methods, as psychology has done. This paper advocates the importance of empathy training and education in envisioning a democratic future. Empathy is a key to supporting the diversity of thoughts, identities, and experiences, with understanding rather than criticism.

INTRODUCTION

Former President Obama depicted contemporary society as suffering from an "empathy deficit" during his speech at the Northwestern University Commencement ceremony. Social conflicts, including political polarization, have reached unprecedented levels these days. The fact that the United States is more polarized than ever[1] - exemplified by divisions between Republicans and Democrats - became evident during the 2024 presidential election. People frequently denounce their political counterparts without reason or constructive criticism, simply refusing to understand opinions that differ from their own. I firmly believe that the capacity for empathy is essential to pursuing and maintaining a democratic society. Empathy enables individuals to understand and share other's mental experiences. As social beings, humans benefit from the ability to empathize, fostering cooperation and conflict resolution throughout their lives. Therefore, developing empathy skills is vital for the future of democracy. By enhancing empathy, people can better understand and communicate with one another, paving the way for a healthier democratic future. In this article, I will explain what empathy is and how it is connected to political attitudes and behaviors. I will also introduce specific examples of how empathy intervention skills can increase understanding of diverse political ideologies.

EMPATHY

Empathy, derived from the German word *Einfühlung,* is the ability to understand and experience the thoughts and feelings of others.[2] Psychologists have agreed that empathy is not a unitary concept but a multifaceted one consisting of diverse subcomponents.[3] The most common agreement is that empathy is a combination of emotional, cognitive, and motivational components.[4] Affective empathy involves experience sharing and emotional contagion, allowing individuals to catch others' emotional states and go into what others experience. This type of empathy has been proven effective in altruistic decisions, such as making charitable donations[5] or encouraging vaccination during the COVID-19 pandemic.[6] Cognitive empathy, or mentalizing, refers to understanding others' thoughts through perspective-taking and theory of mind (ToM). The last component is a prosocial concern[7]

or motivational empathy, including feelings of sympathy and empathic concern, the drive to help others.

Human motives are the basis of the empathy process.[8] Empathic motives are internal drives that make people pursue or avoid social connections with others.[9] These can be divided into 'Avoidance' motives and 'Approach' motives.[10] Avoidance motives inhibit empathy, while approach motives encourage it. For instance, if someone watches a video of homeless people and feels overwhelmed and in pain, avoidance motives are activated. However, if he is willing to help them through donations or volunteering after watching, approach motives are provoked.

Empathy is essential for socializing with others, and can thus resolve social problems.[11] Those with high empathy (i.e., sensitively responsive to others' emotional states) tend to manage conflict better by avoiding destructive communication and promoting constructive one.[12] Specifically, empathy plays a role in understanding out-group members and helping them.[13] Intergroup conflicts usually stem from a gap between two different viewpoints or goals of each group.[14] Perspective-taking (i.e., walking in someone else's shoes), in particular, fosters the understanding of out-group members and increases prosocial actions toward them[15] by reducing prejudice and perceptions of dissimilarity.[16]

THE RELATIONSHIPS BETWEEN EMPATHY AND POLITICAL SCIENCE

Continuous efforts have been made to shed light on the connections between empathy and political science. Grover, for example, described empathy as a useful tool for statecraft.[17] Policymakers and political science researchers can gather insights and helpful information to fully comprehend other actors, through empathizing with them. In his report, Grover[18] also introduced the concept of "strategic empathy," which comprises three components: (1) collecting information, (2) trying to understand through the other's eyes, and (3) doing all of this to serve the national interest by utilizing those insights.

Shogan[19] emphasized that empathy has been pivotal in presidential leadership throughout American political history. In a large republic, democratic leaders cannot directly experience the hardships of all citizens they govern. However, the ability to empathize enables them to perceive and address the problems of others. Segovia-Nieto and Ramírez-Velandia[20] illustrated two cases of former Colombian presidents who contributed to peace in Colombia, to show that empathy is vital for political leaders on the one hand. Still, it does

not always lead to moral outcomes on the other hand. Empathy also can facilitate unethical behaviors, such as political corruption or human rights violations.

Morris[21] suggested that even though the results accumulated are inconsistent, there is a clear correlation between empathy and political views. He believes that differences in individual levels of empathy can at least clarify the extremely polarized status in the current U.S. political situation. Waytz et al.[22] revealed that Republicans and Democrats attribute their party's participation in conflicts to in-group love more than out-group hate while attributing their counterpart's aggression to out-group hate more than in-group love. They concluded that conservatives tend to empathize with smaller social groups (e.g., family, friends, and same-country people), while liberals extend empathy to larger populations including other-country members and even to non-human animals, indicating it is not a matter of empathy levels, but rather its targets.

Allamong and Peterson[23] measured participants' empathy levels using the "Reading the Mind in the Eyes" Test. They discovered that empathic ability plays an important but nuanced role in shaping one's political attitudes. This is because empathy is the ability to understand and connect how other people feel. Thus, people with high levels of empathy should be sensitive to specific policies and how they influence actual people. Sidanius et al.[24] also explored the indirect relationship between political perspectives and empathy. According to them, empathy affects Social Dominance Orientation (SDO), which indicates individual differences in the preference for group-based hierarchy and inequality. SDO causally influences political attitudes, and this mechanism illustrates empathy has an indirect impact on political views via SDO.

These studies as mentioned above emphasized how empathy is deeply interconnected with political science, especially understanding and embracing diverse perspectives. This also supports my assertion that promoting empathy is necessary for people to recognize differences in their points of view or opinions and eventually construct a healthy democratic society. In the next part, I'll explore various psychological methods of empathy training used to increase empathy and how these can be applied to the political science area.

EMPATHY INTERVENTIONS

Empathy interventions have become increasingly important in various fields, such as training medical practitioners,[25] where understanding patients' emotions is essential. One of the most common training methods is perspective-taking.[26] By "walking in someone else's shoes" through a variety of mediums (e.g., vignettes,

books, videos), people can better understand and empathize with others' thoughts and feelings. Bruneau and Saxe[27] applied both perspective-taking and perspective-giving to promote understanding and reduce conflicts between Mexican Immigrants and White Americans, as well as between Israelis and Palestinians. Perspective-giving complements perspective-taking by allowing individuals to share their thoughts and perspectives while feeling heard. Their research revealed that while perspective-taking is a traditional approach to fostering empathy, perspective-giving can also be a powerful tool for resolving social conflicts.

Mindsets can also influence empathy through training. Mindsets refer to beliefs about the nature of specific traits people have, such as intelligence or personality.[28] Mindsets can be categorized into two types, growth mindset (incremental theory) and fixed mindset (entity theory).[29] Individuals with a growth mindset believe that their abilities can be developed through an effort to improve them based on setbacks and face challenges. Conversely, those with a fixed mindset view traits as static and complex to change and tend to avoid challenges. Studies have shown that participants who believed their empathic abilities could improve reported greater empathic effort and a stronger willingness to help others than those who thought their empathy was unchangeable.[30] Another study found that interventions combining mindsets with social norms significantly enhanced the empathy of first-year Stanford University students.[31] Similarly, middle school students in California who were encouraged to view empathy as socially desirable exhibited increased empathic motives and prosocial behaviors.[32] The studies above also observed the empathic patterns in natural environments, such as the number of new friendships during college or nominations for "most prosocial classmate".

Virtual Reality (VR), often referred to as the "ultimate empathy machine,"[33] is another effective tool for fostering empathy. Numerous studies have demonstrated that VR significantly enhances empathy, perspective-taking, and prosocial behaviors.[34] For example, Schutte and Stilinovic[35] showed participants *Clouds over Sidra,* a 3D VR film depicting the life of a girl living in a refugee camp. People who watched the film in a 3D virtual environment reported higher empathy toward refugees compared to those who watched it in 2D.

In another study, participants used a VR program to simulate school life through the eyes of others, improving their perspective-taking skills.[36] This program vividly recreated a college student's daily experiences, allowing participants to feel their thoughts and challenges. This technique, known as Virtual Reality Perspective-Taking (VRPT), proved highly effective. Herrera et al.[37] utilized a 3D VR program that simulated homelessness. Participants who experienced homelessness in 3D VR exhibited increased empathy and were more likely to engage in prosocial behaviors (e.g., signing petitions in support of homeless individuals). Bae et al.[38] developed a prosocial VR content called *Our Neighbor Hero,* in which participants acted as superheroes helping their neighbors by modulating their mindsets. The study showed that combining VR experiences and mindset training significantly enhanced participants' motivations to empathize with others.

These studies show that empathy is a malleable trait that can be developed through deliberate effort. Methods such as perspective-taking, mindset training, and VR interventions all have the potential to foster empathy. By leveraging these approaches, we can better understand individuals with different political backgrounds or ideologies. In the next section, I will explore how empathy training can contribute to building a democratic society.

EMPATHY TRAINING TO INCREASE DIVERSITY IN IDEOLOGICAL DIFFERENCES

Santos et al.[39] demonstrated that cross-partisan empathy can be a key factor in reducing polarization in the United States. Participants were given a text emphasizing the value of empathizing across party lines, particularly highlighting how cross-partisan empathy can enhance an individual's political persuasiveness. The experimenters then instructed participants to write a short message aimed at persuading people with opposing views on gun laws. Afterward, participants were randomly assigned to read one of the messages written by the members of the opposing party. This process successfully increased participants' cross-partisan empathy, which was measured using questions such as, "Do you feel that you are more likely to support (oppose) stricter gun laws after reading the message?". The study concluded that belief in the value (utility, in this case) of cross-partisan empathy significantly influences attitudes toward political opponents and fosters support for bipartisan governance. It strongly supports the argument that empathy interventions can promote a healthier democratic society by encouraging mutual understanding of different thoughts and identities.

Muradova and Arceneaux[40] investigated whether a writing-based empathy intervention could help participants comprehend opposing political viewpoints and incorporate them into their opinions. They used the policy issue of introducing a universal basic income (UBI) scheme in the UK as the experiment context. Participants were presented with a short vignette describing a hypothetical

person's opinion on UBI and were instructed to imagine the person's feelings and thoughts before writing their reflections. The researchers found that 'actively' imagining the feelings and thoughts of someone with opposing views increased empathic concern toward individuals with conflicting perspectives. The intervention encouraged participants to reflect on others' opinions more vividly. Casler and Grove[41] conducted a study involving approximately 4,000 participants, asking them to imagine themselves in the role of a leader from a different country. The goal was to explore whether situational perspective-taking cues could induce cross-national empathy, particularly regarding issues such as limiting greenhouse gas emissions or nuclear weapon development. These cues were effective in prompting cross-national empathy and support for international cooperation, especially among individuals with weak party affiliations (Independents) and those from parties less inclined to support international cooperation (Republicans). These findings demonstrate the potential of perspective-taking strategies to enhance empathy and prosocial behaviors toward individuals with different political orientations.

One particularly notable result emerged from Caughell's study.[42] The researcher required college students in a political science classroom to use WordPress to create a campaign website for a 2016 Republican presidential candidate. After constructing the website based on what they had learned in class, the students also wrote a paper explaining and justifying their content and design choices. Following this assignment, the students showed a greater understanding of and empathy for the strategies candidates use to appeal to voters. This study suggests that technology can serve as an effective educational tool for helping students understand opposing political perspectives. In particular, interactive perspective-taking through tools like a web content management system may be more impactful than passively consuming news media.

Another study introduced a simulation in which college students represented different stakeholder groups to address a hypothetical scenario involving Haitian Internally Displaced Person (IDP) camps.[43] Participants assumed roles as representatives of various interest groups, such as camp residents, Haitian government officials, international NGOs, business owners, landowners, and human rights advocates. Over several weeks, students engaged in discussions and prepared recommendations reflecting their groups' views on a Haitian government proposal to resettle IDP camp residents. A post-simulation survey revealed that students experienced an increase in global empathy and civic engagement compared to their pre-simulation responses. These findings highlight the potential of simulation-based interventions to foster empathy and understanding of diverse political views, particularly among college students.

The studies discussed above indicate that empathy intervention techniques - particularly those focusing on perspective-taking - have been widely and successfully employed to teach people how to understand diverse political viewpoints. While these methods have shown strong results in political science, there is still much to explore regarding other approaches. Techniques like mindset training or the use of highly interactive technologies, such as AI chatbots or VR could provide additional pathways to enhancing empathy and deserve further investigation.

CONCLUSION

In this article, I explained the psychological concept of "empathy" and its deep connection to political science, particularly in understanding ideological differences and the traits of political leaders. Empathy, the ability to understand and share others' thoughts and feelings, is essential for social beings to interact with diverse individuals. It fosters cooperation and prosocial behaviors and reduces conflicts, making it a vital tool for addressing political polarization and building a healthier democratic society.

Empathy is a skill that can be cultivated through effort, just like a muscle. Interventions such as perspective-taking, mindset training, and virtual reality have shown great promise in enhancing empathy and enabling individuals to comprehend others' viewpoints. Additionally, research has demonstrated how these methods can reduce polarization, foster bipartisan dialogue, and improve understanding across political divides.

Despite the strong evidence supporting traditional methods like perspective-taking, there is also significant potential for new techniques. For example, mindset-based interventions and advanced interactive technologies, such as virtual simulations, may enhance empathy in political contexts. As political polarization and social conflicts continue to threaten democracy, promoting empathy becomes increasingly crucial. To envision a democratic future, we must embrace the diversity of thoughts, identities, and experiences, with understanding rather than criticism. Empathy interventions, in this regard, serve as a powerful tool for fostering mutual respect. By drawing attention to empathy in education and policy, we can construct a society where diverse perspectives peacefully coexist. Further research into novel empathy-training methods will also shed light on this. I hope to see empathy interventions widely used to create a more inclusive and harmonious world.

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IN MEMORIAM: KEN I. KERSCH

The Boston College political science professor was founding director of the Clough Center for the Study of Constituional Democracy

Professor of Political Science Ken I. Kersch, a highly respected constitutional scholar who was founding director of the Clough Center, died on November 27, 2024. He was 60.

Dr. Kersch, who joined the Political Science faculty in 2007, researched, wrote about, and taught American political and constitutional development, American political thought, and the politics of courts. He was particularly interested in the clash between conservative and liberal interpretations of the United States Constitution during the twentieth century, in areas such as civil liberties, freedom of speech, separation of powers, and church-vs.-state issues.

In addition to numerous articles in academic, intellectual, and popular journals, he authored or co-authored *American Political Thought: An Invitation, Conservatives and the Constitution: Imagining Constitutional Restoration in the Heyday of American Liberalism, The Supreme Court and American Political Development, Constructing Civil Liberties: Discontinuities in the Development of American Constitutional Law, and Freedom of Speech: Rights and Liberties Under the Law.*

The classes he taught at BC included U.S. Constitutional Development, Civil Liberties, and Conservatism in Modern America.

Taking a big-picture approach and drawing on history and constitutional law (he was a member of the bar of New York, Massachusetts, and the District of Columbia) as well as political science, Dr. Kersch traced evolutions in the American ideological realm and their relation to the Constitution: for example, the changes in progressives' attitudes toward civil rights during the course of the 20th century; or how, in the wake of the Supreme Court's desegregation ruling and 1960s civil rights legislation, the conservative movement distanced itself from Southern conservatives and sought to position itself as "the polity's foremost champion of constitutional liberty and equality," as he explained in a 2020 interview with the Russell Kirk Center for Cultural Renewal.

With the current Supreme Court makeup, said Dr. Kersch m a 2022 interview on the National Constitution Center program "We the People," the conservative movement appeared to be on the brink of realizing one of its long-held goals: eradicating the New Deal constitutionalism. But he was skeptical as to what degree that might happen.

"I would say there's a huge question mark there," he explained. "The world has changed. And the question is, as it often is for conservatives, how much are they willing to dismantle? Because the world without New Deal constitutionalism, and the federal government without New Deal constitutionalism, would look completely different. There would be no federal agencies. There would be no FDA. There would be maybe even no Federal Aviation Administration. There would be no Securities and Exchange Commission. The government would look radically different, and the question becomes, however There would be no Securities and Exchange Commission. The government would look radically different, and the question becomes, however are they willing to go?"

In 2008, Dr. Kersch became the founding director of the Clough Center, which was established through a donation by Gloria Clough M.Div. '90, M.S. '96, and Charles Clough '64, a University trustee associate.

The Center promotes interdisciplinary reflection on constitutional government in the United States and

throughout the world through campus and virtual events featuring distinguished scholars and experts — including BC faculty-from a variety of fields and professions, among them David Brooks, Doris Kearns Goodwin, David McCullough, R. Nicholas Burns '78, Mary Robinson, F.W. de Klerk, and Shirin Ebadi.

During its early years under Dr. Kersch, the Clough Center welcomed distinguished scholar James Q. Wilson as a senior fellow, sponsored two undergraduates to participate in an international conference on NATO, and initiated a Junior Fellows Program for BC students with a strong interest in constitutional democracy.

Dr. Kersch expounded on the Center's "touchstones" in a 2009 newsletter: Reflecting BC's character as a liberal arts university, the Center "will place significant emphasis on the participation and formation of its undergraduates" while striving to be interdisciplinary and "to play a leadership role in breaking down the walls that have characterized intellectual life, not only at BC but in academia more generally."

In addition, he said, the Center "will endeavor to enhance our understanding of the nature and practice of democratic constitutional government, not only in the U.S., but also around the world" and "welcome the participation of scholars, students, and practitioners approaching the study of constitutionalism from a range of political, ideological, intellectual, and personal perspectives."

Charles Clough called Dr. Kersch "a wonderful person who built the Center in its early days. It was his selfless determination that allowed it to get going." He added, "Ken had a permanently implanted smile on his face."

Dr. Kersch's two successors praised his leadership and dedication to the Center. "Ken was a scholar of tremendous erudition and integrity and a person of deep humanity," said BC Law Professor Vlad Perju, who took over the post from Dr. Kersch in 2012. "It was a great honor to succeed him at the Clough Center. He was the first person I would reach out to for advice as I started in my new position, and over the following years. Along with so many others, admired deeply Ken's I've admired deeply Ken's pathbreaking work on American constitutional development. It is truly tragic that we will not be able to reach out to him again for insight and understanding as the American Republic enters perilous times."

"Ken Kersch brought the Clough Center to life with his intellectual force and his infectious enthusiasm for American political institutions," said Political Science Professor Jonathan Laurence, the Center's director since 2022. "His presence in any conversation imme-

diately raised the level of discussion and his absence is felt deeply within the Boston College community and the political science and legal disciplines more widely."

Departmental chairman Gerald Easter remembered him as "dedicated to the liberal arts mission and truly enjoyed teaching at BC. He was an excellent teacher, much admired by our majors (and sought-after to supervise thesis projects). Ken was a first-rate scholar, highly respected, earning multiple awards, and his research agenda was still going strong. As a colleague, you had to appreciate Ken's sharp insight, high standard, independent mindedness, and unadorned honesty. I can also attest that he had a crack sense of humor and an awesome record collection."

Law School colleague Mary Bilder had this to say about her colleague: "Ken began the highly successful collaboration between the BC Law Legal History Roundtable and the Clough Center-including a spectacular 2010 talk by Bernard Bailyn, "How Historians Get It Wrong: the American Constitution, For Example." Ken was a gifted interpreter of modern conservatism, bringing analytical rigor and compassion to the topic. Perhaps his most profound insights related to Straussian political thought where he grasped an existential longing that motivated not only the movement but its practitioners."

Michael Hartney, another colleague in political science told *The Heights* that "Over 100 students will be in law firms and courtrooms across the country of the next few decades who learned constitutional law from him as undergraduates. He was very generous with his time as an advisor, mentoring hundreds of students, especially those writing theses on law and courts."

Among the honors Dr. Kersch earned were the American Political Science Association's Edward S. Corwin Award, the J. David Greenstone Prize from APSA's politics and history section, the C. Herman Pritchett Award from APSA's law and courts section, and the Hughes-Gossett Award from the Supreme Court Historical Society.

Dr. Kersch earned a bachelor's degree from Williams College, a juris doctorate from Northwestern University, and master's and doctoral degrees from Cornell University. Prior to BC, he taught at Lehigh University, Princeton University, and Harvard University; he also served as a Tallman Scholar in Government at Bowdoin University and a Distinguished Research Fellow at the University of Missouri Kinder Institute on Constitutional Democracy.

VIII. 2024-2025 CLOUGH CENTER PROGRAMMING AND PUBLICATIONS

THE CLOUGH CENTER
FOR THE STUDY OF
# CONSTITUTIONAL DEMOCRACY

2024 - 2025 CALENDAR OF EVENTS

The 3rd Annual
What the Constitution Means to Us

Featuring **A.J. Jacobs**, author of
The Year of Living Constitutionally (2024)

Tuesday, September 10th | 5:00PM
Gasson Hall 100

with Boston College Faculty
Mary Sarah Bilder (Law)
Marsin Alshamary (Political Science)
Fernando Bizzarro (Political Science)
Min Hyoung Song (English)
Martin Summers (History)

& Select Student Speakers
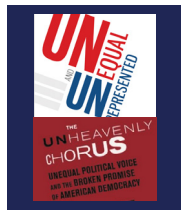
On Democratic Participation

A Celebration of the Career of Kay Schlozman

Friday, September 20th | 8:15AM - 1:30PM
Gasson Hall 100

Jeffrey Berry (Tufts)
Traci Burch (Northwestern)
Philip Jones (Delaware)
Henry Brady (UC Berkeley)
Jane Junn (USC)
Gary King (Harvard)
Jane Mansbridge (KSG)
Shauna Shames (Rutgers)
Carole Uhlaner (UC Irvine)

A Clough Distinguished Lecture
Book Launch: The Constitutional Bind

Thursday, September 26th | 5:00PM
Fulton Honors Library

Aziz Rana
Boston College

2024 Fall Colloquium

Featuring **Susan Glasser** of
The New Yorker

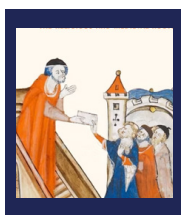**Thursday, October 10th | 4:30-7:30PM**
Murray Room

Hélène Landemore (Yale)
Theda Skocpol (Harvard)
Daniel Ziblatt (Harvard)

What Comes Next? Assessing a Year of Elections

Thursday, November 7th | 5:00PM
Heights Room

Sheri Berman (Barnard)
Lauren Honig (BC)
Rahsaan Maxwell (NYU)
David Hopkins (BC)

A Clough Distinguished Lecture
Book Talk: The Medieval Roots of the European State

Thursday, December 5th | 5:00PM
Devlin Hall 101

Anna Grzymała-Busse
Stanford University

SAVE THE DATE • SPRING SYMPOSIUM • MARCH 21-22, 2025

2024-2025
Clough Center
Doctoral Seminar & Graduate Workshop

ENVISIONING
DEMOCRATIC
FUTURES

FACULTY PARTICIPANTS

Marsin Alshamary, Political Science

Fernando Bizzarro, Political Science

Lauren Honig, Political Science

Peter Krause, Political Science

Hosffman Ospino, Theology and Ministry

Aziz Rana, Law

Min Song, English

Lacee Satcher, Sociology

Laura Steinberg, Schiller Institute

COORDINATORS

Chandra Mallampalli, Senior Research Fellow

Isaiah Sterrett, Postdoctoral Research Fellow

DIRECTOR

Jonathan Laurence, Professor of Political Science

2024-2025
Clough Center
Doctoral Seminar & Graduate Workshop

SEMINAR ON DEMOCRATIC FUTURES

September 3:
Thinking about Contemporary Democracy

Introduction:
Jonathan Laurence, Director, Clough Center

September 17:
Law and Philosophy

Discussant:
Kelvin Li , Philosophy

October 1:
Political Science

Discussants:
Akash Chopra, Julia Mahoney, and Betul Ozturan, Political Science

October 22:
History

Discussants:
Stephen de Riel and Andrew Palella, History

October 29:
Psychology and Education

Discussants:
Seoyeon Bae, Sociology and Luke Brown, Education

November 12:
English

Discussants:
Mackenzie Daly and Aidan Vick, English

November 19:
Sociology and Social Work

Discussant:
Helen Zheng, Psychology

December 3:
Religion

Discussant:
Emily Turner, Theology

GRADUATE RESEARCH WORKSHOP

October 31, 2024
Yufeng Shi, Economics
Will Stratford, History

February 27, 2025
Julia Woodward, English
Will Lombardo, Political Science

November 21, 2024
Jacob Glassman, Psychology
and Neuroscience

March 27, 2025
Abbey Murphy, Philosophy
Shaun Slusarski, Theological Ethics

January 16, 2025
Jacob Saliba, History
Casey Puerzer, Political Science

April 24, 2025
Josh Rosen, History
Michaila Peters, Philosophy

THE CLOUGH CENTER
FOR THE STUDY OF
CONSTITUTIONAL DEMOCRACY

Envisioning
Democratic Futures
★ ★ ★ ★ ★ ★ ★ ★ 2024–25 SERIES

Hélène Landemore
(Yale University)

Theda Skocpol
Daniel Ziblatt
(Harvard University)

Susan Glasser
The New Yorker

Clough Colloquium • Fall 2024

CLOUGH.CENTER@BC.EDU | WWW.BC.EDU/CLOUGHCENTER

Welcome • 4:30 PM

Envisioning Democratic Futures

Jonathan Laurence

Director, Clough Center for the Study of
Constitutional Democracy, Boston College

Session 1: Opening Keynote • 4:35 PM

Politics without Politicians

Hélène Landemore, Yale University

Moderator: **Kay Schlozman**, Boston College

Coffee Break • 5:15 PM

Session 2: Panel • 5:30 PM

Alternative Futures for US Democracy

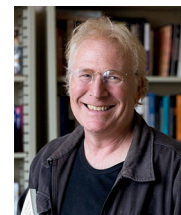**Theda Skocpol**, Harvard University

Building Democratic Futures in Europe

Daniel Ziblatt, Harvard University

Moderator: **Gerald Easter**, Boston College

Session 3: Closing Keynote • 6:30 PM

Year 9 of the US's Trump Era: A Status Report

Susan Glasser, *The New Yorker*

Moderator: **Angela Ards,** Boston College

Speaker Bios:

Envisi⊚ning
Democratic Futures
★★★★★★★ 2024-25 SERIES

Spring 2025

Tuesday, January 21
12 noon-1:15pm | 10 Stone Avenue
A Dead End for Fifth Republic **France**?
Arthur Goldhammer (Harvard University)

Tuesday, February 4
12 noon-1:15pm | 10 Stone Avenue
The Tories Are Out **in the UK --** Is Labour In?
James Cronin (Boston College)

Thursday, February 27 at 5PM | Gasson Hall Commons
Untangling **Germany's** Elections
Sonia Kreibich (Consul General), Anja von Rosenstiel (Boston University),
David Spreen (Harvard University), Hannes Kerber (Boston College)

Tuesday, March 11
12 noon-1:15pm | 10 Stone Avenue
Two Decades of Elections in **Iraq**: The 2025 Outlook
Marsin Alshamary (Boston College)

Friday-Saturday, March 21-22 | 2101 Commonwealth Avenue
Spring Symposium:
Envisioning Democratic Futures
Philip H. Gordon (former National Security Advisor), Brett McGurk (former White House special
envoy), Bryn Rosenfeld (Cornell), Paul Romer (Boston College), and many more

Tuesday, April 1 at 12 Noon | 237 McElroy Commons
Ireland's Election Result: More of the Same
Mary C. Murphy (Boston College)

Tuesday, April 8
Heights Room
Defending Democracy: What does **NATO** Protect?

Tuesday, April 15
12 noon-1:15pm | 10 Stone Avenue
What Kind of Democratic Elections in **India**?
Chandra Mallampalli (Boston College)

Thursday, May 1 at 5PM | 10 Stone Avenue
Issue Launch: **Clough Center Journal**, *Volume 3*
Clough Center Fellows

THE CLOUGH CENTER
FOR THE STUDY OF
CONSTITUTIONAL DEMOCRACY

SPRING SYMPOSIUM

ENVISIONING DEMOCRATIC FUTURES

Friday, March 21, 2025 – Saturday, March 22, 2025
2101 Commonwealth Ave | Boston College

Brett McGurk
US Diplomat

Philip H. Gordon
National Security Advisor

Featured Speakers:

Marsin Alshamary, *Boston College*

Kathleen Bailey, *Boston College*

Spencer P. Boyer, *Former US Diplomat*

Fernando Bizzarro, *Boston College*

Nicholas Hayes-Mota, *Santa Clara University*

Jytte Klausen, *Brandeis University*

Peter Krause, *Boston College*

Jonathan Laurence, *Boston College*

R. Shep Melnick, *Boston College*

Erzen Oncel, *Wellesley College*

Aziz Rana, *Boston College*

Paul Romer, *Boston College*

Bryn Rosenfeld, *Cornell University*

Anina Schwarzenbach, *University of Bern*

Michael Serazio, *Boston College*

Steven Simon, *Dartmouth College*

Robert B. Talisse, *Vanderbilt University*

Envisioning
Democratic Futures
★ ★ ★ ★ ★ ★ ★ ★ 2024–25 SERIES

Please register to attend
at: bit.ly/42tBz53

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THE CLOUGH CENTER FOR THE STUDY
OF CONSTITUTIONAL DEMOCRACY

Envisioning Democratic Futures

2025 Spring Symposium

Friday, March 21, 2025

1:30PM	**Introduction**
	Jonathan Laurence, Clough Center	Boston College
1:45PM	**How democratic will Europe be tomorrow?**
	Jytte Klausen	Brandeis University
	Spencer Boyer	former State Department
	Bryn Rosenfeld	Cornell University
	Chair: Mary C. Murphy	Boston College
3:00PM	**Does the US face a constitutional crisis?**
	Aziz Rana	Boston College
	R. Shep Melnick	Boston College
	Chair: Jonathan Laurence	Clough Center
4:00PM	**Coffee Break**
4:15PM	**What paths for democracy in the Middle East?**
	Marsin Alshamary	Boston College
	Peter Krause	Boston College
	Chair / Discussant: Kathleen Bailey	Boston College
5:15PM	Keynote Address:
	The pitfalls of maximalist aims: A first-hand account of democracy promotion in the Middle East
	Brett McGurk	former White House special envoy
	Discussant: Steven Simon	Dartmouth College
6:30PM	**Adjourn**

Saturday, March 22, 2025

8:15AM	**Breakfast**
8:45 AM	**How will artificial intelligence shape democracy?**
	Nicholas Hayes-Mota	Santa Clara University
	Anina Schwarzenbach	University of Bern
	Chair / Discussant: Michael Serazio	Boston College
9:45AM	**What are the cultural and economic foundations of democracy?**
	Paul Romer	Boston College
	Robert Talisse	Vanderbilt University
	Erzen Oncel	Wellesley College
	Chair: Fernando Bizzarro	Boston College
11:00AM	**Coffee Break**
11:15AM	**Keynote Address:**
	The current state and future of democracy worldwide
	Philip H. Gordon, former National Security Advisor
	Chair: Jonathan Laurence	Clough Center
12:30PM	**Concluding Remarks	Luncheon**
2:00PM	**End of Symposium**

Location: McMullen Museum of Art - Boston
College - 2101 Commonwealth Avenue

Please register to attend

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2025 Spring Symposium
McMullen Museum of Art at Boston College

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2025 Spring Symposium
McMullen Museum of Art at Boston College

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Jin Boyu
International Studies

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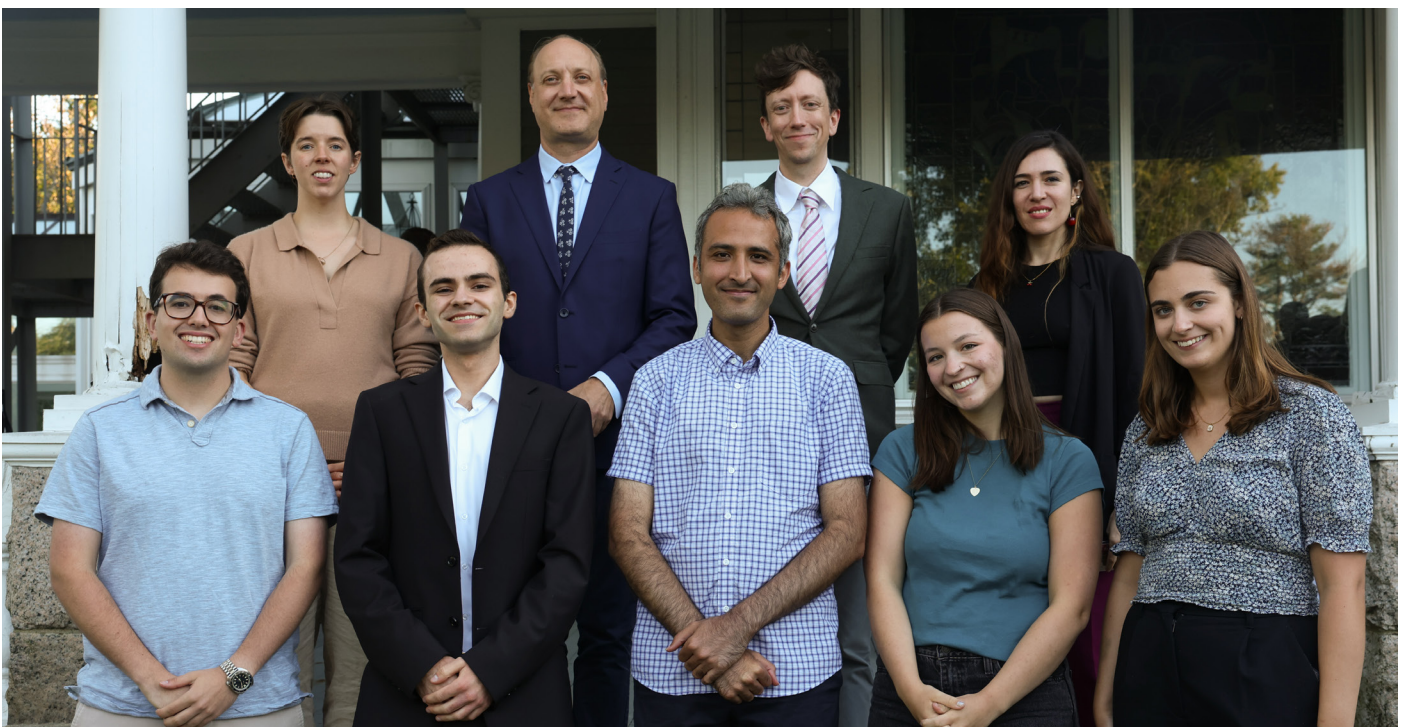Political Science & English

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Graduate Assistant

James Parlon
Political Science

Samuel Peterson
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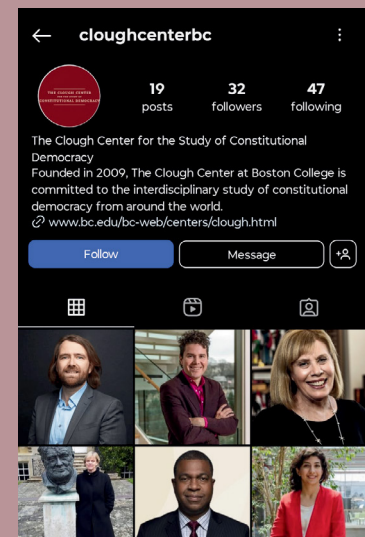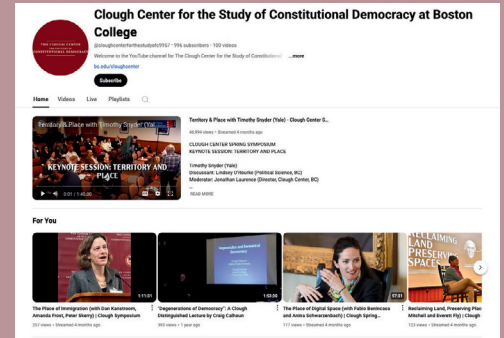
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