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Letter from the Editor

Kempton Campbell

04/15/2022

Dear Readers,

It is my privilege to write to you as the Editor-in-Chief of the University of Connecticut's Undergraduate Political Review. This semester we are proud to publish our fourteenth edition of the journal. With each publication, we strive to challenge UConn undergraduate students to explore complex and topical political issues that affect the world in which we live.

All articles included in this edition were written by undergraduate students and have undergone a rigorous peer-reviewed drafting process overseen by our student-run editorial board. Some of our past publications have confined our staff writers to a specific theme. Like our last edition, this edition is unbound by specific themes and instead features articles that consider topics that captured the attention of this University's young scholars. We are proud to feature articles on topics ranging from a political analysis of the game show, *Jeopardy!* to a consideration of Critical Race Theory in primary and secondary education.

This publication would not have been possible without the support of several people. I would like to thank all our editors and writers for their hard work and dedication this semester. We could not have published such a high-quality edition without a dedicated group of undergraduate students. Additionally, I would like to thank Dr. Oksan Bayulgen and the University of Connecticut's Political Science Department for their continued support of this publication.

Finally, our readers should know that we accept new writers each semester, and we always encourage students to apply. Any University of Connecticut student may apply by emailing a resume and writing sample to uconnpoliticalreview@gmail.com.

Sincerely,

Kempton B. Campbell | Editor-in-Chief

Gender Violence as a Weapon of Genocide

Jola Bufi

Violence against women in war is endemic and their voices are often left unheard, unexpressed, or even erased. More than seventy-five years after the Holocaust, the promise of “never again” remains to be fulfilled. However, our knowledge and information on genocides has consistently grown. Crucial to this growth has been the understanding of how gender perpetuates and interacts with the crime of genocide. In one chapter of *The Stages Of Memory*, author James E. Young observes how the pain of women regarding genocide is often erased by the stories we have created about women, thus, preventing women from expressing their own stories and erasing their experiences. This essay seeks to compare the narratives associated with women in war and genocide by emphasizing the need for women’s experiences to be placed at the forefront of any just recollection of memorialization and history. It is only through this gender-sensitive lens that we can form an accurate examination of genocide. Gender analysis is crucial in promoting policies and humanitarian interventions that focus on ensuring trauma-responsive justice for survivors of gender-based violence.

Gender and the Holocaust

During the Holocaust, many women’s experiences were shaped by their gender. Oftentimes, when we speak of the Holocaust, or genocides in general, we tend to generalize the experiences of the victims as simply being tied to death. In many instances, during the Holocaust, the individual’s traumatic treatment was influenced significantly by their gender. As in most wars, it was initially believed that Germans would not harm women and children, as they were viewed as sacred, harmless, and in need of protection. Because men were assumed to be the only ones in “real danger”, the plans constructed from the Jewish population were specifically to save the men. As men were hiding and being protected by the entire Jewish population, the women were initially left to carry out chores and trade their belongings. However, these different experiences are not typically seen at the center of the history of the Holocaust. Young believes that the reason why women are not depicted at the forefront of such history is that “men have been constitutively unable to speak of their helplessness and of their inability to fulfill their masculine need to protect the family.”¹ The failure to recognize the different treatment further oppresses women as it erases the acts that impacted them. Also, it tends to overlook the nonlethal acts of violence that were committed against women by the Nazis. For example, while all Jewish people were destined to die under the Nazi regime, it is important to note that each gender lived their journey as “women and children had to be killed in order to eliminate the germ cell of a new Jewish revival.”² Regardless, most of the recollection of memories regarding the Holocaust have been associated with experiences of beatings, dehumanization, etc. While those experiences are significant, minimizing other genocidal acts against women such as rape, humiliation, and

¹ Young, James E. 2016. *The Stages of Memory: Reflections on Memorial Art, Loss, and the Spaces Between*. N.p.: University of Massachusetts Press, 108.

² *Ibid.*

prevention of birth leads to “gender blindness” and prevents governments and international communities from understanding the true nature of crimes committed. Most importantly, it leaves little room for women to receive space, recognition, and justice for the work they did and the treatment they endured simply as women.

Gender and the 1999 Kosovo War

Similarly, the experiences of Albanian women during the 1999 Kosovo War have been silenced and expurgated by society, or even men in their own families. While the conflict between Serbians and Albanians was over territory, thousands of women were raped to “ethnically cleanse” the population. The propaganda preceding the war was intended to dehumanize and stereotype Kosovar Albanian women. Serbian women were always seen as cultured and strong, while Albanian women were portrayed as uneducated women and sex objects. As if those stereotypes were not enough, women were portrayed as vulnerable and as the property of men by Serbians and Albanians, thus, making it difficult for any of the assaults and rape to be documented many years after. In 2018, Feride Rushiti--the founder of the Kosovo Rehabilitation Centre for Torture Victims, interviewed survivors of wartime sexual violence in Kosovo. However, when she arrived at these communities, no one openly talked of rape. She mentions that “men did not want their wives or daughters to talk because of the stigma and because it would be admitting that they had been unable to protect them.”³ Different from the Holocaust, these experiences have been made somewhat central when talking about the Kosovo War. However, very rarely have women been given the space to openly document them. Most women feared speaking of such acts committed against them as they would be blamed for the rape or shunned by their entire community as they would be deemed unfit for marriage. This is similar to how Bialik and Young evaluate the response of Jewish men, who prioritize religious concern over women’s suffering. While “Jewish men regard the pain of Jewish women through the prism of Halacha”, Albanian men regard the pain of Albanian women through the cultural beliefs of innocence and virginity rather than providing support and justice to the women.⁴ Both responses further perpetuate the oppression of women and erase the difference between war experiences as it pertains to gender. The exclusion and recognition of sexual and gender-based violence, whether it be from society or the men in the families, causes a lack of accuracy in the description of genocide by framing these harmful acts under “crimes against humanity” or completely erasing them from the memory we uphold of the past.

Moving Forward

The aspect of gender in war and genocide is perhaps one of the most intricate and multifaceted ones in history. As previously mentioned, the evidence and memory associated with such traumatic events is always focused on the killings rather than sexual violence. Additionally, “investigators and interpreters of war and genocide receive no training on interviewing

³ McVeigh, Karen. 2018. “I didn't want this to be a taboo': the fight for Kosovan women raped during the war.” The Guardian. <https://www.theguardian.com/global-development/2018/aug/04/didnt-want-taboo-fight-kosovan-women-raped-war>.

⁴ Ibid.

methodology for rape victims and the majority of investigators are male.”⁵ When it comes to evaluating genocide, the law does not sufficiently recognize the gendered dimensions of genocide as the gender analysis is not successfully applied at all the stages of investigatory processes. An understanding of gender should be required not only in the legal and factual analysis but more importantly in the aspects of pursuing justice, including the voices of the people whom we choose to interview post-war. Unfortunately, history has shown that investigation, indictment, prosecution, and genocide stories have only recently started to include a gendered and feminist lens as a result of the widespread lobbying by women’s rights organizations and feminist scholars seeking just inclusion. This type of lens has yet to make its way to all the organizations and frameworks designated to investigate and create a just memory of the victims’ experiences. According to International Court of Justice jurisprudence, the obligation to prevent genocide is triggered when a “State learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed. To identify whether a “serious risk” exists, the United Nations and various states have created risk assessment frameworks.”⁶ Therefore, a review of these frameworks, rooted in gender-based analysis, is necessary for women to be made part of history and memory.

Conclusion

In a genocide, not only are women often victims of sexual based violence, but they are also victims of religion and tradition because of the status they hold in society, therefore making it harder for cases of sexual violence to be recorded. In international interpretations related to genocide, traditional gender roles force us to think of women as bodies to control reproduction and men as bodies for fighting. While a lot remains to be learned about gender and genocide, in order to create a better understanding and prevention, we need a complete analysis of how gender intersects with genocide. Additionally, a more thorough evaluation of the practices we have in place to investigate gender and genocide must be adapted, such as the policies and assessments of the United Nations. Last, as we continue to grow in comprehending genocides through a gendered lens, it is worth challenging the belief that genocidal sexual violence mainly affects cisgender women. The exclusion of sexual violence from historical understandings of genocide is a blind spot that will continue to have long term implications on the kinds of narratives remembered and associated with genocidal conflict. By seeking to create more spaces to justly recall the experiences of women and victims of genocide, we will be able to develop better policies to provide justice and humanitarian intervention.

⁵ Ofer, Dalia, and Lenore J. Weitzman. 2019. “Women in the Holocaust.” Jewish Women's Archive. <https://jwa.org/encyclopedia/article/women-in-holocaust>.

⁶ Ibid.

The Global Reality Check: How Don't Look Up Challenges the Narrative Behind the World's Climate Crisis

Lauren Baskin

The climate crisis is one of the most complex and under-addressed political issues of our time. Our days are getting hotter, the land is getting drier, and devastating natural disasters are becoming more common. How did we get here? Is there a way out of this? There has been a longstanding history of climate change research and discoveries. Dating back to the ancient Greeks, many people had proposed that humans could change temperatures and influence rainfall by chopping down trees, plowing fields, or irrigating a desert.⁷ By the 20th century, British engineer, Guy Stewart Callendar, noted that the United States and North Atlantic region had warmed significantly on the heels of the Industrial Revolution. Callendar's calculations suggested that a doubling of CO₂ in Earth's atmosphere could warm Earth by 2 degrees C (3.6 degrees F).⁸ Through his conclusions, the 1960s, Callendar would continue to argue that the greenhouse-effect warming of the planet was underway.⁹ As climate change presently reveals itself in much more serious forms, commentary on environmental protection has become a major political tool for many people including celebrities, activists, and politicians.

Adam McKay's *Don't Look Up* addresses the issue of climate change, and the varying opinions surrounding the climate crisis that exist in our own society. As a political satire, the film follows two scientists who recently discovered an Earth-destroying comet and their struggles in trying to convince the public of the situation's severity. While the film addresses this heavy topic with comedic relief, it is undeniable that there is some truth behind the ostentatious script and provocative ending.

The biggest problem with tackling the climate crisis is the complexity of this matter. Unlike other political issues, such as taxes or healthcare, the climate crisis cannot simply be addressed through legislation. While it is a step in the right direction to enact legislation that protects the environment, this subject also requires participation on an individual level. The problem with unaddressed climate change is that many of the changes that occur in the environment are long-term and go unnoticed in everyday life. However, it is evident that the world is changing, and soon, these changes will be irreversible.

“As the earth's atmosphere heats up, it collects, retains, and drops more water, changing weather patterns and making wet areas wetter and dry areas drier. Higher temperatures worsen and increase the frequency of many types of disasters, including storms, floods, heatwaves, and droughts. These events can have devastating and costly consequences, jeopardizing access to clean drinking water, fueling out-of-control wildfires, damaging

⁷ Editors, History.com. “Climate Change History.” History.com. A&E Television Networks, October 6, 2017. <https://www.history.com/topics/natural-disasters-and-environment/history-of-climate-change>.

⁸ Ibid.

⁹ Ibid.

property, creating hazardous-material spills, polluting the air, and leading to loss of life.”¹⁰

This past decade has been hotter than any other time in recorded history.¹¹ Many people fail to recognize how unpredictable weather is a direct result of years and years of climate neglect. Because of the indirect nature of climate change, it is hard to convince the general public that environmental conservation is important, and how easy it can be to play a role in preserving the environment. According to ‘The Challenging Politics of Climate Change’, Elaine Kamarck states that “the dire warnings, the scientific consensus, and the death toll from unprecedented climate events have failed to move the public very much. For two years now, the number of Americans who say they are “very concerned” about climate change has failed to reach 50%.”¹² As climate change becomes more severe, it is hard for people to feel compelled to fix the issues because they feel as though their actions are insurmountable in comparison to the bigger picture.

Our world revolves around technological advances and big businesses, and much of the climate crisis is the result of burning fossil fuels through manufacturing and production. As technology advances and access to commercial items become easier, the carbon footprint also grows exponentially. Corporations have the power and the funds to combat climate change by adjusting their business practices in simple ways. “[Big corporations] are able to drive policy change, shape consumer preferences, and rapidly respond to the necessities of climate change at a scale and pace beyond any other political or private entity”.¹³ By advocating for the implementation of recyclable materials in everyday life, limiting fossil fuels, and encouraging conscious habits through their own business models, big corporations have the potential to effectively influence the public opinion surrounding the climate crisis.

The subject matter of *Don't Look Up* does not directly reflect our own climate crisis, but it is a great representation of our own society and the numbness that surrounds the dire implications of climate change. In the film, much of the general public was in denial of the comet, including influential entities, such as the White House and major news organizations. The film faced ironic circumstances when production began right before the COVID-19 pandemic hit in the winter of 2019. “What is surprising is that the script was written before the COVID pandemic—the movie is a startlingly accurate view of the willful and venal denialism that afflicted responses to the crisis at all levels of government and business, and that has been matched throughout by the cult-like rejection of medical counsel by individuals in all strata and

¹⁰ September 01, 2021 M. D. J. T. (2022, March 3). *Global climate change: What you need to know*. NRDC. Retrieved March 20, 2022

¹¹ The Nature Conservancy. “Our Priorities: Tackle Climate Change.” The Nature Conservancy, 2022. https://www.nature.org/en-us/what-we-do/our-priorities/tackle-climate-change/?gclid=CjwKCAiAvOeQBhBkEiwAxutUVDsVCgmneWRpiAWIEKD9R8YRjGrn2qyOUuyihPsbIPtAstQs3UIrBRoCjKgQAvD_BwE&gclid=aw.ds

¹² Kamarck, Elaine. 2019. “The Challenging Politics of Climate Change.” Brookings. Brookings. September 23, 2019. <https://www.brookings.edu/research/the-challenging-politics-of-climate-change/>.

¹³ Joshua Axelrod. 2019 “Corporate Honesty and Climate Change: Time to Own up and Act.” NRDC, February 27, 2019. <https://www.nrdc.org/experts/josh-axelrod/corporate-honesty-and-climate-change-time-own-and-act>.

sectors of society”.¹⁴ The denial and uncertainty that resulted from the unprecedented effects of the pandemic demonstrate how difficult it is to direct society and encourage unity through good habits. In the movie, we see specifically how the lack of urgency from powerful platforms in response to crises directly impacts the well-being of society as a whole. Climate change is not only an environmental crisis, it is a social and economic one as well: “...as climate change takes its toll on Earth’s physical planet, it will also cause social, economic, and political chaos as refugees flee areas that can no longer sustain them”.¹⁵ As time goes on and the climate changes drastically, people will need to relocate or readjust their lifestyles and the world’s landscape will alter in unpredictable ways.

One day, our world will not be able to operate in the same way as it does right now. As *Don’t Look Up* depicts perfectly, individuals in power, namely those of upper-class status, will be able to overcome these challenges, whereas middle and lower-class individuals will suffer the consequences. Climate and poverty are inextricably linked; since climate change affects everything from where a person can live to their access to health care, millions of people could be plunged further into poverty as environmental conditions worsen.¹⁶ Whether it be access to clean water, fresh produce, or everyday materials, it is evident that there is a lack of resources for individuals within marginalized or low-income communities. As these resources become limited through climate change, people will suffer even further.

While the threat of an Earth-destroying comet is not within our own imminent future, the message behind *Don’t Look Up* is incredibly prevalent for the world’s future and wellbeing. The film demonstrates how negligence and ignorance have negative consequences, and how powerful figures can be responsible for our own destruction. Big politicians’ lack of responsibility or accountability show how climate change is not addressed within many institutions, and therefore encourages a lack of political efficacy for these issues. Through a study in the journal *Global Environmental Change*, researchers found “that a lack of trust in institutions blunts the public’s risk perceptions and therefore their willingness to support behaviors or policies to address climate change”.¹⁷ The effects of climate change that our society faces today are a byproduct of miseducation, greed, and exploitation.

Behind *Don’t Look Up*’s satirical script is the ugly truth behind this issue: the climate crisis is happening right now, and just like the film, we may not discover the severity of this crisis until it is too late. There have been many strides toward environmental prevention and legislation, but it is imperative to address this issue in a multitude of ways. Although this issue is complex and may seem intimidating on the surface, it is important to note how small changes can help preserve the environment. Through its controversy and backlash, *Don’t Look Up* is a

¹⁴ Nast, Condé. 2022. “The Crude Demagogy of ‘Don’t Look Up.’” *The New Yorker*. January 6, 2022. <https://www.newyorker.com/culture/the-front-row/the-crude-demagogy-of-dont-look-up>.

¹⁵ Ibid.

¹⁶ McCarthy, Joe. “Why Climate Change and Poverty Are Inextricably Linked.” *Global Citizen*, February 19, 2020. <https://www.globalcitizen.org/en/content/climate-change-is-connected-to-poverty/>.

¹⁷ Ibid.

reminder that the future of the planet is in our hands, whether or not we choose to preserve or destroy it.

Pros and Ex-Cons: Felon Disenfranchisement

Adam Benitez

In December of 2000, days after the Supreme Court declared George W. Bush the winner of the 2000 Presidential election, a national poll found thirty-three percent of Al Gore voters felt the election had been stolen.¹⁸ Twenty years later, in December of 2020, a national poll found that eighty-three percent of Donald Trump supporters felt that projections of Joe Biden's Presidential election victory were inaccurate.¹⁹ One of the greatest contributing factors to this precipitous decline in public faith has been recent claims of widespread voter fraud. Despite these unfounded claims, the myth of millions of fraudulent ballots cast still permeates news headlines and dinner table conversations across the Nation.²⁰ This article is not about the millions of alleged votes cast by ghosts and malevolent machines, but of the millions of would-be votes forsaken in the name of justice, those of America's incarcerated felons.^{21 22} Stripped of their enfranchisement since the birth of the Nation, many felons have only recently had their rights restored. Their path to the ballot box has been fraught with hurdles and vigorous debate. This article traces the history and procedures of felon disenfranchisement throughout American history, highlights recent developments in the reinstatement of felon voting rights, and presents a balanced view of the two sides of this long-standing debate.

Background

First practiced in Ancient Greece, felon disenfranchisement is a concept as old as democracy itself.²³ The practice eventually found itself embedded into the common law of England, which subsequently spread to the American colonies.²⁴

In 1776, Virginia became the first state to include a disenfranchisement clause in its Constitution.^{25 26} This clause denied "any person convicted of any infamous offense" the right to

¹⁸ Newport, Frank. "President-Elect Bush Faces Politically Divided Nation, but Relatively Few Americans Are Angry or Bitter over Election Outcome." Gallup.com, Gallup, 3 Apr. 2021,

<https://news.gallup.com/poll/2200/presidentelect-bush-faces-politically-divided-nation-relatively.aspx>

¹⁹ Jones, Jeff. "In Election 2020, How Did the Media, Electoral Process Fare? Republicans, Democrats Disagree." Knight Foundation, 7 Dec. 2020,

<https://knightfoundation.org/articles/in-election-2020-how-did-the-media-electoral-process-fare-republicans-democrats-disagree/> 3

²⁰ Pennycook, Gordon, and David G. Rand. "Research Note: Examining False Beliefs about Voter Fraud in the Wake of the 2020 Presidential Election." Harvard Kennedy School Misinformation Review, 2021, <https://doi.org/10.37016/mr-2020-51>

²¹ Jack Goodman, Christopher Giles. "US Election 2020: The 'Dead Voters' in Michigan Who Are Still Alive." BBC News, BBC, 14 Nov. 2020, <https://www.bbc.com/news/election-us-2020-54874120> 5

²² Giles, Christopher, and Jake Horton. "US Election 2020: Is Trump Right about Dominion Machines?" BBC News, BBC, 17 Nov. 2020, <https://www.bbc.com/news/election-us-2020-54959962>

²³ Schall, Jason. "The Consistency of Felon Disenfranchisement with the Citizenship Theory". Harvard Blackletter

²⁴ Ibid.

²⁵ Gibson, Helen. "Felons and the Right to Vote in Virginia: a Historical Overview". *The Virginia News Letter*, vig.coopercenter.org, Jan. 2015, https://vig.coopercenter.org/sites/vig/files/VirginiaNewsLetter_2015_V91-N1.pdf

²⁶ 1830 Virginia Constitution. *West Virginia Archives & History*, West Virginia Department of Arts, Culture, and

vote.²⁷ Eleven years later, when delegates from Virginia and twelve other states wrote the U.S. Constitution, little mention was given to federal voting rights. As such, several other states followed Virginia in adopting similar disenfranchisement clauses into their state constitutions. By 1857, of the thirty-one states in the Union, twenty-four of them had felon disenfranchisement laws.²⁸

Prior to the Civil War, the passage of disenfranchisement laws throughout the country was fairly universal. After looking at the twenty-four states mentioned previously, no clear pattern emerges geographically or ideologically. However, in the era following the end of the Civil War, also known as Reconstruction, a pattern emerged among the Southern states as they began implementing their own disenfranchisement laws. One of the era's defining features was the passage of the three Reconstruction Amendments which extended natural liberties to African-American men. The first was the Thirteenth Amendment, ratified in 1865, which emancipated the slaves. The second was the Fourteenth Amendment, ratified in 1868, which extended citizenship and, in turn, the right to vote to African-American men. The last was the Fifteenth Amendment, ratified in 1870, which served to protect the guarantees of the Fourteenth Amendment by barring both federal and state governments from denying anyone the right to vote, "on account of race, color, or previous condition of servitude."²⁹ While all three amendments were momentous steps towards racial equality, their implementation was marred by injustice.

Section two of the Fourteenth Amendment declares that if any state abridges or denies the rights of their citizens guaranteed by the Constitution, that state is liable to receive lessened representation in Congress. However, one important caveat to this rule is a small portion of text that allows states to deny enfranchisement based on citizens', "participation in rebellion, or other crime." The ambiguity of this passage was quickly taken advantage of by Southern States whose racist agendas were most hampered by the enfranchisement of African-American men.³⁰

The removal of federal troops from the South in 1877 marked the end of Reconstruction. Sent there to keep the peace and protect freedmen, the troop's removal gave Southern lawmakers an opportunity to reverse the progress towards racial equality. By the turn of the century, Jim Crow had taken root in the South, with African-American men soon finding themselves imprisoned for the violation of "backwards" crimes that were tailored specifically for them to break.³¹

History, <http://129.71.204.160/history/government/1830constitution01a.html>

²⁷ Ibid.

²⁸ Schall, Jason. "The Consistency of Felon Disenfranchisement with the Citizenship Theory". *Harvard Blackletter Law Journal* 22, (Spring 2006 2006): 53-93. Academic Search Complete, EBSCOhost

²⁹ *The Constitution of the United States: A Transcription*. National Archives, U.S. National Archives and Records Administration, 4 May 2020, www.archives.gov/founding-docs/constitution-transcript.

³⁰ Solomon, Antoinette. "Democracy Unchained: Judicial Review of Felon Disenfranchisement Laws in America and an International Comparison." *Law School Student Scholarship*, 2016

³¹ Ibid.

Outside the South, disenfranchisement laws largely, “lacked socially distinct targets and generally were passed in a matter-of-fact fashion.”³² However, in the Jim Crow South, racist lawmakers illicitly violated the Fourteenth Amendment by punishing crimes stereotypically seen as “black”. These crimes were punished with felon disenfranchisement, while stereotypically “White” crimes were not.³³ “Black” crimes included: “thievery, adultery, arson, wife beating, housebreaking, and attempted rape.”³⁴ Notably absent from that list is murder, which was considered a “White” crime and was not punished with felon disenfranchisement.³⁵ One Southern lawmaker of the time even postulated that sixty percent of eligible African-American voters in Alabama would lose their right to vote if wife-beating was punishable by disenfranchisement.³⁶ This conclusion serves to highlight how overt lawmakers’ attempts to disenfranchise African-Americans were.

Unfortunately, significant progress towards the enfranchisement of African-Americans was not achieved until the Civil Rights Movement of the 1950s and 1960s. The enfranchisement of African-Americans in the South was greatly expanded by the passage of the Twenty-Fourth Amendment, the Voting Rights Act of 1965, and the repeal of many Jim Crow era laws. While many disenfranchisement laws were reformed in the wake of the Civil Rights Movement, judicial attempts to end the practice altogether have routinely failed.³⁷ Current disenfranchisement laws are ostensibly equitable, yet a disproportionate incarceration rate, and thereby disenfranchisement rate, remains among African-Americans and other minoritized groups.³⁸

Current Laws

Current disenfranchisement laws can be divided into four broad categories:

1. Total enfranchisement
2. Total enfranchisement upon sentence completion
3. Total enfranchisement beyond sentence completion
4. Permanent disenfranchisement

³² Keyssar, Alexander. “The Right to Vote: The Contested History of Democracy in the United States.” *Michigan Law Review*, vol. 100, no. 6, ser. 1506-1531, May 2002

³³ Litwin, Nathan P. “Defending an Unjust System: How Johnson v. Bush Upheld Felon Disenfranchisement and Perpetuated Voter Inequality in Florida.” *Connecticut Public Interest Law Journal*, [https://cpilj.law.uconn.edu/wp-content/uploads/sites/2515/2018/10/3.1-Defending-an-Unjust-System-How-Johnson- v.-Bush-Upheld-Felon-Disenfranchisement-and-Perpetuated-Voter-Inequality-in-Florida-by-Nathan-P.-Litwin.pdf](https://cpilj.law.uconn.edu/wp-content/uploads/sites/2515/2018/10/3.1-Defending-an-Unjust-System-How-Johnson-v.-Bush-Upheld-Felon-Disenfranchisement-and-Perpetuated-Voter-Inequality-in-Florida-by-Nathan-P.-Litwin.pdf)

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ Siegel, Reva B. “‘The Rule of Love’: Wife Beating as Prerogative and Privacy.” *The Yale Law Journal*, vol. 105, no. 8, 1996, p. 2117., <https://doi.org/10.2307/797286>

³⁷ Foster, E. C. “Frank T. Reed and Lucy S. McGough, *Let Them Be Judged: The Judicial Integration of the Deep South.*” *The Journal of Negro History*, vol. 64, no. 2, 1979, pp. 165–166., <https://doi.org/10.2307/2717211>

³⁸ *Beacham v. Braterman*, 300 F. Supp. 182 (S.D. Fla. 1969), *aff’d*, 396 U.S. 12 (1969)); *Kronlund v. Honstein* 327 F. Supp. 71 (N.D. Ga. 1971); *Perry v. Beamer*, 933 F. Supp. 556, 558 (E.D. Va. 1996) (citing *Fincher v. Scott*, 352 F. Supp. 117 (M.D.N.C. 1972), *aff’d*, 411 U.S. 961 (1973))

The first category, total enfranchisement, is in effect in Washington D.C, Maine, and Vermont, where felons never lose their right to vote, even during their incarceration.³⁹ In the latter two states, inmates vote in the local elections of their last place of residence before incarceration.⁴⁰ In Washington D.C, inmates housed within city limits (Many D.C. prisoners are sent to federal prisons throughout the country) vote in local elections for the district in which they are incarcerated.⁴¹

The second category, total enfranchisement upon sentence completion, is in effect in twenty-one states, where felons receive restored voting rights automatically upon completing their sentence.⁴² The third category, total enfranchisement beyond sentence completion, is in effect in sixteen states.⁴³ Under this system, felons have the opportunity to receive restored voting rights upon completion of their sentence, however, certain outstanding circumstances prevent this from being an automatic process. In many states there are waiting periods upon release, after which, rights are restored. In other cases, the felon may be required to re-register to vote or may be required to pay outstanding fees or restitution before their rights are restored.⁴⁴

The last category is permanent disenfranchisement, which is in effect in eleven states. In most situations, permanent disenfranchisement is reserved for felons whose crimes are of a serious nature. These crimes include: treason, murder, and sexual offenses. Some states have laws which permanently disenfranchise felons who committed offenses that undermined the election process itself, such as bribing officials and selling votes.⁴⁵

Public Opinion

According to a 2018 national survey conducted by data analytics firm YouGov, sixty-three percent of Americans believe voting rights should be restored to felons after release.⁴⁶ However, this tally does not make a distinction between total enfranchisement upon/beyond sentence completion. In that regard, the survey found that fifty-three percent of Americans who broadly supported enfranchisement upon completion of sentence, support it as an automatic

³⁹ Jeffers, Janie L. “Justice Is Not Blind: Disproportionate Incarceration Rate of People of Color.” *Social Work in Public Health*, vol. 34, no. 1, 2019, pp. 113–121., <https://doi.org/10.1080/19371918.2018.156240422> Potyondy, Patrick. “Felon Voting Rights.” *Ncls.org*, National Conference of State Legislatures, 28 June 2021, <https://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>

⁴⁰ Ibid.

⁴¹ Gibson, Helen. “The Virginia News Letter.” *Vig.coopercenter.org*, Jan. 2015, https://vig.coopercenter.org/sites/vig/files/VirginiaNewsLetter_2015_V91-N1.pdf

⁴² Fieldstadt, Elisha. “Washington, D.C., Inmate Becomes First Incarcerated Person in City to Win Elected Office.” *NBCNews.com*, NBCUniversal News Group, 16 June 2021, <https://www.nbcnews.com/news/us-news/washington-d-c-inmate-becomes-first-incarcerated-person-city-win-n1271033>

⁴³ Potyondy, Patrick. “Felon Voting Rights.” *Ncls.org*, National Conference of State Legislatures, 28 June 2021, <https://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ *HuffPost: Restoration of Voting Rights*. YouGov, <https://big.assets.huffingtonpost.com/tabsHPRestorationofvotingrights20180316.pdf>

process. In contrast, the survey found that forty percent of felons should have to meet additional requirements after being released to have their voting rights restored. Interestingly though, the survey found that only twenty-four percent of Americans supported total enfranchisement of still incarcerated felons.⁴⁷

The Political Debate

While the public is largely in favor of eventual felon enfranchisement, there has been a noted resistance to enfranchisement laws in the political arena. Much of the political debate regarding felon enfranchisement arose in response to the presidential election of 2000. As noted previously, this election was particularly contentious, as the fate of the presidency was determined by a margin of only 537 votes in Florida.⁴⁸ The results of the election were stalled for over a month as several recounts were petitioned from both candidates. An official winner was declared only after the Supreme Court stepped in and put an end to the recounts, at a time when the tally favored George W. Bush.⁴⁹ The nature of these results led to calls for election reform that persist to this day. In 2002, a study conducted by the American Sociological Association found that seventy-three percent of disenfranchised felons would have voted for the Democratic candidate, Al Gore, in the 2000 election if they had been able to.⁵⁰

The release of this study brought many Democrats to conclude that if the aforementioned felons had been able to vote, Al Gore would have decisively won the presidential election. The issue was made even more poignant considering the precipitous rise in the U.S. prison population. In the twenty-year period between 1980 and 2000, the total U.S. prison population rose by over 251 percent.⁵¹ The prison population peaked in 2009 and has steadily declined since, but still remains significantly higher than in decades past.⁵²

Considering the results of the 2002 study, it is unsurprising that the issue of felon disenfranchisement quickly became more partisan. Republican politicians tend to support felon disenfranchisement, arguing that felons have demonstrated poor judgment through their convictions and cannot be entrusted with a vote. In 2002, Republican Senator Mitch McConnell espoused this viewpoint by saying, “States have a significant interest in reserving the vote for those who abided by the social contract... Those who break laws, should not dilute the vote of law-abiding citizens.”⁵³ Democratic politicians tend to oppose felon disenfranchisement, arguing that the practice provides no benefit to public safety and may be unconstitutional. In that regard, many question why the removal of a constitutionally guaranteed right is so vaguely left at the

⁴⁷ Ibid.

⁴⁸ “Media Recount: Bush Won the 2000 Election.” *PBS*, Public Broadcasting Service, 3 Apr. 2001, https://www.pbs.org/newshour/nation/media-jan-june01-recount_04-03

⁴⁹ Ibid.

⁵⁰ Uggen, Christopher, and Jeff Manza. “Democratic contraction? Political consequences of felon disenfranchisement in the United States.” *American Sociological Review* (2002): 777-803

⁵¹ “Key Statistics.” *Bureau of Justice Statistics*, <https://bjs.ojp.gov/data/key-statistics>

⁵² Ibid.

⁵³ Wood, Erika. “Restoring the Right to Vote.” *Brennancenter.org*, Brennan Center for Justice at New York University School of Law, https://www.brennancenter.org/sites/default/files/2019-08/Report_Restoring-the-Right-to-Vote.pdf

discretion of the states.⁵⁴ Taking a more cynical approach, some view the debate as one that is entirely superfluous. As then chairman of the Alabama Republican Party said in 2003, “As frank as I can be, we’re opposed to [restoring voting rights] because felons don’t tend to vote Republican.”⁵⁵ Statements like these have led many to wonder whether concerns over felon enfranchisement are genuine, or simply used as a tool for each party to secure/deny votes from the other.

Conclusion

Despite having such a long and storied history, the issue of felon disenfranchisement may be relevant now more than ever. In recent years, especially after the death of George Floyd and its national repercussions, the restoration of felon voting rights has accelerated across the country. As previously mentioned, minority individuals are disproportionately likely to be convicted of felonies and other crimes and thereby be stripped of their right to vote.

To rectify this, communities across the nation have passed enfranchisement laws in the hope that they can restore a semblance of freedom to the incarcerated, especially when those freedoms may have been unjustly taken from them. Curiously, this rise in felon enfranchisement has been accompanied by a nationwide surge in legislation that restricts a person’s ability to vote. It is important to note that these laws are not aimed at further restricting the rights of felons, but instead those of ordinary people. Just last year, thirty-three such laws were passed in nineteen states, making voting in elections more difficult in each.⁵⁶ Justifications for their passage include issues of public safety and election security. While the passage of felon enfranchisement and voter restriction laws are somewhat intertwined, both can ultimately be attributed to separate social issues. However, their emergence into the forefront of national discourse is indicative of a wider awakening to voting rights issues in recent years. Many have come to applaud the sudden shifts in policy that have followed this awakening, yet others have pointed out the worryingly fragile nature of voting rights that accompanies it.⁵⁷ It is dismayingly easy for many of us to take for granted our right to vote. Yet, as history shows, it is even easier to ignore the plight of those unfairly denied that privilege. Whether felons fall under that category is a personal decision. What matters instead is that one recognizes the impact their vote can have and strives to use it to uplift those who have yet to learn themselves.

⁵⁴ Mauer, Marc. “Voting Behind Bars: An Argument for Voting by Prisoners.” *Howard Law Journal*, June 2011, file:///C:/Users/adamb/Downloads/Voting-Behind-Bars-An-Argument-for-Voting-by-Prisoners%20(1).pdf

⁵⁵ Krajcik, Kevin. “Why Can’t Ex-Felons Vote?” *Washingtonpost.com*, The Washington Post, 14 Aug. 2004, <https://www.washingtonpost.com/wp-dyn/articles/A9785-2004Aug17.html>

⁵⁶ Corasaniti, Nick. “Voting Rights and the Battle over Elections: What to Know.” *Nytimes.com*, The New York Times, 29 Dec. 2021, <https://www.nytimes.com/article/voting-rights-tracker.html>

⁵⁷ *Fragile Democracy: The Struggle Over Race and Voting Rights in North Carolina*, John Hope Franklin Humanities Institute, <https://fhi.duke.edu/videos/fragile-democracy-struggle-over-race-and-voting-rights-north-carolina>. Accessed 4 Apr. 2022.

What it Means to be Free

Tamika Browne, Danielle Cross, Alexis Mackbach, Stefan Marczuk, and Noel Mitchell

Without choice, or the ability to make choices, there can be no freedom. Self-determination refers to the “ability or power to make decisions for yourself, especially the power of a nation to decide how it will be governed.”⁵⁸ Agency refers to “the ability to take action or to choose what action to take.”⁵⁹ While self-determination and agency are generally understood as applying to nations free from the control and determining will of other nations, they also relate to the ability of individuals to make their own decisions free from coercion, intimidation, or the divestment of choice by another governing authority. Slavery is the very antithesis of both self-determination and agency. Self-determination is the ability to make meaningful choices, while agency is the ability to act upon those choices. Slaveholders attempted to remove all choice from the slave to create a reality of being trapped under the thumb of the slaveholder. Even with the end of legalized chattel slavery in the United States, other historical and present-day power structures continue to divest individuals of meaningful choice within society. Therefore, the degree of freedom an individual enjoys is defined by the extent of self-determination and agency they enjoy on the immediate and global level. Necessary dimensions of freedom include the ability to define oneself and engage in an open-ended process of self-identification, control one’s mind, body, and desires, access education, and obtain globally recognized autonomy, and engage in struggles to broaden and deepen the global recognition of one’s autonomy through activism over time.

Obtaining self-determination first requires being able to see oneself as a discrete, independent entity. Enslaved and formerly enslaved people struggle with freely defining a sense of self-identity. According to the unwritten rules of slavery, an enslaved person is supposed to be submissive, obedient, and uneducated, so that they can be viewed as property. Although some slaves followed these guidelines and stuck to the violently enforced status quo, others expressed their doubts regarding this societally-inflicted identity. Historic figures like Frederick Douglass realized they were capable of being more than what the oppressive practices of slavery wanted them to be. By actively rejecting his dehumanization, Douglass, and other enslaved people like him, became more aware of themselves through education and the pursuit of knowledge.

Even if an enslaved person was respected by fellow slaves and seen as a person of talents and integrity, they were not able to live and act with freedom because of the widespread practice of legalized and socially protected enslavement. If one internally rejects the social identity prescribed to being a slave, the practice of slavery itself is still a constant reminder that self-definition is constrained, and society will fail to acknowledge and respect that identification.

⁵⁸ Cambridge University Press b. “Self-Determination.” In Cambridge Dictionary . Cambridge University Press, 2021. <https://dictionary.cambridge.org/us/dictionary/english/self-determination>.

⁵⁹ Cambridge University Press a. “Agency.” In Cambridge Dictionary . Cambridge University Press, 2021. <https://dictionary.cambridge.org/us/dictionary/english/>.

Through self-determination and awareness of self, however, one can begin to envision themselves outside of bondage and thereby awaken a new self-identity. In a contemporary context, incarcerated people share the experience of being stripped of their dignity and personal identity by government officials and employees of the criminal justice system. In addition to being identified solely as a number in the legal system, they are told when to wake up and when family members can visit them.

Slaveholders dictated what time slaves were to sleep and wake up, whether a biological family unit would remain together, and whether a slave would live or die. Both Frederick Douglass's narrative and Jordan Anderson's "Letter from a Freedman to His Old Master" emphasize the centrality of self-determination and agency in reclaiming freedom and personhood from the destructive effects of slavery. Douglass reflected on having grasped the essential relationship between education and freedom when he heard his slave owner, Hugh Auld, explaining that access to education and knowledge would quicken and intensify the development of Douglass's and any slave's irresistible desire for freedom. Similarly, when Mr. Jordan Anderson's former master wrote to him, asking him to return, his master was inadvertently reaffirming Mr. Anderson's freedom. Mr. Anderson, therefore, had a meaningful choice of whether to return to his former master. He exerted his newfound agency in declining the offer without the ability of his former master to retaliate. Anderson defined who he was. He was now the master of his own life. He could make decisions about what to do and had the agency to act on his decisions to a far higher degree than he could under slavery.

While slavery is often viewed in the context of physical bondage, slaves were also held mentally captive. To be a slave is to be stripped of the many fundamental elements of humanity. One of those elements is the ability to self-direct one's own desires. To have free will, freedom of choice, and the ability to desire is crucial to what it means to be free. Being able to decide what grocery store to enter or even who to love are considered to be core values shared among equal human beings. The goal of most, if not all, enslavers is to eradicate a slave's will and sense of desire so as to replace them with the will and desires of the master.

There are many grotesque methods that have been attempted to achieve this goal. One common method used by masters was sexual violence. Harriet Jacobs's *Incidents in the Life of a Slave Girl* gives insight into what it was like to be a house slave. One of her experiences, one held by many other slaves, was sexual violence and being denied her choice of preferred partner. In this memoir, Jacobs's desire for a free Black man was met with great hostility from her master, Dr. Flint. After Dr. Flint confronts Jacobs about loving the man, he erupts and attacks her saying, "If you disobey me, I will punish you as I would the meanest slave on my plantation. Never let me hear that fellow's name mentioned again."⁶⁰ This use of force and brutality exemplifies the master's need not only to have physical control over his slaves but mental control as well. The ability to manipulate all facets of the life of a slave, even controlling their desires, only serves to heighten the sadistic nature of slavery. The idea of slaves loving one

⁶⁰ Jacobs, Harriet A., and Jennifer Fleischner. *Incidents in the Life of a Slave Girl: Written by Herself*. Boston, MA: Bedford/St. Martin's, Macmillan Learning, 2020, 62-63

another threatened the enslavers' ability to maintain dominance. It was the deciding moment for Dr. Flint when Jacobs said, "The man you call a puppy never insulted me, sir; and he would not love me if he did not believe me to be a virtuous woman."⁶¹ Dr. Flint "[sprang] upon [her] like a tiger."⁶² This autobiographical example of threatening a person's ability to desire with autonomy and of sexual violence continues today, as evident in the recently passed Texas abortion law, Texas Senate Bill 8. This law prohibits a woman from receiving an abortion before many of them would even know they are pregnant. Prohibiting women's right to a safe abortion without facing backlash or discrimination relates perfectly to Jacob's account of masters imposing their will onto slaves. This example also relates to self-identification. Trying to eradicate desire is a way of treating a person as if they are not a discrete, independent human being. Both self-identification and the free will of desire should be open and ongoing processes. Part of being a person is not only recognizing and understanding the content and meaning of one's desires, but how to act on them effectively and in ways that are ever more self-realizing. Education and literacy help in understanding the world one occupies and how, considering identity and desires, to pursue one's aims within it.

Therefore, a third core dimension of freedom is access to education, literacy, and knowledge. Within the process of turning human beings into racialized slaves, slave owners would strip or deprive their slaves of access to formal schooling and the ability to learn to write and to read. As exemplified in Douglass' autobiography, when he is first taught to read, the experience was exciting and transformative. The more literate Douglass became, the more he hated both his enslavers and being enslaved. Although Douglass does not describe this experience as one of resurrection, it sparked a desire to be free that could only be satisfied by escaping enslavement. The direct relationship between literacy and freedom is clarified when his slave owner Mr. Auld is chastising his wife for teaching Douglass how to read. Mr. Auld states, "'a *slave should know nothing but to obey his master—to do as he is told to do. Learning would spoil the best *slave in the world. Now,' said he, 'if you teach that *slave (speaking of myself) how to read, there would be no keeping him.'"⁶³

Slaves' masters closely guarded the value and importance of literacy and how learning would cultivate both the desire for freedom and the means to act on that desire. Even today the U.S. lacks education equity. Children of lower-income in minoritized communities have less access to educational resources. These schools have fewer resources invested in them and open fewer doors to advanced education and other opportunities. This access to quality, opportunity-opening education remains an indicator of one's degree of freedom. Some groups, by virtue of their birth into more affluent and predominantly white communities, are able to access better quality education which prepares them for, and leads to, further education and opportunities for economic and personal advancement.

⁶¹ Ibid, 61.

⁶² Ibid, 61.

⁶³ Douglass, Fredrick, and José Menéndez. *Narrative of the Life of Frederick Douglass, an American Slave*. NO. 25 Cornhill, MA: Boston Anti-Slavery Office, 1845, 29.

Education increases individuals' awareness of their own agency and can often increase the scope of opportunities to exercise this agency. The capacity for agency is not determined by one's level of learning or race, but the ability to exercise it was often constricted by oppression and by masking the reality that Black people had the capacity to choose what they wanted to do. This experience was described as pertinent to Douglass's path to becoming a free man. A common argument used to rationalize slavery was that it was overexaggerated by slaves and their allies, and slaves could not do well for themselves without their masters' "care." The experience of enslaved people was compared to what it was like to be a member of the industrial proletariat living in Europe at the time. Although the working poor in Europe lived in extreme poverty, enduring harsh conditions of their own, they still had the option to attend formal schooling. By contrast, in the U.S., masters deliberately deprived their slaves of education. They understood that keeping them uneducated was a fundamental part of keeping them enslaved.

Legal victories to expand freedom, much like educational opportunities, must be continuously maintained and expanded as societies face challenges and backlash for their advancements. Activists in the U.S. still fight to secure voting rights despite their legal protections. This suggests an additional core dimension of freedom that includes the broader context in which it is lived and recognized. This "universal freedom" is granted by society and cannot easily be changed through individual advocacy or personal liberation. Rather, it is achieved by a radical shift in the perception of members of one group of people by those belonging to another. Universal freedom can be defined as a guarantee that protections ensured by law are indiscriminately applied to all.

Crucially, societal perception is internally varied and learned. Laws cannot be written regarding how to raise one's children, just as laws cannot force one to be respectful toward others. Cultural norms dictate much of human behavior and can help rationalize and ingrain the stripping of another's legal freedom across generations. To foster universal freedom, societies, therefore, require two, interconnected factors: activism and time. Alone, each is powerless to bring universal freedom to a group of historically oppressed or marginalized people. Together, they can agitate the oppressive group into recognizing their wrongdoing. This is critical not only in shifting their perception but also in shifting the perspective of the rest of the population that is complacent in restricting universal freedom through inaction. Activism and awareness that target groups in power aim to alter public opinion by making the restriction of freedom prohibitively expensive to maintain. The consequences are a domino effect of shifting social norms in the broader public sphere once those in power begin to recognize a marginalized group's universal freedom.

An example of activism over time and the necessity of political power for maintaining freedom is the South African apartheid, where a much smaller white minority instilled social and legal barriers against a majority Black population for decades, segregating an entire nation's people in and from their own country. The end of legal apartheid required years of negotiation between the white governing party and Black activists. Despite having international support from state proponents of freedom, the African National Congress was not able to change how Black lives were viewed and treated in the South African legal and social system until Black activists'

struggle and international support for universal freedom made legal apartheid no longer sustainable for the ruling whites. Today, both South Africa and the U.S. have been legally desegregated for over twenty-five years, and yet there is an ongoing battle in the States to guarantee voting rights for marginalized people. A recent bill introduced by conservative Congressional representatives implicitly and disproportionately targets populations who benefit from alternative voting methods. This is a grab for more political power at the cost of the universal freedoms of some of their own constituents.⁶⁴

So long as there are deliberate attempts by those in charge to suppress the rights of other groups, those groups lack true universal freedom. Long-fought legal victories, like the Civil Rights Act which forbids the recent restrictions noted above, may prove disappointing and fail to achieve what was originally sought due to the societal constraints that limit the power of enumerated rights for some while emboldening those who can oppress others to do so. Our Constitution's first amendment states citizens' right to assemble, and to petition the Government for a redress of grievances," yet from MLK to BLM, peaceful protests to correct infractions on legal standing have been met with legal, if illegitimate, force and illegal violence. In such instances, safety is not guaranteed nor is agency to act as one who is empowered by their own legal standing to change their social standing.

Freedom requires an individual to be able to define who they are and what they desire for themselves, gain education to enact those desires, and have those desires protected by formal legal structures and respected social standing. Freedom is having a meaningful choice within a system, the ability to make that decision, and to have your ability to make that decision respected. As such, someone's freedom is stolen when choice, or their ability to make that choice, is removed.

In the U.S. today there are no longer overt distinctions between racialized chattel slaves and freed people. Slavery, however, is not the only power structure that historically and presently divests people of choices and reduces their capacity to practice both self-determination and autonomy. In short, there are other power structures at play that perpetuate the unfreedom of certain groups of people by taking away their ability to make choices for themselves. Although people are freer than they previously were, as they have increased political power to fight these decisions in court, freedom continues to be under attack through differing modes of oppression. While minority groups in the U.S. have expanded freedom as compared to the pasts of their counterparts, there is still a long way to go before freedom is fully enjoyed by all.

⁶⁴ LastWeekTonight, *Voting Rights: Last Week Tonight with John Oliver (HBO)*. LastWeek Tonight - YouTube. HBO, 2021. https://www.youtube.com/watch?v=EN9OdrUH_qM.

In Jeopardy: Legal Underpinnings and Presidential Coverage on *Jeopardy!*

Christian Chlebowski

Over the past few centuries, politics have increasingly infiltrated everyday life. While campaigning used to be conducted via newspapers and third parties in the founding years of America, it now appears impossible to escape with stump speeches and polls regularly broadcast on television. This infiltration, however, does not only come from news channels. Political happenings reach the average American indirectly through late-night television and, perhaps more interestingly, through nightly game shows such as *Jeopardy!* This paper discusses the history of the quiz show and the creation of *Jeopardy!* before concluding with an investigation of the portrayal of United States presidential elections on the show.

The Early Quiz Show

Before game shows became prevalent, there were “quiz shows.” The focus of these shows was usually to gain audience participation (for advertising purposes), as well as to communicate and test straight knowledge. For example, NBC began airing *Information Please* on the radio in 1938; this show encouraged listeners to submit questions to a panel of experts, with cash prizes awarded to those who stumped the panel.⁶⁵ As audience engagement with these shows increased, more radio stations, and even some television channels, began developing and airing their own quiz shows.

The desire to reach audiences challenged producers to shift the structures of their shows. Thomas Hutchinson discusses the importance of audience interaction of quiz shows in his 2016 book *Here Is Television*, observing, “It is difficult to include the audience in contests of this kind [quiz shows], and yet a way to accomplish this must be found. Aside from either knowing or not knowing the answer, if the viewer at home has no way of entering into the game, he really is merely an observer.”⁶⁶

As the medium developed, quiz shows therefore found different means by which to imply, if not directly establish, this relationship. For example, *Americana*, an NBC quiz show highlighting American history, usually began each episode with its host referencing the collective viewership contributing to the questions the contestants were answering.⁶⁷ Other shows allowed the at-home audience to “call in” and answer questions for prizes. These interactions demonstrate the evolution of quiz shows from rudimentary one-sided educational

⁶⁵ Hoerschelmann, Olaf. *Rules of the Game: Quiz Shows and American Culture*. Albany: State University of New York Press, 2006.

⁶⁶ Hutchinson, Thomas H. *Here Is Television: Your Window to the World*. Palala Press, 2016.

⁶⁷ Hoerschelmann, Olaf. *Rules of the Game: Quiz Shows and American Culture*. Albany: State University of New York Press, 2006.

programs into multi-faceted programs involving exchanges of information between multiple parties.

Deal or No Deal: The Supreme Court Steps In

At this point in time, however, the prizes for submitting questions, stumping panelists, or answering trivia questions correctly were small and insignificant. This was the result of a longstanding Federal Communications Commission (FCC) policy that prohibited the distribution of licenses to broadcasters that produced “give-away” programs—programs to which audience members did not have to contribute anything to win a prize.⁶⁸ By 1954, the dispute over this rule had led to numerous legal skirmishes and was elevated all the way to the Supreme Court.

Section 1304 of the United States Criminal Code states:

Whoever broadcasts by means of any radio or television station for which a license is required by any law of the United States, or whoever, operating any such station, knowingly permits the broadcasting of, any advertisement of or information concerning any lottery, gift enterprise, or similar scheme, offering prizes dependent in whole or in part upon lot or chance...shall be fined under this title or imprisoned not more than one year, or both. Each day’s broadcasting shall constitute a separate offense.⁶⁹

Using this statute as a foundation, the FCC issued a set of rules establishing that programs would be impacted by this ban if winners were required to do any one of the following: a) contribute to the program financially or materially, b) listen or view the program on a radio or television, c) answer a question correctly, or d) answer the phone or write a letter with a prescribed phrase.⁷⁰ Immediately following the promulgation of this rule, the FCC fined the American Broadcasting Company (ABC), the National Broadcasting Company (NBC), and Columbia Broadcasting System (CBS), alleging that shows such as “Stop the Music” (ABC), “What’s My Name” (NBC), and “Sing it Again” (CBS) violated these requirements.⁷¹ The District Court for the Southern District of New York ruled that, while the FCC had the ability to implement rules regarding “give-away” programs, it had overstepped its authority by classifying options b, c, and d (above) as illegal.⁷²

Upon appeal, the Supreme Court justices agreed with the District Court that the FCC had the authority to enforce §1304 of the United States Criminal Code in *FCC v. American Broadcasting Co., Inc.*⁷³ However, they had more difficulty determining whether or not these

⁶⁸ Blakemore, Erin. “The Rigged Quiz Shows That Gave Birth to ‘Jeopardy!’.” History.com. A&E Television Networks, March 29, 2019. <https://www.history.com/news/quiz-show-scandal-fraud-jeopardy>.

⁶⁹ “18 U.S. Code §1304 - Broadcasting Lottery Information.” Legal Information Institute. Legal Information Institute. <https://www.law.cornell.edu/uscode/text/18/1304#:~:text=Whoever%20broadcasts%20by%20means%20of,or%20similar%20scheme%2C%20offering%20prizes>.

⁷⁰ Federal Communications Commission v. American Broadcasting Co., Inc. (United States Supreme Court April 5, 1954).

⁷¹ Ibid.

⁷² Ibid.

⁷³ Ibid.

requirements were constitutional. Both parties of the case agreed that the three components of a “lottery, gift enterprise, or similar scheme” are “(1) the distribution of prizes; (2) according to chance; (3) for a consideration.”⁷⁴ The parties, however, diverged with regards to their definitions of “consideration” and whether it requires an actual expenditure of money (ABC argued for, whereas the FCC argued against).⁷⁵ Under the guidance of Chief Justice Warren, the Court found that “it would be stretching the statute to the breaking point to give it an interpretation that would make such programs [those where contestants are not required to spend any money and where the only effort required for participation is listening] a crime.”⁷⁶ In ruling for ABC, the Court ruled that sections b, c, and d of the FCC’s rules regarding “give-away” programs were unconstitutional. This opened the floodgates for broadcasters to create and telecast quiz shows with ever-increasing jackpots.

The Scandal that Changed History

Soon after the Supreme Court legalized high-stakes, high-profit game shows, CBS producer Louis Cowan devised a way to score high television ratings with a retooling of *Take It or Leave It*, a radio program he had produced in the 1940s.⁷⁷ In this new program called *The \$64,000 Question*, contestants could earn more than \$670,000 in modern dollars by beating experts in trivia matchups.⁷⁸ NBC responded in kind with *Twenty-One*, a one-on-one competition in which contestants could earn up to \$110,000 in modern dollars per episode.⁷⁹

Still at the forefront of not only producers’ minds, but also sponsors’ minds, was audience interaction. Therefore, most shows were designed to heighten audience alignment with certain contestants. According to Olaf Hoerschelmann, author of *Rules of the Game: Quiz Shows and American Culture*, “Big-money quiz shows transformed people who were not celebrities or recognized experts in their field into superstars and created an audience appeal significantly different from the previous quiz shows.”⁸⁰ As a result of increased consumer appreciation for these contestants, producers—and particularly sponsors—had incentives to bring back popular contestants for multiple episodes and manipulate the outcomes of the quizzes to boost audience engagement.

Twenty-One exemplifies these tactics. When its first episode received poor ratings, with neither of its two competitors performing well, the show’s sponsor threatened to pull funding.⁸¹ As a result, producer Dan Enright coached the two contestants to respond with the correct (or

⁷⁴ Federal Communications Commission v. American Broadcasting Co., Inc. (United States Supreme Court April 5, 1954).

⁷⁵ Ibid.

⁷⁶ Ibid.

⁷⁷ Blakemore, Erin. “The Rigged Quiz Shows That Gave Birth to ‘Jeopardy!’.” History.com. A&E Television Networks, March 29, 2019. <https://www.history.com/news/quiz-show-scandal-fraud-jeopardy>.

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ Hoerschelmann, Olaf. *Rules of the Game: Quiz Shows and American Culture*. Albany: State University of New York Press, 2006.

⁸¹ Ibid.

incorrect) answer to give the viewing audience a “protagonist” and an “antagonist.”⁸² This type of rigging was not unique to *Twenty-One*, however, and soon stories of these unethical activities began making headlines.

In 1958, “a contestant from CBS’s *Dotto* told the Manhattan District Attorney that he had discovered materials that indicated a champion had been given answers to the show’s questions.”⁸³ As a result, Manhattan opened a grand jury that heard from over 150 witnesses, but the conclusions of the jury were sealed, prompting Congress to become involved.⁸⁴

In Congress’s grand jury, 18 contestants pleaded guilty to lying under oath in Manhattan’s investigation.⁸⁵ A furious Congress passed the Communications Act Amendments of 1960 by voice vote in the Senate and by 208-15 in the House of Representatives, which made rigging TV quiz shows a federal crime and gave the FCC broader regulatory powers.⁸⁶

This marked the end of the quiz show. No longer would these types of programs grace the airwaves. In their place, a new type of program emerged: the game show.

Just Give Them the Answers!

Three years later, in 1963, renowned television performer and producer Merv Griffin was frustrated by the lack of game show programs on television. While flying with his wife, “Griffin, a lifelong aficionado of crossword puzzles, [lamented] the fact that there hadn’t been a successful question and answer show since the hugely popular *The \$64,000 Question* was canceled.”⁸⁷

Reflecting on the legal changes that prohibited rigging shows by providing contestants with the answers ahead of time, and feeling that simply asking the competitors questions wouldn’t be compelling television, Griffin’s wife “turned to him and said, ‘Why don’t you give them the answers?’ [Griffin responded] ‘What?’ She said, ‘5,280,’ He said, ‘How many feet in a mile?’ She said, ‘221B Baker Street.’ He said, ‘Where does Sherlock Holmes live?’”⁸⁸

With that conversation, the guidelines for *Jeopardy!* were established. The producers would provide contestants with the answers, contestants would respond with the appropriate question, and money would constantly be both at risk and up for grabs. NBC was on board and approved the idea without a pilot.

⁸² Ibid.

⁸³ Blakemore, Erin. “The Rigged Quiz Shows That Gave Birth to ‘Jeopardy!’.” History.com. A&E Television Networks, March 29, 2019. <https://www.history.com/news/quiz-show-scandal-fraud-jeopardy>.

⁸⁴ Ibid.

⁸⁵ Ibid.

⁸⁶ “Congress Tightens Broadcasting Regulations.” In *CQ Almanac 1960*, 16th ed., 09-356-9-361. Washington, D.C.: Congressional Quarterly, 1960. <http://library.cqpress.com/cqalmanac/cqal60-1330632>.

⁸⁷ Farmer, Ann. “Merv Griffin: Hall of Fame Tribute.” Television Academy. Television Academy, September 7, 2020. <https://www.emmys.com/news/hall-fame/merv-griffin-hall-fame-tribute>.

⁸⁸ Ibid.

Jeopardy! has been running almost continuously since its first episode aired in 1964 (aside from a five year gap between 1979 and 1984). The show has survived through 11 American presidencies, as well as the formation and dissolution of dozens of countries, and it has asked questions about most, if not all, of them (both the presidents and the countries). For a show to survive this long, it must adapt to the passage of time and carefully balance its content, asking a variety of questions on different topics. Clearly, *Jeopardy!* has done so.

Methodology

How does *Jeopardy!* handle American politics? For a show that has had 38 seasons, there are an infinite number of questions that could be asked and studied. Two such questions include (1) when does *Jeopardy!* address presidential elections in game clues, and (2) how does *Jeopardy!* address presidential elections in game clues.

To study these questions, one needs access to a database of *Jeopardy!* answers and questions. Luckily, fans of the show have created and maintained a largely complete database of this information called the J! Archive, which lists every combination ever verbally asked on the show.⁸⁹

This study parsed this database using keywords and search tools to identify and collate relevant information. As data was acquired, it was transferred to an Excel spreadsheet, where further analyses were performed.

***Jeopardy!* Presidential Election Coverage: When?**

To further constrain the study, this investigation only considers presidential elections that occurred after the first episode premiered. Because the focus of this study is determining (1) when and (2) how the show covers elections, it is only logical to consider post-inception elections. Therefore, data regarding the 1964-2020 elections was studied.

After identifying which answers related to each of these elections (i.e., filtering all “election” clues based on “2020”), the year the clue was delivered was compared to the election year the clue described. The expectation was that earlier elections would have a higher deviation and that this deviation would follow a linear pattern. In other words, earlier elections were expected to have higher deviations because there has been more time for questions to be asked about them (i.e., the 1964 election could have been discussed in any of the 53 years the show has been airing since then, but the 2020 election can only have been discussed during the past two years); a linear pattern was anticipated because of the constant time between each election. While the data does show decreasing deviations closer to the present day and there is a strong correlation, it is not perfect. The correlation coefficient between election year and deviation is 0.94 and the adjusted r-squared is 0.89.

The primary outliers in this situation are the 1972 and 1968 elections, as their calculated residuals are 6.78 and 7.95, respectively. The average deviation (time between the election and

⁸⁹ “J! Archive.” J! Archive. <https://j-archive.com>.

the year clue was asked) for 1972 was 23 years and the average deviation for 1968 was 40.6 years. These do not track with the proximate deviations: the deviation actually went down for 1972 when compared to 1976 (contrary to what was expected); additionally, the deviation for 1968 was greater than that for 1964 (again, contrary to what was expected).

This study reveals an interesting phenomenon regarding these two elections: fewer questions are being asked about the 1972 election now than were in the past, while for 1968, it is the opposite—more questions are being asked now than were in the past.

1972 Election

The 1972 presidential election has only been asked about three times (based on the filters used): in 1988, 1989, and 2008. Two of the three answers involve the losing candidate, George McGovern, and the final is about how many states Nixon won. While it is not possible to definitively state why the 1972 election has been in a game clue so few times, it is very likely that since Nixon's margin of victory was extreme but not as "memorable" as Reagan's victory in 1980, this election has perhaps been historically "overlooked" by the show.

1968 Election

By comparison, the 1968 presidential election has been discussed 15 times since it took place, with clues provided on various dates ranging from 1986 to 2020. The focal point of clues for this election was Richard Nixon, particularly regarding his campaign engagements as well as his history as an electoral loser. Four clues were asked about George Wallace, a third-party candidate in the race, and three about President Johnson. Again, while there is no way of definitively stating why so many questions have been asked about this election in particular, it is very likely that these three very unique situations (Nixon, Wallace, and Johnson's) played an important role.

***Jeopardy!* Presidential Election Coverage: How?**

Though *Jeopardy!* has undeniably discussed presidential elections as revealed by an examination of J! Archive data, it remains to be seen if there are common themes with regards to the answers with which *Jeopardy!* provides its contestants.

After classifying each clue asked into a variety of categories, an interesting trend emerges. Clues discussing elections from 1964 through 1996 focus on the outcomes of the elections (with the exception of 1968 and 1972, which highlight candidates), and clues on elections since 1996 have mainly involved non-political aspects of elections, such as media coverage, basic information (such as dates and the electoral college), and voting methods (predominantly discussed regarding the 2020 election).

This is a fascinating trend, as clues tend to involve these categories regardless of the episode's recording date. Thus, it does not appear that the year in which the clue was aired shapes the category it falls under. For example, recent clues about earlier elections still detail their candidates and outcomes. As with all other aspects of this investigation, identifying a core reason for or meaning behind this phenomenon is difficult, if not impossible. However, a likely reason is that as elections have become closer and more contested, the show has sought to stay out of the quagmire, instead asking about the results of older elections (which had more decisive electoral college outcomes) and focusing on the nonpartisan aspects of recent, more divisive elections.

Implications

While this may seem like an elementary discussion, especially in light of recent events transpiring in Ukraine and elsewhere around the globe, it remains important to consider the representation of (American) history in popular culture.

The story of *Jeopardy!* began during World War II, when Americans sought opportunities to share knowledge about their history and promote their culture on so-called “quiz shows.” It came after a long and drawn-out legal battle over quiz shows, and in the aftermath of high-profile scandals that threatened American ideals of integrity and honesty during the Cold War. Despite these challenges, people like Merv Griffin created “game shows” like *Jeopardy!* to prove that Americans were still strong (and still intelligent). As America moves into a more divided and uncertain future, it is intellectually stimulating shows like *Jeopardy!* that will encourage the leaders of today and tomorrow to consider where our nation came from and contemplate where it is going.

Though this study is in no way comprehensive, it will hopefully spark conversation and invite future discourse regarding the ways in which our national history and identity is shared and portrayed with the world. Investigating electoral history as represented on *Jeopardy!* is merely one way of identifying how Americans represent ourselves, and it provides a perfect opportunity to reflect—upon individuals, our society, and our future. Americans may not be in jeopardy yet, but tomorrow holds no guarantees. So continue to engage in this discourse. Continue to learn about our past—both the good and the bad. Continue to explore our world. There is one perfect and relatively simple, way to do so, and it starts at 7 p.m. (EST) with three words: “This is *Jeopardy!*”

A Political Theory of Urban Planning

James Cokorinos

Political scientists have a lot to say about what is wrong with the world. Our colleagues are interested in explaining how the world looks, why it looks this way, and how it might look in the future. Many of us are careful to leave no stone unturned when it comes to searching for things to worry about, and it is this diligence that can make us both insightful and insufferable.

Political scientists are particularly keen to locate new and profound expressions of “politics” or of our political system itself. “X or Y is politics” is a revelation that rings soundly, in one form or another, throughout the halls of political academia across time and national boundaries. In the same vein, political scientists have a tendency to look for new areas into which politics can be read and interpreted. Whether one of the usual suspects (the State, the economy, the family) or something as narrow and unintuitive as education, childbearing, and even ritual sacrifice, there is no shortage of political objects in contemporary political scholarship. It is difficult to imagine, with such a wide breadth of topics given political evaluation, that any major area of inquiry would be overlooked in the broader body of scholarship. Even more difficult, considering the vast wealth of publications dedicated to those areas which clearly dominate and define our political lives—namely: democracy, economics, race, religion, gender, and so on. It is with great surprise, then, that we ought to look on the lack of attention given to urban planning. There is no facet of modern society which so greatly affects our political lives and yet gets such scant consideration in political academia. Its effects span our economic, environmental, medical, residential, and educational outcomes and concern the vitality of our social fabric itself, yet explorations of the forces behind city planning are nowhere to be found in the conscience of today’s political scholar. My thoughts in this piece can be summarized into a simple question: If urban planning is so clearly the domain of politics, why isn’t it the domain of political scientists?

Urban Planning as Politics, Politics as Urban Planning

Readers who have not yet considered urban planning as a political battleground may understandably wonder “What about the design of a community is political?” Which provokes in my mind the automatic reply: “What about the design of a community is not political?” The design of a city is a considerable instrument and expression of political decisions. Among these are: Where will people live? How will they travel from one place to another? Who will they see on the way? How will the provision of food and water be organized? How will cleanliness be maintained and waste disposed of? Where will people gather to create and experience culture and knowledge? What choices will the community afford its residents in terms of housing, employment, transportation, recreation, and education? And, crucially, how will access to any of the aforementioned services be distributed? We readily acknowledge the denial of many of these services as political—whether in bans on community gathering, tyrannical travel restrictions, or

in the denial of safe drinking water access.^{90 91 92} For some reason, as soon as these basic freedoms are joined under the umbrella of urban planning, we lose interest. This naturally has the effect of inhibiting remedial efforts and leaves us less prepared to address the deleterious outcomes created by the design of our communities today. Our housing system is inadequate we suffer the disastrous and inequitable consequences of car-dependent infrastructure, and we face increasingly atomized, alienated communities—but seeking to ameliorate these problems independently through housing, transportation, and social policy will not get us far from the starting line.^{93 94 95} Without recognizing the underlying connections between these problems, policymakers are going to have a hard time solving them, and, perhaps worse, will fail to prevent similar problems from returning in the future.

Somewhere in the 20th century, American society adopted a specific attitude toward social problems: to hide what cannot be solved and to solve what cannot be hidden. We let go of our early laissez-faire economic dream and interrupted the functioning of the free market where it created outcomes too gruesome or unsightly for the public conscience. We created programs like Social Security and Medicaid, and later developed institutions like the Environmental Protection Agency (EPA) to ensure that every citizen could expect certain quality-of-life guarantees from their government. In short, we rid our society of some important ills. Quite a bit of good was done in following this attitude—for some, it meant equality in the eyes of the law; dignity in old age; access to a quality education—but at the same time, all kinds of harmful institutions were ignored or, in some cases, protected. Securing these basic needs came at the price of further change, and often, further discussion altogether. The needs of a society outside those that our liberal democracy could accommodate quickly became taboo, alien, not up for discussion. What problems could not be solved, or would not be solved by the ruling class, then, were simply made to disappear. People demonstrating anti-social behavior were disappeared into the prison system. Members of a marginalized race, sexuality, faith, or other identity were hidden from popular culture and left unrepresented in media. Political thought that did not square with the mainstream was siloed into evil utopian lunacy and censored. And when the worst consequences of the way we'd organized our economy came to fore, responsibility was hidden in the mystical logic of the Invisible Hand.

The nature of today's communities took shape by similar means. That is, we have today's communities because their problems were successfully hidden from the eyes of the public. The

⁹⁰ Brod, Nicholas S. "Rethinking a Reinvigorated Right to Assemble." *Duke Law Journal* 63, no. 1 (2013): 155–97. <http://www.jstor.org/stable/23792979>.

⁹¹ Boudin, Leonard B. "The Constitutional Right to Travel." *Columbia Law Review* 56, no. 1 (1956): 47–75. <https://doi.org/10.2307/1119518>.

⁹² Mohai, Paul. "Environmental Justice and the Flint Water Crisis." *Michigan Sociological Review* 32 (2018): 1–41. <https://www.jstor.org/stable/26528595>.

⁹³ Dworkin, David. "Two Issues Define America's New Housing Crisis." *National Housing Conference*. <https://nhc.org/two-issues-define-americas-new-housing-crisis/>.

⁹⁴ Wells, Christopher W., and William Cronon. "Suburban Nation." University of Washington Press, 2012. <http://www.jstor.org/stable/j.ctvcwnb9k.14>.

⁹⁵ Cortright, Joe. "Less in Common." *City Report*. N.p.: City Observatory, 2015. https://cityobservatory.org/wp-content/files/CityObservatory_Less_In_Common.pdf

greatest harm done by an American suburb occurs without merely a passing thought from the average person. Our priorities have been so successfully shifted that we do not even understand the flaws in our neighborhoods as things that can be changed in the first place. In political economy, we might see the final triumph of neoliberalism as its exit from discourse—its implementation was so thorough that we accept its founding principles as some sort of “natural reality.” Urban planning functions the same way. The decay of modern American communities is seen as the result of everything but intentional community planning. In reality, our neighborhoods, like our economy, look the way they do because of a series of deliberate choices by political actors. The harm they do is permitted with our tacit approval and by popular negligence.

A Tall Bottle of Hard-to-Swallow Pills

The American suburban sprawl cannot continue to exist in the way it does today. It blights the American tapestry. Furthermore, the continued expansion of suburbs stands in opposition to the values we claim to uphold as a society. This is true for at least four reasons:

1. Car dependency destroys our bodies, our communities, and the environment
2. The legacy of American Planning is one of injustice and discrimination; of profit over people
3. Suburbs are a fiscal impossibility; they are too costly to maintain
4. Better alternatives exist, and it is not too late to change course

It is an undeniable though seldom acknowledged truth that Americans today must own a car in order to be full members of society.⁹⁶ Our cities and infrastructure are simply not built to accommodate anything else. Americans travel more miles by car than any other country on earth.⁹⁷ Even Canada, with its vast footprint and sparse, deeply car-dependent regional infrastructure, averages less than three quarters of the annual miles driven in a car by a typical American.⁹⁸ And even China, with a population more than four times that of the United States, has a transit system which allows for less per capita mileage year over year by a wide margin.⁹⁹ In fact, U.S. drivers on average drive further than their Canadian and Chinese counterparts combined. This is not so much the result of independent choice or preference so much as the predictable outcome of available transportation infrastructure. It may be tempting to write off American car use as stemming from a “lazy American” disposition, but we should instead

⁹⁶ Bronner, Michael Eric. “The Mother of Battles: Confronting the Implications of Automobile Dependence in the United States.” *Population and Environment* 18, no. 5 (1997): 489–507. <http://www.jstor.org/stable/27503544>.

⁹⁷ United States Department of Transportation. “Average Annual Miles per Driver by Age Group.” *United States Department of Transportation - Federal Highway Administration*. Last modified March 29, 2018. <https://www.fhwa.dot.gov/ohim/onh00/bar8.htm>.

⁹⁸ Kopestinsky, Alex. “How Much Do Americans Drive?” PolicyAdvice. Last modified March 5, 2021. <https://policyadvice.net/insurance/insights/how-much-do-americans-drive/>

#:~:text=Americans%20drive%2013%2C476%20miles%20per,%2C%20and%20France%20(7%2C424).

⁹⁹ Ibid.

recognize the true difficulty that navigating life without a car can pose in much of the United States.

Our cities were once bustling, dense, pedestrian-friendly areas wherein cars, cyclists, and pedestrians shared the street.¹⁰⁰ Extensive tram networks lined the avenues, and a short trip could deliver anyone to the trade shops, factories, or markets that provided basic services to the surrounding area.¹⁰¹ This all changed when American society pivoted toward private automobiles as the primary mode of transportation.¹⁰² Suddenly, streets no longer belonged to the community but instead to the motorists who drove through them. Streets widened and became more dangerous for walking and biking, and the infrastructure of entire cities began to be modeled around car travel. We need look no further than the massive highways which cut through most American cities today. A highway is not a place for pedestrians. They are often dangerous, unsightly, expensive, and most importantly, have historically been built right on top of dense residential neighborhoods (especially those housing mostly nonwhite residents).¹⁰³ Postwar city residents who were lucky enough to live in a unit that wasn't torn down to build a freeway were likely forced to move when that big freeway needed somewhere to put a parking lot for all the cars it was bringing in. Such is the reality of the American city. Where cities once held diverse-use, densely populated areas for all residents, they have now transitioned to be dominated by massive roads, vast parking lots, and inadequate non-car transit.¹⁰⁴ Suburbs, equally, reinforce this car-dependency with their lower density and characteristic sprawl.¹⁰⁵ Without the walkable neighborhoods and robust public transit infrastructure we once had, many people living in the U.S. have no choice but to drive a car. It is worth noting that this change, while marketed to the public as technological advancement (an innovative step into the future) is really the result of private, corporate interests dictating planning policy.¹⁰⁶ When our public transportation was gutted and communities became harder and harder to traverse on foot, it is car manufacturers and oil giants who benefitted.¹⁰⁷ It is they, not the average consumer, who are responsible for the state of our infrastructure today.

Car dependency poses manifold threats to the communities it infects. These include damage done to the environment in harmful emissions which pollute our air and exacerbate the worst effects of global warming, but also by the mere process of producing automobiles

¹⁰⁰ Norton, Peter D. "Whose Street?: Joyriders versus Jaywalkers." In *Fighting Traffic: The Dawn of the Motor Age in the American City*, 65–102. The MIT Press, 2008. <http://www.jstor.org/stable/j.ctt5hhckp.8>.

¹⁰¹ Norton, Peter D. "Traffic Efficiency versus Motor Freedom" and "Streets as Public Utilities." In *Fighting Traffic: The Dawn of the Motor Age in the American City*, 149–72. The MIT Press, 2008. <http://www.jstor.org/stable/j.ctt5hhckp.12>.

¹⁰² *Taken for a Ride*. Directed by Martha Olson and Jim Klein. New Day Films, 1996.

¹⁰³ Norton, Peter D. "The Dawn of the Motor Age." In *Fighting Traffic: The Dawn of the Motor Age in the American City*, 243–54. The MIT Press, 2008. <http://www.jstor.org/stable/j.ctt5hhckp.16>.

¹⁰⁴ Norton, Peter D. *Fighting Traffic: The Dawn of the Motor Age in the American City*. The MIT Press, 2008. <http://www.jstor.org/stable/j.ctt5hhckp>.

¹⁰⁵ Bruegmann, Robert. "Point: Sprawl and Accessibility." *Journal of Transport and Land Use* 1, no. 1 (2008): 5–11. <http://www.jstor.org/stable/26201605>.

¹⁰⁶ *Taken for a Ride*. Directed by Martha Olson and Jim Klein. New Day Films, 1996.

¹⁰⁷ *Ibid.*

themselves (yes, even electric ones).¹⁰⁸ Data show that car-reliant communities are also less healthy compared to their walkable or transit-oriented counterparts.¹⁰⁹ This not only creates positive incentives to move away from automobile-addiction but also raises equity concerns about the present condition of our communities (namely, wealthier Americans have better access to pedestrian-friendly communities, where working-class Americans may have no choice but to live in a car-dependent area, taking on the health consequences it brings). Finally, car-addiction lends itself to increasingly isolated and atomized communities.¹¹⁰ The model experience envisioned by the planning Modernists responsible for parts of our poor planning today is characterized by minimal face-to-face contact in one's community. Residents live in high-rise apartments where they cannot see their neighbors and are high above street-level, and run errands without setting foot on a sidewalk. They may work in a place completely removed from their geographic community by commuting on a large freeway, further alienating them from the place in which they live. Each of these features correspond to a vanishingly weak sense of community and place, and further isolate individuals from the people around them.

Beyond this somewhat ubiquitous harm done by the current tendencies of urban planning and land use practices in America, there also exists a dark history of remarkable and concentrated damage inflicted by past urban policy. The legacy of American urban planning is one of grave injustice and inequity, which we cannot hope to solve without examining the way our communities were assembled in the first place.¹¹¹ The most well-known of these phenomena is that of redlining, in which banks refused to lend to potential homeowners in "potentially hazardous" neighborhoods, coded as such simply for their nonwhite population.¹¹² Planning policy, the growth of suburbs, and growing car dependency (in other words, the features which went on to define our communities today) became instruments to enforce racial segregation and to disadvantage communities of color.¹¹³ The effects of this important history linger in our society to this day, and should not be mistaken for a 'thing of the past.'¹¹⁴ Inequities in housing and discriminatory policy still remain, and continue to suppress opportunities for members of marginalized communities.

Contemporary planning literature shows that car-dependent suburbs are also major fiscal liabilities. Compared to dense neighborhoods with multi-family units, suburban sprawl means that infrastructure must be extended to a greater area (which demands more resources) with

¹⁰⁸ Glaeser, Edward L., and Matthew E. Kahn. *Journal of Urban Economics*. Cambridge, MA: National Bureau of Economic Research, 2008. <https://doi.org/10.1016/j.jue.2009.11.006>.

¹⁰⁹ Price, Andrew. "The Negative Consequences of Car Dependency." *Strong Towns*. Last modified November 3, 2017. <https://www.strongtowns.org/journal/2017/11/2/the-negative-consequences-of-car-dependency>.

¹¹⁰ Cortright, Joe. "Less in Common." *City Report*. N.p.: City Observatory, 2015. https://cityobservatory.org/wp-content/files/CityObservatory_Less_In_Common.pdf

¹¹¹ Taylor, Keeanga-Yamahtta. *Race for Profit: How Banks and the Real Estate Industry Undermined Black Homeownership*. United States: University of North Carolina Press, 2019.

¹¹² Rothstein, Richard. *The Color of Law: A Forgotten History of How Our Government Segregated America*. United Kingdom: Liveright, 2017.

¹¹³ *Ibid.*

¹¹⁴ Flippen, Chenoa A. "Racial and Ethnic Inequality in Homeownership and Housing Equity." *The Sociological Quarterly* 42, no. 2 (2001): 121–49. <http://www.jstor.org/stable/4120744>.

fewer tax-paying residents to pay for services.¹¹⁵ Even the most rudimentary back-of-the-envelope math reveals a big problem. Not only does sprawling suburban development mean higher per capita costs in getting water and electricity to every household, it also means more roads need to be paved and maintained, and even means increased costs for consumers.¹¹⁶ Evidence abounds for the fiscal infeasibility of car-dependence, made clear when we compare the annual cost of using a car to paying into an efficient public transit system. Where AAA estimates the annual cost of car ownership to be \$9,666, a year's worth of fares with the Chicago Transit Authority costs just \$900¹¹⁷, and New York City's Metropolitan Transportation Authority costs \$1,524 for a yearly pass.^{118 119} Despite the significant cost incentive that may accompany public transit use, the unfortunate reality of our communities is that most Americans are not afforded this choice at all.

In spite of the grim realities of our urban development and car-dependent infrastructure, all is not lost. Successful projects to rehabilitate American towns and cities have popped up across the nation, notably in Evanston, IL, Rochester, NY, and Detroit, MI.^{120 121} These projects seek to make communities more walkable, more livable, and more conducive to creating the community bonds that disruptive freeway projects and discriminatory zoning regulations tore apart in the 20th century. Parking lots might be transformed into public parks, while the introduction of narrower streets (which lead to safer driving) with sidewalks, greenery, and street parking help reduce the reliance on and destructive consequences of cars. At the same time, the incorporation of mixed-use zoning and the elimination of restrictive single-family property limitations creates more vibrant, diverse neighborhoods, and the application of these practices across entire municipalities ensures that such new urbanist pockets of the country are not reserved for the wealthy. Great potential for meaningful political change can be found here, if only it is recognized as such.

Come, all Ye' Freedom Lovers and Champions of the Oppressed

Urban planning has something to offer political scientists of every persuasion. If you fancy yourself a defender of individual liberty, consider how car culture restricts a person's movement, confining them to longer, more expensive trips and trading precious space in the

¹¹⁵ Jakucyk, Jeffrey. "How Suburban Infrastructure Got More Expensive over Time." *Strong Towns*. Last modified February 5, 2019. <https://www.strongtowns.org/journal/2019/2/5/suburban-infrastructure-over-time>.

¹¹⁶ Ibid.

¹¹⁷ Chicago Transit Authority. "Fare Information." [transitchicago.com](https://www.transitchicago.com/fares/). Last modified November 21, 2021.

¹¹⁸ Edmonds, Ellen. "Sticker Shock: Owning a New Vehicle Costs Nearly \$10,000 Annually." *AAA Newsroom*, August 19, 2021. [https://newsroom.aaa.com/2021/08/sticker-shock-owning-a-new-vehicle-costs-nearly-10000-annually/#:~:text=\(Aug.,%249%2C666%2C%20or%20%24805.50%20per%20month](https://newsroom.aaa.com/2021/08/sticker-shock-owning-a-new-vehicle-costs-nearly-10000-annually/#:~:text=(Aug.,%249%2C666%2C%20or%20%24805.50%20per%20month).

¹¹⁹ New York City Office of Payroll Administration. "Annual Transit Card." *NYC.gov*. <https://www1.nyc.gov/site/opa/commuters/premium-transitcard-metrocard.page>.

¹²⁰ Goldman, T.R. "The Suburb That Tried to Kill the Car." *Politico Magazine*, October 22, 2015. <https://www.politico.com/magazine/story/2015/10/evanston-illinois-what-works-213282/>.

¹²¹ Popovich, Nadja, Josh Williams, and Denise Lu. "Can Removing Highways Fix America's Cities?" *The New York Times* (New York City, NY), May 27, 2021. <https://www.nytimes.com/interactive/2021/05/27/climate/us-cities-highway-removal.html>.

home for a tool which can be replaced by a system of efficient public transit and walking. Consider further the implications on one's freedom that having to live in a world where the poor health outcomes which car-dependent communities create are forced on each person, and where the daily transportation needs of the population rapidly accelerate climate catastrophe. Note the tremendous loss in liberty felt by communities of color when their neighborhoods were bulldozed to build highways and parking lots in the 1900s, and the heightened fiscal burden imposed by suburban sprawl on each member of society. Finally, consider which community is more free: one in which drab concrete highways filter people from job to strip mall to cookie-cutter suburban home; or one in which residents make the most of their community by walking from place to place on their own two feet, riding a brief, cheap streetcar to destinations further away (along which they may interact with members of their community), and are never without access to basic necessities.

If you pride yourself on defending the interests of marginalized people, there is plenty worth investigating in urban planning, too. As stated above, planning has historically been used as a tool of racial violence and oppression, the effects of which have not yet been entirely unraveled.¹²² We still observe tremendous disparities in housing and home ownership along racial lines, and the ongoing effects of bad planning are (predictably) not evenly distributed.¹²³ Moving toward communities that provide their residents dignity, comfort, and security means dismantling racial hierarchies in addition to any transit or zoning changes we might hope for.

Conclusion: Put Your Brilliant Political Mind to Use

I hope that if I have not yet convinced you of the destructive infeasibility of our current urban development that I have at least persuaded you to take a closer, critical look at the discipline of urban planning as an important political environment. It is one which further study will, in my view, return invaluable insights into how our society might be better organized, and how political agents of the past have shaped our world by steering historical planning decisions in one direction or the other. In this way, the study of urban planning history, principles, and methods will better prepare us to understand our political reality as a whole. Likewise, a political appraisal of the American public is incomplete if it does not strive to account for the ways that the unique design of our communities changes how we interact with one another and with society more broadly.

Our studies in political science show us a wide array of problems. Sometimes, they even amount to solutions. And every once in a while, we are lucky enough to find a system, a principle, or a web of phenomena which explains the relationship between the two. Urban planning is one such fountain of insights, and for now, it remains untapped.

¹²² Jacobus, Rick. "Inclusionary Housing: Creating and Maintaining Equitable Communities." *Lincoln Institute of Land Policy*, 2019. <http://www.jstor.org/stable/resrep22075>.

¹²³ Flippen, Chenoa A. "Racial and Ethnic Inequality in Homeownership and Housing Equity." *The Sociological Quarterly* 42, no. 2 (2001): 121–49. <http://www.jstor.org/stable/4120744>.

Awareness of Race and Gender as a Construct

Emma Giguere

Introduction

Eradicating oppression is contingent on humans possessing both the ability to understand race and gender as social constructs and the ability to act within those constructs. Regardless, understanding race and gender to be real, in the context of the political realm, allows us the ability to acknowledge the oppression these groups face. The problem is, without including both of these modes of thought, counteracting oppression becomes difficult. If one was to only consider reality from the standpoint of race as a construct, or to only consider reality from the standpoint of race as a real entity, neither viewpoint fully encapsulates reality. The further removed one is from reality, the more difficult it becomes to create effective change. This understanding begs the question: how can we hold race and gender as both real concepts and societal constructs in our heads? What are the benefits to this rationale? These two research questions act as a guide for this paper. The theoretical framework contained within this paper uses the methods of “Synthetic Race” brought forth by Diego Von Vacano, “Islamic Political Thought” brought forth by Elizabeth Urban, and “Double Consciousness” presented by W.E.B. Du Bois. The body of this paper addresses each of these methods and theorists and discusses the relationship each has to the paper’s central thesis.

The Convergence of Diego Von Vacano and W.E.B. Du Bois

“I am colorblind”. In the present day, it is acknowledged that this phrase, often iterated by White Americans, is problematic in nature, as it disregards the lived experiences of people of color. Ignoring race in the present context results in ignorance. Race is not real, however, the impact of racialization is real. Taken in the context of the 15th Century, before race as a concept was created and given meaning and power, the phrase, “I am colorblind”, would not have been deemed problematic. It is important to distinguish that, when viewing race as real in context, it is a real construct that affects how people view each other and how institutions view people, not a determining factor of how people are, and what value they hold. It is a real concept that manifests itself in the world through people’s thought processes and actions. However, it is not a real, stagnant, and fixed truth.

Diego Von Vacano argues that adopting a synthetic conception of race would allow us as humans to detach race from personal value and characteristics. He believes that the solution is a revolution of our way of thinking, that the antidote to oppression requires completely breaking down what society has believed to be true about race, and understanding it as a dynamic, ever-changing abstraction. Vacano states, “If all human beings are synthetic beings themselves, as opposed to grounded on some pure or immutable or impermeable core identity, then we cannot

legitimately create hierarchical racial orderings.”¹²⁴ If the whole of humanity were to view race as synthetic, the system of racial oppression would collapse. By conceptualizing race as synthetic, Vacano has created a mindset for people that acknowledges race as existing, but in a manner that does not give it power. This is achieved by making categories and labels difficult to apply. Vacano’s theory accomplishes understanding race as a construct successfully. His conception of “synthetic race” mentally challenges the idea that race is a real entity. What is missing from this theory is practicality, which comes with the question of how do we apply this theory to real life? If everyone woke up understanding race to be synthetic, this theory would achieve what Vacano argues it would. However, the problem becomes how do you get society to this place? The solution would require acting within the context of race as it is conceptualized presently. Vacano has processed and developed an advanced way of thinking, that unfortunately is far from how the vast majority view race. His theory is only successful in an idealized world. Furthermore, this theory does not account for those who are aware of race as a construct but act as though it is tangible because they benefit from a racist society. In order to bridge that gap between this ideal theory and reality, Vacano would need to act within the current conceptual framework.

W.E.B. Du Bois’s concept of double consciousness can be viewed as a development resulting from the awareness of race as both a construct and a real institution that influences society. Du Bois describes the phenomenon of double consciousness as a “sense of always looking at one’s self through the eyes of others, of measuring one’s soul by the tape of the world that looks on in amused contempt and pity.”¹²⁵ Du Bois is describing the way in which society, as a whole, views the black body, and all the connotations and meanings that have been placed on it. Furthermore, this concept describes how such a tarnished perspective can cloud how black Americans view themselves. He goes further to say, “one ever feels his twoness, -- an American, a Negro; two souls, two thoughts two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder.”¹²⁶ The reason these two identities of “American” and “Negro” cannot coincide peacefully is that both identities are constructed to intentionally not serve the other. There is a tension among those who identify with both because the notion of “being American” was created for the white body at the expense of the black body, similar to the very foundation of the United States. The oppressive viewpoint being forced onto black Americans can block them from being able to feel and know their worth and innate value. This is an example of how race, although a false construct, has very tangible outcomes. This reflects the importance of acknowledging race as having real effects on society, and therefore the importance of acknowledging race as existing in the sense of how it influences and guides oppression.

¹²⁴ Von Vacano, Diego A. “Conclusion; making Race Visible to Political Theory.” *The Color of Citizenship; Race, Modernity and Latin American / Hispanic Political Thought*, 2012, pp. 154., <https://doi.org/10.1093/acprof:oso/9780199746668.003.0005>.

¹²⁵ Bois, W.E.B. Du. *The Souls of Black Folk*. Signet Classics, 2012, pp. 1

¹²⁶ Ibid.

When attempting to conceptualize race and gender as constructs, while maintaining the ability to act within the construct, it is crucial to be aware that one is oppressed and that oppression is real, however, that oppression does not signify weakness. Therefore, there is not an inherent quality that results in oppression, there is a system that enforces oppression. Elizabeth Urban encapsulates this idea perfectly when changing the narrative of the Jawari by exemplifying the ways in which they were powerful. This is significant, as the Jawari were enslaved women in Medieval Islamic societies, who often are perceived as victims. She highlighted how they were able to obtain political power through childbearing and making connections through performing at events where powerful men and influencers were present. They used these actions as a way to obtain power despite being enslaved. Urban established that women are oppressed, *and* they are powerful. Both are true. Oppression was not an innate barrier to freedom. It was an obstacle that the Jawari were able to use intellect to work around. This demonstrates that women are the victim of circumstance, rather than the victim of existence. Women are made out to be inferior by the system created to oppress them, that being the construction of gender. However, women are not inferior in a real and biological sense. This is an important distinction to make, as it clarifies that minorities may be disadvantaged by the society they live in, but this does not reflect on their value as individuals or groups.

Discussion

When bringing these authors into conversation with one another, it can be seen how these different theories play into one another. When applying the concept of race as a synthetic matter to the phenomenon of double consciousness, the problem presented by double consciousness is ideally eradicated. If the identity of “African American” is a construct, and is viewed as synthetic, the issue of double consciousness may be eradicated, as the two identities could coincide if the basis of one identity was destroyed. If race was viewed as synthetic, there would be no categorizing of groups, and the group of “African American” could not be actualized. The identity crisis that comes along with American society forcing racist stereotypes onto African Americans would collapse if society could no longer conceptualize the grouping of “African Americans” into one fixed group. As previously pointed out with Vacano’s theory, this will be the outcome, not the solution. His mindset of race as synthetic is the ideal future that we must seek to one day achieve but does not present a solution plausible in contemporary society.

To apply Vacano’s theory to Urban’s writing, we must redirect this thinking of a reconception of race as synthetic to a reconception of gender as synthetic, which still maintains the accuracy of the theory when applied to gender. If gender is considered to be a synthetic construct, we cannot attribute value or characteristics to it. There would be no hierarchy of gender. Therefore, women could not consider themselves inherently powerless. The Jawari demonstrate this knowledge within their actions. For example, the Jawari could have been aware that gender is a social construct, however, they needed to act within that construct as it was the situation created around them. The knowledge and awareness alone would not have successfully allowed them to gain power. However, had they acted within the construct without awareness, they may have begun to view themselves as inferior as the construct wants them to believe. It is important to know that oppression has weaknesses, primarily due to it being based in falsehood.

Society is capable of taking it down. Owning that capability begins with making the distinction. Women are oppressed and they are powerful. Minorities are disadvantaged by society but not by being who they are; they are not inherently flawed. The issue lies within the existence of the construct, not within those marginalized.

Significance

Without considering both the real and constructed aspects of race and gender, those working towards eradicating oppression will not be completely successful. Such scholars and activists will not be completely successful because without considering both aspects, they are further hurting those being oppressed. When only considering race and gender as a construct, we are not accounting for, or acknowledging, the effect that race and gender have had on individuals because it is considered real by society. For example, someone who views race as a construct and does not acknowledge race as real in any sense may say they are colorblind. As mentioned in the body of this essay, this is known to be an offensive statement because it fails to acknowledge the experiences of people of color as people of color. On the other hand, to subscribe completely to social constructs such as gender and race is to give those constructs power. It is important to balance one's acknowledgment of race and gender with the acknowledgment of the construct, as the reminder of the construct allows the individual to remain in the knowledge that no one is inherently superior or inferior.

Conclusion

The solution to the problem presented in this paper is that the awareness of race and gender as a construct, and the ability to act within that construct, will create effective change. The belief in the construct is what gives the construct power. When awareness of the construct rises, the power the construct holds will decrease. However, to create awareness of the construct, it is crucial to also act within the construct. To subscribe completely to social constructs such as gender and race is to give them power. However, to state that a group is oppressed is to subscribe to the social construct and acknowledge the group's very existence. Believing only that these groups are the results of social constructs means failing to acknowledge that these categorizations do have real impacts. Society must treat race as real, to a certain extent, in order to deliberate justice, otherwise, we risk becoming ignorant. As alluded to throughout this paper, there are three important aspects to this thesis that we must bear in mind when considering its implications. The first is the importance of connecting to reality. As demonstrated with Vacano's theory, there needs to be an application of theory to reality in order for that theory to be effective in the process of eradicating oppression. The second is the importance of acknowledging the effect constructs have on people. This is highlighted through Du Bois's concept of double consciousness. This is a prime example of how the construct oppresses groups that it was not created for. If we fail to acknowledge this impact, we fail to work towards eradicating oppression. Lastly is the impact that knowing one's own value has on individuals who are members of oppressed groupings. This knowledge of value is not a given to those who are members of oppressed groups and is an empowering knowledge when it is felt and understood.

PROMESA: What It Is, How It Came To Be, and What Are Its Implications

Apaulo Krawic

Introduction

Throughout its history, the small island of Puerto Rico has had many triumphs and defeats regarding its economic development. Starting with the annexation of the Island by the United States during the Spanish-American War of 1898, its frugal agricultural-based economy during the first half of the twentieth century, the eventual development of its economy during the Operation Bootstrap era of the other half of the twentieth century, the eventual phasing out of Section 936 that had allowed US corporations to operate without paying federal taxes in Puerto Rico, and its eventual fiscal crisis during the late 2000s and early 2010s which gave way to the PROMESA Law and the Financial Oversight Board - Puerto Rico has had many economical hardships that have led to its current standing, one of economic depression in an era of globalization and economic prosperity for many of its contemporaries. In addition to this, the PROMESA Law is part of the long history of the United States' imperialistic powers over the people of Puerto Rico.

Fiscal Crisis

The origins of the fiscal crisis in Puerto Rico can be traced all the way back to 1947 when Rexford Tugwell was Governor of Puerto Rico. In an attempt to increase economic development, Tugwell had suggested that Puerto Rico be given special tax exemptions in order to attract foreign investments. This was during a period in which Puerto Rico was able to offer low labor and production costs, thus setting the stage for Operation Bootstrap.¹²⁷ But as labor and production costs increased and U.S. firms started to pull out of Puerto Rico, it experienced poor economic growth and declining tax revenues.¹²⁸ It was during this period that Puerto Rico saw an exponential increase in debt issuance through its many governmental entities, mainly its public corporations, giving way to the fiscal crisis that it is presently in. This alarming increase in bond issuance by public corporations was in part due to the central government's attempt at offsetting the operational losses of its several public corporations.¹²⁹ By the time Section 936 had ended in 2006, public debt had totaled \$43.1bn with \$20.5bn coming from public corporations and another \$20.4bn from the central government itself.¹³⁰ It was at this point that the people of

¹²⁷ Ibid, 4.

¹²⁸ Melendez, Edwin. "The Economics of PROMESA." *CENTRO: Journal of the Center for Puerto Rican Studies* 30, no. 3 (2018): 72+. *Gale Academic OneFile* .

<https://link.gale.com/apps/doc/A581024266/AONE?u=anon~5569e3ac&sid=googleScholar&xid=9976bbaf>. p.77

¹²⁹ "An Update on the Competitiveness of Puerto Rico's Economy," Federal Reserve Bank of New York, July 31, 2014, <https://www.newyorkfed.org/medialibrary/media/outreach-and-education/puerto-rico/2014/Puerto-Rico-Report-2014.pdf>, 9.

¹³⁰ Marc D. Joffe and Jesse Martinez, "Origins of the Puerto Rico Fiscal Crisis," *SSRN Electronic Journal*, April 2016, <https://doi.org/10.2139/ssrn.3211660>, 33

Puerto Rico realized that its economy was going to suffer. Many became resentful over the Government's mismanagement of public funds as many cases of corruption against high-level politicians came to light. Additionally, this only cemented the father-and-reckless-son relationship that Congress had with Puerto Rico. This moment in history showcased how the Government of Puerto Rico was still too immature to handle itself independently or as part of the Union. Thus, it gave way to Congress to further tighten its control over the island.

At a time that bonds financed by sales taxes reached \$16.3bn and public corporation debt reached \$32.4bn, it was clear that the structural and economic changes that were needed to offset the poor economic performance as manufacturing jobs declined and more people moved out of Puerto Rico, were never implemented in time to save Puerto Rico from an economic and fiscal crisis.¹³¹ These factors, coupled with the Bankruptcy Amendments and Federal Judgeship Act of 1984, that excluded the territories that were not states from the same bankruptcy rights (such as Chapter 9 bankruptcy) as the U.S. states, gave way to the implementation of the PROMESA Law in an attempt to restructure the debt of Puerto Rico and restore access to capital markets.¹³² In its essence, this showed how Congress was not willing to respect the sovereignty of Puerto Rico. Thus, by denying Puerto Rico access to the same bankruptcy laws and implementing the PROMESA Law, Congress had gone against its democratic values and violated the sovereignty of the Government of Puerto Rico.

The PROMESA Law and its Implications

After extensive austerity measures were taken to cut back on government spending, such as cutting funds for public education and laying off 13.3 percent of government employees during Governor Fortuño's tenure (2009-2012), it was obvious that Puerto Rico needed a major overhaul of its fiscal system.¹³³ Furthermore, in 2014, Puerto Rico's bonds were downgraded to junk status by the major credit rating agencies, further plummeting its access to capital markets.¹³⁴ As a way to restructure the immense debt of \$72bn in government bonds, Congress enacted the Puerto Rico Oversight, Management, and Economic Stability Act (PROMESA) Law. Under this law, Puerto Rico's finances came under control by a Fiscal Oversight Management Board (FOMB) whose seven members are appointed solely by the President of the U.S.¹³⁵ Essentially, PROMESA allows the FOMB to take any measures necessary, regardless of what the Government of Puerto Rico wishes to do, in order to ensure that restructuring the debt and reaccessing capital markets is possible - this includes vetoing any law or legislation that it does not deem compatible with its fiscal plans.¹³⁶

¹³¹ Ibid.

¹³² Marc D. Joffe and Jesse Martinez, "Origins of the Puerto Rico Fiscal Crisis," *SSRN Electronic Journal*, April 2016, <https://doi.org/10.2139/ssrn.3211660>, 14

¹³³ Melendez, Edwin. "The Economics of PROMESA." *CENTRO: Journal of the Center for Puerto Rican Studies* 30, no. 3 (2018): 72+. *Gale Academic OneFile*. p. 82

¹³⁴ Ibid, 73.

¹³⁵ Ibid, 777.

¹³⁶ Ibid, 779.

It is then that we see how Congress' encroachment over Puerto Rico's sovereignty is still visible during the 21st century. The PROMESA Law is one of many examples of the United States' refusal of the inalienable rights of its "American citizens" in Puerto Rico. By denying any form of a democratic solution to its political status, the United States is violating its own national security goal of spreading democracy around the world. Not only that, but by having colonies, the United States is seen as being hypocritical on an international scale, as it focuses its foreign policy on spreading democracy. One example of this is in the current Russia-Ukraine conflict. Many in Puerto Rico, such as those who are part of the pro-statehood movement and the independence movement, have called out the United States in regards to condemning Russia and its abuses against Ukrainian sovereignty. The frustration stems from the mere fact that the United States is focused on condemning other countries who abuse the sovereignty of others while they themselves do not respect the sovereignty of the American citizens in U.S. colonies. Not only that, but the implementation of the PROMESA Law and other measures taken before hand, only delegitimize the Government of Puerto Rico's sovereignty, essentially turning the government into a facade as the real decisions are being taken by the FOMB. It is of the utmost importance that, if the United States wishes to successfully bring democracy worldwide, it must first bring democracy to those who live within its colonies - to allow them to choose their own destiny in regards to their relationship with the United States and respect that decision.

Conclusion

The powers given to the FOMB by Congress set a dangerous precedent in the relationship between the U.S. and its colonies as it further asserts their absolute power over a population that has no vote or voice in Congress and undermines the United States' goal of spreading democracy and human rights around the world. In addition to this, Puerto Rico has been hit with devastating natural phenomena such as the hurricanes in 2018, earthquakes in 2019, and the COVID-19 pandemic in 2020, that have hindered economic recovery. Ultimately, the implementation of this law raises many legal and political questions and uncertainties that are not discussed in mainstream publications and thus, leaves Puerto Rico, and the other colonies, to fend for themselves against an imperial power that does not respect their sovereignty.

The Debate Over Critical Race Theory in America’s Public Schools

Kieler Langemo

Introduction

Public interest in “critical race theory”, as a phrase, has remained at a relatively low constant from 2004 to 2020.¹³⁷ A simple query into search engine data collected by Google reveals that interest in the phrase has had recent notable peaks in September of 2020 and June of 2021, highlighted in Figure 1. These dates correlate to the United States Presidential Election of 2020 and President Joe Biden’s signing of the Juneteenth National Independence Day Act recognizing Juneteenth as a federal holiday, respectively. Both of these correlations suggest critical race theory’s deeply rooted ties to existing political and racial institutions in the United States.

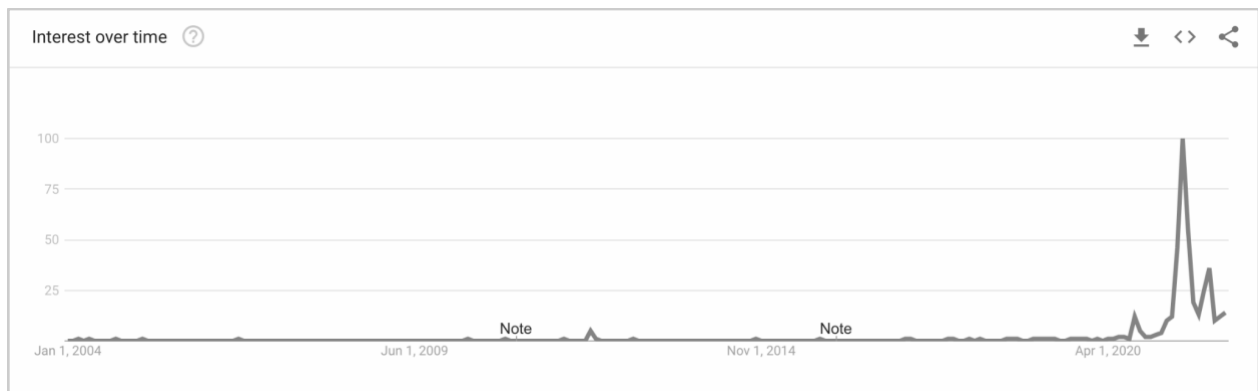


Figure 1: Google Trends interest over time of the search term critical race theory in the United States 2004–present. Numbers represent search interest relative to the highest point on the chart for the given region and time.

However, the same data set suggests American’s unawareness of what critical race theory actually is: two of the top five related queries include “what is critical race theory?” and “critical race theory definition.” Critical race theory, of late, is a concept that has been reshaped by partisan division as a twenty-first century “buzzword” that has come to refer to either a dismantling of American whiteness or the deconstruction of racial categorization, depending which argument one sides with.

Defining Critical Race Theory

From a nonpartisan academic perspective, critical race theory is a subdivision of critical theory, a social critique that advocates for the transformation of existing institutions. When applied to race, the theory centers around “racism as a system of oppression and exploitation that

¹³⁷ Google. 2022. “Critical Race Theory Search Term.” Google Trends. <https://trends.google.com/trends/explore?date=all&geo=US&q=critical%20race%20theory>.

explores the historic and contemporary constructions and manifestations of race in our society.”¹³⁸

Taking this a step further and applying it to the educational sphere, critical race theory represents a “epistemological and methodological tool, to help analyze the experiences of historically underrepresented populations across the K–12 educational pipeline,” especially those who are underrepresented as a result of their legal racial categorization.¹³⁹ The proceeding sections work at defining critical race theory, identifying the purpose of its implementation in educational curriculum, and summarizing both sides of the debate over its instruction in American public schools. Ultimately, this article aims at arguing in favor of expanding critical race theory, hereafter referred to as CRT, curriculum in the United States in order to recognize fractures driven by inequity and inequality in the United States and advocate for public institutions that are more diverse and representative of the society that they serve.

CRT’s Application in School Curriculum

CRT’s implementation in public schools has been used as a means of (1) identifying areas within existing instructional curriculum characterized by persistent racism, and (2) constructing purposeful and relevant educational leadership practices, policies, and learning opportunities that educate students (and staff alike) on existing structures designed to limit or negatively impact individuals on the basis of skin color, including methods on how to deconstruct and reconstruct those structures.

Lynn and Parker, referenced by Ledesma and Calderón, defines CRT as providing educational leadership and policy makers with “a robust analysis of race and racism as a social, political and economic system of advantages and disadvantages accorded to social groups based on their skin color and status in a clearly defined racial hierarchy.”¹⁴⁰ Ledesma and Calderón use this working definition as a foundation for identifying racism in schools in the following areas: (1) Curriculum and Pedagogy, (2) Teaching and Learning, (3) Schooling, and (4) Policy, School Finance, and Community Engagement. According to the Washington Post, CRT aims at “adding the perspectives and experiences of people of color to curriculum, challenging teachers to examine their biases, and reviewing policies on discipline, advanced coursework and other matters with an eye toward identifying and closing racial disparities,” including conducting equity audits of school district racial data.¹⁴¹

Furthermore, CRT has served as an important application in the instruction of civic literacy curriculum. Civic literacy allows for exposure to global society, experiential learning, and public engagement, ultimately providing students with a greater ability to “understand...the

¹³⁸ Ledesma, María C., and Dolores Calderón. 2015. “Critical Race Theory in Education: A Review of Past Literature and a Look to the Future.” SAGE Publications.
<https://journals.sagepub.com/doi/pdf/10.1177/1077800414557825>.

¹³⁹ Ibid.

¹⁴⁰ Ibid.

¹⁴¹ Natanson, Hannah. 2021. “Critical race theory in schools: Conservative backlash grows in US.” The Washington Post. <https://www.washingtonpost.com/education/2021/05/03/critical-race-theory-backlash/>.

responsibilities of citizenship” through the examination of “ongoing discrimination against citizens of cultural, ethnic, sexual, religious, and other personal–identity communities.”¹⁴²

The Debate For CRT: A Tool to Improve Society

Those in favor of implementing CRT–based approaches to existing curricula cite the theory’s usefulness in recognizing deep–rooted systematic racism within educational institutions through long–term programming in order to eliminate everyday racial practices in schools and prevent injustices in schools that occur as a result of the dominance of whiteness.

The primary objective of applying CRT to school curriculum has been to identify instances of systemic racism in existing educational practices. Identification of systemic racism from an educator–perspective relies on training teachers and administrators on how to address racial binaries (the division and related effects of segregating individuals based on a pseudoscientific racial classification system) in the classroom. Contemporary implementations of CRT in the classroom “do very little to equip students with a cogent understanding of racism and race relations” because they are incorporated through temporary and isolated instructional periods, such as pop–up courses or seminars.¹⁴³ In order for CRT applications to serve as effective identifiers of systematic racism, it must be applied to all curricula and instructional content so that it may be identified consistently throughout the academic year.

CRT approaches are marketed as a useful tool in eliminating everyday racial–based practices in student interactions as a result of their long–term implementation. In this context, “whiteness”, defined as the maintained superiority of white Americans’ control over property and the biopsychosocial impacts that persist as a result, “assists nice and well-intentioned educators to streamline diversity policies and practices that, ironically, condone unconscious racism and other forms of oppression ... through educators’ conscious and unconscious daily actions.”¹⁴⁴ It is important to note that CRT not only emphasizes the recognition of minority disparities, but it encourages white students and educators alike to “consider their privilege and affinity groups based on race.”¹⁴⁵ The implementation of CRT serves the function of identifying elements of systemic racism modeled by those who are granted the privilege of ‘whiteness’ that people of color have historically not had access to as a result of persistent discrimination and segregation on the basis of race. Consistent recognition of implicit racism in daily curricula is expected to disrupt this seemingly streamlined process of condoning oppression in schools both between teachers, between students, and between teachers and students.

The Debate Against CRT: A Threat to Traditional America

¹⁴² Langemo, Kieler. 2021. “The Need for National K–12 Civic Literacy Curriculum in the United States: the Future of Preserving Our Democracy.” *UConn Undergraduate Political Review* XIII:55-60.

¹⁴³ López, Gerardo R. 2003. “The (Racially Neutral) Politics of Education: A Critical Race Theory Perspective.” SAGE Publications. <https://journals.sagepub.com/doi/pdf/10.1177/0013161X02239761>.

¹⁴⁴ Castagno, A. E. 2014. “Dismantling Racism in Public Schools Using Critical Race Theory and Whiteness Studies.” SAGE Publications. <https://journals.sagepub.com/doi/pdf/10.1177/0042085918783822>.

¹⁴⁵ *Ibid.*

Those opposed to implementing CRT-based approaches and programming to existing curricula argue that CRT frameworks do not provide methodological solutions to persistent racism and do not align with traditional American values.

From the perspective of quantitative social science analysis, some argue that contemporary visions of CRT are not accompanied by adequate methodological applications. This argument is based on the perception of CRT as a “passive byproduct of dysfunctional psychological or sociological processes” rather than as an “ontological phenomenon with an agency of its own.”¹⁴⁶ With this context in mind, it is reasonable to assume complications in applying CRT, a primarily legal area of scholarship, to the social sciences, specifically education. Education is inherently a qualitatively-driven area of scholarship, and, as a result, there is a “lack of methodological specificity in the CRT literature” in this field.¹⁴⁷ Thus, according to this argument, CRT should not be implemented in schools due to the fact that the process of implementation (and its relevant impact) remain quantitatively undefined.

Additionally, as a result of polarizing and often inaccurate media portrayal, contemporary Americans assume that CRT’s application to schools is divisive and does not align with traditionally conservative American values. According to the Washington Post, “critics say this approach (CRT implementation) injects race into what should be, in their view, a colorblind system.”¹⁴⁸ From this perspective, individuals argue that the recognition of institutionalized racism is unnecessary as it unearths disparities through individual differentiation based on race. To avoid this, critics support a colorblind approach in which race is never acknowledged. This approach quickly becomes problematic as it rejects the notion that racial classification exists in schools to begin with, further discrediting evidence-based claims that those who identify as black, asian, hispanic, indigenous, and other non-white racial groups are subjected to more oppressive treatment compared to their white counterparts.

CRT is incorrectly equated to scholarship in diversity, equity, and inclusion (DEI). DEI incorporates issues surrounding the modern civil rights movement, sparked by contemporaneous crises such as the murder of George Floyd and the coronavirus pandemic of 2020, DEI aims at training individuals to recognize the undeniably racist history of the United States by expanding recognition of inequity and inequality in nonwhite minorities.¹⁴⁹

In summary, traditionalists view CRT as a deviant exposé of America’s past. Opponents argue that educational institutions remain “objective” and embrace the misleading idea that the United States is progressive in regards to institutionalized racism. According to Gloria Ladson-Billings, president of the National Academy of Education, “people don’t like (CRT because) it runs counter to a narrative that we want to tell ourselves about who we are.”¹⁵⁰

¹⁴⁶ Rosiek, Jerry. 2018. “Critical race theory meets posthumanism: lessons from a study of racial resegregation in public schools.” *Race Ethnicity and Education* 22, no. 1 (April): 73-92. 10.1080/13613324.2018.1468746.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

¹⁴⁹ Drolet, Rich. 2022. Personal conversation.

¹⁵⁰ Ibid.

Conclusions

Critical race theory, a predominantly legal study that has been recently applied to social sciences, aims at uprooting long standing racism and racist practices within primarily colonial-imperial states, such as the United States. Proponents argue that CRT is useful tool in schools because of its ability to recognize and, over time, combat race-based discrimination that persists in America’s educational institutions. Although the CRT-in-education discipline lacks qualitative data in educational theory, those opposed to its implementation in schools cite the incorrect assumption that CRT is anti-American, equating it with existing DEI programs in schools, and ultimately propagating an inherently discriminatory ‘colorblind’ attitude. Despite the arguments, CRT remains the leading agent that “offers tools to engage with and work against racism within education.”¹⁵¹

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¹⁵¹ Ibid.

A Look at the New Indo-Pacific Strategy and The Future of the Quad

Devin O'Brien

Introduction

As the world turns to watch the crisis in Ukraine, the waters of the Indo-Pacific churn as tensions slowly rise between regional powers. This region will be the most important political arena for the coming century. The Biden Administration has recently released its Indo-Pacific Strategy to guide the foreign policy decisions of the United States in the region. One of the common calls of the United States and its allies has been to maintain a “free and open Indo-Pacific”.¹⁵² A key aspect of achieving this overarching goal lies in maintaining security in this large, vitally important, and dynamic region. In order to maintain security in the region, the new Indo-Pacific Strategy calls for the United States to lean on its greatest advantage: alliances. More specifically, it wants to modernize these alliances to adapt to new challenges.¹⁵³ This essay aims to explore some of the ways in which the United States will enhance security through modernizing its premier Indo-Pacific alliance, the Quad, by analyzing developments in relations with the other member states.

Understanding The Quad

The Quad, formally called the Quadrilateral Security Dialogue, is an alliance between the United States, India, Japan, and Australia. Cooperation between the four states began in 2004 as a unified effort to help those affected by the Indian Ocean tsunami in that year.¹⁵⁴ In 2007, they all participated in the Malabar naval exercise, which began formalizing the security-based alliance.¹⁵⁵ Since then, the Quad has been riddled with uncertainties. Earlier challenges in the direction of the alliance centered around the reluctance of India and Australia to stand up against a slow growing Chinese threat. Even now the Quad still evades direct discussions of China.¹⁵⁶ It only recently had its first in-person meeting between leaders in September of 2021 at the White House.¹⁵⁷ Despite past uncertainties, one of the immediately evident points of the new Indo-Pacific Strategy is a firm recommitment to bolstering this alliance. The strategy declares, “We

¹⁵² The White House, *Indo-Pacific Strategy of the United States*. Washington D.C., 2022. <https://www.whitehouse.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf> (accessed March 1 2022), 7.

¹⁵³ Ibid

¹⁵⁴ Smith, Sheila. “The Quad in the Indo-Pacific: What to Know | Council on Foreign Relations.” Council on Foreign Relations, May 27, 2021. <https://www.cfr.org/in-brief/quad-indo-pacific-what-know>.

¹⁵⁵ Smith, Jeff. “Democracy’s Squad: India’s Change of Heart and the Future of the Quad - War on the Rocks.” War on the Rocks, August 13, 2020. <https://warontherocks.com/2020/08/democracys-squad-indias-change-of-heart-and-the-future-of-the-quad/>.

¹⁵⁶ Grossman, Derek. “The Quad Is Poised to Become Openly Anti-China Soon | RAND.” RAND Corporation Provides Objective Research Services and Public Policy Analysis | RAND. RAND, July 28, 2020. <https://www.rand.org/blog/2020/07/the-quad-is-poised-to-become-openly-anti-china-soon.html>.

¹⁵⁷ The White House. “Fact Sheet: Quad Leaders’ Summit | The White House.” <https://www.facebook.com/WhiteHouse/>, September 25, 2021. <https://www.whitehouse.gov/briefing-room/statements-releases/2021/09/24/fact-sheet-quad-leaders-summit/>.

will strengthen the Quad as a premier regional grouping and ensure it delivers on issues that matter to the Indo-Pacific.”¹⁵⁸ It may be easy to interpret “the issues that matter” as a veiled reference to defense, but this is not quite the case.

The strategy seems to speak of the Quad in one breath, and defense in another. While many politicians call for a tougher stance against China, the Indo-Pacific Strategy seems to echo the Quad’s hesitancy to confront China’s aggression directly. When the strategy mentions the Quad, it discusses other points such as Covid-19 relief, developing infrastructure, and enhancing cyber capabilities in the region.¹⁵⁹ It would be disingenuous to say that the Quad is designed only to counter China militarily. But, it does appear a security-focused shift is coming as relations between the Quad members and China sour. When the Indo-Pacific Strategy addresses defense, it does so in a strong manner. It identifies a major goal as being to “defend our interests, deter military aggression... and promote regional security by developing new capabilities, concepts of operation, military activities, defense industrial initiatives, and a more resilient force posture.”¹⁶⁰ Naturally these efforts will look different for each Quad member, and the focal points of these efforts will be the topics of the rest of this essay.

Strengthening the Indian Military

The U.S. is eager to increase cooperation with the world’s largest democracy, and India appears more receptive to military agreements as disputes with China rise in intensity. In an article by Nilanthi Samaranayake on the rising importance of India in the region, she points out that “the United States continues to understand the region through a Pacific lens and risks overlooking the unique features of the Indian Ocean.”¹⁶¹ The U.S. has recently been working to overcome this error and will make it a focal point of the U.S.-India alliance to develop their military capabilities. India is a rising power, though one that is less militarily advanced than other Quad members and has been called the weak link of the alliance.¹⁶² Therefore, some recent arms deals become important proof of the United States delivering on promises to empower their ally with more modern and advanced arms.

A fact sheet from the Bureau of Political-Military Affairs details some recent major arms deals. Some notable sales include a \$3.5 billion dollar deal for Seahawk and Apache helicopters, and an advanced missile defense system for large aircraft. The same document also mentions the

¹⁵⁸ The White House, *Indo-Pacific Strategy of the United States*. Washington D.C., 2022. <https://www.whitehouse.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf> (accessed March 1 2022), 16.

¹⁵⁹ Ibid, 16.

¹⁶⁰ Ibid, 15.

¹⁶¹ Samaranayake, Nilanthi. “The Indian Ocean’s Key Role in the Indo-Pacific Rules-Based International Order.” *The Air Force Journal of Indo-Pacific Affairs*, December 2020.

<https://media.defense.gov/2020/Dec/06/2002546901/-1/-1/1/DECEMBER%202020.PDF>, 8.

¹⁶² Smith, Jeff. “Democracy’s Squad: India’s Change of Heart and the Future of the Quad - War on the Rocks.” War on the Rocks. War on the Rocks, August 13, 2020. <https://warontherocks.com/2020/08/democracys-squad-indias-change-of-heart-and-the-future-of-the-quad/>.

possibility of India purchasing more fighter aircraft from the U.S. in the future.¹⁶³ These actions show a distinct effort to boost Indian air power which is a necessity for any modern conflict. In addition to arms deals are joint exercises such as the Tiger Triumph in 2019, which involved all three branches of India’s military working with U.S. forces for the first time.¹⁶⁴ Increased training with the Indian military, along with making sure they are equipped with modern, capable arms shows a clear commitment towards building the alliance. Closer ties with a stronger India means that the United States has a better chance at creating the free and open Indo-Pacific that both states envision.

Japan as a Major Technological Partner

On a different note, Japan will serve as a very important ally for the United States in the coming century due to the congruence between their foreign policy visions— Japan is credited with creating the term “free and open” to describe the goal for the Indo-Pacific.¹⁶⁵ But perhaps the most important thing is that they are on the forefront of developing new technologies that have serious defense implications. With the third largest economy in the world Japan has great capability to invest in researching and developing the technology that will drive the future. Speaking on innovation, the Indo-Pacific Strategy mentions a goal to, “ensure the U.S. military can operate in rapidly evolving threat environments, including space, cyberspace, and critical- and emerging-technology areas.”¹⁶⁶ The same technologies that will shape everyday life are also likely to have implications for the future of warfare. Staying on the forefront of these innovations will be made easier through close partnership with a nation leading the way in this area.

The apparent symmetry between the Indo-Pacific Strategy and documents detailing defense research efforts are highly encouraging. The U.S. and Japanese appear to be on the same page when it comes to jointly developing technologies with military potential. According to an article by the Carnegie Endowment for International Peace, “the DOD identified several priority areas for its investments, among them quantum science, defensive and offensive hypersonics, directed energy, AI, and biotechnology.”¹⁶⁷ Furthermore, they add that the Japanese and United States governments have agreed they are “high-priority areas for expanding bilateral science,

¹⁶³ United States Department of State. “U.S. Security Cooperation With India - United States Department of State,” January 20, 2021. <https://www.state.gov/u-s-security-cooperation-with-india/#:~:text=Working%20alongside%20interagency%20partners%2C%20the,as%20a%20Major%20Defense%20Partner>.

¹⁶⁴ Bowman, Bradley, and Andrew Gabel. “US, India Bolster Their Military Partnership in Tiger Triumph Exercise.” *Defense News*. Defense News, November 13, 2019. <https://www.defensenews.com/opinion/commentary/2019/11/13/us-india-bolster-their-military-partnership-in-tiger-triumph-exercise/>.

¹⁶⁵ The White House, *Indo-Pacific Strategy of the United States*. Washington D.C., 2022. <https://www.whitehouse.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf> (accessed March 1 2022), 7.

¹⁶⁶ *Ibid*, 12.

¹⁶⁷ Schoff, James L., Douglas E. Rake, and Joshua Levy. “A High-Tech Alliance: Challenges and Opportunities for U.S.-Japan Science and Technology Collaboration - Carnegie Endowment for International Peace.” Carnegie Endowment for International Peace. Carnegie Endowment for International Peace, July 29, 2021. <https://carnegieendowment.org/2021/07/29/high-tech-alliance-challenges-and-opportunities-for-u.s.-japan-science-and-technology-collaboration-pub-85012>.

technology, and systems R&D.”¹⁶⁸ The significance of this is that the two countries share a vision of what technology will drive the future, what technologies will be militarily important, and have a commitment to developing them jointly. This kind of partnership will be critical to maintaining a technological edge over the adversaries of both states and might be the deciding factor in maintaining a free and open Indo-Pacific.

Australia and the AUKUS Submarine Deal

Perhaps the most dramatic steps the United States has taken in modernizing the Quad alliance is the deal made in collaboration with Britain during September of 2021 to build eight nuclear submarines for Australia.¹⁶⁹ Nuclear powered submarines are able to operate under the water for far longer, and therefore are stealthier than their diesel powered counterparts. This is a perfect example of what the Indo-Pacific Strategy means when it says it aims to “deepen our interoperability and develop and deploy advanced warfighting capabilities.”¹⁷⁰ The Australian navy becomes far more powerful with the capability to fire missiles from almost anywhere in the Indo-Pacific without detection. If the Quad can bolster the strength of its naval forces this could help to offset China’s enhanced military capabilities.

Understanding the political significance of this move may be best understood through the reactions of the Chinese government. A foreign affairs spokesperson Zhao Lijian responded by saying, “it was ‘highly irresponsible’ for the U.S. and Britain to export the nuclear technology”, and went on to blame Australia for a breakdown of relations.¹⁷¹ Originally, the deal was between France and Australia to build diesel power submarines. Australia then decided to cancel this deal and opt for more capable nuclear-powered submarines. A likely reason why is the discovery of a major expansion of the Chinese intercontinental ballistic missile (ICBM) program in the summer of 2021, adding potentially over one hundred missiles.¹⁷² What this proves is that the strategic environment of the Indo-Pacific is changing rapidly. But, it is the explicitly stated purpose of the Indo-Pacific Strategy to modernize and adapt to these changes. Although the move has clearly ruffled the feathers of China, it does accomplish the goal of modernizing alliances and empowering the Quad to face the next generation of conflict.

¹⁶⁸ Ibid.

¹⁶⁹ McGuirk, Rod. “Australia: Strategic Shifts Led It to Acquire Nuclear Subs.” AP News. AP News, September 16, 2021. <https://apnews.com/article/joe-biden-business-france-europe-united-states-96f95120345a56d950961b41a74d9355>.

¹⁷⁰ The White House, *Indo-Pacific Strategy of the United States*. Washington D.C., 2022. <https://www.whitehouse.gov/wp-content/uploads/2022/02/U.S.-Indo-Pacific-Strategy.pdf> (accessed March 1 2022), 12.

¹⁷¹ McGuirk, Rod. “Australia: Strategic Shifts Led It to Acquire Nuclear Subs.” AP News. AP News, September 16, 2021. <https://apnews.com/article/joe-biden-business-france-europe-united-states-96f95120345a56d950961b41a74d9355>.

¹⁷² Korda, Matt, and Hans Kristensen. “A Closer Look at China’s Missile Silo Construction – Federation Of American Scientists.” Federation Of American Scientists. Federation of American Scientists, November 2, 2021. <https://fas.org/blogs/security/2021/11/a-closer-look-at-chinas-missile-silo-construction/>.

Conclusion

The Biden Administration's Indo-Pacific Strategy allows the administration to approach the large, increasingly important region with clarity. As CFR President Richard Haass eloquently put it when he testified to the House Committee on Foreign Affairs, "Just as Europe was the principal theater of international politics in the twentieth century, Asia will be where much of this century's history will get made."¹⁷³ It is precisely this reason why the new Indo-Pacific Strategy is so important. The Quad has been identified as the best way for the U.S. to achieve its security-based goals with each member of the alliance serving a unique role in shaping the future. India could become a great power for democracy, Japan can help to innovate the future of warfare, and Australia will soon be equipped with a highly effective submarine force. Most importantly, it appears the Quad is gaining the direction and teeth it needs to be an effective alliance and not a paper tiger.

¹⁷³ Haass, Richard. "U.S. Policy toward the Indo-Pacific: The Case for a Comprehensive Approach | Council on Foreign Relations." Council on Foreign Relations. Accessed March 2, 2022. <https://www.cfr.org/report/us-policy-toward-indo-pacific-case-comprehensive-approach>.

Southern Secession: A Defense of Slavery

Sydney Przekop

In 1857, Senator William Henry Seward of New York warned the nation of an “irrepressible conflict” between the North and the South.¹⁷⁴ However, politicians, historians, and the like continue to debate the true reason the conflict came to the point of Southern Secession. Southerners of the Antebellum period provided a multitude of reasons why secession was justified. Many claimed they were simply defending the true intent of the founders and the constitution while others claimed that by leaving the Union they were staying true to Christian values. Some felt that the North and South had developed into two incompatible societies, leaving the South no choice but to separate itself from the drastically different North. It is no coincidence that the Southern states became serious about the idea of secession once the country began to embrace antislavery ideas and the expansion of democracy in the American republic. At their core, the arguments justifying secession were developed with the intent to defend the institution of slavery from the threat that revolutionary ideas, such as universal liberty and equality, and the expansion of democracy posed to it.

The conflict leading up to the Civil War, and the war itself, demonstrated that the North and South had very different ideas of what revolutionary thought and democracy were. After the American Revolution, a multitude of revolutions took place based on universal liberty and equality, like the French Revolution. The ideology of secession was a reaction to the age of revolution in the Atlantic world since many nations, like England and France, were outlawing slavery. For this reason, in her article “The Political Ideology of Secession in South Carolina”, Manisha Sinha claims that “secession represented the counterrevolution of slavery”.¹⁷⁵ It was the revolutionary principles of universal liberty and equality that inspired antislavery discourse. Ideas of expanding democracy in the North, including the elimination of property and tax requirements to vote, were also viewed as a threat to the institution of slavery because slaveholders feared that African American male suffrage would eventually be proposed. The South believed in democracy on the surface, but they maintained that the United States should remain a white man’s democracy that “depended on the preservation of ‘Black slavery’”.¹⁷⁶ Slaveholders did not push back against ideals of universal natural rights, including expansion of democracy to more groups, because they were passionately opposed to them, they did so in an attempt to protect their passion for the institution of slavery. The South had always believed that republicanism was meant to only protect the rights of white men, and the majority in the North used to agree, until the Civil War period. The South now feared domination by an antislavery majority instead of the previous domination of the King which spurred a “conservative reaction to revolutionary republicanism”.¹⁷⁷ They worried the Republican Party could gain the presidency

¹⁷⁴ William H. Seward, *Major Problems*, chap. 3, pg. 71

¹⁷⁵ Manisha Sinha, *Major Problems*, chap. 4, pg. 134

¹⁷⁶ *Ibid*, 122.

¹⁷⁷ Manisha Sinha, *Major Problems*, chap. 4, pg. 125

in 1860, solidifying revolutionary thought and expansive democracy as federal policy. That is why they had undemocratic elections in Southern states like South Carolina, not even allowing Abraham Lincoln's name to appear on the ballot. When he did win, and slavery was effectively threatened by a "revolutionary party", South Carolina emphasized secession talks which spread throughout the South.¹⁷⁸ It was not until after Lincoln's election that Southern states took steps to secede, this is because they felt that slavery was in true danger of abolition. This timing indicates that it was the institution of slavery that they cared about most.¹⁷⁹ Exploration of the idea of secession led the South to many arguments which they felt justified secession as a "right". In reality, these arguments defended the institution of slavery.

Throughout the development of the idea of secession and antidemocratic values, the South often argued that they were maintaining the true intent of the Founding Fathers. However, this argument is riddled with contradictions and is in outright opposition to the Founding Fathers and our founding documents. Southern senators, namely John Calhoun of South Carolina, claimed that secessionists and slaveholders were strictly interpreting the Constitution. For example, secessionists argued that secession was a "reserved right" of the states under the Tenth Amendment. They also claimed that federal laws against slavery as well as Northern rejection of the Fugitive Slave Law was a violation of the "right to private property" under the Fifth Amendment as referenced by the Mississippi's Secession Commissioner.¹⁸⁰ These views of the Constitution stem from the Southern view of it as a "compact" between the states as referenced in the South Carolina Declaration of Secession.¹⁸¹ They felt the federal government had violated the terms of the "compact" which gave the Southern states the right to secede. While Calhoun posited that this part of the Constitution should be taken at its word, he contradicted his "dedication" to the founding principles of the United States in his critique of majority rule.

Calhoun maintained that majority rule was unimportant even when James Madison, a Founding Father, said that majority rule was "the central principle of republican government".¹⁸² Confederate Vice President Alexander H. Stephens contradicted the founders further in his Cornerstone Speech where he said the "cornerstone" of this "new government" rests upon the "truth that the negro is not equal to the white man".¹⁸³ Therefore, we see that secessionists did not care as much about the intent of the Founding Fathers as they did about maintaining the institution of slavery and the "slave power", their political dominance due to the extra representation the South got in Congress due to the 3/5th clause.¹⁸⁴ Calhoun's idea of a concurrent majority would have provided veto power to this slaveholding minority over any act by the federal government that touched slavery. Secessionist theory again deviated from the intent of the founders in their flat-out rejection of the principle of equal rights, claiming that "inequality is necessary for man's progress", essentially arguing that slavery was necessary for

¹⁷⁸ James McPherson, *Major Problems*, chap. 2, pg. 50

¹⁷⁹ Ibid.

¹⁸⁰ W.L. Harris, *Major Problems*, chap. 4, pg. 107

¹⁸¹ The Government of South Carolina, *Major Problems*, chap. 4, pg. 105

¹⁸² Manisha Sinha, *Major Problems*, chap. 4, pg. 125

¹⁸³ Alexander H. Stephens, *Major Problems*, chap. 4, pg. 108

¹⁸⁴ Sinha, Manisha. *Southern Slavery and the Coming of the Civil War*, University of Connecticut, Jan 24, 2022.

progress in their view.¹⁸⁵ Again, this logic is riddled with contradictions because secessionists wanted the property protections of the Constitution to be vigorously upheld but not the document's provisions for equal rights. These blatant contradictions show that secessionists were not staying true to the intent of the Founding Fathers, and instead selectively choosing language from founding documents that could help them in their defense of slavery. To Southern secessionists, constitutional theory and a desire to theoretically defend slavery led to an ideological justification of slavery.

While secessionists borrowed language from the Constitution in order to justify separation from the Union, they also used religious language to validate their position. Since its founding the major religion in the United States had been Christianity, throughout the North and the South. Abolitionists and slaveholders alike used biblical language in defense of their causes. Southerners maintained that slavery is “nowhere condemned” in the Bible using a literal interpretation of the Christian doctrine.¹⁸⁶ James Hammond, a South Carolina Senator, further claimed “man’s right to ‘property in man’ was ‘consecrated’ in the Bible”.¹⁸⁷ Therefore, in this view, the Northern abolitionists were going against “God’s word” in their pursuit of ending slavery. However, the southern clergymen often went beyond the word of God in their attempt to justify slavery. For example, some claimed that those of African descent were really descendants of Canaan or were “Adam’s race”, making them of an “inferior variety”.¹⁸⁸ These same clergymen who spoke in support of slavery also spoke at secession conventions, signifying yet again that defending slavery was important to the South, and religion could be used to achieve that goal. The secessionists claimed that those in the North who threatened slavery were not true Christians and, therefore, the South should be able to secede to maintain their own Christianity. More specifically they argued that Northern “atheists” would no longer be a threat to the institution of slavery.¹⁸⁹

In his article “Antebellum Southern Exceptionalism”, James McPherson explains that many Americans at the time felt that the North and South had developed into “separate societies” that could “no longer live together”.¹⁹⁰ Secessionists utilized this “conflict of civilizations” theme as justification for their disunion, seeing it as a peaceable solution to the growing conflict.¹⁹¹ McPherson and other historians refer to this phenomenon as “Southern Exceptionalism” meaning a “belief that the South has possessed a separate and unique identity which appeared to be out of the mainstream of American”.¹⁹² He goes on to argue that the North and South were more similar than secessionists would like to let on, but with some key differences. Firstly, while the North and South spoke the same language and lived under the same laws, they used them in very different ways. The North used language and law to criticize slavery, while the South used the

¹⁸⁵ Manisha Sinha, *Major Problems*, chap. 4, pg. 128

¹⁸⁶ Sinha, Manisha. *Southern Slavery and the Coming of the Civil War*, University of Connecticut, Jan 24, 2022.

¹⁸⁷ Manisha Sinha, *Major Problems*, chap. 4, pg. 128

¹⁸⁸ *Ibid*, 131.

¹⁸⁹ *Ibid*, 132.

¹⁹⁰ James McPherson, *Major Problems*, chap. 2, pg. 41

¹⁹¹ *Ibid*, 41.

¹⁹² *Ibid*.

same language and law to defend it. The South had what Porter describes as a “persistence of a ‘folk culture’” which valued tradition and stability and felt threatened by change, one of those traditions being slavery.¹⁹³ The largest demographic difference between the North and the South was the percentage of the population that was African American which was an effect of the institution of slavery. Detections of threats to the tradition of slavery created the “defensive-aggressive style of Southern political behavior”, as demonstrated by their willingness to resort to violence to defend slavery including the canning of Senator Charles Sumner.¹⁹⁴ Southern politics was almost exclusively dedicated to defending institution of slavery and that is why they chose to secede.

Although some secessionists of the Antebellum period tried to prove through various reasons that secession was not about slavery, there is too much evidence to contrary to entertain these other arguments. Secession was not about preserving the intent of the founders because secessionists like John Calhoun went against founding principles like equality which were contrary to the preservation of slavery. The South did not secede in order to maintain a purer practice of Christianity because they twisted the words of the Bible to better support the “divinity” of slavery. The North and the South were not so different that they could not coexist, the only irreconcilable difference was slavery, and on that the South was not willing to budge. As presented above many secessionists of the day, like Alexander Stephens, did admit that there was a strong connection between the decision to secede and the desire to preserve the institution of slavery. Therefore, proslavery thought was central to the political ideology of secession. They were not separate issues, nor was slavery one small factor in secession, it was at the center.

¹⁹³ Ibid, 44.

¹⁹⁴ Ibid, 46.

The Historic Implications of the Censure

Jacob Sondik

Political polarization between the Democratic and Republican parties in the U.S. has recently been divisive and has made it increasingly difficult for legislators on either side of the political spectrum to find common ground. While the disagreements between the two major parties are clear, it is the intra-fighting between members of the same party that makes the contemporary political landscape unique and more divided. Each political party has fundamentally split into two separate wings, with both Democrat and Republican officials either belonging to the moderate-liberal or moderate-conservative faction. With these moderate representatives and senators, however, comes a more “radical” wing within each party. For example, a more progressive section of the Democratic party, led by, but not limited to, Alexandria Ocasio-Cortez, Bernie Sanders and Ilhan Omar have consistently been critical of moderate Democrats including Nancy Pelosi, Joe Manchin and Krystin Sinema.

For the Republican party, the influence of Former President Donald Trump split the party. Trump created a “with me or against me” dichotomy and influenced members of the party to turn on other members that did not wholeheartedly support him. If Trump was not a divisive figure before the January 6th attack on the U.S. Capitol, in which his supporters attempted to overturn the results of the 2020 Presidential Election, the incident and its immediate aftermath drew the line in the sand. There has been a significant push by Democrats to investigate these attacks, but two representatives in the Republican party have looked to make this a bipartisan issue. Representatives Liz Cheney and Adam Kinzinger have both been critical of Trump. The former president’s grip on the Republican party continues to permeate the actions of the party, culminating in the censure of both Cheney and Kinzinger. This article will explore the definition of the censure, the historical precedent in Congress, and what the censure of Cheney and Kinzinger means for the Republican party and partisan politics as a whole.

Before discussing the history of the censure and what it means for the future of politics, it is important to properly define what it is, and what it is not. A censure is not an expulsion or removal of a senator or representative. Rather, it is a formal group statement of disapproval of an individual’s actions that go against the intentions of the group.¹⁹⁵ The Senate has brought about censure cases without formally undergoing the judicial process, expressing the condemnation of a senator’s behavior quicker than it would in expulsion cases.¹⁹⁶ It is important to understand the discrepancy between censure and impeachment. Impeachment is provided in the Constitution, according to Gregory Magarian, a law professor at Washington University of St. Louis. Censure is up to both chambers of Congress to adopt rules and approve a resolution to censure, which ultimately provides a public record disapproving of an official’s actions, still not removing this

¹⁹⁵ “US Senate: About Censure.” n.d. Senate.gov. Accessed February 28, 2022. <https://www.senate.gov/about/powers-procedures/censure.htm>.

¹⁹⁶ Butler, Anne M., and Wendy Wolff. *United States Senate election, expulsion, and censure cases, 1793-1990*. Vol. 103, no. 33. US Government Printing Office, 1995.

official from office.¹⁹⁷ Another difference between censure and impeachment is the level of investment needed to perform each. A censure does not require Congress to hold hearings and state their case in a public fashion. Impeachments however require more energy and time to start the process.¹⁹⁸ However, while it is easier to formulate a censure resolution, there have not been many cases throughout history where a censure has been used against an elected official.

The first documented account of a Senator that faced censure was Timothy Pickering, a Massachusetts Federalist that entered the Senate in 1803. Pickering was vehemently opposed to aiding France during the French Revolution, developing a hate that was stirred by his belief that France was looking to undermine American independence, fearing mob rule.¹⁹⁹ This led to President John Adams dismissing him in 1800 after it was discovered that Pickering was conspiring against the efforts to settle difficulties with France. Due to a shift in partisan power in which Republicans won all elections in the northeast, Pickering looked to expose the Republicans.²⁰⁰ This quickly backfired on Pickering, as this letter had not been made public, breaking the rule of reading an executive document before the injunction of secrecy had been removed. Led by Henry Clay, the Senate at the time, votes to censure Pickering won 20 to 7. This ultimately led to Pickering being defeated in a reelection bid the following year, a preview of how significant a measure of censure could be in the future.²⁰¹

While Thomas Dodd is revered in Connecticut, his censure was the first modern-era senate ethics case that has been recorded. Dodd was accused of using his senatorial office to convert campaign funds to his personal benefit. The committee discovered that Dodd had organized several fundraising events between 1961-1965, represented to the public as campaign fundraisers.²⁰² However, it was uncovered that Dodd used this money for personal gain. Despite claiming that the contributors knew these donations were gifts, the committee believed that press coverage had painted these events as campaign fundraisers. The committee declared that this evidence was sufficient to censure him.²⁰³ The senate censured Senator Dodd 92-5, on the grounds of converting campaign funds into personal use. The partisan impact was felt in the aftermath of his censure, as Dodd unsuccessfully ran for a third term as a part of the Democratic party, being denied altogether from using the platform. He ran as an independent instead, and after losing to Lowell Weicker, passed away from a heart attack a year later. This case was the first censure that revolved around a senator's finances, starting a new era of reform in the following years.²⁰⁴

¹⁹⁷ Norwood, Candice. 2019. "What does it mean to censure a politician?" PBS.

<https://www.pbs.org/newshour/politics/what-does-it-mean-to-censure-a-politician>.

¹⁹⁸ Ibid.

¹⁹⁹ Butler, Anne M., and Wendy Wolff. *United States Senate election, expulsion, and censure cases, 1793-1990*. Vol. 103, no. 33. US Government Printing Office, 1995.

²⁰⁰ Ibid.

²⁰¹ Ibid.

²⁰² Ibid.

²⁰³ Ibid.

²⁰⁴ Butler, Anne M., and Wendy Wolff. *United States Senate election, expulsion, and censure cases, 1793-1990*. Vol. 103, no. 33. US Government Printing Office, 1995.

The recent censure case of representative Paul Gosar showed how the contemporary political landscape has shifted the censure votes across party lines. Gosar posted a video to his congressional Twitter and Instagram accounts, containing a cartoon of the representative from Arizona slashing at the face of Alexandria Ocasio-Cortez, with the depiction of Gosar subsequently charging at President Joe Biden with the weapons.²⁰⁵ The divided House of Representatives, voted to censure Gosar on the grounds of “depiction of violence that can foment actual violence and jeopardize the safety of elected officials,” citing the recent January 6th attack, while also emphasizing the importance of combatting violence against women in politics that could potentially discourage women from seeking places of authority.²⁰⁶ Unlike the Pickering and Dodd cases however, the vote to censure was passed by a narrow margin of 223 to 207, split across partisan lines with the aforementioned Cheney and Kinzinger joining the Democrats. While these cases are completely different from one another, it is important to realize the transformation that partisan politics has played in dictating how these votes transpire, going from almost unanimous, bipartisan support, to democrats and republicans being almost entirely split on the issue.

The partisan lines have however been challenged recently, in the cases of Cheney and Kinzinger. It is not surprising based on how both representatives voted in the Gosar case, and their explicit opposition to former President Trump that the GOP has not been pleased by the actions of their own representatives. Trump’s power and grip on Republican Congress members has never been more clear in the RNC’s censure of Cheney and Kinzinger over their participation in the investigation of January 6th and status on the committee. The censure resolution drafted by the Republican National Committee made little distinction between January 6th and peaceful protests, referring to the attack on the capital as “legitimate political discourse.”²⁰⁷ The aftermath, like the historical accounts mentioned prior, have more partisan impacts than ever before. While the Gosar vote displayed the lack of agreement in an inter-party setting, Cheney and Kinzinger have become victims of intra-party disagreement, with the Trump wing of the party applauding the censure resolution.²⁰⁸ Kinzinger has publicly stated that due to rising extremism in the party, he would not seek resolution, but the censure has certainly played a significant role in Cheney’s chances of reelection in her position of representing Wyoming.²⁰⁹

The increasingly divided and partisan nature of contemporary politics continues to play a significant role in how government officials operate, behave, and legislate on a daily basis. The changing goals of the censure symbolizes the shift away from bipartisan action and accountability and instead displays how Democrat and Republicans’ attempts to grab political power have made measures like censure resolutions, tools of the party, rather than checks on

²⁰⁵ Quinn, Melissa. 2021. “House votes to censure Congressman Paul Gosar for violent video in rare formal rebuke.” CBS News. <https://www.cbsnews.com/news/paul-gosar-censure-committees-house-aoc-video/>.

²⁰⁶ Ibid.

²⁰⁷ Askarinam, Leah. 2022. “Censuring Reps. Cheney and Kinzinger Sets Off Republican Food Fight.” The New York Times. <https://www.nytimes.com/2022/02/08/us/politics/cheney-kinzinger-censure-republican-party.html>.

²⁰⁸ Wise, Alana. 2022. “Republicans censure Liz Cheney, Adam Kinzinger for January 6 committee work.” NPR. <https://www.npr.org/2022/02/04/1078316505/rnc-censure-liz-cheney-adam-kinzinger-jan-6-committee-capitol>.

²⁰⁹ Ibid.

elected officials. In the cases of Pickering and Dodd, both political parties came together to enforce censures against senators that had broken rules that endanger the structure of democracy. Gosar's censure that was passed almost entirely on partisan lines showed that a divided American electorate is reflected in the representatives and senators that are elected. The censure of Cheney and Kinzinger are troublesome for the future of American politics. The intra-party fighting in both parties, and in this case, the GOP, signals unwavering support for Trump, willing to censure anyone that opposes him in any regard. The actions of those who attacked the capital on January 6th should have universally been recognized as acts of crime. Instead, party politics and a dedication to protecting the top figures of the parties have the potential to lead to the destruction of civil bipartisan political discourse entirely, and in turn, have severe consequences for the future of democracy and the institutions that uphold these democratic values as we know it.