

Civil Rights

WHAT GOVERNMENT DOES AND WHY IT MATTERS In this chapter, we will turn from a discussion of civil liberties to an examination of civil rights. Rights and liberties are related but are not one and the same. Civil liberties are limitations on the power of the government. The concept of civil liberties defines certain spheres of activity, such as speech or worship, in which the government's authority to interfere with individuals is limited. Civil rights, on the other hand, are the rules governing who may participate in the political process and regulating the ways in which the government may or may not treat its citizens. As we shall see, among the most important rights guaranteed by the American Constitution are "equal protection" under the law and "due process" of law, concepts that will be at the heart of this chapter. Civil liberties and civil rights are both aspects of political freedom and, while specific rights may conflict with particular liberties, in a broad sense rights and liberties reinforce each other. The Constitution's Bill of Rights includes liberties such as freedom of speech and rights such as trial by jury.

As in the case of civil liberties, Americans agree with the basic principle of civil rights but quarrel frequently over their application. The question of who has the constitutional right to do what underlies some of the major controversies of American history. Fifty years ago, the African American struggle for equal rights took center stage. Many goals of the civil rights movement that once aroused bitter controversy are now widely accepted as part of the American commitment to equal rights. But even today the question of what is meant by "equal rights" is hardly settled. To what extent can states mandate racial preferences in college admissions? Do transgender individuals have the right to use

a public restroom based upon their gender identification rather than their physical characteristics? What rights do undocumented immigrants possess?

The Black Lives Matter movement has gained momentum in recent years in response to highly publicized incidents of excessive police force against African Americans. Supporters of the movement have charged that the police are inclined to use particularly harsh tactics against minorities in general and African Americans in particular. Some critics have replied by asserting that *all* lives matter or that the police officers are simply doing their job, but the Black Lives Matter protesters maintain that police brutality against African Americans is a reflection of continued institutional racism. The Black Lives Matter movement has fueled the fire of the ongoing debate about how serious a problem racism is in the United States today.

Ideas about civil rights do not change easily; advocates who have challenged barriers to civil rights often struggled against strong resistance. This chapter will show how inequalities between races and genders were tolerated and even enforced by law during much of our country's history. Although the United States was founded on the ideals of liberty, equality, and democracy, its history of civil rights reveals a gap between these principles and actual practice. This history also demonstrates how the struggle to attain those ideals has helped narrow this gap. The election of Barack Obama as the nation's first black president was a testament to the successes of those struggles but did not by itself alter persistent social and economic differences across racial lines.

● The Struggle for Civil Rights

Trace the legal developments and social movements that expanded civil rights

In the United States the history of slavery and legalized racial **discrimination** against African Americans coexists uneasily with a strong tradition of individual liberty. Indeed, for much of our history Americans have struggled to reconcile such exclusionary racial practices with our notions of individ-

ual rights. With the adoption of the Fourteenth Amendment in 1868 **civil rights** became part of the Constitution, guaranteed to each citizen through “equal protection of the laws.” This **equal protection clause** launched a century of political movements and legal efforts to press for racial equality.

For African Americans, the central fact of political life for most of American history has been a denial of full citizenship rights. By accepting the institution of slavery, the Founders embraced a system fundamentally at odds with the “Blessings of Liberty” promised in the Constitution. Their decision set the stage for two centuries of African American struggles to achieve full citizenship.

For women, electoral politics was a decidedly masculine world. Until 1920, not only were women barred from voting in national politics but electoral politics was closely tied to such male social institutions as lodges, bars, and clubs. Yet the exclusion of women from this political world did not prevent them from engaging in public life. Instead, women carved out a “separate sphere” for their public activities. Emphasizing female stewardship of the moral realm, women became important voices in social reform well before they won the right to vote.¹ Prior to the Civil War, women played leading roles in the abolitionist movement.

discrimination the use of any unreasonable and unjust criterion of exclusion

civil rights obligation imposed on government to take positive action to protect citizens from any illegal action of government agencies and of other private citizens

equal protection clause provision of the Fourteenth Amendment guaranteeing citizens “the equal protection of the laws.” This clause has been the basis for the civil rights of African Americans, women, and other groups

Slavery and the Abolitionist Movement

No issue in the nation's history so deeply divided Americans as that of slavery. The importation and subjugation of Africans kidnapped from their native lands was a practice virtually as old as the country itself: the first slaves brought to what became the United States arrived in 1619, a year before the Plymouth colony was established in Massachusetts. White southerners built their agricultural economy (especially cotton production) on a large slave labor force. By 1840 nearly half of the populations of Alabama and Louisiana consisted of black slaves. Even so, only about one-quarter of southern white families owned slaves.

Slavery was so much a part of southern culture that efforts to restrict or abolish the institution were met with fierce resistance. Despite the manifest cruelties of the slave system, southerners referred to it merely as their "peculiar institution." This quaint label meant little to slavery's opponents, however; and an abolitionist movement grew and spread among northerners in the 1830s (although abolitionist sentiment could be traced back to the prerevolutionary era). The abolitionist movement spread primarily through local organizations in the North. Soon two political parties emerged, the staunchly antislavery Liberty Party and the more moderate Free Soil Party, which sought primarily to restrict slavery from spreading into new western territories. Some opponents of slavery took matters into their own hands, aiding in the escape of runaway slaves along the Underground Railroad. In the South, a similar, if contrary, fervor prompted mobs to break into post offices in order to seize and destroy antislavery literature.

In 1857, the Supreme Court inflamed this tense atmosphere with its infamous decision in *Dred Scott v. Sanford*. Dred Scott was a slave who had been taken by his owner to the free state of Illinois and the territory of Wisconsin, where slavery was forbidden. Scott sued for his freedom, arguing that his residence in a free territory meant he was a free man. The Court, however, disagreed, holding that slaves—indeed, all blacks—were not citizens of the United States. Scott had no due process rights because, as a slave, he was his master's permanent property, regardless of his master's having taken him to a free state or territory.² This decision split the country deeply over the issue of slavery; the emotional power of the slavery issue was such that it precipitated the nation's bloodiest conflict, the Civil War. From the ashes of the Civil War came the Thirteenth, Fourteenth, and Fifteenth amendments, which would redefine civil rights from that time on.

The Link to the Women's Rights Movement

The quiet upstate New York town of Seneca Falls played host to what would later come to be known as the starting point of the modern women's movement. Convened in July 1848 and organized by the activists Elizabeth Cady Stanton and Lucretia Mott, the Seneca Falls Convention drew 300 delegates to formulate plans for advancing the political and social rights of women.

The centerpiece of the convention was its Declaration of Sentiments and Resolutions. Patterned after the Declaration of Independence, the Seneca Falls document declared, "We hold these truths to be self-evident: that all men and women are created equal" and "The history of mankind is a history of repeated injuries and usurpations on the part of man toward woman, having in direct object the establishment of an absolute tyranny over her." The most controversial provision of the declaration, nearly rejected as too radical, was the call for the right to vote for women. Although most of the delegates were women, about 40 men participated,



Although a few women could vote in the early American republic, such as these New Jersey women who satisfied state property qualifications, laws were soon enacted to block women from the ballot box. At the beginning of the nineteenth century, no American woman could legally vote.

including the renowned abolitionist Frederick Douglass. The link to the antislavery movement was not new. Stanton and Mott had attended the World Anti-Slavery Convention in London in 1840 but had been denied delegate seats because of their sex. This rebuke helped precipitate the 1848 convention in Seneca Falls.

The convention and its participants were subjected to widespread ridicule, but similar conventions were organized in other states; and in the same year as the Seneca Falls Convention, New York State passed the Married Women's Property Act in order to restore the right of married women to own property.

The Civil War Amendments to the Constitution

The hopes of African Americans for achieving full citizenship rights initially seemed fulfilled when three constitutional amendments were adopted after the Civil War: the **Thirteenth Amendment** abolished slavery, the **Fourteenth Amendment** guaranteed equal protection under the law, and the **Fifteenth Amendment** guaranteed voting rights for blacks. Protected by the presence of federal troops, African American men were able to exercise their political rights immediately after the war. Between 1869 and 1877, blacks were elected to many political offices: two black senators were elected from Mississippi, and a total of 14 African Americans were elected to the House of Representatives. African Americans also held many state-level political offices. As voters and public officials, black citizens found a home in the Republican Party, which had secured the ratification of the three constitutional amendments guaranteeing black rights. After the war, the Republican Party continued to reach out to black voters as a means to build party strength in the South.³

This political equality was short-lived, however. The national government withdrew its troops from the South and turned its back on African Americans in 1877, when Reconstruction ended. In the Compromise of 1877, southern Democrats agreed to allow the Republican candidate, Rutherford B. Hayes, to become president after a disputed election. In exchange, northern Republicans dropped their support for the civil liberties and political participation of African Americans. After

Thirteenth Amendment one of three Civil War amendments; it abolished slavery

Fourteenth Amendment one of three Civil War amendments; it guaranteed equal protection and due process

Fifteenth Amendment one of three Civil War amendments; it guaranteed voting rights for African American men

Jim Crow laws laws enacted by southern states following Reconstruction that discriminated against African Americans

that, southern states erected a “Jim Crow” system of social, political, and economic inequality that made a mockery of the promises in the Constitution. The first **Jim Crow laws** were adopted in the 1870s, in each southern state, to criminalize intermarriage of the races and to segregate trains and depots. These were promptly followed by laws segregating all public accommodations, and within 10 years all southern states had adopted laws segregating the schools.

Immediately after the Civil War, when male ex-slaves won the franchise, some women pressed for the right to vote at the national level; but politicians in both parties rejected women’s suffrage as disruptive and unrealistic. Women also started to press for the vote at the state level in 1867, when a referendum to give women the vote in Kansas failed. Frustration with the general failure to win reforms accelerated suffrage activism. In 1872, Susan B. Anthony and several other women were arrested in Rochester, New York, for illegally registering and voting in that year’s national election. (The men who allowed the women to register and vote were also indicted; Anthony paid their expenses and eventually won presidential pardons for them.) At Anthony’s trial, Judge Ward Hunt ordered the jury to find her guilty without deliberation. Yet Anthony was allowed to address the court, saying, “Your denial of my citizen’s right to vote is the denial of my right of consent as one of the governed, the denial of my right of representation as one of the taxed, the denial of my right to a trial of my peers as an offender against the law.”⁴ Hunt assessed Anthony a fine of \$100 but did not sentence her to jail. She refused to pay the fine.

Civil Rights and the Supreme Court: “Separate but Equal”

Resistance to equality for African Americans in the South led Congress to adopt the Civil Rights Act of 1875, which attempted to protect blacks from discrimination by proprietors of hotels, theaters, and other public accommodations. But the Court declared the legislation unconstitutional on the grounds that the act sought to protect blacks against discrimination by *private* businesses, whereas the Fourteenth Amendment, according to the Court’s interpretation, was intended to protect individuals from discrimination only against actions by *public* officials of state and local governments.

The 1896 Supreme Court case of Plessy v. Ferguson upheld legal segregation and created the “separate but equal” rule, which fostered national segregation. Overt discrimination in public accommodations was common.



In the infamous case of *Plessy v. Ferguson* (1896), the Court went still further by upholding a Louisiana statute that *required* segregation of the races on trolleys and other public carriers (and, by implication, in all public facilities, including schools). Homer Plessy, a man defined as “one-eighth black,” had violated a Louisiana law that provided for “equal but separate accommodations” on trains and levied a \$25 fine on any white passenger who sat in a car reserved for blacks or on any black passenger who sat in a car reserved for whites. The Supreme Court held that the Fourteenth Amendment’s equal protection clause was not violated by racial distinction as long as the facilities were equal, thus establishing the **“separate but equal” rule** that prevailed through the mid-twentieth century. People generally pretended that segregated accommodations were equal as long as some accommodation for blacks existed. The Court said that although “the object of the [Fourteenth] Amendment was undoubtedly to enforce the absolute equality of the two races before the law . . . it could not have intended to abolish distinctions based on color, or to enforce social, as distinguished from political, equality, or a commingling of the two races upon terms unsatisfactory to either.”⁵ What the Court was saying in effect was that the use of race as a criterion of exclusion in public matters was reasonable.

“separate but equal” rule doctrine that public accommodations could be segregated by race but still be considered equal

for critical analysis

What were the consequences of the “separate but equal” policy for southern society and for blacks’ civil rights?

Organizing for Equality

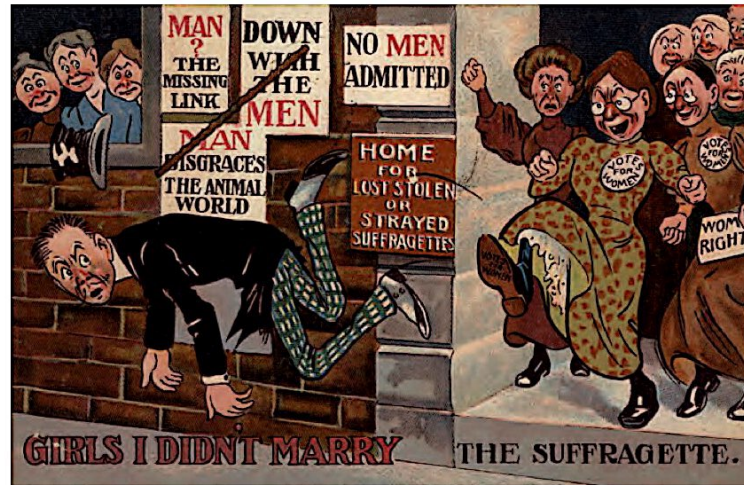
The creation of a Jim Crow system in the southern states and the lack of a legal basis for “equal protection of the laws” prompted the beginning of a long process in which African Americans built organizations and devised strategies for asserting their constitutional rights.

The National Association for the Advancement of Colored People One such strategy sought to win political rights through political pressure and litigation. This approach was championed by the National Association for the Advancement of Colored People (NAACP), established in 1909 by a group of black and white reformers that included W. E. B. Du Bois, one of the twentieth century’s most influential and creative thinkers on racial issues. Because the northern black vote was so small in the early 1900s, the NAACP relied primarily on the courts to press for black political rights. After the 1920s it built a strong membership base, with some strength in the South, which would be critical when the civil rights movement gained momentum in the 1950s.

Women’s Organizations and the Right to Suffrage The 1886 unveiling in New York Harbor of the Statue of Liberty, depicting liberty as a woman, prompted women’s rights advocates to call it “the greatest hypocrisy of the nineteenth century,” in that “not one single woman throughout the length and breadth of the Land is as yet in possession of political Liberty.”⁶

The climactic movement toward women’s suffrage had been formally launched in 1878 with the introduction of a proposed constitutional amendment in Congress. Parallel efforts were made in the states. Many states granted women the right to vote before the national government did; western states with less entrenched political systems opened politics to women earliest. When Wyoming became a state in 1890, it was the first state to grant full suffrage to women. Colorado, Utah, and Idaho all followed suit in the next several years. Suffrage organizations grew—the National American Woman Suffrage Association (NAWSA), formed in 1890, claimed 2 million members by 1917 and staged mass meetings, parades, petitions, and protests.

Women have had the right to vote in the United States for less than 100 years. The women who fought for this basic political right were often ridiculed as man-haters, as depicted in this cartoon. However, the suffragettes believed both men and women should enjoy the same political rights.



NAWSA organized state-by-state efforts to win the right for women to vote. Members of a more militant group, the National Woman's Party, staged pickets and got arrested in front of the White House to protest President Wilson's opposition to a constitutional amendment granting women this right. When the Nineteenth Amendment was ratified in 1920, women were finally guaranteed the right to vote.

Litigating for Equality after World War II

The shame of discrimination against black military personnel during World War II, plus revelations of Nazi racial atrocities, moved President Harry S. Truman finally to bring the problem of racial discrimination to the White House and national attention, with the appointment in 1946 of the President's Commission on Civil Rights. In 1948 the commission submitted its report, *To Secure These Rights*, which laid bare the extent of the problem and its consequences and revealed the success of experiments with racial integration in the armed forces during World War II, to demonstrate to southern society that it had nothing to fear. But the commission recognized that the national government had no clear constitutional authority to pass and implement civil rights legislation. It proposed tying such legislation to the commerce power described in Article I of the Constitution, which allows Congress to regulate interstate commerce, although it was clear that discrimination was not itself related to the flow of interstate commerce.⁷ The committee even suggested using the treaty power as a source of constitutional authority for civil rights legislation.⁸

The Supreme Court had begun to change its position on racial discrimination before World War II by being stricter about the criterion of equal facilities in the "separate but equal" rule. In 1938, for example, the Court rejected Missouri's policy of paying the tuition of qualified blacks to out-of-state law schools rather than admitting them to the University of Missouri Law School.⁹

After the war, modest progress resumed. In 1950 the Court rejected Texas's claim that its new "law school for Negroes" afforded education equal to that of the all-white University of Texas Law School, anticipating its future civil rights rulings by opening the question of whether *any* segregated facilities could be truly



The NAACP was formed in 1909 to promote the political rights of blacks. In the decades following, the NAACP expanded its membership significantly and played an important role in the civil rights movement of the 1950s and '60s.

equal.¹⁰ But in ordering the admission of blacks to all-white state law schools, the Supreme Court did not directly confront the “separate but equal” rule. The same had been true in 1944, when the Supreme Court struck down the southern practice of “white primaries,” which legally excluded blacks from participation in the nominating process. Here the Court simply recognized that primaries could no longer be regarded as the private affairs of the parties but were an integral aspect of the electoral process, making parties “an agency of the State.” Therefore, any practice of discrimination against blacks was “state action within the meaning of the Fifteenth Amendment.”¹¹ The most important pre-1954 decision was probably *Shelley v. Kraemer*, in which the Court ruled against the widespread practice of “restrictive covenants” whereby the seller of a home added a clause to the sales contract requiring the buyer to agree never to sell the home to any non-Caucasian, non-Christian, and so on. The Court ruled that such covenants could not be judicially enforced since the Fourteenth Amendment prohibits any organ of the state, including the courts, from denying equal protection of its laws.¹²

Although none of those pre-1954 cases confronted “separate but equal” and the principle of racial discrimination as such, they were extremely significant to black leaders in the 1940s and gave them encouragement to believe that at last they had an opportunity and enough legal precedent to change the constitutional framework itself. Much of this legal work was done by the Legal Defense and Educational Fund of the NAACP, which until the late 1940s had concentrated on winning small victories within the existing framework. In 1948, the Legal Defense Fund upgraded its approach by simultaneously filing suits in different federal districts and through each level of schooling, with complaints ranging from unequal provision of kindergarten for blacks to unequal sports and science facilities in all-black high schools. After nearly two years of these mostly successful equalization suits, the lawyers decided the time was ripe to confront the “separate but equal” rule head-on, but they felt they needed some heavier artillery to lead the attack. Their choice was the African American lawyer Thurgood Marshall, who had been fighting, and often winning, equalization suits since the early 1930s. Marshall was pessimistic about the readiness of the Supreme Court for a full confrontation with segregation itself and the constitutional principle sustaining it. But the unwillingness of Congress after the 1948 election to consider fair-employment legislation seems to have convinced Marshall that the courts were the only hope.

Brown v. Board of Education
the 1954 Supreme Court decision that struck down the “separate but equal” doctrine as fundamentally unequal; this case eliminated state power to use race as a criterion of discrimination in law and provided the national government with the power to intervene by exercising strict regulatory policies against discriminatory actions

strict scrutiny a test used by the Supreme Court in racial discrimination cases and other cases involving civil liberties and civil rights that places the burden of proof on the government rather than on the challengers to show that the law in question is constitutional

During the next four years there emerged a clear indication that the Supreme Court was willing to take more civil rights cases on appeal. Yet this was no guarantee that the Court would reverse *on principle* the “separate but equal” precedent of *Plessy v. Ferguson*. All through 1951 and 1952, as cases were winding slowly through the lower-court litigation maze, intense discussions and disagreements arose among NAACP lawyers as to whether a full-scale assault on *Plessy* was good strategy or whether it might not be better to continue with specific cases alleging unequal treatment and demanding relief with a Court-imposed policy of equalization.¹³

In the fall of 1952, the Court had on its docket cases from Delaware, Kansas, South Carolina, Virginia, and the District of Columbia challenging the constitutionality of school segregation. Of these, the case filed in Kansas became the one chosen by the NAACP. This case was further along in the process of adjudication in its district court, and it had the advantage of being located in a state outside the Deep South, a fact which would minimize any local opposition to a favorable decision.¹⁴

Oliver Brown, the father of three girls, lived “across the tracks” in a low-income, racially mixed Topeka neighborhood. Every school day, Linda Brown took the school bus to the Monroe Elementary School, for black children, about a mile away. In September 1950, Oliver Brown took Linda to the all-white Sumner School, which was closer to home, to enter her into the third grade, in defiance of state law and local segregation rules. When they were refused, Brown took his case to the NAACP, and soon thereafter, the case **Brown v. Board of Education** was born. In mid-1953 the Court announced that the several cases on their way up would be reargued within a set of questions having to do with the intent of the Fourteenth Amendment. Almost exactly a year later, the Court responded to those questions in one of the most important decisions in its history.

In deciding the *Brown* case, the Court, to the surprise of many, basically rejected as inconclusive all the learned arguments about the intent and the history of the Fourteenth Amendment and committed itself instead to considering only the consequences of segregation:

Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other “tangible” factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does. . . . We conclude that in the field of public education the doctrine of “separate but equal” has no place. Separate educational facilities are inherently unequal.¹⁵

The *Brown* decision altered the constitutional framework in two fundamental respects. First, after *Brown*, the states no longer had the power to use race as a criterion of discrimination in law. Second, the national government from then on had the power (and eventually the obligation) to intervene with strict regulatory policies against the discriminatory actions of state or local governments, school boards, employers, and many others in the private sector.

Civil Rights after *Brown v. Board of Education*

Brown v. Board of Education withdrew all constitutional authority to use race as a criterion of exclusion, and it signaled more clearly the Court’s determination to use the **strict scrutiny** test in cases related to racial discrimination. This meant that the burden of proof would fall on the government to show that the law in question *was* constitutional—not on the challengers to show the law’s *unconstitutionality*.¹⁶



"Massive resistance" among white southerners attempted to block the desegregation efforts of the national government. For example, at Little Rock Central High School in 1957, an angry mob of white students prevented black students from entering the school.

Although the use of strict scrutiny would give an advantage to those attacking racial discrimination, the historic decision in *Brown v. Board of Education* was merely a small opening move. First, most states refused to cooperate until sued, and many ingenious schemes were employed to delay obedience (such as paying the tuition for white students to attend newly created "private" academies). Second, even as southern school boards began to cooperate by eliminating their legally enforced (**de jure**) school segregation, extensive actual (**de facto**) school segregation remained, in the North as well as in the South, as a consequence of racially segregated housing that could not be addressed by the 1954–55 *Brown* principles. Third, discrimination in employment, public accommodations, juries, voting, and other areas of social and economic activity was not directly touched by *Brown*.

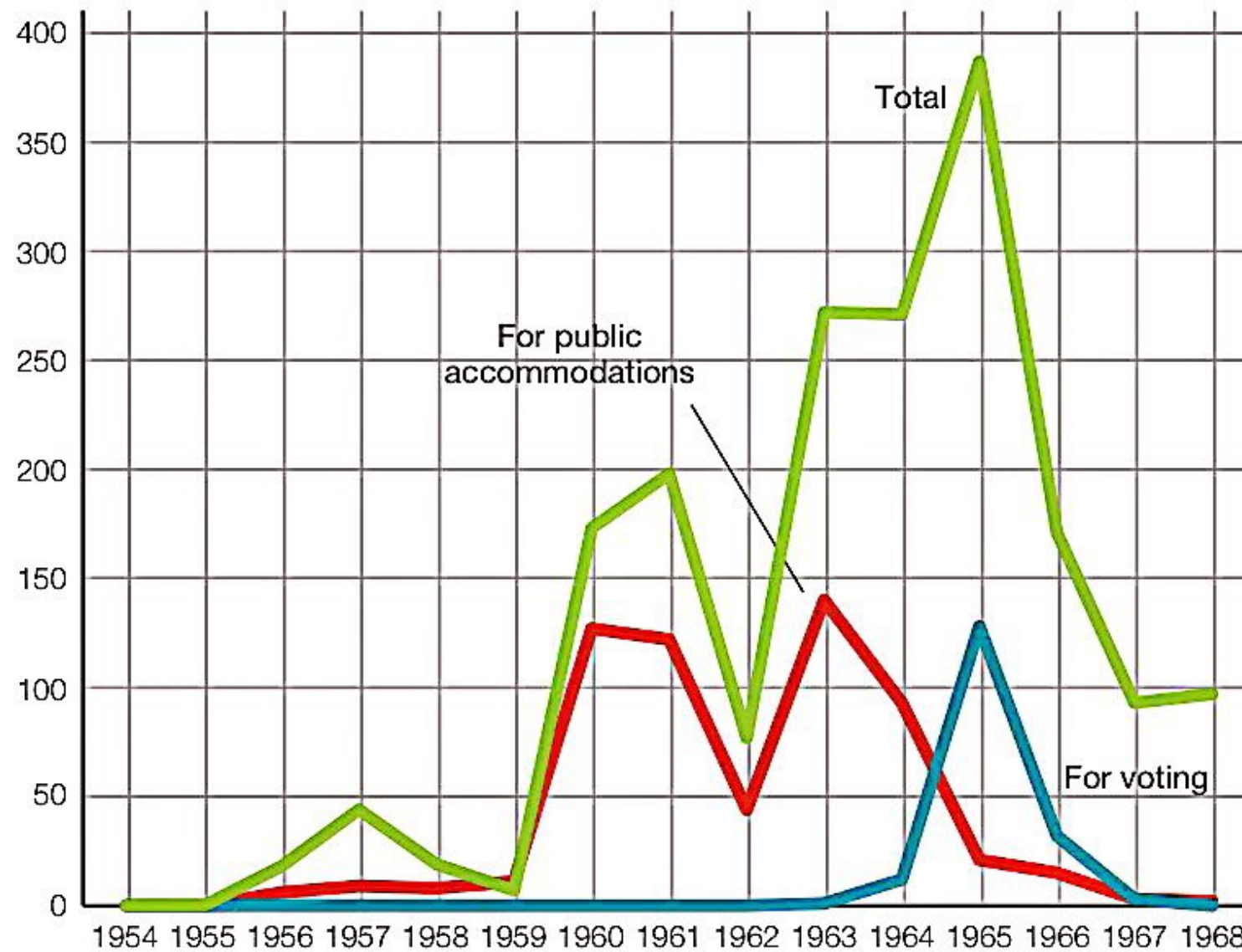
School Desegregation, Phase One Although the District of Columbia and some of the school districts in the border states began to respond almost immediately to court-ordered desegregation, the states of the Deep South responded with a carefully planned delaying tactic commonly called "massive resistance." Southern poli-

de jure literally, "by law"; refers to legally enforced practices, such as school segregation in the South before the 1960s

de facto literally, "by fact"; refers to practices that occur even when there is no legal enforcement, such as school segregation in much of the United States today

The number of organized demonstrations began to mount slowly but surely after *Brown v. Board of Education*. Only a year after *Brown*, black citizens in Montgomery, Alabama, challenged the city's segregated bus system with a yearlong boycott.

NUMBER OF DEMONSTRATIONS



The boycott began with the arrest of Rosa Parks, who refused to give up her seat for a white man. A seamstress who worked with civil rights groups, Parks eventually became a civil rights icon, as did one of the ministers leading the boycott, Martin Luther King, Jr. After a year of private carpools and walking, Montgomery's bus system desegregated, but only after the Supreme Court ruled the system unconstitutional.

By the 1960s the many organizations that made up the civil rights movement had accumulated experience and built networks capable of launching large-scale direct action campaigns against southern segregationists. The Southern Christian Leadership Conference, the Student Nonviolent Coordinating Committee, and many other organizations had built a movement that stretched across the South, using the media to attract nationwide attention and support. The image of protesters being beaten, attacked by police dogs, and set upon with fire hoses did much to win broad sympathy for the cause of black civil rights and to discredit state and local governments in the South. In the massive March on Washington in 1963, the Reverend Martin Luther King, Jr., staked out the movement's moral claims in his famous "I Have a Dream" speech. Steadily, the movement created intense pressure for a reluctant federal government to take more assertive steps to defend black civil rights.

Protests against discriminatory practices toward African Americans did not end in the 1960s. In recent years, a variety of local protests coalesced under the banner Black Lives Matter to focus attention on allegations of police misconduct directed at African Americans. The movement took off in Ferguson, Missouri, after the shooting of an unarmed black man by a white police officer and spread across the nation as the media carried reports, photos, and videos of police violence against blacks in Chicago, South Carolina, Baltimore, New York, and many other cities. African Americans had long asserted that they were often victims of racial profiling and more likely than whites to be harassed, physically harmed, or arrested by the police. Police departments had often replied that blacks were more likely than whites to be engaged in criminal activity. Reports and film footage of killings, however, proved difficult for the police to justify and seemed likely to lead to new rules governing police behavior.



The 1955–56 Montgomery bus boycott began with the arrest of Rosa Parks, who refused to give up her seat for a white man. The boycott lasted a year and drew national attention to the cause of civil rights.

The Civil Rights Acts

It is important to observe here the mutual dependence of the courts and legislatures: the legislatures need constitutional authority to act, and the courts need legislative and administrative assistance to implement court orders and focus political support. Consequently, even as the U.S. Congress finally moved into the field of school desegregation (and other areas of "equal protection"), the courts continued to exercise their powers, not only by placing court orders against recalcitrant school districts but also by extending and reinterpreting aspects of the equal protection clause to support legislative and administrative actions (see Table 5.1).

Three civil rights acts were passed during the first decade after the 1954 Supreme Court decision in *Brown v. Board of Education*. But these acts were of only marginal importance. The first one, in 1957, created the U.S. Commission on Civil Rights, to study abuses. The second, in 1960, established that the Fourteenth Amendment to the Constitution, adopted almost a century earlier, could no longer be disregarded,

Political action and government action worked in tandem to produce dramatic changes in American civil rights policies.

JUDICIAL AND LEGAL ACTION

POLITICAL ACTION

1954 *Brown v. Board of Education*

1955 Montgomery, Alabama, bus boycott

1956 Federal courts order school integration; of special note is one ordering Autherine Lucy admitted to the University of Alabama, with Governor Wallace officially protesting

1957 Civil Rights Act creating Civil Rights Commission; President Eisenhower sends 101st Airborne Division paratroops to Little Rock, Arkansas, to enforce integration of Central High School

1957 Southern Christian Leadership Conference formed, with Martin Luther King, Jr., as president

1960 First substantive Civil Rights Act, primarily voting rights

1960 Student Nonviolent Coordinating Committee formed to organize protests, sit-ins, freedom rides

1961 Interstate Commerce Commission orders desegregation on all buses and trains and in terminals

1961 President Kennedy (JFK) favors executive action over civil rights legislation

1963 JFK shifts, supports strong civil rights law; JFK's assassination; President Johnson asserts strong support for civil rights

1963 Nonviolent demonstrations in Birmingham, Alabama, lead to King's arrest and his "Letter from Birmingham Jail"

1963 March on Washington

1964 Congress passes historic Civil Rights Act covering voting, employment, public accommodations, education

1965 Voting Rights Act

1965 King announces drive to register 3 million blacks in the South

1966 War on Poverty in full swing

Late 1960s Movement diverges: part toward litigation, part toward community action programs, part toward war protest, part toward more militant "Black Power" actions

Public Accommodations After the passage of the 1964 Civil Rights Act, public accommodations quickly removed some of the most blatant forms of racial discrimination. Signs defining “colored” and “white” restrooms, water fountains, waiting rooms, and seating arrangements were removed; and a host of other practices that relegated black people to separate and inferior arrangements were ended. In addition, the federal government filed more than 400 antidiscrimination suits in federal courts against hotels, restaurants, taverns, gas stations, and other “public accommodations.”

Many aspects of legalized racial segregation—such as separate Bibles to swear in black and white witnesses in the courtroom—seem like ancient history today. But the issue of racial discrimination in public settings is by no means over. In 1993, six African American Secret Service agents filed charges after a Denny’s restaurant in Annapolis, Maryland, failed to serve them. Similar charges citing discriminatory service at Denny’s restaurants surfaced across the country. Faced with evidence of a pattern of systematic discrimination and numerous lawsuits, Denny’s paid \$45 million in damages to plaintiffs in Maryland and California in what is said to be the largest settlement ever in a public accommodations case.²¹ In addition to the settlement, the chain vowed to expand employment and management opportunities for minorities in its restaurants. Other forms of racial discrimination in public accommodations are harder to challenge, however. For example, there is considerable evidence that taxicabs often refuse to pick up black passengers.²² Such practices may be common, but they are difficult to prove and remedy through the law.

School Desegregation, Phase Two The 1964 Civil Rights Act also declared discrimination by private employers and state governments (school boards, etc.) illegal and then went further to provide for administrative agencies to help the courts implement these laws. Title IV of the act, for example, authorized the executive branch, through the Justice Department, to implement federal court orders to desegregate schools and to do so without having to wait for individual parents to bring complaints. Title VI of the act vastly strengthened the role of the executive branch and the credibility of court orders by providing that federal grants-in-aid to state and local governments for education must be withheld from any school system practicing racial segregation. Title VI became the most effective weapon for desegregating schools outside the South because the situation in northern communities was subtler and more difficult to address. In the South, the problem was segregation by law coupled with overt resistance to the national government’s efforts to change the situation. In contrast, outside the South, segregated facilities were the outcome of hundreds of thousands of housing choices made by individuals and families. Once racial residential patterns emerged, racial homogeneity, property values, and neighborhood schools and churches were defended by real estate agents, neighborhood organizations, and the like. Thus, in order to eliminate discrimination nationwide, the 1964 Civil Rights Act gave (1) the president, through the Justice Department’s Office for Civil Rights, the power to withhold federal education grants²³ and (2) the attorney general of the United States the power to initiate suits (rather than having to await complaints) wherever there was a “pattern or practice” of discrimination.²⁴

In the decade following the 1964 Civil Rights Act, the Justice Department brought legal action against more than 500 school districts. During the same period, administrative agencies filed lawsuits against 600 school districts, threatening to suspend federal aid to education unless real desegregation steps were taken.

The VRA had a direct impact on the rate of black voter registration in the southern states, as measured by the gap between white and black voters in each state. Further insights can be gained by examining changes in white registration rates before and after passage of the VRA and by comparing the gaps between white and black registration. Why do you think registration rates for whites increased significantly in some states and dropped in others? What impact could the increase in black registration have had on public policy?

	BEFORE THE ACT*			AFTER THE ACT* 1971–72		
	WHITE %	BLACK %	GAP** %	WHITE %	BLACK %	GAP %
Alabama	69.2	19.3	49.9	80.7	57.1	23.6
Georgia	62.6	27.4	35.2	70.6	67.8	2.8
Louisiana	80.5	31.6	48.9	80.0	59.1	20.9
Mississippi	69.9	6.7	63.2	71.6	62.2	9.4
North Carolina	96.8	46.8	50.0	62.2	46.3	15.9
South Carolina	75.7	37.3	38.4	51.2	48.0	3.2
Virginia	61.1	38.3	22.8	61.2	54.0	7.2
TOTAL	73.4	29.3	44.1	67.8	56.6	11.2

*Available registration data as of March 1965 and 1971–72.
**The gap is the percentage-point difference between white and black registration rates.

In 2007 the Court's ruling in *Parents Involved in Community Schools v. Seattle School District No. 1* limited school integration measures still further.²⁹ By making race one factor in assigning students to schools, the cities of Seattle, Washington, and Louisville, Kentucky, had hoped to achieve greater racial balance across the public schools. The Court ruled that these plans were unconstitutional because they discriminated against white students on the basis of race. Many observers described the decision as the end of the *Brown* era because it eliminated one of the few public strategies left to promote racial integration. Others argued that Justice Anthony Kennedy's concurring opinion, which recognized the harm of racial isolation, may provide the basis for new efforts to promote integration in the future.³⁰

Outlawing Discrimination in Employment Despite the agonizingly slow progress of school desegregation, some progress was made in other areas of civil rights during the 1960s and '70s. Voting rights were established and fairly quickly began to revolutionize southern politics. Service on juries was no longer denied to minorities. But progress in the right to participate in politics and government dramatized the relative lack of progress in the economic domain, where battles over civil rights were increasingly being fought.

The federal courts and the Justice Department entered this area through Title VII of the Civil Rights Act of 1964, which outlawed job discrimination by all private and public employers, including governmental agencies (such as fire and police departments) that employed more than 15 workers. Title VII makes it unlawful to discriminate in employment on the basis of color, religion, sex, or national origin, as well as race.

Title VII delegated some of the powers to enforce fair-employment practices to the Justice Department's Civil Rights Division and others to a new agency created in the 1964 act, the Equal Employment Opportunity Commission (EEOC). By executive order, these agencies had the power of the national government to revoke public contracts for goods and services and to refuse to engage in contracts with any private company that could not guarantee that its rules for hiring, promotion, and firing were nondiscriminatory. And in 1972, President Nixon and a Democratic Congress cooperated to strengthen the EEOC by giving it authority to initiate suits rather than wait for grievances.

But one problem with Title VII was that the complaining party had to show that deliberate discrimination was the cause of the failure to get a job or a training opportunity. Rarely, of course, does an employer explicitly admit discrimination on the basis of race, sex, or any other illegal reason. Recognizing this, the courts have allowed aggrieved parties (the plaintiffs) to make their case if they can show that an employer's hiring practices had the *effect* of exclusion. A leading case in 1971 involved a "class action" by several black employees in North Carolina attempting to show with statistical evidence that blacks had been relegated to only one department in the Duke Power Company, which involved the least desirable manual-labor jobs, and that they had been kept out of contention for better jobs because the employer had added attainment of a high school education and the passing of specially prepared aptitude tests as qualifications for higher jobs. The Supreme Court held that although the statistical evidence did not prove intentional discrimination and although the requirements were race-neutral in appearance, their effects were sufficient to shift the burden of justification to the employer to show that the requirements were a "business necessity" that bore "a demonstrable relationship to successful performance."³¹ The ruling in this case was subsequently applied to other hiring, promotion, and training programs.³²

The 1964 Civil Rights Act made desegregation a legal requirement. The policy of busing from black neighborhoods to white schools bitterly divided the black and white communities in Boston. In 1976 a protester waved an American flag threateningly at an innocent black bystander—a lawyer on his way to his office—as another white man sought to help him get out of the way.



Busing One step taken toward desegregation was busing children from poor urban school districts to wealthier suburban ones. In 1971 the Supreme Court held that state-imposed desegregation could be brought about by busing children across school districts.²⁵ But the decision went beyond that, adding that under certain limited circumstances even racial quotas could be used as the “starting point in shaping a remedy to correct past constitutional violations” and that pairing or grouping schools and reorganizing school attendance zones would also be acceptable.

Three years later, however, this principle was severely restricted when the Supreme Court determined that only cities found guilty of deliberate and de jure racial segregation would have to desegregate their schools,²⁶ effectively exempting most northern states and cities from busing because school segregation in northern cities is generally the de facto result of segregated housing and thousands of acts of private discrimination against blacks and other minorities.

Boston provides a good illustration of the agonizing problem of making further progress in civil rights in the schools under the constitutional framework established by these decisions. Boston school authorities were found guilty of deliberately building school facilities and drawing school district boundaries “to increase racial segregation.” After vain efforts by Boston school authorities to draw up an acceptable plan to remedy the segregation, in 1974 federal judge W. Arthur Garrity ordered an elaborate desegregation plan of his own, involving busing between the all-black neighborhood of Roxbury and the nearby white, working-class community of South Boston. The city’s schools were so segregated and uncooperative that even the conservative administration of President Richard Nixon had already initiated a punitive cutoff of funds. But even many liberals criticized Judge Garrity’s plan as being badly conceived for involving two neighboring communities with a history of tension and mutual resentment. The plan did work well at the elementary school level but proved explosive at the high school level, generating a continuing crisis for the city of Boston and for the whole nation.²⁷

The prospects for further school integration diminished with a 1991 Supreme Court decision holding that lower federal courts could end supervision of local school boards if they could show “good faith” compliance with court orders to desegregate and that “vestiges of past discrimination” had been eliminated “to the extent practicable.”²⁸ It is not necessarily easy for a school board to prove that the new standard has been met, but this was the first time since *Brown* and the 1964 Civil Rights Act that the Court had opened the door at all to retreat.

for critical analysis

Brown v. Board of Education led to the end of de jure segregation. However, de facto segregation remains in many areas, including housing and schooling. Should there be legal or social efforts to address de facto segregation?



One of the most contentious areas of voting rights today is voter ID laws. Proponents say ID requirements prevent fraud, while opponents argue the rules purposely keep the poor and minorities, who are less likely to have picture IDs, from the polls.

registration. By 1972 the gap between black and white registration in the seven states was only 11.2 points, and in Mississippi the gap had been reduced to 9.4 points. At one time, white leaders in Mississippi had attempted to dilute the influence of this growing black vote by **gerrymandering** districts to ensure that no blacks would be elected to Congress. But the black voters changed Mississippi before Mississippi could change them. In 1988, 11 percent of all elected officials in Mississippi were black—still well below the percentage of blacks in the state's voting-age population, which was 32 percent in 1990, but progress nonetheless.³⁴

Several provisions of the 1965 act were scheduled to expire in 2007. However, in 2006, responding to charges that black voters still faced discrimination at the polls, Congress renewed the act for another 25 years. Pressure for renewal of the act had been intense since the disputed 2000 presidential election. The U.S. Commission on Civil Rights conducted hearings on the election in Florida, at which black voters testified about being turned away from the polls and wrongly purged from the voting rolls and about the unreliable voting technology in their neighborhoods. On the basis of this testimony and after an analysis of the vote, the commission charged that there had been extensive racial discrimination.³⁵ Most recently, Texas has come under fire for gerrymandering congressional districts that discriminate against Latino voters. Due to population growth, most of it among Latinos, Texas gained four new congressional seats after the 2010 census. The heavily Republican state legislature drew a map designed to ensure that three of the new seats would go to Republican candidates. However, a coalition of minority groups and the Justice Department contested the map in court, charging that it failed to create a sufficient number of majority-minority districts. After extensive legal wrangling, the new redistricting plan included three majority-minority districts.³⁶

The 1965 Voting Rights Act had also required some state and local governments to obtain federal preclearance before making any changes to their voting laws or practices. The designation of which jurisdictions needed preclearance was based upon a formula that calculated each jurisdiction's history of past voting discrimination. In the 2013 case *Shelby County v. Holder*, the Supreme Court overturned the formula, saying it was based on data more than 40 years old.³⁷ The Obama administration was critical of the decision, but there seemed little possibility that Congress would take action to devise a new preclearance formula.

A new area of controversy in the realm of voting rights concerns is so-called voter ID laws. Some 34 states have enacted legislation requiring voters to show

gerrymandering the apportionment of voters in districts in such a way as to give unfair advantage to one racial or ethnic group or political party

positive identification at the polls. As of 2016, seven of these states required prospective voters to show an official photo ID before they would be allowed to cast ballots. Republicans generally support such laws, arguing that they deter voter fraud. Democrats generally oppose such laws, countering that they are particularly burdensome to poor and minority voters, who they say are less likely than others to possess such IDs. Several studies of this question have been conducted but have produced inconclusive results. Cases have been brought in several states challenging the laws on equal protection grounds. The laws have been upheld by some courts and struck down by others. In 2008 the Supreme Court upheld the constitutionality of Indiana's voter ID law, affirming the states' "valid interest" in improving election procedures and deterring fraud.³⁸ On the other hand, in 2013 the Supreme Court struck down an Arizona law requiring that individuals produce proof of U.S. citizenship in order to register to vote. In 2016 voter ID laws were struck down or modified by courts in Kansas, North Carolina, North Dakota, Texas, and Wisconsin, indicating increased judicial suspicion of these statutes. Given the political controversy over voter ID laws, it seems likely that the Court will be asked to rule yet again on the question.

Housing The Civil Rights Act of 1964 did not address housing, but in 1968 Congress passed another civil rights act specifically to outlaw housing discrimination. Called the Fair Housing Act, the law prohibited discrimination in the sale or rental of most housing—eventually covering nearly all the nation's housing. Housing was among the most controversial of discrimination issues because of deeply entrenched patterns of residential segregation across the United States. Such segregation was not simply a product of individual choice. Local housing authorities deliberately segregated public housing, and federal guidelines had sanctioned discrimination in Federal Housing Administration mortgage lending, effectively preventing blacks from joining the exodus to the suburbs in the 1950s and '60s. Nonetheless, Congress had been reluctant to tackle housing discrimination, fearing

The mortgage crisis that led to foreclosures on many homes in 2008 and 2009 hit minority communities especially hard. Civil rights organizations argued that some lenders discriminated against African Americans and Latino home buyers, making it harder for them to get a fair deal on a mortgage.



the tremendous controversy it could arouse. But just as the housing legislation was being considered in April 1968, the civil rights leader Martin Luther King, Jr., was assassinated; this tragedy brought the measure unexpected support in Congress.

Although it pronounced sweeping goals, the Fair Housing Act had little effect on housing segregation because its enforcement mechanisms were so weak. Individuals who believed they had been discriminated against had to file suit themselves. The burden was on the individual to prove that housing discrimination had occurred, even though such discrimination is often subtle and difficult to document. Although local fair housing groups emerged to assist individuals in their court claims, the procedures for proving discrimination constituted a formidable barrier to effective change. These procedures were not altered until 1988, when Congress passed the Fair Housing Amendments Act. This new law put more teeth in the enforcement procedures and allowed the Department of Housing and Urban Development (HUD) to initiate legal action in cases of discrimination.³⁹

Other attempts to challenge residential segregation had similarly mixed success. HUD tried briefly in the early 1970s to create racially “open communities” by withholding federal funds to suburbs that refused to accept subsidized housing. Confronted with charges of “forced integration” and bitter local protests, however, the administration quickly backed down. Efforts to prohibit discrimination in lending have been somewhat more promising. Several laws passed in the 1970s required banks to report information about their mortgage lending patterns, making it more difficult for them to engage in **redlining**, the practice of refusing to lend to entire neighborhoods. The 1977 Community Reinvestment Act required banks to lend in neighborhoods in which they do business. Through vigorous use of this act, many neighborhood organizations have reached agreements with banks that, as a result, have significantly increased investment in some poor neighborhoods.

Even so, racial discrimination in home mortgage lending remains a significant issue. In 2007 the issue of predatory lending—offering loans well above market rates, often with complex provisions that borrowers do not understand—attracted nationwide attention as the number of home foreclosures skyrocketed. In 2009, civil rights organizations, several states, and some cities filed charges against banks and other lenders claiming they had illegally discriminated against African American and Latino home buyers. Minority home buyers, the suits charged, had been offered subprime mortgage products with higher interest rates, in contrast to whites with similar income levels, who were offered loans at lower interest rates. By 2012 some of these lawsuits had resulted in the largest

redlining a practice in which banks refuse to make loans to people living in certain geographic locations

The Supreme Court ruled in 1967 that state laws banning interracial marriage were unconstitutional. The case Loving v. Virginia was invoked numerous times in the Court's decision almost 50 years later declaring marriage a fundamental right for same-sex couples.

where such unions were legal. When they moved back to Virginia, which outlawed interracial marriage, authorities charged the couple with violating Virginia law. The Lovings moved back to Washington, D.C., and challenged the Virginia law. Nine years later the Supreme Court struck down state laws banning marriage on the basis of racial classifications. In so doing, the Court declared marriage “one of the ‘basic civil rights of man,’ fundamental to our very existence and survival.”⁴¹

● Extending Civil Rights

Describe how different groups have fought for and won protection of their civil rights

Even before equal employment laws began to have a positive effect on the economic situation of blacks, something equally dramatic began happening: the extension of civil rights to other groups. The right not to be discriminated against was being successfully claimed by the other groups listed in

Title VII of the 1964 Civil Rights Act, those defined by sex, religion, or national origin, and eventually by still other groups defined by age or sexual orientation. This extension of civil rights has become the new frontier of the civil rights struggle.

Once racial discrimination began to be seen as an important civil rights issue, other groups rose to demand recognition and active protection of their civil rights. Under Title VII, any group or individual can try, and in fact is encouraged to try, to convert goals and grievances into questions of rights and of the deprivation of those rights. A plaintiff must establish only that his or her membership in a group is an unreasonable basis for discrimination. In the United States today, a large number of individuals and groups have and are claiming illegal discrimination.

Levels of Scrutiny under the Equal Protection Clause

Before we examine the civil rights movements of the past 60 years, it is useful to take a moment to describe how the courts have analyzed laws in cases where an individual or group has claimed discrimination. As has already been made clear, the courts have been a very important actor in the contest for rights protections. Recall that civil rights are the rules governing who may participate in the political process and regulating the ways in which the government may or may not treat its citizens. The equal protection clause of the Fourteenth Amendment does not require that everyone be treated equally. State and federal laws often create classifications allowing some, but not other, individuals to engage in activities or receive benefits. States, for example, allow only those with certain qualifications to engage in various occupations (such as medical professions) and set a minimum age for driving automobiles, voting, and consuming alcohol. Courts generally recognize the need for such systems of classification. Some systems of classification, on the other hand, such as those based on race, gender, or religion, raise serious constitutional questions. When dealing with challenges to state-imposed systems of classification, the courts employ a three-tiered approach, placing a greater burden of proof on the government to defend some types of classificatory schemes than others. The three tiers are often called “levels of scrutiny.”

First Level The first and lowest level of scrutiny is applied by the courts to most state and federal regulatory schemes, such as motor vehicle and occupational licensing as well as laws setting a minimum age for the purchase of alcohol and cigarettes. Here, the courts will generally apply the “rational basis test.” Under this level of scrutiny, the burden of proof is on the plaintiff to show that there is no rational basis whatsoever for the government’s rules. Such a showing is extremely difficult, and few plaintiffs succeed. For example, in the case of *FCC v. Beach Communications*, a cable television provider challenged a Federal Communications Commission ruling dertermining which cable operators did and did not require local government franchises to operate their systems. The Supreme Court said that whether the FCC’s decision was correct or not, it had a rational basis and did not infringe upon fundamental constitutional rights.⁴²

Second Level The next level of judicial review of state action under the equal protection clause is **intermediate scrutiny** (or exacting scrutiny). Here, there is a greater burden on the government to show that its classification scheme not only is rational but also serves an important interest. Courts generally apply intermediate scrutiny to laws that afford differential treatment to men and women or that discriminate against the inheritance and property rights of illegitimate children. In recent years, federal courts have generally applied intermediate scrutiny in cases involving gender orientation. For example, in the 2013 case of *Windsor v. United States* the Second Circuit Courts of Appeals employed *intermediate scrutiny* in holding that the federal Defense of Marriage Act, which applied the terms *marriage* and *spouse* only to heterosexual unions, served no legitimate state interest.⁴³ The U.S. Supreme Court affirmed the decision but did not indicate which level of scrutiny it had applied.

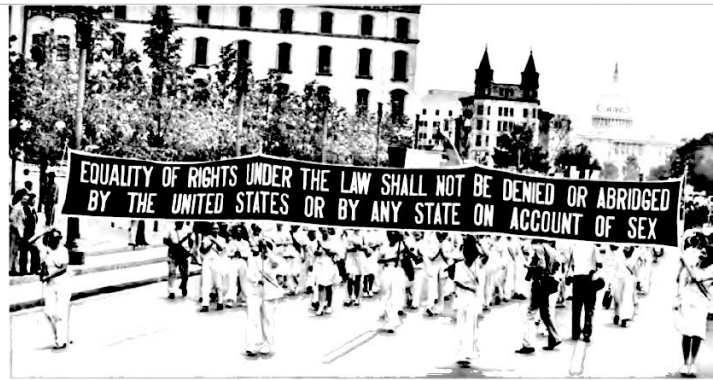
intermediate scrutiny a test used by the Supreme Court in gender discrimination cases that places the burden of proof partially on the government and partially on the challengers to show that the law in question is unconstitutional

Third Level The highest level of scrutiny employed by the courts, “strict scrutiny,” places the burden of proof on the government to show that discrimination serves a “compelling interest,” that the law is “narrowly tailored to achieve that goal,” and that the government has used the “least restrictive means” for achieving its compelling interest. Strict scrutiny generally applies to laws that discriminate on the basis of race, religion, or national origin. These are termed *suspect classifications*. Strict scrutiny also applies to laws that hinder the exercise of fundamental rights, such as access to the courts or the right to vote. When a federal court employs strict scrutiny, the government is seldom able to meet its burden of proof. All race-based classifications are automatically subject to strict scrutiny.⁴⁴ In 2013, the Supreme Court also applied strict scrutiny to a case involving a claim of reverse discrimination. In the case of *Fisher v. University of Texas*, a white plaintiff charged that she had been rejected in favor of less qualified minority applicants.⁴⁵ The Supreme Court remanded the case for reconsideration by a lower federal court, which was instructed to apply strict scrutiny to the school’s admissions process. The court of appeals still rejected Fisher’s claim, and in 2016 the Supreme Court upheld the university’s procedures.⁴⁶

Women and Gender Discrimination

Title VII provided a valuable tool for the growing women’s movement in the 1960s and ’70s. In fact, in many ways the law fostered the growth of the women’s movement. The first major campaign of the National Organization for Women (NOW) involved picketing the EEOC for its refusal to ban sex-segregated employment advertisements. NOW also sued the *New York Times* for continuing to

Political equality did not end discrimination against women in the workplace or in society at large. African Americans' struggle for civil rights in the 1950s and '60s spurred a parallel equal rights movement for women in the 1960s and '70s.



publish such ads after the passage of Title VII. Another organization, the Women's Equity Action League (WEAL), pursued legal action on a wide range of gender-discrimination issues, filing lawsuits against law schools and medical schools for discriminatory admission policies, for example.

Building on these victories and the growth of the women's movement, feminist activists sought an "Equal Rights Amendment" (ERA) to the Constitution. The proposed amendment was short: its substantive passage stated that "equality of rights under the law shall not be denied or abridged by the United States or by any State on account of sex." The amendment's supporters believed that such a sweeping guarantee of equal rights was a necessary tool for ending all discrimination against women and for making gender roles more equal. Opponents charged that the amendment would be socially disruptive and would introduce changes (such as unisex restrooms) that most Americans did not want. The amendment easily passed Congress in 1972 and won quick approval in many state legislatures, but it fell three states short of the 38 needed to ratify it by the 1982 deadline.⁴⁷

Despite the failure of the ERA, efforts to stop gender discrimination expanded dramatically as an area of civil rights law. In the 1970s the conservative Burger Court (under Chief Justice Warren Burger) helped establish gender discrimination as a major and highly visible civil rights issue. Although the Supreme Court refused to treat gender discrimination as the equivalent of racial discrimination,⁴⁸ it did make it easier for plaintiffs to file and win suits on the basis of gender discrimination by applying an "intermediate" level of review to these cases, as described earlier.⁴⁹

In recent years, laws and court decisions designed to deal with discrimination against women have been used by groups representing transgender individuals to press for equal rights, especially in the realm of employment. For example, Title VII of the 1964 Civil Rights Act makes it unlawful to discriminate in employment on the basis of color, religion, sex, national origin, or race. The act is enforced by the EEOC. Pressed by groups representing transgender workers, in July 2015 President Obama issued an executive order prohibiting federal contractors from discriminating against workers based on their sexual orientation or gender identity. Two months later, the EEOC filed its first-ever lawsuits to protect transgender workers under Title VII of the Civil Rights Act. In late December, then-attorney general Eric Holder announced that, going forward, the Justice Department would consider discrimination against transgender people as covered by the Civil Rights Act's prohibition of sex discrimination.⁵⁰ Nonetheless, attempts have been made to pass legislation requiring transgender individuals to use public bathrooms that correspond to the gender designated on their birth certificates. In 2016, North

Carolina enacted such a law, leading to boycotts and protests, with several corporations announcing plans to reduce their operations in the state. When the Department of Justice warned North Carolina that the law violated the Civil Rights Act, the state sued the federal government in order to defend its new law.

Equality in Education Title IX of the 1972 Education Act forbade gender discrimination in education, but it initially sparked little litigation because of its weak enforcement provisions. In 1992, the Supreme Court ruled in *Franklin v. Gwinnett County Public Schools* that monetary damages could be awarded for gender discrimination, opening the door for more legal action in the area of education.⁵¹ The greatest impact has been in the areas of sexual harassment (the subject of the *Franklin* case) and in equal treatment of women's athletic programs. The potential for monetary damages has made universities and public schools take the problem of sexual harassment more seriously. And in the two years after the *Franklin* case, complaints to the Education Department's Office for Civil Rights about unequal treatment of women's athletic programs nearly tripled. In several high-profile legal cases, some prominent universities were ordered to create more women's sports programs, prompting many other colleges and universities to follow suit in order to avoid potential litigation.⁵² In 1997 the Supreme Court refused to hear a petition by Brown University challenging a lower-court order that the university establish strict sex equity in its athletic programs. The Court's decision meant that in colleges and universities across the country, varsity athletic positions for men and women must reflect the schools' overall enrollment numbers.⁵³ By 2012, 40 years after Title IX was first enacted, it was clear that the ruling had a major impact on college athletic programs. But advocates for gender equality note that many differences between male and female students continue to exist. They point to gender barriers in important fields such as science, technology, engineering, and math, which female students are much less likely to enter.⁵⁴

In 1996 the Supreme Court made another important decision about gender and education by putting an end to all-male schools supported by public funds. It ruled that the Virginia Military Institute's (VMI) policy of not admitting women was unconstitutional.⁵⁵ Along with the Citadel, an all-male military college in South Carolina, VMI had never admitted women in its 157-year history. VMI argued that the unique educational experience it offered (including intense physical training and the harsh treatment of freshmen) would be destroyed if women were admitted. The Court, however, ruled that the male-only policy denied "substantial equality" to women. Two days after the ruling, the Citadel announced that it would accept women. Even without formal barriers to entry, the experience of the new female cadets at these schools was not easy. The first female cadet at the Citadel, Shannon Faulkner, won admission in 1995 under a federal court order but quit after four days. Of the four women admitted to the Citadel after the Supreme Court decision, two quit within months. They charged harassment from male students, including attempts to set the female cadets on fire.⁵⁶

Sexual Harassment Courts began to find sexual harassment to be a form of sex discrimination during the late 1970s. Most such law has been developed by courts through interpretation of Title VII of the 1964 Civil Rights Act. In 1986 the



The integration of women in the U.S. military has been a slow process. Only in 2013 did then-Secretary of Defense Leon Panetta announce that the military would lift its official ban on women serving in combat. This decision in part reflected the reality that female service members frequently found themselves in combat in Iraq and Afghanistan.

for critical analysis

Has Title IX created equality in men's and women's college athletic programs? Should there be public efforts to encourage more female students to enter well-paid fields such as science and technology, or is that mainly a matter of individual choice?

Supreme Court recognized two forms of sexual harassment. One type is “quid pro quo” harassment, which involves an explicit or strongly implied threat that submission is a condition of continued employment. The second is harassment that creates offensive or intimidating employment conditions amounting to a “hostile environment.”⁵⁷ Employers and many employees have complained that “hostile environment” sexual harassment is too ambiguous. When can an employee bring charges? When is the employer liable? In 1986 the Court said that sexual harassment may be legally actionable even if the employee did not suffer tangible economic or job-related losses in relation to it and in 1993 added that tangible psychological costs did not have to be a result either to warrant legal action.⁵⁸ In two 1998 cases, the Court further strengthened the law when it said that whether or not sexual harassment results in economic harm to the employee, an employer is liable for the harassment if it was committed by someone with authority over the employee—by a supervisor, for example. But the Court also said that an employer may defend itself by showing that it had a sexual harassment prevention and grievance policy in effect.⁵⁹

Sexual harassment remains an issue today. Recently, a number of cases of sexual harassment of female members of the U.S. military have come to light. These cases have led to several courts-martial of both officers and noncommissioned officers. Some observers argue that the problem is systemic, however, and have urged the military to enact reforms that would hopefully have the effect of stemming the abuse of women in the military.

Equality in Employment Women have also pressed for civil rights in employment. In particular, women have fought against pay discrimination, which occurs when a male employee is paid more than a female employee of equal qualifications in the same job. In the 1960s, pay discrimination was common. After the Equal Pay Act of 1963 made such discrimination illegal, women’s pay slowly moved toward the level of men’s pay. In 2007 this movement received a setback when the Supreme Court ruled against a claim of pay discrimination. The case, *Ledbetter v. Goodyear Tire and Rubber Co.*, involved a female supervisor named Lily Ledbetter, who learned late in her career that she was being paid up to 40 percent less than male supervisors, including those with less seniority. Ledbetter filed a grievance with the EEOC, charging sex discrimination.⁶⁰ The Supreme Court denied her claim, ruling that, according to the law, workers must file their grievance 180 days after the discrimination occurs. Many observers found the ruling unfair because workers often do not know about pay differentials until well after the initial decision to discriminate has been made. Justice Ruth Bader Ginsburg, the only female member of the Court at the time, marked her disagreement by reading her dissent aloud, a rare occurrence. In January 2009 the Lily Ledbetter Fair Pay Act became the first bill that President Obama signed into law. The new law gave workers expanded rights to sue in cases, such as Ledbetter’s, when an employee learns of discriminatory treatment well after it has started.

The fight against gender discrimination as an important part of the civil rights struggle has coincided with the rise of women’s politics as a discrete movement in American politics. As with the struggle for racial equality, the relationship between changes in government policies and political action suggests that, to a great degree, changes in government policies produce political action. The inclusion of gender as a protected class in the 1964 Civil Rights Act prompted women to take steps to press for their rights where they were denied in education and employment. The “Who Are Americans?” feature on considers the progress on women’s rights.

WHO ARE AMERICANS?

Have Women Achieved Equal Rights?

Title VII of the 1964 Civil Rights Act prohibits gender discrimination, and the Supreme Court has consistently upheld the principle that women should have the same rights as men. Since 1960, the United States has made great strides toward gender equality in some areas but, as the data show, still has a long way to go in other areas.

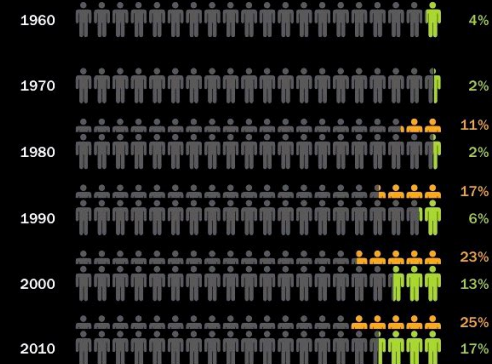
Education

■ Percentage of college students who are women



Politics

■ Percentage of members of Congress who are women
■ Percentage of state legislators who are women



Median Weekly Earnings by Race and Gender

Based on the median weekly earnings for full-time workers (which excludes self-employed and full-time workers who work only part of the year), in 2014 women earned 82.5 percent as much as men. In 1979 women earned 62.3 percent as much as men.

White		African American		Latino		Asian American	
Men	Women	Men	Women	Men	Women	Men	Women
\$897	\$734	\$680	\$611	\$616	\$548	\$1,080	\$841

SOURCES: Bureau of Labor Statistics, "Labor Force Statistics from the Current Population Survey," www.bls.gov/cps/tables.htm; U.S. Bureau of Labor Statistics, "Highlights of Women's Earnings in 2014," November 2015, www.bls.gov/cps/earnings.htm (accessed 2/27/16).

for critical analysis

1. How much do each of these factors—education, political office, and income—say about gender equality in the United States?
2. While most Americans support the principle of equal opportunity for all groups, there is disagreement over how much the government should do to ensure equal outcomes. Discuss the difference between equal opportunity and equal outcomes in the context of women's rights.

Latinos

The labels *Latino* and *Hispanic* encompass a wide range of groups with diverse national origins, distinctive cultural identities, and particular experiences. As a result, civil rights issues for them have varied considerably by group and by place. For example, the early political experiences of Mexican Americans were shaped by race and by region. In 1848, under the Treaty of Guadalupe Hidalgo, Mexico ceded to the United States territory that now comprises Arizona, California, New Mexico, and parts of Colorado, Nevada, and Utah, as well as extending the Texas border to the Rio Grande. Although the treaty guaranteed full civil rights to the residents of these territories, Mexican Americans in fact experienced ongoing discrimination, which they sought to remedy through the courts. In 1898 the courts reconfirmed Mexican Americans' formal political rights, including the right to vote. In many places, however, and especially in Texas, Mexican Americans were segregated and prevented from voting through such means as the white primary and the poll tax.⁶¹ Texas established separate schools for Mexicans, a practice also common in southern California. In the housing markets, Mexicans were often banned by restrictive covenants from buying or renting houses in many neighborhoods.

The earliest Mexican American independent political organizations included the League of United Latin American Citizens (LULAC), founded in 1929, and the GI Forum, created in 1948. Both groups worked to stem discrimination against Mexican Americans. LULAC pursued a legal strategy like the NAACP's to eliminate the segregation of Mexican American students. One of its earliest victories came in 1930, when it successfully challenged a Texas school district's decision to establish separate schools for Anglos and Mexicans.⁶² LULAC also litigated the 1946–47 *Mendez v. Westminster* case, which overturned school segregation in Orange County, California.⁶³ This case was an important precursor to *Brown v. Board of Education*, and many of the same actors were involved. For example, Thurgood Marshall of the NAACP, the lead attorney on *Brown* (and later a Supreme Court justice), filed a brief supporting desegregation in the *Mendez* case. Moreover, Earl Warren, the California governor who signed the legislation outlawing school segregation there after the *Mendez* decision, served as chief justice when the Supreme Court ruled on *Brown* seven years later. By the late 1950s the first Mexican American was elected to Congress, and four others followed in the 1960s.

In the 1960s a new kind of Mexican American political movement was born. A central inspiration for political mobilization emerged from the United Farm Workers union and its charismatic leader, César Chávez. In an era of unprecedented economic prosperity, California's farmworkers, mainly Mexican migrants, remained poorly paid and lacked basic rights for fair treatment on the job. Employing novel tactics such as the national grape boycott, the union drew Americans' attention to the plight of farmworkers and the injustices that confronted Mexican migrants and Mexican Americans in the fields. Chávez, whose hunger strikes and inspirational speeches kept the movement in the public eye, came to symbolize the quest for Mexican American civil rights more broadly.⁶⁴ The fields were not the only focus of conflict. In the late 1960s, Mexican American students, inspired by the black civil rights movement, launched boycotts of high school classes in East Los Angeles, Denver, and San Antonio, demanding bilingual education, an end to discrimination, and more cultural recognition. They were soon joined by students in colleges and universities across California.

Since that time, Latino political strategy has developed along two tracks. One is a traditional ethnic group path of voter registration and voting along ethnic lines. The other is a legal strategy using the various civil rights laws designed to ensure fair access to the political system. The Mexican American Legal Defense



César Chávez, a leader of the United Farm Workers, advocated for the rights of Mexican Americans. During the 1960s, Chávez and his supporters used hunger strikes and other protests to draw attention to the discriminatory treatment of Mexican Americans.

and Education Fund (MALDEF), founded in 1968, has played a key role in designing and pursuing the latter strategy.

Immigrants and Civil Rights Since the 1960s, rights for Latinos have been intertwined with immigrant rights. For much of American history, legal immigrants were treated much the same as citizens. But growing immigration—including an estimated 300,000 unauthorized immigrants per year—and mounting economic insecurity have undermined this sense of equality. Groups of voters across the country now strongly support drawing a sharper line between immigrants and citizens. The Supreme Court has ruled that unauthorized immigrants are eligible for education and emergency medical care but can be denied other social benefits. The movement to deny benefits to noncitizens gathered steam in California, which experienced sharp economic distress in the early 1990s and has the highest levels of immigration of any state. In 1994, an ultimately unsuccessful movement in California sought to deny unauthorized immigrants all services except emergency medical care in an attempt to discourage unauthorized immigration and to pressure those already in the country to leave.

Questions about the rights of unauthorized immigrants became especially contentious in 2007. That year, Congress considered a complex compromise bill—running some 761 pages long—that attempted to accomplish three goals: increase border security to reduce illegal immigration, provide unauthorized immigrants who had been in the country for at least five years with a pathway to legal citizenship, and ensure employers an adequate supply of temporary immigrant workers through a guest worker program. The compromise failed in the face of opposition from conservatives, who disliked the provision for creating a path to legal citizenship, and from liberals, who opposed the proposed guest worker program.

Unauthorized immigration has continued to be a hot-button political issue. One priority for advocacy groups has been the issue of undocumented immigrants who came to the United States as young children, were raised in the United States, and have no real ties to the nation in which they were born. One proposed piece of legislation to benefit such individuals is the Development, Relief, and Education Act for Alien Minors, known as the DREAM Act. This proposal would provide a route to permanent residency for such individuals via military service or



In 2010 young adults demonstrated their support for the DREAM Act by staging a sit-in protest on the floor of Senator John McCain's headquarters in Tucson, Arizona. The DREAM Act would provide a path to permanent residency via military service or college attendance for individuals who were brought to the U.S. illegally as children by their parents.



college attendance. The DREAM Act was introduced in Congress in 2001 but has been defeated every year on the grounds that it would encourage illegal immigration. Absent legislation, the Department of Homeland Security has instituted its own policy, Deferred Action for Childhood Arrivals (DACA), instructing immigration officials to take no action to deport law-abiding individuals who entered the United States illegally as children. In 2014, President Obama issued executive orders granting quasi-legal status and work permits to some 5 million individuals who entered the U.S. illegally as children or who have children who are American citizens. The president's orders were challenged in the federal courts, and in 2016 a 4–4 tie in the Supreme Court left in place a lower-court decision disallowing the president's plan.⁶⁵

Efforts to curb illegal immigration have led to civil rights violations of legal immigrants. Latino organizations opposed the Immigration Reform and Control Act of 1986 because it imposed sanctions on employers who hire undocumented workers. Such sanctions, they feared, would lead employers to discriminate against Latinos. These suspicions were confirmed in a 1990 report by the General Accounting Office that found employer sanctions had created a “widespread pattern of discrimination” against Latinos and others who appear foreign.⁶⁶

Another ongoing issue is federal cooperation with local and state law-enforcement agencies to enforce federal immigration laws. Programs initiated by the Department of Homeland Security in the final years of the George W. Bush administration led to immigrant “sweeps,” which rounded up Latinos, many of whom were legal immigrants or even American citizens. A broad coalition of civil rights organizations opposed the program for engaging in racial profiling and violating civil rights, and the congressional Hispanic Caucus called on the next president to end it. Yet, the Obama administration's Secure Communities program, which initially sought to focus on major drug offenders, violent criminals, and those already in prison, came under fire for illegally detaining citizens and legal immigrants. Secure Communities requires state and local police to run the fingerprints of individuals they have arrested against the Department of Homeland Security's immigration database. If the individual is not a U.S. citizen and is not in the database, Immigration and Customs Enforcement is notified.⁶⁷ The Secure Communities Program was terminated in 2014 in favor of an effort to refocus law enforcement attention on serious criminals.

Finally, as we saw in Chapter 3, a number of states, including Arizona, Utah, South Carolina, Indiana, Georgia, and Alabama, passed very strict immigration laws within the past few years. Civil rights groups have contested the laws in court, and the

federal Justice Department has instituted its own legal challenges. Arizona's 2010 law provided the inspiration for these far-reaching state measures. Arizona's law required immigrants to carry identity documents with them at all times, made it a crime for an undocumented immigrant to apply for a job, gave the police greater powers to stop anyone they suspected of being an unauthorized immigrant, and required them to check the immigration status of a person they detain if they suspect that person is an unauthorized immigrant. The Justice Department challenged the law on the grounds that the federal government was responsible for making immigration law, not the states. The Supreme Court's 2012 decision was a partial victory for the federal government. The court struck down three parts of the Arizona law on the grounds that they preempted federal responsibility. These included the provision that immigrants carry identity papers, that undocumented immigrants cannot apply for jobs, and that police can stop persons they suspect of being undocumented immigrants. The Court let stand the provision that required local police to check the immigration status of an individual detained for other reasons if they had grounds to suspect that the person was in the country illegally. Opponents of the police checks vowed to challenge that part of the law on the grounds that it led to illegal racial profiling.⁶⁸

Immigration became an even more divisive topic during the 2016 presidential election. During the campaign for the GOP nomination, Donald Trump asserted that he would build a wall along the U.S. border with Mexico, institute a temporary ban on Muslims seeking to travel to the United States, and end the administration's program to accept several thousand Syrian refugees every year. Trump was denounced by Democrats and some Republicans, but his views seemed to express the opinions of many Americans and vaulted him to a leadership position in the party as the Republican nominee in the 2016 presidential race.

for critical analysis

Why are immigration and the rights of immigrants so controversial?

Asian Americans

Like the term *Latino*, the label *Asian American* encompasses a wide range of people from very different national backgrounds who came to the United States at different moments in history. As a consequence, Asian Americans have had very diverse experiences.

The early Asian experience in the United States was shaped by a series of naturalization laws dating back to 1790, the first of which declared that only white aliens were eligible for citizenship. Chinese immigrants began arriving in California in the 1850s, drawn by the boom of the gold rush, but they were immediately met with virulent antagonism. In 1870, Congress declared Chinese immigrants ineligible for citizenship; in 1882 the first Chinese Exclusion Act suspended the entry of Chinese laborers.

At the time of the Exclusion Act, the Chinese community was composed predominantly of single male laborers, with few women and children. The few Chinese children in San Francisco were initially denied entry to the public schools; only after parents of American-born Chinese children pressed legal action were the children allowed to attend public school. Even then, however, they were segregated into a separate Chinese school. American-born Chinese children could not be denied citizenship, however; this right was confirmed by the Supreme Court in 1898, when it ruled in *United States v. Wong Kim Ark* that anyone born in the United States was entitled to full citizenship.⁶⁹ Still, new Chinese immigrants were barred from the United States until 1943, after China had become a key wartime ally and Congress repealed the Chinese Exclusion Act and permitted Chinese residents to become citizens.



The earliest Japanese immigrants, who came to California in the 1880s, at the height of the anti-Chinese movement, faced similar discrimination. Like Chinese immigrants, Japanese immigrants were ineligible to become citizens because of their race. During the first part of the twentieth century, California and several other western states enacted laws that denied Japanese immigrants the right to own property. The denial of basic civil rights to Japanese Americans culminated in the decision to forcibly remove Americans of Japanese descent as well as Japanese noncitizen residents from their homes and confine them in internment camps during World War II.

Native Americans

The political status of Native Americans was left unclear in the Constitution. But by the early 1800s the courts had defined each of the Indian tribes as a nation. As members of Indian nations, Native Americans were thus declared noncitizens of the United States. The political status of Native Americans changed in 1924, when congressional legislation granted citizenship to all persons born in the United States. A variety of changes in federal policy toward Native Americans during the 1930s paved the way for a later resurgence of their political power. Most important was the federal decision to encourage Native Americans on reservations to establish local self-government.⁷³ Since the 1920s and '30s, Native American tribes have sued the federal government for illegal land seizures; both monetary reparations and land have been awarded as damages but only in small amounts. Native American tribes have been more successful at winning federal recognition of their sovereignty.

The Native American political movement gathered force in the 1960s as Native Americans began to use protest, litigation, and assertion of tribal rights to improve their situation. The federal government responded to the rise in Native American activism with the Indian Self-Determination and Education Assistance Act, which began to give Native Americans more control over their own land.⁷⁴

As a language minority, Native Americans also benefited from the 1975 amendments to the Voting Rights Act and the *Lau* decision, which established the right of Native Americans to be taught in their own languages. This marked quite a change from the boarding schools run by the Bureau of Indian Affairs, where members of Native American tribes were forbidden to speak their own languages until reforms began in the 1930s. In addition to these language-related issues, Native Americans have sought to expand their rights on the basis of their sovereign status. Most significant in economic terms was a 1987 Supreme Court decision that freed Native American tribes from most state regulations prohibiting gambling. The establishment of casino gambling on Native American lands has brought a substantial flow of new income to desperately poor reservations.

Disabled Americans

The concept of rights for the disabled began to emerge in the 1970s as the civil rights model spread to other groups. The seed was planted in a little-noticed provision of the 1973 Rehabilitation Act, which outlawed discrimination against individuals on the basis of disabilities. As in many other cases, the law itself helped give rise to the movement demanding rights for the disabled.⁷⁵ Inspired by the NAACP's use of a legal defense fund, the disability movement founded the Disability Rights Education and Defense Fund to press its legal claims. The movement achieved its greatest success with the passage of the Americans with Disabilities Act (ADA) of 1990, which guarantees equal employment rights and access to public businesses for the disabled and prohibits discrimination in employment, housing, and health care. Claims of discrimination in violation of this act are considered by the EEOC. The impact of the law has been far-reaching as businesses and public facilities have installed ramps, elevators, and other devices to meet the act's requirements.⁷⁶

Gay Men and Lesbians

In less than 50 years, the lesbian, gay, bisexual, transgender, and queer (LGBTQ) movement has become one of the largest civil rights movements in contemporary America. For much of the country's history, any sexual orientation other than heterosexuality

was considered "deviant" and many states criminalized sexual acts considered to be "unnatural." Gay people were often afraid to reveal their sexual orientation for fear of reprisals, including being fired from their jobs; and the police in many cities raided bars and other establishments where it was believed that gay people gathered. While no formal restrictions existed on their political participation, gay people faced the possibility of ostracization, discrimination, and even prosecution.⁷⁷

The contemporary gay rights movement began in earnest in the 1960s. In 1962, Illinois became the first state to repeal its sodomy laws. The movement drew national attention in 1969, when patrons at the Stonewall Inn, a popular gay bar in Greenwich Village, New York, rioted when police attempted to raid the establishment. The first gay pride parade was held in New York City the following year to commemorate the anniversary of the Stonewall riots, and gay pride parades now take place in dozens of cities across the country.

Gay rights drew national attention again in 1993, when President Bill Clinton confronted the question of whether gays should be allowed to serve in the military. As a candidate, Clinton had said he favored lifting the ban on gay people in the military. The issue set off a huge controversy in the first months of Clinton's presidency. After nearly a year of deliberation, the administration enunciated a compromise: its "Don't Ask, Don't Tell" policy allowed gay men and lesbians to serve in the military as long as they did not openly proclaim their sexual orientation or engage in homosexual activity. The administration maintained that the ruling would protect gay men and lesbians against witch-hunt investigations, but many gay rights advocates expressed disappointment, charging the president with reneging on his campaign promise. After nearly 20 years of challenges, President Obama signed an executive order repealing "Don't Ask, Don't Tell"; and beginning in September 2011, gay men and lesbians could serve openly in the military.

But until 1996 there was no Supreme Court ruling or national legislation explicitly protecting gay men and lesbians from discrimination. In the first gay rights case it decided, *Bowers v. Hardwick*, the Court ruled against a right to privacy that would protect consensual homosexual activity.⁷⁸ After the *Bowers* decision, the gay rights movement sought suitable legal cases to test the constitutionality of discrimination against gay men and lesbians, much as the black civil rights movement had done in the late 1940s and '50s. Test cases stemmed from local ordinances restricting gay rights (including the right to marry), allowing job discrimination, and affecting family law issues such as adoption and parental rights. In 1996 the Supreme Court, in *Romer v. Evans*, explicitly extended fundamental civil rights protections to gay men and lesbians by declaring unconstitutional a 1992 amendment to the Colorado state constitution that prohibited local governments from passing ordinances to protect gay rights.⁷⁹ In its decision, the Court highlighted the connection between gay rights and civil rights.

Finally, in *Lawrence v. Texas* (2003), the Court overturned *Bowers* and struck down a Texas statute criminalizing certain intimate sexual conduct between consenting partners of the same sex.⁸⁰ This significant victory for gay men and lesbians extends the right to privacy to sexual minorities.

However, this decision did not undo the various exclusions that deprive gay men and lesbians of full civil rights, including the right to marry. In 1993, Hawaii's supreme court declared the state's ban on same-sex marriage discriminatory, raising the possibility that such marriages could become legal. In Washington, D.C., the Republican congressional majority responded with the Defense of Marriage Act, which defined marriage as the union of a man and a woman for purposes of federal law and benefits, such as Social Security.



In 2015 the Supreme Court clarified the law concerning same-sex marriage. In the case of *Obergefell v. Hodges*, the Court ruled that the Constitution's equal protection clause and the Fourteenth Amendment's due process clause guarantee same-sex couples the right to marry in all states and require states to recognize same-sex marriages performed in other jurisdictions.⁸¹ Some local officials briefly refused to issue marriage licenses to same-sex couples, but opposition soon melted away. Though deemed controversial, the Court's decision actually reflected a shift in public opinion on same-sex unions, with a majority of Americans now favoring the right of same-sex couples to wed.

Gay rights advocates won a significant victory of a different kind in national politics in 2009 when new legislation extended the definition of hate crimes to include crimes against gay and transgender people. Such legislation had been sought since the 1998 murder of Matthew Shepard, a Wyoming college student who was brutally slain because of his sexual orientation. The new law allowed for tougher penalties when a crime is designated a hate crime. In another win in 2013, the Senate approved a law that bans discrimination in the workplace based on sexual orientation and gender identity (discussed above), with a vote of 64 to 32 in which 10 Republicans joined 54 Democrats. The House did not take up the bill, however, so it has not yet become law. Like other minorities fighting for civil rights, the LGBTQ community is organized politically to support such measures. The Human Rights Campaign is the primary national political action committee (PAC) focused on gay rights; it provides campaign financing and volunteers to work for political candidates endorsed by the group. The movement has also formed legal rights organizations, including the Lambda Legal Defense and Education Fund.

Do the Poor Have Civil Rights?

One category often omitted from discussions of rights is the poor. Yet, America's poor have also struggled for recognition as a group with rights that should be protected. From the colonial period until the early nineteenth century, state income and property restrictions excluded the poor from voting and officeholding. In modern times, advocates have argued that the poor have a right (a claim upon government action) to education, health care, and other social benefits. Such rights are guaranteed in many European constitutions. And, in the United States, various social policies discussed in Chapter 17 appear to recognize such rights.

Edith Windsor (left) won her case in 2013 when the Supreme Court struck down the portion of the Defense of Marriage Act denying federal benefits to married same-sex couples. Two year later, the Court legalized same-sex marriage nationwide. The Obama administration showed its support by illuminating the White House in rainbow light (right).

for critical analysis

Political conflicts over gay rights have been carried out in the courts, in state legislatures, in Congress, and in elections. What are some of the decisions that have been reached in each of these different decision-making arenas? Where should decisions about gay rights be made?

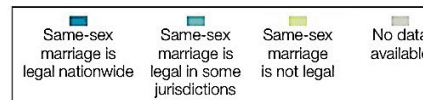
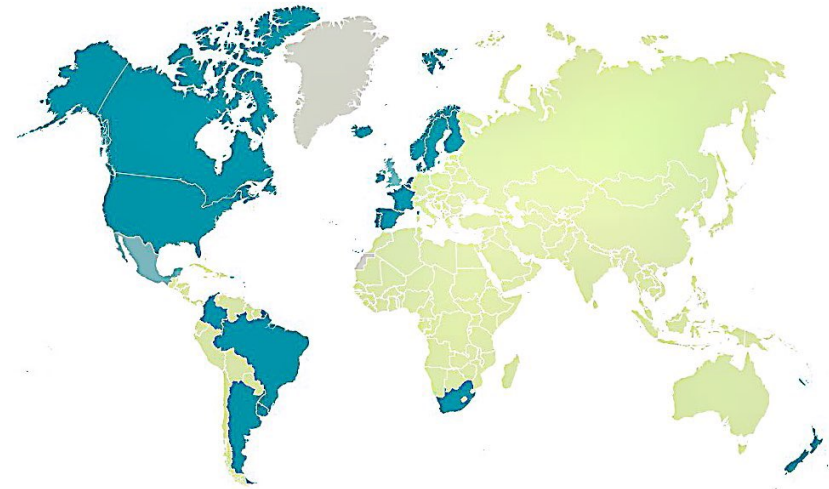
Same-Sex Marriage around the World

AMERICA
Side *by* Side

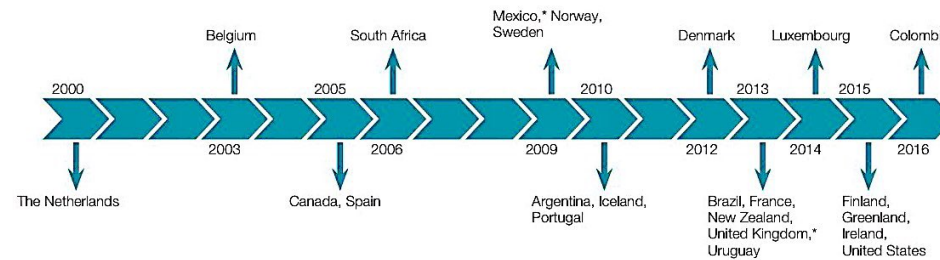
When the U.S. Supreme Court legalized same-sex marriage in 2015, the United States joined the roughly 20 countries in the world that allow gay marriage. As the map shows, most of

these countries are in Western Europe and the Americas, and we see in the time line that most have only legalized same-sex marriage in the past several years.

LEGALIZATION OF SAME-SEX MARRIAGE



DATE SAME-SEX MARRIAGE LEGALIZED



*Same-sex marriage is legal in some jurisdictions.

SOURCES: Pew Research Center, "Gay Marriage around the World," June 26, 2016, www.pewforum.org/2015/06/26/gay-marriage-around-the-world-2013/ (accessed 4/18/16); Sibylla Brodzinsky, "Colombia's Highest Court Paves Way for Marriage Equality in Surprise Ruling," *The Guardian*, April 7 2016, www.theguardian.com/world/2016/apr/07/colombia-court-gay-marriage-ruling (accessed 4/18/16).

One area in which there is currently a disparity is in access to high-speed Internet. A 2014 Census department survey found that among those who earn less than \$10,000 per year, only 46 percent have high-speed Internet access at home. This compares with 92 percent of those making at least \$75,000 a year.⁸² As more and more economic and political activity moves online, including job listings and applications for government services, this disparity has the potential to reinforce inequalities.

● Affirmative Action

Contrast arguments for and against affirmative action

Over the past half-century or so, the relatively narrow goal of equalizing opportunity by eliminating discriminatory barriers evolved into the broader goal of **affirmative action**, compensatory action to overcome

the consequences of past discrimination and encourage greater diversity. Affirmative action policies take race or some other status into account in order to provide greater opportunities to groups that have previously been at a disadvantage due to discrimination.

In 1965, President Lyndon Johnson issued executive orders promoting minority employment in the federal civil service and in companies doing business with the government. But affirmative action did not become a prominent goal of the national government until the 1970s.

Affirmative action also took the form of efforts by the agencies in the Department of Health, Education, and Welfare to shift their focus from “desegregation” to “integration.”⁸³ Federal agencies, sometimes with court orders and sometimes without them, required school districts to present plans for busing children across district lines, for closing certain schools, and for redistributing faculties as well as students or face the loss of grants-in-aid from the federal government. These efforts dramatically increased the number of black children attending integrated classes.

Affirmative action was also initiated in the area of employment opportunity. The EEOC has often required plans whereby employers must attempt to increase the number of their minority employees with the same threat of contract revocation. These programs did not require the use of formal quotas.

affirmative action government policies or programs that seek to redress past injustices against specified groups by making special efforts to provide members of those groups with access to educational and employment opportunities

The Supreme Court and the Burden of Proof

Efforts by the executive, legislative, and judicial branches to shape the meaning of affirmative action today tend to center on one key issue: What is the appropriate level of review in affirmative action cases—that is, on whom should the burden of proof be placed: the plaintiff, to show that discrimination has not occurred, or the defendant, to show that discrimination has occurred? Affirmative action was first addressed formally by the Supreme Court in the case of Allan Bakke (see Table 5.3). Bakke, a white male, brought suit against the University of California at Davis Medical School on the grounds that, in denying him admission, the school had discriminated against him on the basis of his race. (That year, the school had reserved 16 of 100 available slots for minority applicants.) Bakke argued that his grades and test scores ranked him well above many students who were accepted and that he had been rejected because he was white, whereas those others accepted were black or Latino. In 1978, Bakke won his case before the Supreme Court and was admitted to the medical school, but the Court stopped short of declaring affirmative action unconstitutional. The Court

CASE	COURT RULING
<i>Regents of the University of California v. Bakke</i> , 438 U.S. 265 (1978)	Affirmative action upheld, but quotas and separate admission for minorities rejected; burden of proof on defendant
<i>Wards Cove Packing Co., Inc. v. Atonio</i> , 490 U.S. 642 (1989)	All affirmative action programs put in doubt: burden of proof shifted from defendant to plaintiff (victim), then burden of proof shifted back to employers (defendants)
<i>St. Mary's Honor Center v. Hicks</i> , 509 U.S. 502 (1993)	Required victim to prove discrimination was intentional
<i>Adarand Constructors v. Peña</i> , 515 U.S. 200 (1995)	All race-conscious policies must survive "strict scrutiny," with burden of proof on government to show the program serves "compelling interest" to redress past discrimination
<i>Hopwood v. Texas</i> , 78 F.3d 932 (5th Cir., 1996)	Race can <i>never</i> be used as a factor in admission, even to promote diversity (Supreme Court refusal to review limited application to the Fifth Circuit—Texas, Louisiana, Mississippi)
<i>Gratz v. Bollinger</i> , 539 U.S. 244 (2003)	Rejection of a "mechanical" point system favoring minority applicants to University of Michigan as tantamount to a quota; <i>Bakke</i> reaffirmed
<i>Grutter v. Bollinger</i> , 539 U.S. 306 (2003)	Upheld race-conscious admission to Michigan Law School, passing strict scrutiny with diversity as a "compelling" state interest, as long as admission was "highly individualized" and not "mechanical," as in <i>Gratz</i>
<i>Fisher v. University of Texas</i> , 570 U.S. — (2013)	Held that strict scrutiny should be applied to college admissions policies that used race as a factor even if the intent was to favor black applicants

discriminated unconstitutionally against white students of otherwise equal or superior academic qualifications. The Supreme Court agreed, arguing that something tantamount to a quota was involved because undergraduate admissions lacked the necessary “individualized consideration” and had employed instead a “mechanical one,” based too much on the favorable minority points.⁸⁷

The second case, *Grutter v. Bollinger*, broke new ground. Barbara Grutter sued the law school on the grounds that it had discriminated in a race-conscious way against white applicants with equal or superior grades and law boards. A 5–4 decision for the first time aligned the majority of the Supreme Court with Justice Powell’s lone plurality opinion in *Bakke*. Powell had argued that (1) diversity in education is a compelling state interest and (2) race could be constitutionally considered as a plus factor in admissions decisions. In *Grutter*, the Court reiterated Powell’s holding and, applying strict scrutiny to the law school’s policy, found that the law school’s admissions process was tailored to the school’s compelling state interest in diversity because it gave a “highly individualized, holistic review of each applicant’s file” in which race counted but was not used in a “mechanical” way.⁸⁸ The Court’s ruling that racial categories can be deployed to serve a compelling state interest put affirmative action on stronger ground. The Court reaffirmed its decision in *Grutter* in 2013 when it decided *Fisher v. University of Texas*, in which a white student challenged the use of race as one factor among many in the admissions decision. In a 7–1 decision, the Court sent the case back to the district court with instructions to apply “strict scrutiny” to the school’s policy, as articulated in *Grutter*.⁸⁹ As noted above, the Court eventually accepted the university’s plan.



Affirmative action remains controversial. In 2008, Abigail Fisher brought suit against the University of Texas for making race one factor in its admissions decisions. In 2016 the Supreme Court upheld the university's procedures.

Civil Rights and Your Future

The election of Barack Obama as the nation’s first black president fueled discussions about whether America’s racial problems had been solved. Polls taken just before Obama’s inauguration revealed a sharp upturn in positive views about progress toward racial equality, but the euphoria about racial equality did not last for long. After Obama’s election, the proportion of those believing that racism against blacks was widespread dropped somewhat. Even so, in a July 2015 Pew survey, 73 percent of blacks and 44 percent of all whites continued to view racism against blacks as a widespread problem.⁹⁰

The debate about civil rights and affirmative action is ongoing because Americans hold fundamentally different views about whether and how the government should recognize racial distinctions. At the risk of gross oversimplification, we can divide those with differing views into two groups and label them *liberals* and *conservatives*.⁹¹ Conservatives argue, first, that rights in the American tradition are *individual* rights and that affirmative action violates this concept by concerning itself with “group rights,” an idea said to be alien to the American tradition. Second, conservatives argue that the Constitution is “color-blind” and that any discrimination, even if it is called positive or benign, must inevitably rely on quotas and thus ultimately violate the equal protection clause.

Liberals agree that rights ultimately come down to individuals but argue that since the essence of discrimination is the unreasonable and unjust exclusion of *an entire group* from something valuable the society has to offer, discrimination itself has to be

attacked on a group basis. Despite progress toward racial equality, liberals argue that race still matters. They can also cite Supreme Court history because the first definitive interpretation of the Fourteenth Amendment by the Court, in 1873, stated that

the existence of laws in the state where the newly emancipated Negroes resided, which discriminated with gross injustice and hardship against them *as a class*, was the evil to be remedied by this clause [emphasis added].⁹²

As to the conservative argument concerning quotas, the liberal response is that the Supreme Court has already accepted ratios (a form of quota) that are admitted as evidence to prove a “pattern or practice of discrimination” sufficient to reverse the burden of proof—to obligate the employer to show that there was *not* an intent to discriminate. Further, benign quotas have often been used by Americans both to compensate for some bad action in the past and to provide some desired distribution of social characteristics—that is, diversity. For example, a long-respected policy in the United States is the “veterans’ preference” by which the government automatically gives extra consideration in hiring to persons who have served in the country’s armed forces. And the goal of social diversity has long justified “positive discrimination,” especially in higher education. For example, many private colleges and universities regularly reserve admissions places for the children of loyal alumni and of their own faculty, even when, in a pure competition based solely on test scores and high school records, many of those same students would not have been admitted. These practices underscore the liberal argument that affirmative or compensatory action for minorities is not alien to American experience. Because our nation has a history of slavery and legalized racial discrimination and because discrimination continues to exist (although it has declined), the issue of racial justice, more than any other, highlights the difficulty of reconciling our values to our practice.

The civil rights revolution, a revolution that began with African Americans, has broadened to include women and Latinos and to address such matters as sexual orientation and immigration status. The “Who Participates?” feature on the following page shows a time line of groups that have fought for their rights throughout American history. As our nation becomes more and more diverse, equal protection of the laws will become more and more important. If we are to succeed and prosper as a nation, we must be inclusive. The tumultuous history of civil rights in America demonstrates that exclusion is a recipe for national calamity. It also demonstrates that struggles for civil rights often take a long time, beginning with political action by a small group of committed individuals and often ending with legislation and legal decisions from the highest court in the country. What civil rights battles now appear on the country’s horizon? What can and should be done to remedy past wrongs that have current consequences, such as when past discrimination results in an economic underclass for a racial or ethnic minority? And, most fundamentally, how does a country based on the democratic principle of majority rule ensure that the civil rights of minorities are protected?

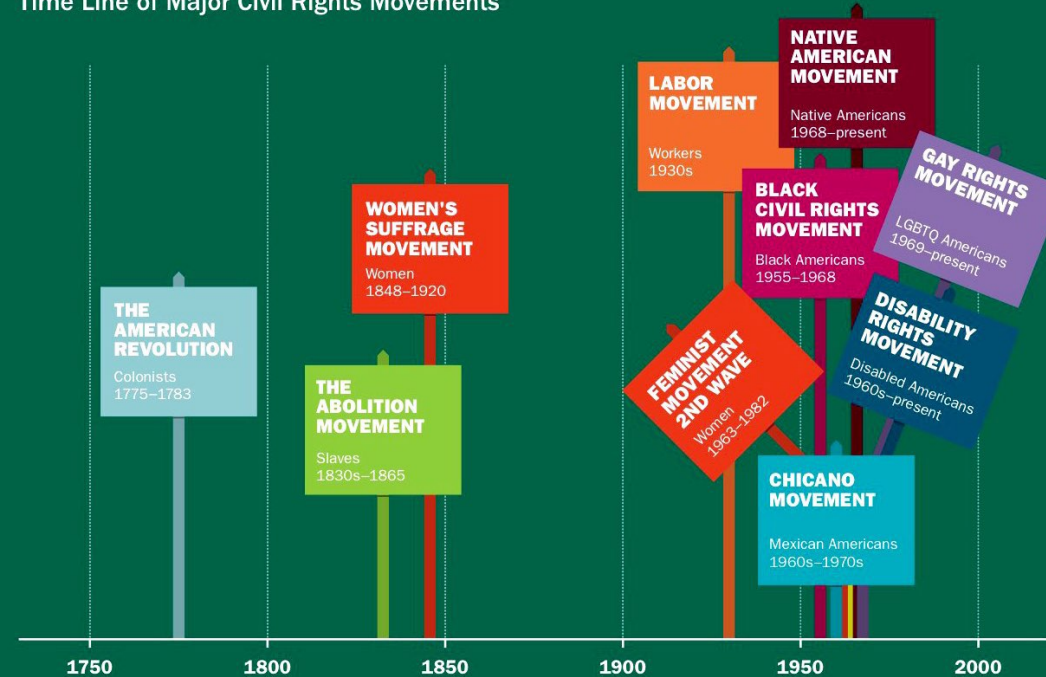
The election of Barack Obama as the country's first black president in 2008 raised questions about whether the United States' racial problems had been solved and whether policies such as affirmative action were still needed. Does the election of an African American as president mean we are closer to achieving racial equality?



WHO PARTICIPATES?

Who Has Fought for Their Rights?

Time Line of Major Civil Rights Movements



WHAT YOU CAN DO

Advocate Your Position on Civil Rights



To learn more about your civil rights, explore the Civil Rights page of the U.S. Department of Health and Human Services at www.hhs.gov/ocr.



Do you think the government should do more to protect civil rights in your community? Speak out about civil rights on social media. Post to your Facebook page or Tumblr, launch a hashtag campaign on Twitter, or start an online petition at www.change.org.



Make a phone call to voice your opinion on civil rights. Call the White House (202-456-1111) or your members of Congress (202-224-3121). You can also contact the White House online (www.whitehouse.gov/contact) or email your members of Congress (www.congress.gov/members).

Public Opinion

WHAT GOVERNMENT DOES AND WHY IT MATTERS The “consent of the governed”—demanded in the Declaration of Independence—is critical for the functioning of a democracy. We expect government to pay attention to the people, and research has shown that public opinion does indeed have a significant impact on public policy. There are debates among scholars, however, about whether the public is sufficiently informed about politics, as well as whether elected officials represent the interests of all Americans or only some Americans.

Consider public opinion on certain economic policies. A primary goal of democracy is to promote economic opportunity. In the abstract, most Americans believe that a combination of equal opportunity and hard work is the best path to financial success; in a 2009 study, more than three-fourths of the public agreed that it is possible for someone who is poor to become rich through hard work.¹ But do all Americans have an equal chance to succeed? Has public opinion on this issue changed over time?

Today in the United States, income inequality—the gap between the affluent and the rest of the population—is the highest it has been since 1928 and continues to increase. In 2015 the average household income in the United States was \$56,516. The top 20 percent of earners, however, had a household income of at least \$117,003, and the top 5 percent earned at least \$214,463.² In recent years, the incomes of the richest Americans have grown rapidly, while most Americans’ wages have remained about the same (after adjusting for inflation).³ Between 1993 and 2013, the income of the top 1 percent of Americans grew 62.4 percent, while the income of the other 99 percent grew 7.3 percent.⁴

Are Americans aware of this growing economic inequality? Public opinion polls have shown that while most Americans acknowledge the large gap between the rich and the poor in the United States, only 47 percent thought the gap between the rich and the poor was a serious problem in 2013.⁵ In 2015 public opinion on inequality of wealth began to shift, with 67 percent of Americans believing the gap between the rich and the poor was getting larger, a major increase from two years prior. Six in 10 Americans now say that it is mainly just a few people at the top who have a chance to get ahead.⁶

Partisanship continues to have a significant effect on opinion. In 2015, 89 percent of Democrats agreed with the statement that wealth should be more evenly distributed, but only 44 percent of Republicans agreed. Still, concern about inequality is growing on both sides and challenges long-held beliefs about economic opportunity. Today, large majorities of Americans favor proposals aimed at strengthening workers' rights, including paid sick leave and paid family leave, and raising taxes on the wealthy. A recent movement to increase the minimum wage to \$15 an hour sparked rallies in many cities around the country, as organized labor and anti-poverty groups worked to draw attention to income inequality.

What caused this shift in public opinion on economic inequality? Will policy makers in government respond to these changing opinions and, if so, how? As we will see in this chapter, an informed public is crucial in order for citizens to have their voices heard, and what people think about politics matters.

chaptergoals

- **Define public opinion, and identify broad types of values and beliefs Americans have about politics (pp. 201–8)**
- **Explain the major factors that shape specific individual opinions (pp. 208–19)**
- **Explore when and why public opinion changes and what role political knowledge plays (pp. 219–26)**
- **Describe the major forces that shape public opinion (pp. 226–29)**
- **Analyze how public opinion shapes government policy and influences elected officials (pp. 229–31)**
- **Describe basic survey methods and other techniques researchers use to measure public opinion (pp. 231–41)**

● Defining Public Opinion

Define public opinion, and identify broad types of values and beliefs Americans have about politics

The term **public opinion** refers to the attitudes that people have about issues, events, elected officials, and, of course, politics and policy. It is useful to distinguish between values and beliefs, on the one hand, and attitudes and opinions, on the other. **Values (or beliefs)** constitute a person's basic orientation to politics and include guiding principles.

Values are not limited to the political arena, but they underlie deep-rooted goals, aspirations, and ideals that shape an individual's perceptions of society, political issues, and events. Liberty, democracy, and equality of opportunity, for example, are basic political values held by most Americans.

Another useful term for understanding public opinion is *ideology*. **Political ideology** refers to a set of beliefs and values that, as a whole, form a general philosophy about government. For example, many Americans believe that governmental solutions to problems are inherently inferior to solutions offered by the private sector. Such a philosophy about government may predispose individuals to form negative views of specific government programs, even before they know much about the policy.

An **attitude (or opinion)** is a specific view about a particular issue, person, or event. An individual may have an attitude toward American policy in Iraq or an opinion about economic inequality in America. The attitude or opinion may have emerged from a broad belief about military intervention or about the role of government in the economy, but the opinion itself is very specific. Some attitudes may be short-lived and can change based on changing circumstances or new information; others may change over a few years.

To determine the public's opinion on an issue, one must study the individual opinions of thousands or millions of people aggregated together; it is a way to gauge what Americans think about politics and policy. When we think of public opinion, we often think in terms of differences of opinion. The media are fond of reporting political differences between Democrats and Republicans, blacks and whites, men and women, the young and the old, and so on. Certainly, Americans differ on many issues, and often these differences are associated with partisanship, economic status, or social characteristics. For example, opinion polls show that roughly half of Americans sympathized with the Tea Party movement and half with the Occupy Wall Street movement. Those who supported Occupy Wall Street have very different beliefs regarding the cause of the poor economy (that banks and elected officials are held captive by corporate interests) from those of people supporting the Tea Party (that government regulation is strangling the private sector, preventing an economic rebound). While both Occupy Wall Street and the Tea Party are populist economic movements, they have different underlying opinions, attitudes, and ideologies about the economy and government.

Factors such as race and ethnicity, gender, income, education, age, religion, and region—which not only affect individuals' interests but also shape their experiences and upbringing—do influence Americans' beliefs and opinions. For example, individuals whose incomes differ substantially have varying views on many important economic and social programs, including government health care. In general,

public opinion citizens' attitudes about political issues, leaders, institutions, and events

values (or beliefs) basic principles that shape a person's opinions about political issues and events

political ideology a cohesive set of beliefs that forms a general philosophy about the role of government

attitude (or opinion) a specific preference on a particular issue

the poor, who are the chief beneficiaries of these programs, support them more strongly than do those who are wealthier and pay more of the taxes that fund the programs. Blacks and whites have different views on issues that touch on civil rights, criminal justice, and race relations, reflecting differences of interest and experience. Political attitudes are also strongly influenced by partisanship (Republicans versus Democrats), ideology (conservatives versus liberals), and core values.

Traditionally, there was an assumption that political attitudes were wholly rooted in rational factors, such as economic self-interest. Now political scientists have a renewed understanding that opinions about issues and politics have emotional underpinnings as well.⁷ Emotional responses to candidates, events, or policies run the gamut from strongly positive to strongly negative. These emotions are usually measured by survey questions asking if a candidate (or another individual, event, or issue) makes the respondent feel angry, fearful, anxious, or enthusiastic. Contrary to the idea that public opinion is purely rational, feelings are complicated and often irrational; once individuals become emotionally attached to particular beliefs, they tend to hold on to them even in the face of contradictory information. Using emotions as a guide, individuals form opinions quickly in response to current events. An important study called this “affective [meaning emotional] intelligence.”⁸

Research has shown that individuals usually monitor political news by responding to familiar political figures or issues in a habitual and unthinking manner. However, when we encounter a new political actor, event, or issue, we tend to form a new evaluation. Anxiety triggered by a change in the political environment, such as a foreign enemy or an opposing party’s candidate, can then trigger increased interest and attention and even prompt a change of opinion. These findings suggest that even individuals with strong opinions might abandon their political habits if they have feelings of anxiety.

Take, for example, public opinion about foreign policy and global terrorism. When President Obama entered the White House in 2008, Americans had tired of the Iraq War (begun in 2003), and large majorities wanted the United States

Emotional responses to events can have a substantial effect on public opinion. The fear and anger that many Americans felt following the 2015 terrorist attacks on Paris by ISIS contributed to increased public support for military intervention in the Middle East.



to withdraw troops from the region. But in 2015, most Americans again favored military intervention in Iraq and Syria. Why? Emotions may be part of the answer.

Viral news spread rapidly beginning in 2014 when an extremist militia group in Iraq and Syria calling itself the Islamic State of Iraq and Syria (ISIS), used the Internet to distribute gruesome videos of beheadings of foreign journalists, soldiers, and Christians. ISIS gained momentum quickly, taking over large swaths of Iraq and Syria, including key cities, trade routes, and oil fields. With a \$2 billion dollar budget in 2015 from oil revenue and criminal activity, the organization's goal is to create a worldwide Sunni Islamic empire (or caliphate) across countries in the Middle East.⁹ The group used a sophisticated online propaganda campaign to convince thousands of foreigners to join the fight. Media coverage of the mass executions fueled emotions of fear, and by 2015 more than twice as many approved as disapproved (63 percent and 30 percent, respectively) of the military campaign against ISIS.¹⁰

Emotions can lead individuals to reconsider their views regarding not only policy issues but also political candidates. For example, negative political campaign ads aim to make individuals feel uneasy about a particular candidate, thereby convincing viewers to change their minds about whom to vote for.

Political Values

Despite their differences, most Americans share a common set of values, including a belief in the principles, if not always the actual practice, of liberty, equality, and democracy. The United States was founded on the principle of individual **liberty**, or freedom. Americans have always voiced strong support for the idea of liberty and typically support the notion that governmental interference with individuals' lives and property should be kept to a minimum. Liberty is, after all, tied inextricably to the birth of our nation—Puritans fled to America to escape persecution in England for their religious beliefs—and it remains as important in contemporary politics as it was during the Founding era. Americans have stronger views about the importance of liberty and freedom of expression than do citizens in other democratic countries. One example is the growing concern with civil liberties related to privacy and security of personal information online. A 2015 Pew survey found that 54 percent of Americans oppose the government collecting cell phone and Internet data on its citizens as part of its antiterrorism efforts.¹¹ More broadly, three in four Americans don't see a need to sacrifice liberty (privacy and freedom) to be safe from terrorism.¹² Support for freedom of speech, a free Internet, and a free press is higher in the United States than in most other countries in the world: 71 percent of Americans believe it is very important that "people can say what they want without state or government censorship," compared to a global average of 56 percent.¹³ These data underscore the fact that government surveillance is of increasing concern to most Americans and that the value of liberty matters.

Similarly, **equality of opportunity** has always been an important theme in American society. Most Americans believe that all individuals should be allowed to seek personal and economic success. Moreover, most people generally believe that such success should be the result of individual effort and ability, rather than family connections or other forms of special privilege. Quality public education is one of the most important mechanisms for obtaining equality of opportunity in that it allows individuals, regardless of personal or family wealth, a chance to get ahead. Today, Internet access is emerging as an important form of equality of opportunity by

liberty freedom from governmental control

equality of opportunity a widely shared American ideal that all people should have the freedom to use whatever talents and wealth they have to reach their fullest potential

for critical analysis

The news often focuses on issues on which public opinion is sharply divided, but in fact there are many issues on which Americans largely agree. What other issues do you think have strong consensus among Americans?

providing access to job opportunities, news, politics, commerce, and other benefits of digital citizenship.¹⁴ The minimum wage is another issue related to inequality. A 2014 survey found that 73 percent of people favored an increase in the federal minimum wage to \$10.10 an hour, a proposal that failed to move ahead in Congress in 2014.¹⁵ Economic opportunity, defined as access to a good job and a decent standard of living, is a core value in American politics. Growing inequality of wealth, as discussed above, challenges this core value of equality.

Most Americans also believe in democracy and the rule of law. They believe that every citizen should have the opportunity to take part in the nation's governmental and policy-making processes and to have some say in determining how they are governed, including the right to vote in elections.¹⁶ (See Chapter 8 for a discussion of rules affecting voting in elections.) Figure 6.1 shows there is consensus among Americans on fundamental values: for instance, 86 percent believe society should do what it takes to ensure equality of opportunity, and 95 percent believe people should be able to make statements that criticize the government and its policies.

Obviously, the political values that Americans espouse have not always been put into practice. For 200 years, Americans embraced the principles of equality of opportunity and individual liberty while denying them in practice to generations of African Americans. Ultimately, proponents of slavery and, later, of segregation were defeated in the arena of public opinion because their practices differed so sharply from the fundamental principles accepted by most Americans.

Yet even when there is broad agreement over principles, practical *interpretations* of principles can differ. For example, in contemporary politics Americans' fundamental commitment to equality of opportunity has led to divisions over affirmative action programs, with both proponents and opponents citing their belief in equality of opportunity as the justification for their position. Proponents of these programs see them as necessary to ensure equality of opportunity, whereas opponents believe that affirmative action is a form of preferential

FIGURE 6.1

Equality of opportunity

Liberty

Democracy

treatment that violates basic American values (see Chapter 5).¹⁷ We form our individual preferences and interpretation of values through interaction with family members, friends, teachers, and others in our social groups and networks in a process called “socialization.”

Political Ideology

Americans share many fundamental political values, but the application of these values to specific policies varies. The set of underlying ideas and beliefs through which we come to understand and interpret politics is called a *political ideology*. Ideologies take many different forms. Some people may view politics primarily in religious terms. During the course of European political history, for example, Protestantism and Catholicism were often political ideologies as much as they were religious creeds. The conflict in Iraq today is among two religious political ideologies, the Sunnis and the Shiites. Each set of beliefs includes not only elements of religious practice but also distinct ideas about secular authority and political action.

In the United States the definitions of the two most common political ideologies—liberalism and conservatism—have changed over time. To some extent, contemporary liberalism and conservatism can be seen as differences in emphasis with regard to the fundamental American political values of liberty and equality. For liberals, equality is the most important of the core values. Liberals encourage government action in such areas as the economy and progressive taxation, worker’s rights, college admissions, and business practices to enhance race, class, and gender equality of opportunity. For conservatives, on the other hand, liberty is the core value. Conservatives oppose many efforts of the government, however well intentioned, to interfere in private life and free markets.

Liberalism In classical political theory, a liberal was someone who favored individual initiative and was suspicious of the motives of government and of its ability to manage economic and social affairs—a definition akin to that of today’s libertarian. The proponents of a larger and more active government called themselves progressives. In the early twentieth century, many liberals and progressives coalesced around the doctrine of “social liberalism,” which held that government action might be needed to preserve individual liberty. Today’s liberals are social liberals rather than classical liberals.

In contemporary politics being a **liberal** has come to mean supporting political and social reform, government intervention in the economy, the expansion of federal social services and health care, more vigorous efforts on behalf of the poor and minorities, and greater concern for protecting the environment. For example, Senator Elizabeth Warren (D-Mass.) is a leading liberal politician. Warren is an active consumer protection advocate whose work led to the establishment of the U.S. Consumer Financial Protection Bureau, which protects individuals from bankruptcy. Liberals generally support abortion rights and rights for gays and lesbians and are concerned with protecting the rights of people accused of crimes. In international affairs, liberals often support foreign aid to poor nations, arms control, and international organizations that promote peace such as the United Nations and the European Union. Many liberals are opposed to military wars, but under President Obama some liberals tolerated military interventions in other countries.



Although liberalism and conservatism are the most common political ideologies in the United States today, other ideologies, such as libertarianism, offer different perspectives on the role of government, policy issues, and society.

liberal today this term refers to those who generally support social and political reform, governmental intervention in the economy, more economic equality, expansion of federal social services, and greater concern for consumers and the environment

- Supports stricter environmental protections
- Favors expanded health coverage for all Americans
- Advocates increased funding for education
- Supports same-sex marriage
- Supports abortion rights and birth control
- Supports an increase in the minimum wage
- Supports more equitable tax policy that benefits middle-class Americans and imposes higher taxes on corporations



Conservatism By contrast, **conservatives** believe strongly that a large government poses a threat to the freedom of individual citizens and to free markets and democracy. Ironically, today's conservatives support the views of classical liberalism. Today, conservatives generally oppose the expansion of governmental activity, asserting that solutions to many social and economic problems can and should be developed in the private sector or local communities. Many conservatives are opposed to increasing taxes, preferring to cut government spending instead. Conservatives oppose efforts to impose government regulation on business, maintaining that regulation frequently leads to economic inefficiency, is costly, and can lower

- Wants to trim the size of the federal government
- Wants to reduce government regulation of business
- Supports capital punishment for certain crimes
- Opposes restrictions on the right to bear arms
- Supports using traditional energy sources and opposes climate change action that reduces manufacturing jobs
- Opposes many affirmative action programs
- Favors tax cuts



justice and to reduce economic and social inequality. To take an example, 2016 Democratic presidential candidate Bernie Sanders called himself a “democratic socialist.” Like the Social Democratic parties in Europe, Sanders supports free markets and private enterprise but wants government to ensure more equality of opportunity for citizens such as free public college. He also supports government policies to protect workers’ rights and unions. Socialists are more to the ideological left than the mainstream Democratic Party.

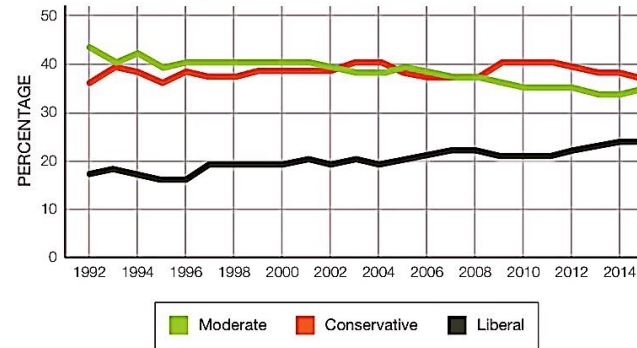
Americans’ Ideologies Today Although many Americans subscribe to libertarianism, socialism, or other ideologies in part, most describe themselves as either liberals, conservatives, or moderates. Figure 6.2 shows that the percentage of Americans who consider themselves moderates, liberals, or conservatives has remained relatively constant for the past 15 years. Gallup surveys indicate

FIGURE 6.2

Americans' Ideology

More Americans identify themselves as "conservatives" than "liberals." During the period shown in this figure, however, Americans have had two Democratic presidents and have several times elected Democratic majorities to a house of Congress. What might account for this apparent discrepancy? What role do moderates play in the electorate? How stable is Americans' ideology over time?

SOURCE: Lydia Saad, "Conservatives Hang On to Ideology Lead by a Thread," Gallup, January 11, 2016, www.gallup.com/poll/188129/conservatives-hang-ideology-lead-thread.aspx (accessed 10/3/16).



immigrants. In short, some of Obama's domestic, economic, and foreign policies are associated with conservatives and some with liberals. The real political world is far too complex to be seen simply in terms of a struggle between liberals and conservatives. Political candidates who claim to be moderates in a large number of policy areas, tend to overlap with the ideologies of the majority of Americans and, thus, often win elections.

● How We Form Political Opinions

Explain the major factors that shape specific individual opinions

As noted above, broad ideologies do not necessarily determine every political opinion a person holds. Though conservatives generally support small government, most also support some federal programs, such as the military, and national security, and wish

to see them—and hence the government—expanded. Some conservatives are not opposed to immigration and accept same-sex marriage. Though most liberals do not favor American military intervention abroad, many do favor military intervention for what they deem to be humanitarian purposes or to prevent terrorist attacks. How are political opinions formed?

Political Socialization

People's attitudes about political issues and elected officials tend to be shaped by their underlying political beliefs and values. For example, an individual who has negative feelings about government regulation of the economy would probably be

predisposed to oppose the development of new social and health care programs. Similarly, someone who distrusts the military tends to be suspicious of a call for the use of U.S. troops. The processes through which these underlying political beliefs and values are formed are collectively called **political socialization**.

Probably no nation, and certainly no democracy, could survive if its citizens did not share some fundamental beliefs. In contemporary America, some elements of the socialization process tend to produce differences in outlook, whereas others, such as public education, promote similarities. The **agents of socialization** that foster differences in political opinions include the family and social networks, education, membership in social groups, religion, party affiliation, self-interest, and political environment.

Of course, no list of the agents of socialization can fully explain an individual's basic political beliefs. In addition to the factors that are important for everyone, experiences and influences that are unique to each individual play a role in shaping political orientation. An early encounter with an important mentor (for example, a teacher, coach, or religious leader), can have a lasting impact on an individual's views. A major political event, such as the terrorist attacks of September 11, 2001, can leave an indelible mark on a person's political consciousness. And some deep-seated personality characteristic, such as paranoia or openness to new experiences, may strongly influence the formation of political beliefs. One recent experiment found that people who have physiological reactions to sudden noises and threatening visual images were more likely to favor defense spending, capital punishment, patriotism, and military force. That is, people who tend to be more fearful appear to support policies that protect the existing social structure from both external and internal threats.²⁰

Some new research has found that political beliefs may have a genetic basis and thus be "hard-wired." While it is common knowledge that genes predispose individuals to be tall or short, blond or brunet, brown- or blue-eyed, recent studies have suggested that our genes shape our political beliefs and opinions. Using data from a large sample of twins, scholars found that genes may contribute, in combination with environmental factors, to our ideology.²¹ Individual backgrounds, experiences, and social factors also explain people's political attitudes. Below we look at some of the most important agents of socialization that affect individuals' beliefs.

The Family and Social Networks Most people acquire their initial orientation to politics from their families. As might be expected, differences in family background tend to produce divergent political perspectives. Although relatively few parents spend significant time directly teaching their children about politics, political conversations occur in many households, and children tend to absorb the political views of parents and other caregivers, often without realizing it. Studies find, for example, that party preferences are initially acquired at home, even in households that don't explicitly talk about politics. Children raised in households in which the primary caregivers are Democrats tend to become Democrats, whereas children raised in homes where their caregivers are Republicans tend to favor the Republican Party.²² Of course, not all children absorb their parents' political views. Two of the late Republican president Ronald Reagan's three children, for instance, rejected their parents' conservative values and became active on behalf of Democratic candidates.

Nevertheless, family, friends, coworkers, and neighbors are an important source of political orientation for nearly everyone. Political scientist Betsy Sinclair argues that

political socialization the induction of individuals into the political culture; learning the underlying beliefs and values on which the political system is based

agents of socialization social institutions, including families and schools, that help to shape individuals' basic political beliefs and values

Children are socialized into political environments in ways large and small, from attending political rallies with their parents to hearing offhand comments at the dinner table. What political opinions did you learn from your parents?



individuals are “social citizens” whose political opinions and behavior are significantly shaped by peer influence, including friends and family.²³ Sinclair shows that social networks can and do have the power to change an individual’s opinion. When members of a social network express a particular political opinion or belief, Sinclair finds, others notice and conform, particularly if their conformity is likely to be highly visible. The conclusion is that basic political acts are surprisingly subject to social pressures.

Online social networks such as Facebook and Twitter may increase the role of peers in shaping public opinion. For example, after the June 2015 Supreme Court decision to legalize same-sex marriage nationwide, Facebook launched a “Celebrate Pride” tool that enabled users to give their profile pictures a rainbow-tinted background to show support for gay rights, signalling to friends and family their opinion on this issue. Similarly, the widely shared Facebook meme of an equal sign against a red background in 2013 communicated support for gay rights at the same time that the U.S. Supreme Court was deciding two controversial court cases affecting gay and lesbian marriage rights. This social media discussion was associated with upticks in public support for gay marriage nationally. In 2015 a record high 55 percent of Americans believed marriages between same-sex couples should be recognized by law, an increase of almost 20 percent from 2005 when only 36 percent of Americans felt this way.²⁴

Education After family, formal education can be an important source of differences in political perspectives. Governments use public education to try to teach all children a common set of civic values; it is mainly in school that Americans acquire their basic beliefs in liberty, equality, and democracy. In history classes, students are taught that the Founders fought for the principle of liberty. In the course of studying such topics as the Constitution, the Civil War, and the civil rights movement, students are taught the importance of equality. Research finds formal education to be a strong predictor of tolerance for racial minorities.²⁵

At the same time, differences in formal education are strongly associated with differences in political opinions. In particular, those who attend college are often

exposed to modes of thought that will distinguish them from their friends and neighbors who do not pursue college diplomas. Education is one of the most important factors in predicting who engages in behaviors that increase political knowledge, such as regularly following the news, voting, and participating in politics.²⁶

Social Groups and Public Opinion

The social groups to which individuals belong comprise another important source of political values. Social groups include those that individuals haven't chosen (national, religious, gender, and racial groups, for example) and those they join willingly (political parties, labor unions, the military, and environmental, educational, and occupational groups). Membership in a particular group can give individuals experiences and perspectives that shape their view of political and social life.

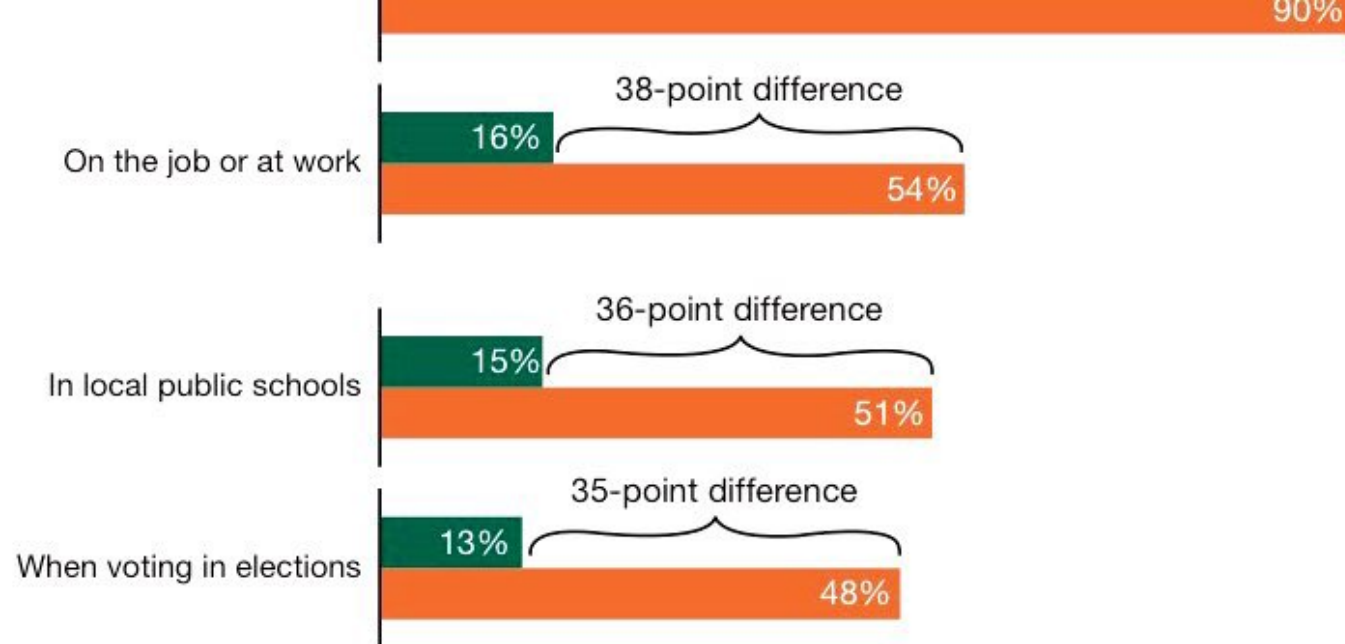
Race Race plays an important role in shaping political attitudes and opinions, among both minorities and whites. The experiences of blacks, whites, and Asian Americans, for example, can differ significantly. Blacks are a minority and have been victims of persecution and discrimination throughout American history, while many Asians are relatively recent immigrants to the United States. Blacks and whites also have different occupational opportunities, often live in separate communities, and frequently attend separate schools. Such differences tend to produce distinctive political views. Many black Americans perceive other blacks as members of a group with a common identity and a shared political interest in overcoming persistent racial and economic inequality. Political scientists refer to this phenomenon as "linked fate": African Americans see their fate as linked to other members of the black community.²⁷ This linked fate acts as a sort of filter through which black Americans evaluate information and determine their own opinions and policy preferences.

That black and white Americans have different views is reflected in public perception of fair treatment across racial groups in the United States. Figure 6.3 shows that 70 percent of African Americans believe that slavery and discrimination have made it difficult for blacks to work their way out of the lower class compared to just 30 percent of white non-Hispanics. In a striking difference, 81 percent of blacks support affirmative action policies compared to just 27 percent of whites.

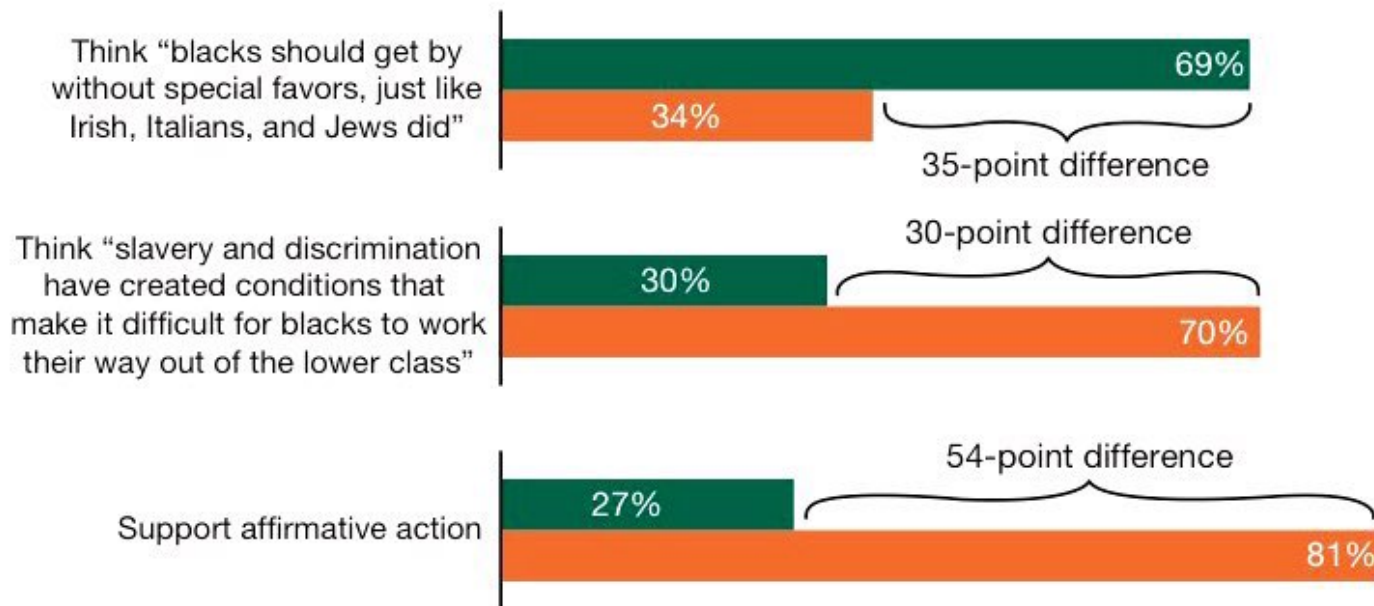
Differences in public opinion among blacks and whites are also found in views of the role of race in the criminal justice system. In 2009, 80 percent of African Americans said blacks and other minorities do not get equal treatment under the law; the number of whites giving this response was just 40 percent.²⁸ In the past few years, however, widely publicized incidents of excessive use of police force against African Americans around the country have begun to cause a shift in public opinion on this issue. The activist movement Black Lives Matter took off in 2014 after the killing of Michael Brown, an unarmed, 18-year-old African American, by a white police officer in Ferguson, Missouri. Protests erupted across the nation when the officer, Daren Wilson, was not indicted. One month after that verdict, a white police officer in New York was not indicted despite video evidence that he had used a chokehold and other means of force on Eric Garner, an African American man, heard repeatedly asserting that he could not breathe. The Black Lives Matter movement has quickly gained momentum in response to the growing number of these incidents. By 2015, 90 percent of African Americans agreed that blacks and whites are not treated equally by police, and 54 percent of whites felt the same way (see Figure 6.3), showing that while there is still a racial divide on this issue,



Social networks influence our opinions on many issues. We learn and absorb the opinions of friends and family from their words as well as their actions, such as displaying memes or using hashtags associated with a particular movement.



Percentage who:



Ethnicity Ethnicity also affects policy attitudes. Latinos are the fastest-growing minority population in the United States. While most Latinos are white in race, their shared Hispanic ethnicity contributes to a group consciousness that shapes opinions. Today, Latinos made up 17.4 percent of the total population and 9 percent of the electorate.³² The U.S. Latino population is diverse, comprising individuals of Central American, South American, and Caribbean descent, and thus their backgrounds and circumstances can be quite different. Moreover, there are significant generational differences among Latinos, especially among generations born outside and within the United States. However, in spite of the differences, the Latino population has a growing sense of “linked fate.”

Unsurprisingly, immigration is one of the most important policy issues among Latinos, with significant majorities of Latinos concerned about restrictive immigration policies. The number of first-generation immigrants—or foreign-born citizens—living in the United States quadrupled from almost 10 million in 1970 to about 41 million in 2013. Most immigrants legally reside in the United States.³³ Sharp differences in opinion are found between Latinos and white non-Hispanics over immigration. In 2014, 42 percent of white non-Hispanics said they would grant legal status to immigrants working in the United States, while 64 percent of Latinos believed legal status should be given to all immigrants.³⁴

With respect to ideology, Latinos typically are supportive of government policy to improve the lives of citizens and to reduce prevailing inequality, which includes favoring public funding for education, health, and welfare; Latinos generally see an active government as a good thing and favor liberal economic policies. While Latinos tend to be fairly religious, Latino Decision surveys find they do not allow their religious beliefs to dictate their political decisions—they are thus less likely to vote for conservative politicians because of social issues.³⁵ This helps explain why a majority of Latinos supported Democratic candidate Hillary Clinton for president.

Gender Men and women have important differences of opinion as well. Reflecting differences in social roles and occupational patterns, women tend to oppose military intervention more than men do, are more likely than men to favor gun control, and are more supportive of government social programs (see Figure 6.4). Perhaps because of these differences on issues, women are more likely than men to vote for Democratic candidates. In the 2016 presidential election, there was an especially large gap between men’s and women’s opinions of the candidates, Democrat Hillary Clinton and Republican Donald Trump. This tendency of men’s and women’s opinions to differ is known as the **gender gap**.

Political knowledge may play a role in explaining differences in opinion. For example, research suggests that women are more politically knowledgeable about welfare, education, and health policies than men are, but women are less politically knowledgeable regarding other issues. If, however, there is a female Congress member, women in that congressional district are as likely as men to be able to name their senator. Higher female representation in government is associated with greater political efficacy among women and an increased ability to name their representatives.³⁶

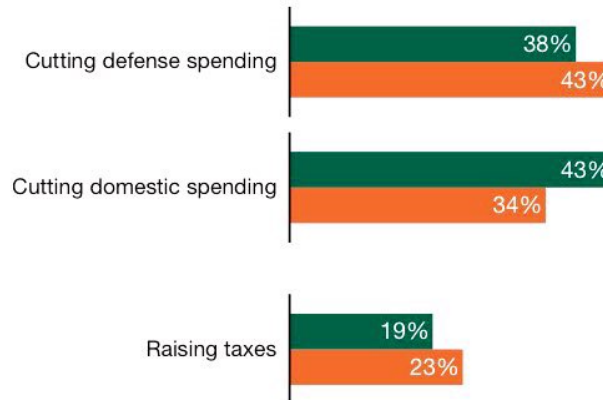
Religion Religion is a more important predictor of opinion on a wide range of issues than previously recognized. Religious individuals are usually defined in surveys as frequent church attenders and those who indicate that religion and prayer are important in their lives. One of the fastest-growing groups in America are those without religious affiliation, rising from 5–6 percent of the population in the 1990s

gender gap a distinctive pattern of voting behavior reflecting the differences in views between women and men



HOW TO BALANCE THE BUDGET

Percentage who support:

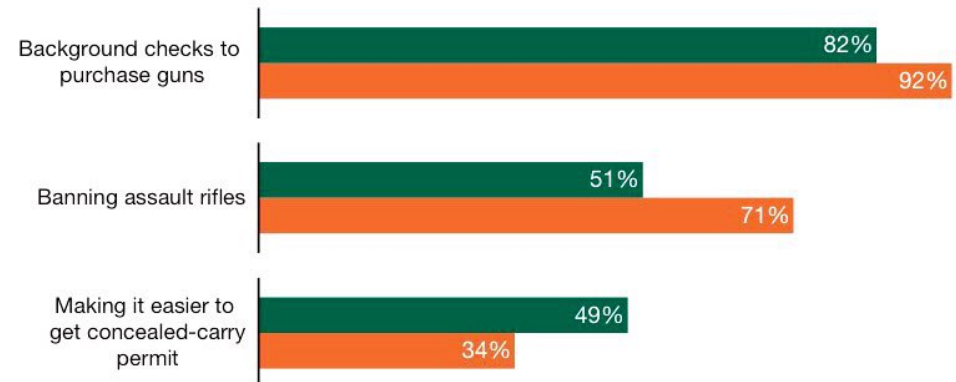


RAISE THE MINIMUM WAGE?



GUN CONTROL

Percentage who support:





Women are more likely to support gun control than men. The movement One Million Moms for Gun Control formed following the mass shooting of 20 first graders and six adults in Newtown, Connecticut, in 2012. Today the group has hundreds of thousands of members—both women and men—across all 50 states.

to 23 percent today.³⁷ Among religious groups, white evangelical Protestants and Catholics tend to have more conservative views on moral issues than mainline Protestants and individuals of other denominations. Among the religious groups with more conservative views, evangelical Protestants tend to be even more conservative than Catholics. A 2014 study found that only 31.5 percent of evangelical Protestants believe abortion rights for women should always be permitted, compared to 56 percent of Catholics and 75 percent of those without religious affiliation. Similarly sharp differences in opinion are also found across religious groups in terms of attitudes about same-sex marriage: only 35 percent of evangelical Protestants support same-sex marriage compared to 60 percent of Catholics and 76 percent of the nonreligious.³⁸ Religion also helps us understand opinions on gambling, teaching evolution in the public schools, immigration, partisanship, ideology, and other issues. White evangelicals and weekly churchgoers are much more likely to hold conservative views and be Republican, while black Protestants, Hispanic Catholics, Jews, and the religiously unaffiliated are more likely to hold liberal views and favor the Democratic Party.

Party Affiliation Political party membership is one of the most important factors affecting political orientation. We can think of partisanship as red- or blue-tinted glasses that color opinion on a vast array of issues. Self-identified partisans (individuals affiliating with the Republican or Democratic Party) tend to rely on party leaders and the media for cues on the appropriate positions to take on major political issues.³⁹

In recent years, party polarization has become a defining feature of Congress and many state legislatures. As a result, the leadership of the Republican Party has become increasingly conservative, whereas that of the Democratic Party has become more liberal, a shift reflected in public opinion. Geographic sorting—where liberals choose to live in neighborhoods, cities, counties, and states that are more liberal, while conservatives move to areas with populations with more conservative views—also contributes to mass polarization. Large cities, such as New York City, Chicago, and Los Angeles, have predominantly Democratic populations, while Republicans are more numerous in rural and suburban areas.

According to recent studies, differences between Democratic and Republican partisans on a variety of political and policy questions are greater today than during

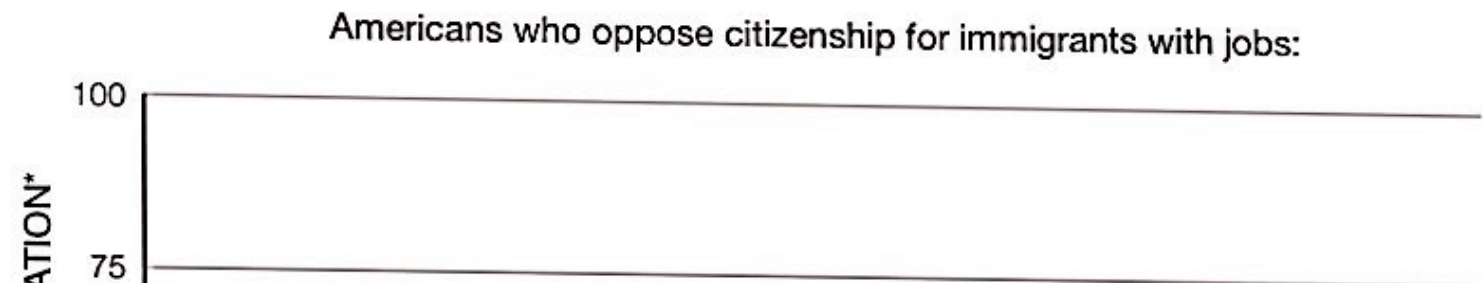
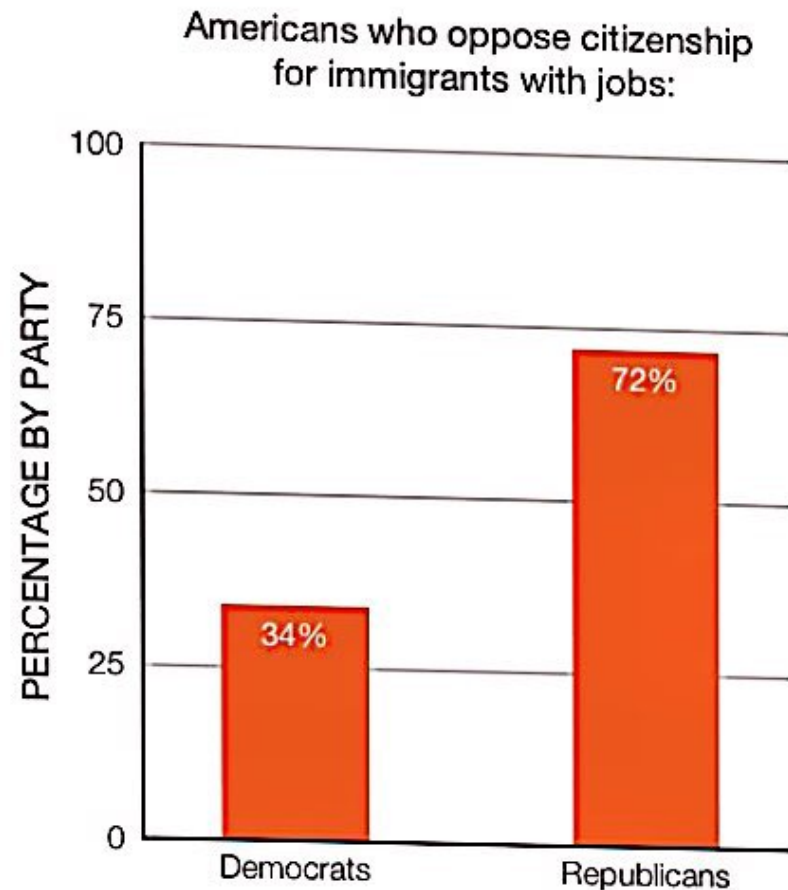
FIGURE 6.5

Attitudes on Immigration

Americans remain widely divided on the issue of immigration. There is stark disagreement across party lines, with Republicans far more likely than Democrats to oppose citizenship for working immigrants. A less striking, but still significant, difference can be found when it comes to level of education. Are people with more formal education more or less likely to support citizenship for immigrants with jobs? What do you think explains this trend?

*Highest level attained.

SOURCE: Brian Schaffner and Stephen Ansolabehere, "CCES Common Content, 2014," Harvard Dataverse, V2 <http://dx.doi.org/10.7910/DVN/XFXJVY> (accessed 5/4/16).



and colleagues argue that most Americans hold moderate opinions.⁴¹ While political elites and members of Congress may be highly polarized, there is general agreement among most Americans even on those issues thought to be most divisive. Thus, evidence of partisan polarization in public opinion is mixed: some see deep divisions, while others see evidence of popular consensus.

Economic Class and Group Self-Interest Another way that membership in groups can affect political beliefs is through what might be called rational political interest. On many economic issues, for example, the interests of the rich and the poor differ significantly. Inevitably, these differences in interests will produce differences in political outlook. The framers of the Constitution thought that the inherent gulf between the rich and the poor would always be the most important source of conflict in political life. More recently, Occupy Wall Street protesters decried the chasm between the 99 percent of income earners and the top 1 percent, while the movement to raise the minimum wage to \$15 an hour—“Fight for \$15”—has quickly gained momentum since 2013. Such struggles over the minimum wage, unemployment benefits, job creation, taxing the wealthy, health care and welfare policy, Social Security, and other issues are fueled by differences in interest between wealthier and poorer Americans. For example, protecting the environment is often seen as a trade-off with job creation and the economy. One-third of individuals earning less than \$30,000 a year strongly favor environmental regulations compared to 42 percent of Americans earning \$150,000 or more.⁴²

However, some researchers have found that people don't necessarily translate broad concerns about inequality or their own economic self-interest into specific

for critical analysis

Political scientists have observed “geographic sorting” in the United States, where liberals live in areas with other liberals and conservatives live in areas with other conservatives. Is the area where you live strongly liberal, conservative, or evenly mixed? What are the political consequences of geographic sorting?

⁴¹ See, for example, 43. For instance, two-thirds of Americans favored the 2001 and

for critical analysis

An individual's family, social networks, group membership, party affiliation, education, self-interest, and political environment can influence his or her political perspectives. What influences in your life have affected your political opinions and beliefs?

The terrorist attacks of September 11, 2001 certainly influenced public opinion in the months immediately following the attacks and likely also had a long-term effect on many Americans' basic political beliefs.



Political Environment A final set of factors that shape political attitudes and values are the conditions under which individuals are recruited into and become involved in political life. Although political beliefs are influenced by family background and group membership, the content and character of these views is, to a large extent, determined by political circumstances. For example, the baby-boom generation that came of age in the 1960s was exposed to the Vietnam War and the resulting widespread antiwar protests on college campuses and in urban areas throughout the nation. As a result, this generation has generally opposed foreign wars. Young people today who were born around the time of the September 11, 2001, terrorist attacks on the Twin Towers in New York City, or came of age during that time, may be less opposed to foreign wars.

Similarly, the views held by members of a particular group can shift drastically over time as political circumstances change. For example, white southerners were staunch members of the Democratic Party from the Civil War through the 1960s. As Democrats, they became key supporters of liberal New Deal and post-New Deal social programs that greatly expanded the size and power of the national government and provided social welfare programs. The 1960s mark the beginning of the South's move from the Democratic to the Republican camp—mainly because of white southerners opposed to the Democratic Party's integrationist racial policies. Since the 1960s a majority of southern whites have shifted to the Republican Party. Now southern whites provide a solid base of support for efforts to scale back social programs and sharply reduce the size and power of the national government—hence the popularity of the Tea Party movement.⁴⁵ It was not a change in the character of white southerners but a change in the political environment in which they found themselves that induced this major shift in partisanship in the South.

Another example of public opinion change can be seen in the evolving political environment in the West. California's Republican governor in the 1970s, Ronald Reagan, went on in the 1980s to become one of the most admired Republican presidents, ushering in major tax reform and deregulating many government policies. But since the 1990s, California, once a Republican stronghold, has become solidly Democratic. Some argue that the shift began with a series of Republican-endorsed ballot measures targeting racial and ethnic minorities—including immigration, affirmative action, and bilingual education—which triggered a backlash especially among Latinos, who had previously participated in politics in very low numbers. In the 1990s, the number of Latino voters who favored more liberal public policy increased dramatically. With Latinos and blacks combined making up more than 50 percent of California's population, this demographic environmental change moved California to a solid Democratic state.⁴⁶ In this case, immigration and demographic change, two environmental factors, caused public opinion in the nation's largest state to change over time. Some analysts predict that even Texas, a solidly Republican state, may turn "blue" in future presidential elections.

In sum, public opinion and orientations are shaped by the political circumstances in which individuals and groups find themselves, and those outlooks can change as circumstances change.

● Political Knowledge and Changes in Public Opinion

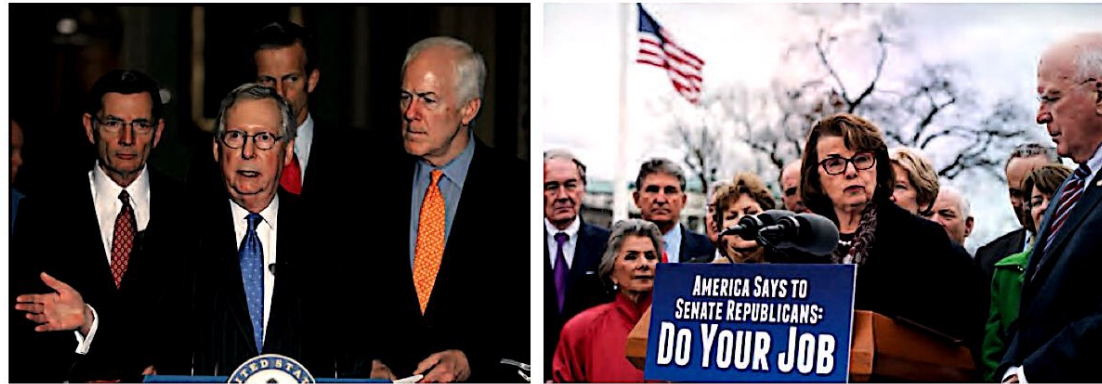
Explore when and why public opinion changes and what role political knowledge plays

The section above described what factors shape individuals' opinions, including political socialization, group identity, and political environment. These factors are relatively constant: one's level of education, for example, is generally set by early adulthood. However, these are not the only

influences on individuals' opinions. Individuals encounter new information from political leaders and the media throughout their lives. What role does political knowledge and information play in forming opinions? What causes people's opinions to change over time?

Stability of Public Opinion One of the most important studies of how public opinion is formed is by political scientist John Zaller.⁴⁷ Zaller argues that individuals learn about politics by converting information from the news, elected officials, and other sources into opinions. His model of opinion formation works in three stages. In the "receive" stage, an individual receives information from a number of different sources. In the "accept" stage, the individual assesses this information through the lens of her own political views and accepts only those messages that are in line with previously held beliefs, meaning that some political information will be rejected. Finally, in the "sample" stage, the individual selects some of the accepted information—often the information that is most recent—and forms an opinion from it. So, according to this theory, if you receive information from various sources about a proposed tax cut, you will then assess the different messages based on your own previously held beliefs about tax cuts. If you believe tax cuts are generally good, you will likely reject information that suggests this particular cut is bad and accept only the messages suggesting that it is good.

The decision to accept or reject information is based on political knowledge. When asked about his opinion on a topic, the individual selects the most relevant or most recently acquired and accepted information from his "bucket" of information (the third stage above). Citizens with more political knowledge can differentiate between information that fits or does not fit with their beliefs—and then correctly accept or reject it. For less-informed individuals, the media and political leaders may play a larger role in influencing public opinion. This reliance on politicians and the media, Zaller concludes, means that the public's opinions are often unstable and unreliable because these sources provide competing, changing information. As a result, public opinion is often a reflection of whatever recent message (or media story) an individual has stored in her short-term memory. As we will see later in the chapter, this effect is called priming.



The public is constantly exposed to competing messages from political elites. Following the death of Supreme Court Justice Antonin Scalia in 2016, Republican members of Congress, led by Senate Majority Leader Mitch McConnell (left), urged President Obama to leave the task of appointing Scalia's replacement to the next president. At the same time, Democrats such as Senator Diane Feinstein (right) called on Republicans to do their duty and allow a vote on Obama's nominee.

Another way of understanding how individuals form political opinions is the online-processing model, advanced by the political scientist Milton Lodge and colleagues.⁴⁸ According to Lodge and his colleagues, an individual keeps a running tally of information and uses that tally to form an opinion on a policy issue or to decide which candidate to vote for. However, by the time an individual actually votes or voices an opinion on a specific issue, she may have forgotten some of the older information included in her decision-making process. This effect leads to the misconception that voters are uninformed, when in fact their opinion is informed but they have not retained all of the facts used to form that opinion. This model also implies a large role for political elites and the media but does not necessarily suggest that opinion is unstable.

If public opinion is easily manipulated, the democratic process, which relies on citizens to play a significant part in the government, would be at risk. But other research has shown that individuals are quite stable in their policy attitudes.⁴⁹

To take a closer look at whether and how public opinion changes, see Figure 6.6. The Pew Research Center tracks public opinion over time with annual surveys asking identical questions. Some opinions are relatively stable: support for abortion, for example, has remained virtually unchanged over the past decade, with 55 percent saying abortion should be legal in all or most cases and 40 percent saying illegal in all or most cases, on average. Opinions about the economy and personal finances, however, experienced a gradual change triggered by the financial crisis in 2008. In 2004, 48 percent of Americans described their personal finances as poor or fair and half described their finances as good or excellent. By 2015, 56 percent of Americans described their personal finances as poor or fair. Opinion on same-sex marriage has changed dramatically over the past two decades. In 1996, 65 percent of Americans opposed marriage for gays and lesbians. As of 2015, only 39 percent opposed same-sex marriage and 55 percent favored marriage rights. Notice that when public opinion has shifted, the shift has occurred fairly steadily in one direction; it doesn't simply jump around.⁵⁰

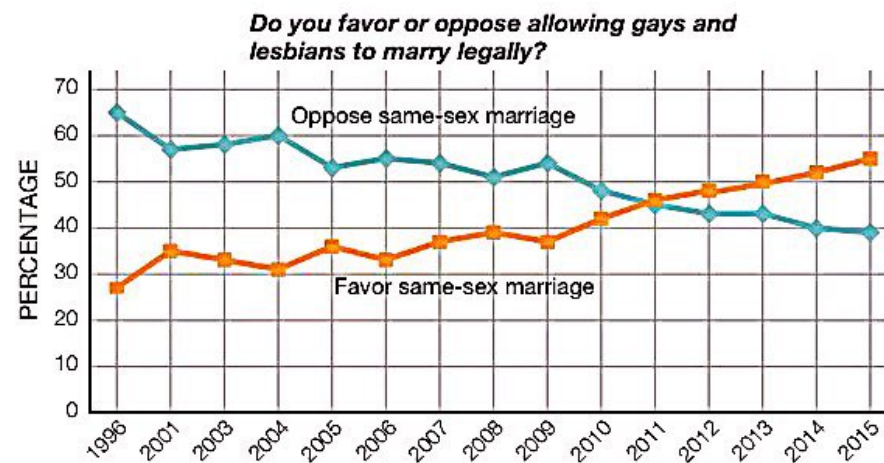
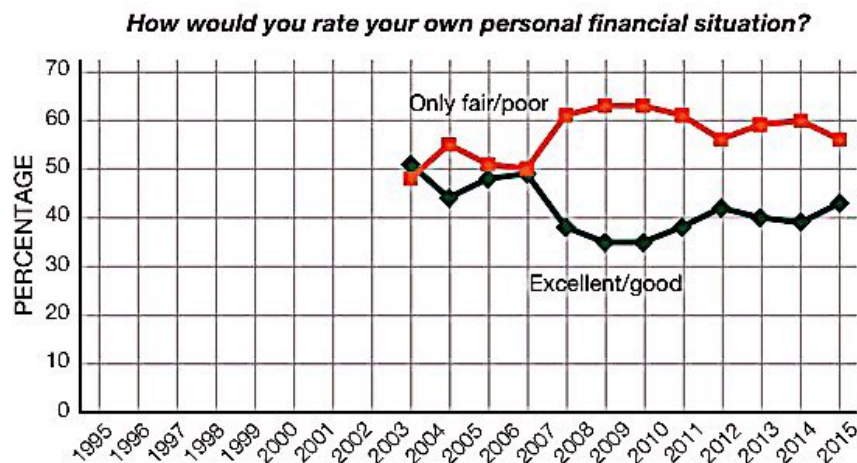
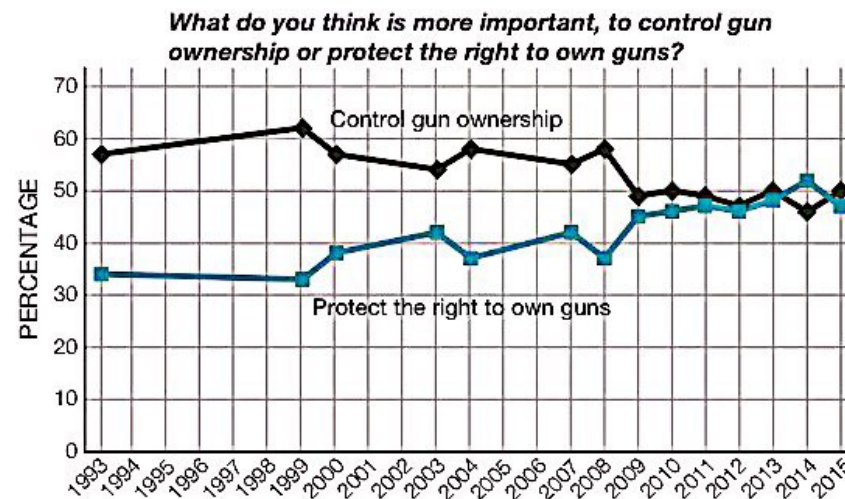
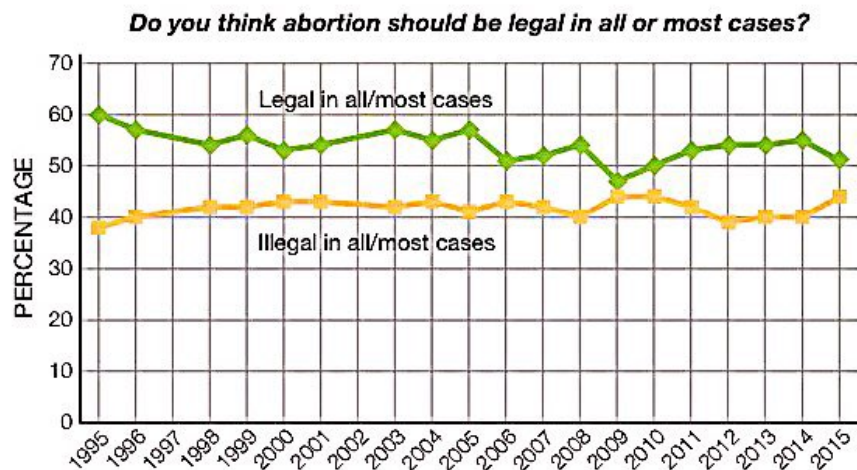


FIGURE 6.6

Stability in Public Opinion

Public opinion on some issues has stayed stable in the last two decades, while opinion on other issues has shifted. What might explain why opinion on personal finance and same-sex marriage has changed, while opinion on abortion has stayed relatively constant?

SOURCES: Pew Research Center, www.pewresearch.org/data-trend/domestic-issues/abortion/; www.people-press.org/2015/08/13/continued-bipartisan-support-for-expanded-background-checks-on-gun-sales/8-12-2015-3-57-45-pm/; <http://www.pewresearch.org/data-trend/national-conditions/personal-finance/>; www.pewforum.org/2015/07/29/graphics-slideshow-changing-attitudes-on-gay-marriage/ (all accessed 12/23/15).

Political Knowledge

What best explains whether citizens are generally consistent in their political views or inconsistent and open to the influence of others? In general, knowledgeable citizens are better able to evaluate new information and determine if it is relevant to and consistent with their beliefs and opinions; they are also more likely to be partisans and to have an ideology (such as liberal or conservative).⁵⁴ As a result, better-informed individuals can recognize their political interests and act consistently to further those interests.⁵⁵

Using public-opinion surveys, political scientist Adam Berinsky found that certain segments of the population may lack sufficient knowledge of public policy to give informed opinions. When asked about preferences toward social welfare policy, for instance, disadvantaged groups are more likely than any other group to abstain from giving answers (that is, are more likely to say they don't know). This tendency not only leads to a potential underreporting of support for social welfare policy among the poor but also limits the political voice of those who are most likely to benefit from government policy in this area.⁵⁶

This variation raises the question of how much political knowledge is necessary for one to act as an effective citizen. In an important study of political knowledge political scientists Michael X. Delli Carpini and Scott Keeter found that the average American exhibits little formal knowledge of political institutions, processes, leaders, or policy debates; many Americans could not name their member of Congress and did not know that U.S. senators serve six-year terms.⁵⁷ Delli Carpini and Keeter also found that political knowledge is not evenly distributed throughout the population. Those with higher education, income, and occupational status and who are members of social or political organizations are more likely to know about and be active in politics. As a result, individuals with more income and education also have a disproportionate share of knowledge and influence and thus are better able to get what they want from government.

But some groups have high information on specific issues. Latinos, for example, have higher levels of political knowledge on immigration than average Americans. Republican presidential candidate Mitt Romney won only 30 percent of the Latino vote in 2012, in part due to his position on immigration and his harsh rhetoric against immigrants. Latino Decisions surveys show three-quarters of Latinos wanted the federal government not to deport young people who would be eligible for the DREAM Act (Development, Relief, and Education for Alien Minors).⁵⁸ President Obama issued an executive order implementing parts of the DREAM Act in 2012. Obama's and Romney's different policies shaped Latinos' opinions of the candidates and their voting behavior in the 2012 elections. In 2016, Republican candidate Donald Trump made immigration a central issue with even harsher language against illegal immigration than Romney's in 2012. In response, Latinos strongly opposed Trump and favored his Democratic opponent, Hillary Clinton.

Shortcuts and Cues Because being informed politically requires a substantial investment of time and energy, most Americans seek to acquire political information and to make political decisions "on the cheap" by making use of shortcuts for political evaluation and decision making rather than engaging in a lengthy process of information-gathering. As noted above, researchers have found that individuals rely on cues from trusted party elites, interest groups, and the media to aid in



People often rely on cues from party elites in forming political opinions. During the 2016 presidential campaign, some people took their cue on whom to support from former vice presidential candidate Sarah Palin when she endorsed Republican Donald Trump.

attitude formation.⁵⁹ Other “inexpensive” ways to become informed involve taking cues from trusted friends, social networks and social media, relatives, colleagues, and perhaps religious leaders. Political scientists Richard Lau and David Redlawsk contend that using informational shortcuts, average citizens can form political opinions that are, in most instances, consistent with their underlying preferences. They call this “voting correctly.”⁶⁰ Even individuals with low levels of political knowledge are able to make relatively informed political choices by relying on these voter cues. It is generally accepted by scholars that people rely on shortcuts in forming public opinion on politics and public policy.⁶¹ From this perspective, lower levels of political knowledge about politics, or instability of opinions, may not be a serious problem.

The public’s reliance on elite cues has taken on new significance in today’s era of party polarization. As elected officials have become increasingly polarized, has this change affected the way that citizens arrive at their opinions? Political scientists James Druckman and colleagues have found stark evidence that polarized political environments change how citizens make decisions and form opinions. Notably, polarization between the parties means that party endorsements (of an issue or candidate) have a larger impact on public opinion formation than they used to. At the same time, polarization decreases the impact of other information on public opinion—that is, party polarization may actually reduce levels of political knowledge. Thus, elite polarization may have negative implications for public opinion formation.⁶²

Skim and Scan Another factor affecting political knowledge is the *form* in which people consume information. The transformation of political information in the digital era has had a profound effect on the way the news is reported and how citizens learn about politics. A 2012 survey found that one in three social networking site users say those sites are important for their political information, and more than three in four Americans read the news online or seek political information online.⁶³ Recent research also indicates a trend in journalism toward shorter articles and



In the digital era, many Americans obtain news by skimming and scanning headlines from online publications rather than by reading in-depth articles.

flashier headlines. Americans today are likely to read the news by scanning and skimming multiple headlines online, in bits and bytes, rather than by reading long news articles.⁶⁴ There is a debate about whether the shift to digital media creates a more informed public, given the broader diversity of information sources and more personalized communication of the news via social media, or a public that is less informed because of a tendency to favor scanning and skimming over in-depth reading. However, as we've seen in this chapter, some research indicates that most individuals use simple cues and shortcuts to process political information. If this is correct, scanning and skimming headlines might provide a reasonable way to be informed about politics without extensive time or effort.

Costs to Democracy Political knowledge is necessary for effective citizenship. Those who lack political information cannot effectively defend their own political interests and can easily become losers in political struggles and government policy. The presence of large numbers of politically ignorant individuals means that political power can more easily be manipulated by political elites, the media, and wealthy special interests that seek to shape public opinion. If knowledge is power, then a lack of knowledge can contribute to growing political and economic inequality. When individuals are unaware of their interests or

how to pursue them, it is virtually certain that political outcomes will not favor them. The answer is to get informed and stay informed.

One of the most important areas of government policy is taxation. As discussed in the introduction to this chapter, the United States has one of the largest gaps between the rich and the poor of any nation in the world. But rather than raise taxes, over the past several decades the United States has substantially reduced the rate of taxation levied on its wealthiest citizens. Most recently, tax cuts signed into law by George W. Bush in 2001, and extended by President Obama, provided a substantial tax break mainly for the top 1 percent of the nation's wage earners. Political scientist Larry Bartels has shown that, surprisingly, most Americans favored the tax cuts, including millions of middle- and lower-middle-class citizens who did not stand to benefit from the tax policy. Additionally, 40 percent of Americans had no opinion at all regarding the Bush tax cuts. The explanation for this odd state of affairs appears to be a lack of political knowledge. Millions of individuals who were unlikely to derive benefit from President Bush's tax policy thought they would. Since most Americans think they pay too much in taxes, they favored the policy, even if the wealthy benefited much more than the middle class. (See the "Who Are Americans?" feature for public opinion on income inequality.)

Bartels has employed the cartoon character Homer Simpson to explain how people don't realize what is in their economic interest: Homer wants a tax cut, and even if he gets only \$1 and Mr. Burns, his boss, takes home \$10,000, Homer still wants his dollar in savings.⁶⁵ But Homer is misguided in wanting his dollar in tax savings: the overall lost tax revenues, collected mainly from the wealthy, would have funded programs that benefit middle-class taxpayers like Homer. Upper-bracket taxpayers, who are more informed and knowledgeable, are more likely to see to it that their

Who Thinks Economic Inequality Is a Problem?

Percentage who said the government should do more to reduce the gap between the rich and the poor in the United States

By Income



By Party



By Gender



An individual's party identification, gender, and income may influence his or her opinions on specific issues. As this study showed, there are significant differences of opinion about the government's role in reducing the income gap between men and women and across income groups, but the most pronounced differences were between Democrats and Republicans.

for critical analysis

1. Do the findings in this study show that opinions are shaped by economic self-interest? Why or why not?
2. Which of these groups is most likely to support government action to address inequality? Are the other groups not concerned about inequality? Use the data to explain your answers.

SOURCE: The New York Times/CBS News Poll, "Americans' Views on Income Inequality and Workers' Rights," *New York Times*, June 3, 2015, www.nytimes.com/interactive/2015/06/03/business/income-inequality-workers-rights-international-trade-poll.html (accessed 3/15/16).

economic self-interest aligns with government policy—and vice versa. This example illustrates that basic political knowledge matters in American politics.

● The Media, Government, and Public Opinion

Describe the major forces that shape public opinion

marketplace of ideas the public forum in which beliefs and ideas are exchanged and compete

When individuals attempt to form opinions about particular political issues, events, and personalities, they seldom do so in isolation. Typically, they are confronted with—sometimes bombarded by—the efforts of a

host of individuals and groups seeking to persuade them to adopt a particular point of view. In the approach to the 2016 presidential election, someone trying to decide what to think about Hillary Clinton or Donald Trump could hardly avoid an avalanche of opinions expressed through the media, in meetings, or in conversations with friends. The **marketplace of ideas** is the interplay of opinions and views that takes place as competing forces attempt to persuade as many people as possible to accept a particular position on a particular issue. Given this constant exposure to the ideas of others, it is virtually impossible for most individuals to resist some modification of their own beliefs. Three forces that play important roles in shaping opinions in the marketplace are the government, private groups, and the news media.⁶⁶

Political Leaders

All governments try to influence, manipulate, or manage their citizens' beliefs. But the extent to which public opinion is actually affected by governmental public relations can be limited. Often, governmental claims are disputed by the media, by interest groups, and increasingly by the opposing political party.

This hasn't stopped modern presidents from focusing a great deal of attention on shaping public opinion to boost support for their policy agendas. Franklin Delano Roosevelt promoted his policy agenda directly to the American people through his famous "fireside chat" radio broadcasts. A hallmark of the Clinton administration was the establishment of a political "war room" similar to the one that operated in his campaign headquarters, where representatives from all departments met daily to discuss and coordinate the president's public-relations efforts.⁶⁷ The George W. Bush administration developed an extensive public-relations program to bolster popular support for the president's policies, including the war against terrorism.⁶⁸ Bush was especially effective in building support for the Iraq War and antiterrorism policies via theatric State of the Union addresses. Using the runway of an aircraft carrier as his stage, a confident Commander in Chief Bush, dressed in military fatigues, proclaimed the end of the Iraq War in 2003. His statement was premature by nearly a decade, but it effectively maintained public support for the war effort.

Like its predecessors, the Obama administration sought to shape public opinion in the United States and abroad, relying upon the power of the president's oratorical skills to build support for his administration's initiatives in domestic and foreign policy. But Obama's White House was unique in using digital media and social media to promote the president's policy agenda. Facebook posts promoted his policies and served to personalize the president. Obama was especially adept at using Twitter, with 70 million followers on that network. He used multiple Twitter accounts including his official account for the U.S. president (@POTUS),



notion of a fetal "right to life," whose proponents seek to outlaw abortion and overturn the Supreme Court's 1973 *Roe v. Wade* decision, was developed by conservative politicians who saw the issue of abortion as a means of uniting Catholic and Protestant conservatives and linking both groups to the Republican Party.⁷¹ To advance their cause, leaders of the right-to-life movement sponsored well-publicized Senate hearings at which testimony, photographs, films (such as *The Silent Scream*), and other exhibits were presented to illustrate the movement's claim that abortion amounted to the murder of millions of unborn human beings. Finally, Catholic and Evangelical Protestant religious leaders were organized to denounce abortion from their church pulpits and, increasingly, from their electronic pulpits on the Christian Broadcasting Network and the various other television forums available for religious programming. Religious leaders have also organized demonstrations, pickets, and disruptions at abortion clinics throughout the nation.⁷²

Ideas are marketed most effectively by groups with access to financial resources, public or private institutional support, and well-coordinated media campaigns that attract interest and support. The promotion of conservative ideas in recent years has been greatly facilitated by the millions of dollars that conservative corporations and business organizations such as "Super PACs" (see Chapter 10), the U.S. Chamber of Commerce, and the Public Affairs Council spend each year on public information. In much the same way, liberal organizations vie for public attention armed with ample financial assets, access to the media, and well-honed skills in strategic communication and grass-roots mobilization. In recent decades, various left-leaning public interest groups, relying heavily on voluntary contributions of time, effort, and money from their members, have organized in parallel with the rise of such institutions on the right. Through groups such as New Democrat Coalition, MoveOn.org, Common Cause, the National Organization for Women, EMILY's List, and the World Wildlife Federation, liberal intellectuals and professionals have been able to apply their organizational skills and educational resources to developing and promoting their ideas.⁷³

The Mass Media

The media are among the most powerful forces operating in the marketplace of ideas. As we shall see in Chapter 7, the mass media are not simply neutral messengers for ideas developed by others. Instead, the media are opinion makers in their own right and have an enormous impact on popular attitudes. For example, since the publication of the Pentagon Papers by the *New York Times* and the exposure of the Vietnam War by the *Washington Post* in the 1970s, the national

campaigns in Afghanistan and Iraq, as well as its domestic antiterrorist efforts, in a positive light. Even supposedly liberal newspapers such as the *New York Times* published articles supportive of the military invasion of Iraq in March 2003, when President Bush ordered the invasion.

● Public Opinion and Government Policy

Analyze how public opinion shapes government policy and influences elected officials

In 1960 the authors of a book titled *The American Voter* argued that few Americans think about politics ideologically or consistently, so one would naturally expect public opinion to vary, as discussed earlier.⁷⁵ In fact, one of the reasons elected officials sometimes do not follow public opinion is that it

tends to be unpredictable. Given generally low levels of political knowledge among voters and the changing nature of public opinion, it's little wonder that politicians are sometimes unwilling to act solely on the basis of public opinion. John Zaller's explanation of how Americans form specific opinions calls into question whether government leaders should consult public opinion when they make policy decisions—but consulting public opinion is their democratic duty. So how responsive is government policy to public opinion?

Government Responsiveness to Public Opinion

Studies generally find that elected officials are influenced by the preferences of the public. For example, political scientists Benjamin Page and Robert Shapiro explored the relationship between broad changes in opinion toward various political issues and the policy outcomes that most closely correspond to the issues.⁷⁶ The results showed that shifts in public opinion on particular issues do in fact tend to lead to changes in public policy. This is especially true when there are wide swings in opinion regarding particularly high-profile issues that are relatively simple, such as legalization of same-sex marriage. Other researchers have found similar

Although the American political system is open to everyone, some voices are more likely to be listened to than others. During the 2016 presidential election, Hillary Clinton was criticized for having close ties with Wall Street. Over the years Goldman Sachs (whose CEO Lloyd Blankfein appears here with Clinton) has contributed over \$800,000 to Clinton's campaigns.



evidence that government policy generally does track public opinion. Political scientists Gerald Wright, Robert Erikson, and John McIver have found, unsurprisingly, that states where conservative opinions predominate tend to adopt more conservative laws and states with more liberal public opinion adopt more liberal policies.⁷⁷ Another example is in health care. A July 2009 Pew survey found that 65 percent of Americans favored a law “requiring all Americans to have health insurance, and government aid for those unable to afford it.”⁷⁸ The federal government adopted the Affordable Health Care Act for America in 2010, which required health insurance for all citizens.

However, there is reason to question whether prevailing public opinion causes politicians to make policies that reflect the general will or whether government policy in fact causes changes in public opinion. The relationship between government policy and opinion may be dynamic, wherein policy responds to opinion but opinion also shifts based on new government policies.⁷⁹ Recent studies have found policy to have an effect on opinion in various areas, such as the environment, health care, welfare reform, the death penalty, and smoking bans. For example, researchers found that in states that adopted smoking bans, public opinion then shifted to become more critical of cigarette smoking than in states without such bans.⁸⁰ Scholars have suggested a number of possible mechanisms to explain this process. New policy may expose the public to new ideas, causing opinion to change, or experience with a successful or unsuccessful policy gives the public new information. A policy might act as a “signal” of a moral or ethical view (such as a smoking ban acting as a “signal” that smoking should be stigmatized).

Of course, sometimes public opinion and policy do not align. At times, officials act on their own preferences if they believe it will benefit government or society, and lawmakers typically do use their own judgment when making policy choices.⁸¹ When elected officials pursue policies not aligned with public opinion, it is often because they view particular groups of the electorate as more important than others. Inevitably, loyal voting blocs or interest groups that regularly contribute to a candidate may have their interests more closely represented than the general public.⁸²

Does Everyone's Opinion Count Equally?

In a democracy, it is assumed that elected representatives should implement the policies favored by the people, and in a general sense this happens in the United States.

But when policy issues are more complicated, the public is likely to have less of a voice. Further, citizens who are more affluent and more educated may have a disproportionate influence over politics and public policy decisions. This has been shown when comparing the responsiveness of elected officials to low- and high-income individuals, voters and nonvoters, and whites and minorities. The view that some groups in a society have more influence in politics is not new, but it is quite a departure from the traditional pluralist view of all citizens having equal access to the political sphere.

How do more affluent and educated citizens manage to wield outsize influence over policy makers? One way is obvious: they vote at higher rates, and they are

more likely to contribute money to political campaigns. As we will discuss in Chapter 8, voters and individuals making political contributions tend to be more affluent and educated than nonvoters. Indeed, there is new evidence supporting the common, but generally untested, assumption that voters are better represented than nonvoters. In a comparative study of the roll-call votes of U.S. senators, political scientists John Griffin and Brian Newman demonstrated that elected officials are indeed responsive to the policy preferences of voters but not to those of nonvoters.⁸³

In regard to income group, research has found that U.S. senators from both the Republican and Democratic parties are less likely to respond to the opinions of low-income constituents than to those of constituents with higher incomes.⁸⁴ Senate votes on such varied issues as the minimum wage, civil rights, and abortion are more likely to reflect the opinions of the rich. The influence of affluent Americans may explain government policies such as tax cuts for the very wealthy, failure to increase the minimum wage, and the elimination of the inheritance tax which contribute to growing income inequality.⁸⁵

As an alternative to analyzing legislative votes, political scientist Martin Gilens has used survey results to confirm that those with higher incomes are more likely to have their policy preferences represented by actual policies.⁸⁶ He considered public opinion surveys on a wide variety of policy issues conducted over 20 years and compared the responses of upper- and lower-income groups with related federal policy outcomes. Gilens found a relationship between what the public wants and what the government actually does, albeit with a strong bias toward the status quo. But when Americans with different income levels differ in their policy preferences, policies strongly reflect the preferences of the most affluent and show little or no relationship to the preferences of poor or middle-income Americans. Political scientist Robert Dahl may be right when he argues that every American citizen has an equal right to voice opinions in the political arena, but his critics are also right to point out that some voices receive a very attentive listening, while others are hardly heard at all.⁸⁷

● Measuring Public Opinion

Describe basic survey methods and other techniques researchers use to measure public opinion

A century ago American political leaders gauged public opinion by the presence of crowds at meetings and their applause. This direct exposure to the people's views did not necessarily produce accurate knowledge of public opinion. It did, however, give political leaders confidence in

their public support—and therefore confidence in their ability to govern by consent.

Abraham Lincoln and Stephen Douglas debated each other seven times during the summer and autumn of 1858, two years before they became presidential nominees. Their debates took place before audiences in parched cornfields and courthouse squares. A century later, the presidential debates, although seen by millions, often take place in television studios, and audiences are instructed not to applaud or make noise. The 2016 presidential candidates, however, often engaged in large rallies and campaign events attended by thousands

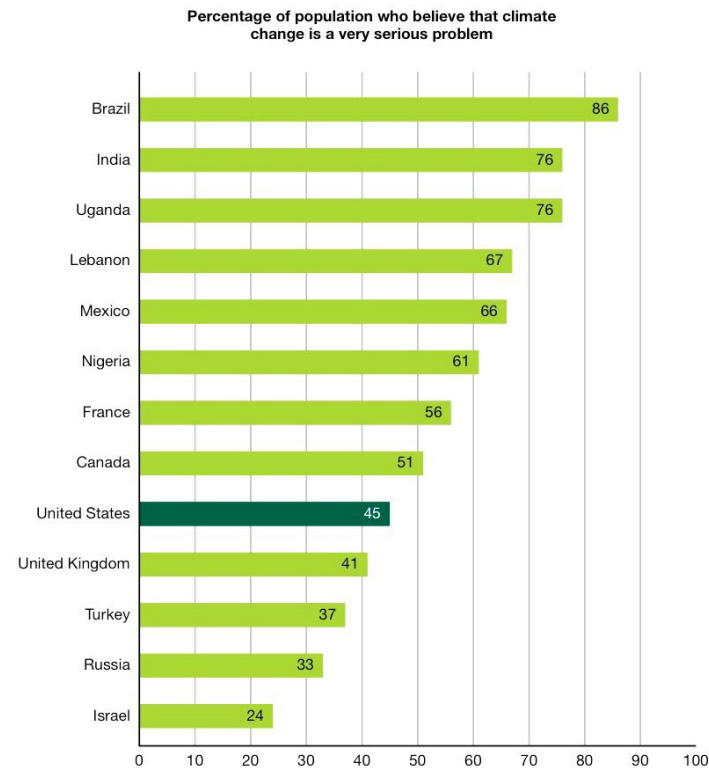
Public Opinion on Climate Change

AMERICA
Side *by* Side

When it comes to public opinion on climate change, different security or economic interests may influence global attitudes. Some people are opposed to increasing environmental regulations out of fear that they will impose costs on businesses and slow economic growth. People who live in regions particularly susceptible to the effects of climate change and flooding, such as countries with low-lying coastal areas, tend to express greater concern for the environment. Public opinion

surveys also show higher levels of concern in developing countries that are less equipped to deal with the consequences of climate change.

In Latin America and Africa, for example, most of the population considers climate change to be the *most* significant international issue, while other countries rank this concern much lower. What do you think are possible explanations for these global differences?



SOURCE: Pew Research Center, "Climate Change Seen as Top Global Threat," July 14, 2015, www.pewglobal.org/2015/07/14/climate-change-seen-as-top-global-threat/ (accessed 2/24/16).

of people, which allowed them to gauge the public's response directly.⁸⁸ Retail politics is where candidates meet citizens face-to-face to discuss politics.⁸⁹

As Chapter 7 on the media illustrates, the media convey information to millions of people, but the media are not yet as efficient at getting information back to leaders—although the rise of social media, such as Facebook and Twitter, has created improved feedback for elected officials. Today, public officials make extensive use of **public-opinion polls** to help them decide whether to run for office, what policies to support, how to vote on important legislation, and what types of appeals to make in their campaigns. All recent presidents and other major political figures have worked closely with polls and pollsters.

public-opinion polls scientific instruments for measuring public opinion

Measuring Public Opinion from Surveys

It is not feasible to interview the more than 300 million Americans residing in the United States on their opinions of who should be the next president or what should be done about important policy issues such as how to improve the economy and create jobs. Instead, pollsters take a **sample** of the population and use it to make inferences (e.g., predictions and educated guesses) about the preferences of the population as a whole. For a political survey to be an accurate representation of the population, it must meet certain requirements, including an appropriate sampling method (i.e., randomization), a sufficient sample size, and the avoidance of selection bias.⁹⁰ While some are skeptical of sampling, random sample surveys, which are used extensively in business and marketing as well as politics, ensure that the samples are accurate and reliable predictions of the underlying population.

sample a small group selected by researchers to represent the most important characteristics of an entire population

Websites such as RealClearPolitics.com list the results of every political survey released each day; during elections, this can be as many as 20 different surveys daily. Every week, the opinions of Americans regarding candidates and public policies are measured, as well as opinions on a vast array of products (toothpaste), entertainment (movie star romances), and even college political science textbooks!

Representative Samples One way to obtain a representative sample is what statisticians call a **simple random sample (or probability sample)**. To take such a sample, one would need a complete list of all the people in the United States, and individuals would be *randomly* selected from that list. Imagine that everyone's name were entered into a lottery, with names then drawn blindly from an enormous box. If everyone had an equal chance of selection, we would have a truly random sample. Since we don't have a complete list of all Americans, pollsters use census data, lists of households (for in-person or telephone surveys), and telephone numbers (cell phones and landlines) to create lists, drawing samples from regions and then neighborhoods within regions. Rolls of registered voters are often used in political surveys designed to predict the outcome of an election. If respondents are chosen randomly and everyone has an equal chance of being selected, then their results can be used to predict behavior for the overall population. If randomization is not used or some people are excluded from the chance to be selected, then the sample will be biased and cannot be used to generalize to the population accurately.

simple random sample (or probability sample) a method used by pollsters to select a representative sample in which every individual in the population has an equal probability of being selected as a respondent

Another method of drawing samples of the national population is a technique called **random digit dialing** of landline and cell phone numbers (but not business phones or inoperative home telephones). A computer random number generator is used to produce a list of 10-digit telephone numbers. Given that 95 percent

random digit dialing a polling method in which respondents are selected at random from a list of 10-digit telephone numbers, with every effort made to avoid bias in the construction of the sample

of Americans have telephones (cell phones or landlines), this technique usually results in a random national sample because almost every citizen has a chance of being selected for the survey. Telephone surveys are fairly accurate, cost-effective, and flexible in the type of questions that can be asked; but many people refuse to answer political surveys, and response rates—the percent of those called who actually answer the survey—have been falling steadily, averaging less than 15 percent.⁹¹

Sample Size A sample must be large enough to provide an accurate representation of the population. Surprisingly, though, the size of the population being measured doesn't matter, only the size of the *sample*. A survey of 1,000 people is almost as effective for measuring the opinions of all Texans (26 million residents) as the opinions of all Americans (over 314 million residents).

Flipping a coin shows how this works. After tossing a coin 10 times, the number of heads and tails may not be close to 5 and 5. After 100 tosses of the coin, though, the percentage of heads should be close to 50 percent and after 1,000 tosses, very close to 50 percent. In fact, after 1,000 tosses, there is a 95 percent chance that the number of heads will be somewhere between 46.9 percent and 53.1 percent. This 3.1 percent variation from 50 percent is called the **sampling error (or margin of error)**: the chance that the sample used does not accurately represent the population from which it is drawn. In this case, 3.1 percent is the amount of uncertainty we can expect with a typical 1,000-person survey. If we conduct a national survey and find candidate A leads candidate B by 5 percent in the upcoming election and the uncertainty in the survey is 3 percent, it means candidate A leads candidate B by anywhere between 2 ($5 - 3$) and 8 ($5 + 3$) percentage points (see Figure 6.7). Normally, samples of 1,000 people are considered sufficient for accurately measuring public opinion through the use of surveys.

Larger sample sizes can yield more accurate predictions of the opinions of a population, but there is a trade-off in terms of cost since it is also more expensive to poll more people. Why is a sample size of only 1,000 generally accepted as adequately representative of much larger populations? Consider the “diminishing returns” of sampling more and more people. The sample error from a sample of 500 people is 4.4 percent. With 1,000 respondents, it drops to 3.1 percent and with 1,500 to 2.5 percent. That is, the smaller and smaller gains in accuracy have to be weighed

sampling error (or margin of error) polling error that arises based on the small size of the sample

against the steadily increasing costs of polling more people. The consensus among statisticians and pollsters is that the optimal trade-off point is 1,000—hence 1,000 is the “gold standard.” But today many surveys conducted online include thousands and thousands of respondents, making their predictions even more accurate.

When an election poll of 1,000 people indicates that 51 percent of voters surveyed favor the Republican candidate and 49 percent support the Democratic candidate, the outcome is considered too close to call because the difference, 2 percent, is within the margin of error of 3.1 percent. That is, a figure of 51 percent really means that between 48 percent and 54 percent of voters in the population *probably* favor the Republican, while a figure of 49 percent indicates that between 46 percent and 52 percent of all voters *probably* support the Democrat. Thus, in this example, a 52-to-48 percent Democratic victory would still be consistent with polls predicting a 51-to-49 percent Republican triumph.

Survey Design and Question Wording Even with a good sample design, surveys may fail to reflect the true distribution of opinion within a target population. One frequent source of measurement error is the wording of survey questions. The words used in a question can have an enormous impact on the answers it elicits. The reliability of survey results can also be adversely affected by poor question format, the ordering of questions, poor vocabulary, ambiguity of questions, or questions with built-in biases.

Often, minor differences in the wording of a question can convey vastly different meanings to respondents and thus produce quite different response patterns (see Box 6.3). For example, for many years the University of Chicago’s National Opinion Research Center has asked respondents whether they think the federal government is spending too much, too little, or about the right amount of money on “assistance for the poor.” Answering the question posed this way, about two-thirds of all respondents seem to believe that the government is spending too little. However, the same survey also asks whether the government spends too much, too little, or about the right amount for welfare. When the word *welfare* is substituted for “assistance for the poor,” about half of all respondents indicate that too much is being spent.⁹²

Internet Surveys Today, pollsters are increasingly turning to the use of online surveys, often using similar techniques to those of telephone surveys. Internet surveys can be more efficient, less costly, and more accurate than standard phone surveys; and they include larger samples of young people and yield more accurate results within age cohorts. But many surveys you will find online do not use probability sampling (random sampling) and thus are not representative of the American population. Instead, they reflect those willing to take a quiz online.

Knowledge Networks (KN) and YouGov are leaders in Internet polling using random sampling methods in which respondents complete surveys online instead of being interviewed on the phone. KN has a large population of respondents (hundreds of thousands of individuals) identified using probability sampling, so the sample is representative of the American population in terms of age, education, income, gender, race, political interest, region, religion, partisanship, and other attributes. Individuals without Internet access are given free subscriptions and, if necessary, a computer or WebTV; those with Internet access are given free subscriptions to complete the surveys. If a client commissions a survey, KN randomly draws a sample of, say, 1,000 respondents from its population of online

THE SITUATION

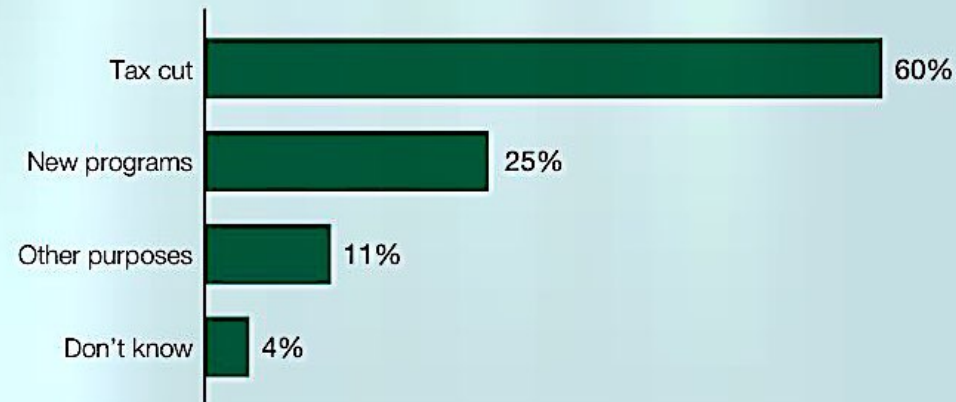
The public's desire for tax cuts can be hard to measure. In 2000, pollsters asked what should be done with the nation's budget surplus and got different results depending on the specifics of the question.

THE QUESTION

President [Bill] Clinton has proposed setting aside approximately two-thirds of an expected budget surplus to fix the Social Security system. What do you think the leaders in Washington should do with the remainder of the surplus?

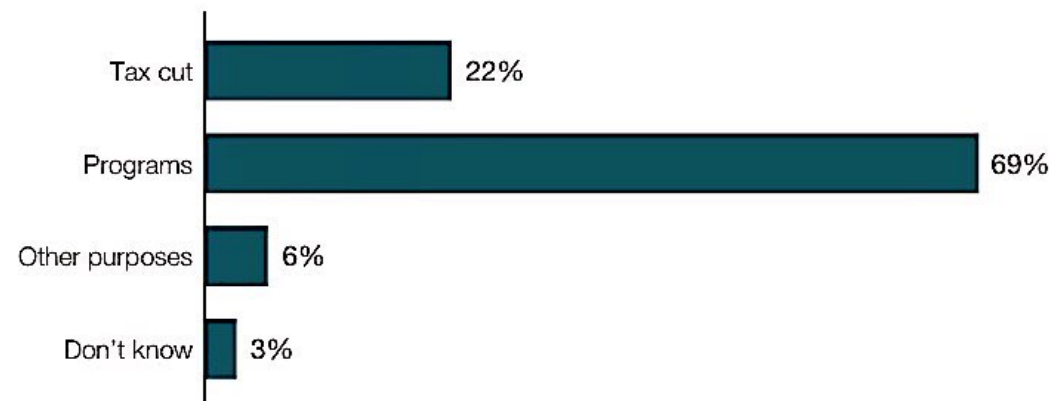
VARIATION 1

Should the money be used for a tax cut, or should it be used to fund new government programs?



VARIATION 2

Should the money be used for a tax cut, or should it be spent on programs for education, the environment, health care, crime fighting, and military defense?



given falling response rates and the growing number of households without land-line phones but using cell phones exclusively.

Critics of Internet surveys contend that the samples may still be biased by not including enough respondents from groups that are more likely to be offline, especially non-English speakers, Latinos, the elderly, and the poor. Online surveys may include more respondents who are interested in politics than the normal population. Proponents contend that minorities and the poor are increasingly online, even via mobile access, and that the samples are representative of the American population. Because online surveys from sites such as YouGov have proved to be more accurate in forecasting elections than many telephone surveys relying on cell phones and landlines, online surveys are likely here to stay.⁹⁴

Face-to-Face Surveys With more than 60 years' experience studying American politics, the American National Election Studies (ANES) is the premier broad general survey. The ANES traditionally has conducted surveys using face-to-face interviews, but because interviewing respondents in person is very costly, the ANES uses a multistage, stratified probability sample of 2,000-plus respondents from regions of the country (what they call "primary sampling units"). While this method approximates a simple random sample of the entire population, it does not guarantee random samples within states; all respondents from Iowa may be from Des Moines, for example. This can cause problems for generalizing the results for individual states. Even the ANES has begun experimenting with adding Internet surveys to its traditional face-to-face surveys. However, in-person surveys remain one of the most valuable and accurate ways to conduct interviews, and thus, the ANES is an important source of survey data in political science.

Framing Experiments within Surveys

Surveys are increasingly drawing on experimental techniques in which one group of respondents is given a treatment, or unique question wording, and responses are compared with a control group of respondents that does not receive the treatment. For example, the widespread tendency to base survey responses on the way questions are worded or "framed" provides a way to measure public opinion—through what are called "framing experiments." Because of the media's power to shape public opinion, framing experiments are an important tool for measuring how the media and government shape political attitudes.

Researchers often use framing experiments (in surveys or laboratory experiments) to understand how subtle changes in the structure of political information can result in the expression of different political opinions. In one experiment, individuals in one group were exposed to a frame arguing that affirmative action is necessary to correct past discrimination, while those in a second group received a competing frame arguing that affirmative action gives African Americans special treatment. Not surprisingly, those in the first group showed greater support for affirmative action than did those in the second group for the same policies. By using a treatment and control group design, framing experiments provide more leverage in assessing cause and effect in measuring changes in public opinion.

The researchers Dennis Chong and Jamie Druckman have extended how we measure framing effects on public opinion by testing the effect of competing frames to create more realistic models of real-world political debate, where citizens are exposed to multiple perspectives on candidates and political issues.⁹⁵ Such



Though pollsters are increasingly turning to online surveys, face-to-face interviews remain an important method for data collection as they are often more accurate, have higher response rates, and enable the interviewer to better observe the attitude and behavior of respondents.

competing frames can be expected to have different effects in shaping public opinion on a policy. In the marketplace of ideas, it matters whether, say, the wealthiest Americans are characterized as the 1 percent or alternatively as “business leaders” and “job creators.” Framing experiments help researchers understand how public opinion changes in the face of new information. Framing by the media, political groups, or candidates matters because individuals often form opinions based on the latest information and arguments they are exposed to—what is “on the top of their heads”—and as a result, public-opinion polls often merely measure whatever recent elite cues (or media stories) individual respondents happen to have stored in their short-term memory.⁹⁶ Thus, framing experiments are an important way to understand how public opinion moves in response to political elites and the mass media.

When Polls Are Wrong

The history of polling over the past century contains many instances of getting it wrong and learning valuable lessons in the process. As a result, polling techniques have grown more and more sophisticated, and pollsters have a more and more nuanced understanding of how public opinion is formed and how it is revealed. Polls are best understood as best guesses of a political outcome but not a prediction of fact.

Social Desirability Effects Political scientists have found that survey results can be inaccurate when the surveys include questions about sensitive issues for which individuals do not wish to share their true preferences. For example, respondents tend to overreport voting in elections and the frequency of their church attendance because these activities are deemed socially appropriate. Political scientist Adam Berinsky calls this the **social desirability effect**, whereby respondents report what they expect the interviewer wishes to hear or whatever they think is socially acceptable, rather than what they actually believe or know to be true.⁹⁷ On other topics, such as questions about income or alcohol and drug use, respondents may feel self-conscious and choose not to answer.

Questions that ask directly about race or gender are particularly problematic. Social desirability makes it difficult to learn voters’ true opinions about touchy subjects such as racial attitudes because respondents hide their preferences from the interviewer for fear of social retribution (against what might be deemed “politically incorrect” opinions). Berinsky, for example, found respondents in surveys didn’t want to admit that they opposed school integration and would not vote for the black candidate and, therefore, abstained from answering the question. Measuring public opinion can be a challenge; measuring opinions incorrectly can bias the findings. However, surveys using experiments can be designed to tap respondents’ latent or hidden feelings about sensitive issues without directly asking them to express overt opinions.

Selection Bias The importance of accurate sampling was brought home early in the history of political polling. A 1936 *Literary Digest* poll predicted that the Republican candidate, Alf Landon, would defeat the Democratic incumbent, Franklin Roosevelt, in that year’s presidential election. The actual election, of course, ended in a Roosevelt landslide. The main problem with the survey was what is called **selection bias** in drawing the sample. The pollsters had relied on telephone directories and automobile registration rosters to produce the survey sample. During the Great Depression, though, only wealthier Americans owned telephones and automobiles. Thus, the millions of working-class Americans who constituted Roosevelt’s base of support were excluded from the sample.

social desirability effect
the effect that results when respondents in a survey report what they expect the interviewer wishes to hear rather than what they believe

selection bias (surveys) polling error that arises when the sample is not representative of the population being studied, which creates errors in overrepresenting or underrepresenting some opinions

Selection bias was also at play in preelection polls in the 2012 presidential election, when Gallup significantly overestimated Latino support for the Republican candidate, suggesting a close race between the Republican candidate, Mitt Romney, and the Democratic candidate, Barack Obama. The Gallup numbers were incorrect because of selection bias (that is, they had too few Latinos in their sample and therefore their predictions were inaccurate). Estimates based on aggregating information from many different statewide public opinion polls were more accurate.⁹⁸ In the 2016 presidential election, although most polls predicted the direction of the popular vote correctly in Hillary Clinton's favor, they failed to predict the size of the vote margin and the election outcome (see Figure 6.8). Not since the 1936 presidential election have the polls been so wrong. Clinton won the popular vote, but she lost to Donald Trump in the electoral college. Reasons for the polling inaccuracies included the use of "likely voter models," which left out some groups

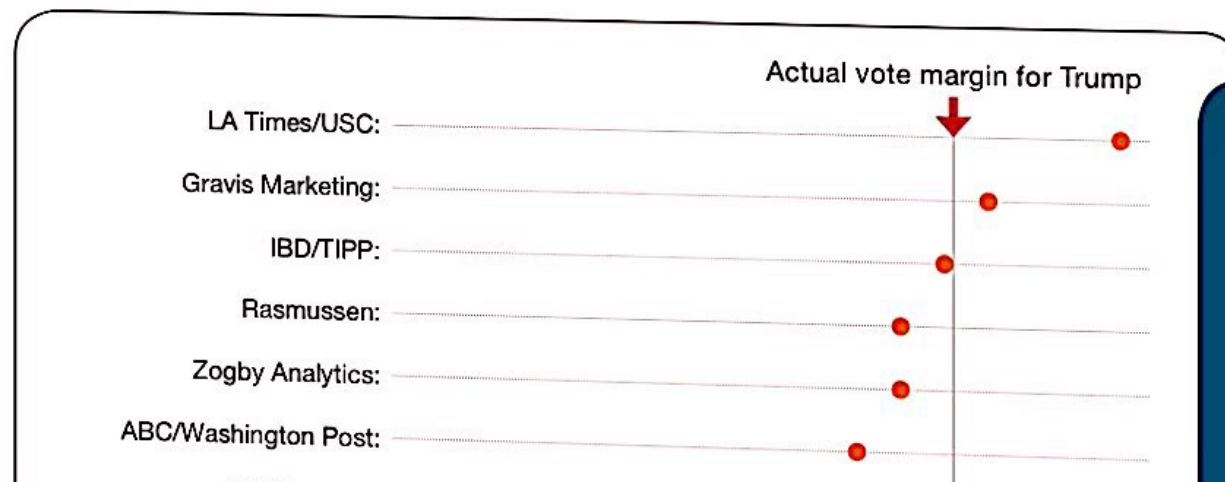


FIGURE 6.8

Accuracy of Final Preelection Polls, 2016

A large number of news organizations conducted polls to predict the outcome of the 2016 election. For how many of these

push poll a polling technique in which the questions are designed to shape the respondent's opinion

bandwagon effect a shift in electoral support to the candidate whom public opinion polls report as the front-runner

for critical analysis

Is it important that public-opinion polls be accurate? How might polls fail to be accurate? What are the consequences if polls are systematically inaccurate?

that ended up voting at higher-than-usual rates, such as rural and blue-collar voters who supported Trump in large numbers; social desirability bias in which respondents didn't want to admit their support for Trump; and "nonresponse bias," where Trump supporters were less likely to respond to surveys. The LA Times/USC survey accurately predicted a Trump win, relying on a different methodology than the others.

In recent years, the issue of selection bias has been complicated by the fact that growing numbers of individuals refuse to answer pollsters' questions, or they use such devices as answering machines and caller ID to screen unwanted callers. If pollsters could be certain that those who responded to their surveys simply reflected the views of those who refused to respond, there would be no problem. Some studies, however, suggest that the views of respondents and nonrespondents can differ, especially along social class lines. This can lead to incorrect inferences of public opinion.

Push Polling **Push polls** are not scientific polls and are not intended to yield accurate information about a population. Instead, they involve asking a respondent a loaded question about a political candidate designed to elicit the response sought by the pollster and, simultaneously, to shape the respondent's perception of the candidate in question. One of the most notorious uses of push polling occurred in the 2000 South Carolina Republican presidential primary, in which George W. Bush defeated John McCain and went on to win the presidency. Callers working for Bush supporters asked conservative white voters if they would be more or less likely to vote for McCain if they knew he had fathered an illegitimate black child (a false statement).

The Bandwagon Effect Public-opinion polls can influence political realities and elections. In fact, sometimes polling can even create its own reality. The so-called **bandwagon effect** occurs when polling results convince people to support a candidate marked as the probable victor. This is especially true in the presidential nomination process, where there may be multiple candidates within one party vying to be the party's nominee. Todd Donovan and his coauthors found that the change in national media coverage received by a candidate before and after the Iowa caucuses, the first nominating event, was a major predictor of how well the candidate would do in the New Hampshire primary (the second nominating event) and in presidential primaries nationwide, controlling for other factors including money and standing in the polls.⁹⁹ A candidate who has "momentum"—that is, one leading in the polls—usually finds it considerably easier to raise campaign funds than a candidate whose poll standing is poor.

Big Data and Measuring Public Opinion

Big data and social media have opened new ways to measure mass opinion. Some of the most fundamental questions about politics and public opinion are now being measured not with surveys but in terms of actual behavior online. Big data refers to data sets that are so large and complex that they require advanced analytics, rather than traditional methods, to reveal insights on a massive scale. Journalist Sasha Issenberg shows how big data played a critical role in Obama's presidential election campaigns. By analyzing Netflix movie queues, for example, campaign consultants were able to investigate concern for global warming based on the titles a person puts into her rental queue, even if she does not actually end up watching the film. Opinions about a wide range of policy issues could be gleaned from the aggregate preferences of millions of movie viewers. This type of analysis is called "data mining."¹⁰⁰



Twitter, the preferred medium of candidates and political elites, introduces another way to measure public opinion and agenda setting using text analysis. A new study analyzed the tweets of political candidates and found that they often used the platform to express their views on a wide range of issues, including the economy, foreign policy, and domestic affairs. The study also found that candidates often used Twitter to engage with their constituents and to respond to their concerns. This suggests that Twitter has become an important tool for political communication and for measuring public opinion.

Public Opinion, Democracy, and Your Future

This chapter has focused on the role of public opinion in American politics. A major purpose of democratic government, with its participatory procedures and representative institutions, is to ensure that political leaders will heed the public will. And, indeed, a good deal of evidence suggests that they do. There are many instances in which public policy and public opinion do not coincide, but often the government's actions are consistent with citizens' preferences, at least in the most general sense.¹⁰²

Some political scientists argue, however, that government policy is much less responsive to public opinion on the issues that really count and that when the interests of elites are at stake, government officials are much more likely to represent the opinions of the affluent than the poor.¹⁰³ People in lower income groups, however, are less likely to actively seek out ways to express their political opinions than are wealthier people (see the "Who Participates?" feature on the facing page).

New technology may be able to help. The migration of politics online has greatly expanded the amount of information available and the ease of becoming informed. And as we will see in Chapter 7, online media are more diverse than traditional media. Given this new media environment, we might expect public opinion to be more accurate, even about the nuances of public policy. Digital citizenship offers the promise of a more informed electorate, with citizens having multiple venues in which to translate their opinions into political action and demand improved representation from political leaders. At the same time, the Internet raises new concerns about the accuracy and consistency of public opinion.

As Chapter 7 will show, Americans may become trapped in a "filter bubble" in which they are exposed only to news consistent with their political preferences. There are Internet vandals, or "bomb throwers," who defame other people and their opinions in ways that may negatively color public opinion. Misinformation—rumor masked as legitimate news—may be more common, especially in blogs. Some research finds that the gap between the haves and the have-nots in terms of political knowledge actually increases with the availability of more information. The implications are significant, given the explosion of political coverage online. The research suggests that with more information, public opinion may actually be less consistent.¹⁰⁴

The Internet may be reshaping what is public opinion. The effects of new media—vast and still unfolding—include the wide dissemination of public-opinion polls and the rise of Internet polling. Do new media make public opinion more or less important? Do they make elected officials more or less responsive to the citizens? Time will tell.

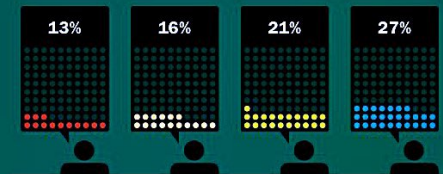
WHO PARTICIPATES?

Who Expresses Their Political Opinions?

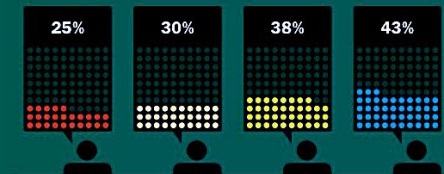
By income group

● < \$20,000 ● \$20,000–\$39,999 ● \$40,000–\$74,999 ● \$75,000+

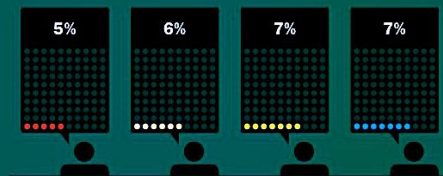
Attended a town or city council meeting



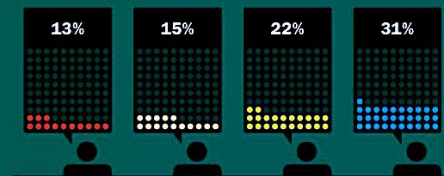
Signed a petition



Attended a protest march



Tried to contact a member of Congress



SOURCE: American National Election Study 2012 Time Series, www.electionstudies.org (accessed 9/25/15).

WHAT YOU CAN DO

Be an Informed Consumer of Opinion Polls



When you encounter information from opinion polls, consider the source of the poll, the question wording, and whether individuals were randomly selected to participate. Learn more at www.umich.edu/~numbers/polls.



Go to www.realclearpolitics.com to see polls about the same issues from different sources. Note the margins of error, and notice how aggregating polls makes a difference.



If asked, consider responding to an opinion poll—or take the initiative and express your views through one of the actions above.

The Media

WHAT GOVERNMENT DOES AND WHY IT MATTERS The Constitution's First Amendment guarantees freedom of the press, and most Americans believe that a free press is an essential condition for both liberty and democratic politics. Today, the media play a central role in American politics, not only in setting the agenda of topics that Americans think about and discuss but also in swaying public opinion on political issues and politicians.

The digital revolution has rapidly changed the media industry, journalism, and how citizens get their news, fundamentally altering the media's role in politics. Just 20 years ago the majority of Americans got their political news by reading a daily newspaper, listening to the radio, or watching the local and national evening news from one of the three major networks (ABC, CBS, and NBC). Today, more Americans read the news online than read a print newspaper, and those reading digital news are more likely to vote and participate in politics in other ways.¹ In 2015, 1 in 10 Americans found political news on Twitter, 4 in 10 on Facebook, and 3 in 4 on social media of some sort—platforms that did not exist before 2000. Traditional media such as newspapers and television must also compete with digital-only media that tailor news to their readers and viewers.²

Political communication and news have entered a new era in which there is interplay between older and new media forms. Often, traditional media offer detailed coverage of news that is first broken online via social media. Ordinary citizens navigate the terrain of hybrid media—a blend of traditional and digital media—daily as they seek political information. In this new landscape, political news is generated by a wider range of individuals and groups than ever before, including professional

journalists, parties and election campaigns, activists, researchers, politicians, celebrities, and the government. Sometimes citizens make headline news as their video cameras and tweets record political protests, police shootings, or scandals as they unfold on the ground.

The political implications of this media system are significant. Politics is increasingly defined by the Individuals and groups who are best able to blend older and newer media—using, for example, both television and digital media to promote their message.³ Sometimes politicians bypass traditional media altogether, going directly to their supporters using social media.

Digital media such as Twitter have caused the public's demand for round-the-clock, real-time news to skyrocket. The 2016 presidential candidates used Twitter extensively in their political campaigns. Notably, Donald Trump frequently tweeted provocative attacks on his rivals and even members of his own party. The number of articles written about the 2016 candidates also increased dramatically compared to previous elections. Trump in particular received an extraordinary level of media attention. Was the media capitalizing on Trump's novel campaign style, including his Twitter rants, for profits and traffic? Or was the media simply fulfilling their watchdog role by informing the public?

The sharing of information, whether via traditional or digital media, is an essential component of American democracy. Discussing the right of press freedom, Thomas Jefferson wrote, "The basis of our government being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter."⁴

● Traditional Media

Describe trends in the role of print and broadcast media in providing political information

The American news **media** are among the world's freest and most diverse. Americans have thousands of available options in political reporting. The wide variety of local and national newspapers, newsmagazines, broadcast media, and digital sources regularly present information that is at odds with the government's claims; and editorial opinions that are sharply critical of high-ranking officials. The freedom to speak one's mind is one of the most cherished of American political values. Without the news media's investigations, citizens would be forced to rely entirely on information provided by politicians and the government and would be deprived of information necessary to evaluate issues carefully and form reasoned opinions.

Americans get their news from (1) print media, including newspapers and magazines; (2) **broadcast media** (radio and television); and, increasingly, (3) digital media. While television remains the public's top source for news, digital media are now second most important. Among those under 50 years of age, digital media are where the majority get their news. This pattern is found across racial and ethnic groups. Within the category of digital media, social media have become a primary source of news for many Americans, and today reading news on mobile devices and cell phones has become more common than reading from desktop computers or reading print newspapers.

This picture is very different from that in the early 2000s, when most Americans said that after television, newspapers were their main source for news and less than 20 percent used the Internet as a primary source (see Figure 7.1).⁵ The rise of the Internet has led to a profound shift in the media and politics over the past two decades. In 1998, the first year the U.S. Census began asking about Internet use at home, just 25 percent of Americans had Internet access.⁶ Today, over 80 percent of Americans use the Internet. Among Internet users three in four read the news online.⁷

Each of these three sources—print, broadcast, and digital—has distinctive characteristics. We discuss trends in print and broadcast media in this section, and in the next section we will take a close look at the vast world of digital media and how it is changing the media industry and the way Americans get political news.

Print Media

Newspapers are the oldest medium for the dissemination of the news. Though no longer the primary news source for most Americans, print newspapers remain important because they are influential among the political elite, who rely on the detailed coverage provided by professional journalists to inform their views about public matters. The print media may have a smaller audience than their newer cousins in broadcasting and digital media, but they have an especially influential audience because they help set the political agenda for the nation. As discussed below, some of the top digital news sources are online versions of print newspapers.

The emergence of newspapers (and later radio and television networks) as mass-production businesses driven primarily for profit had major implications for the role of the media in politics in the late nineteenth and early twentieth

media print and digital forms of communication, including television, newspapers, radio, and the Internet, intended to convey information to large audiences

broadcast media television, radio, or other media that transmit audio and/or video content to the public

The circulation and newsstand sales of traditional newspapers and news magazines have fallen in the last decade. However, because the remaining audience includes political elites and politically engaged citizens, they remain important forums in the marketplace of ideas.

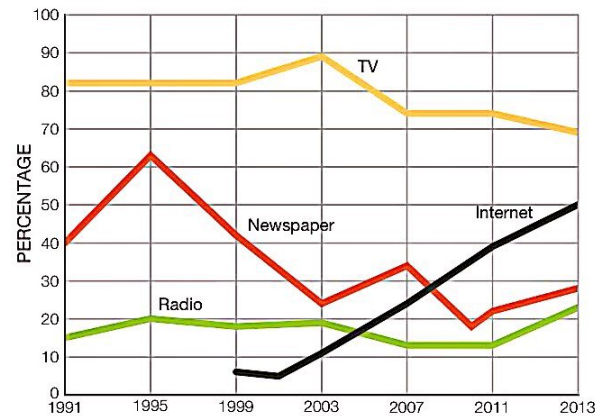


FIGURE 7.1

Americans' Main Sources for News

The media landscape for news has seen remarkable shifts in a short period of time. Twenty years ago, more than 80 percent of Americans watched news on television and more than half read news in a newspaper. Today, fewer Americans watch news on TV and just over one-quarter read the newspaper. What media source has gained rather than lost its audience?

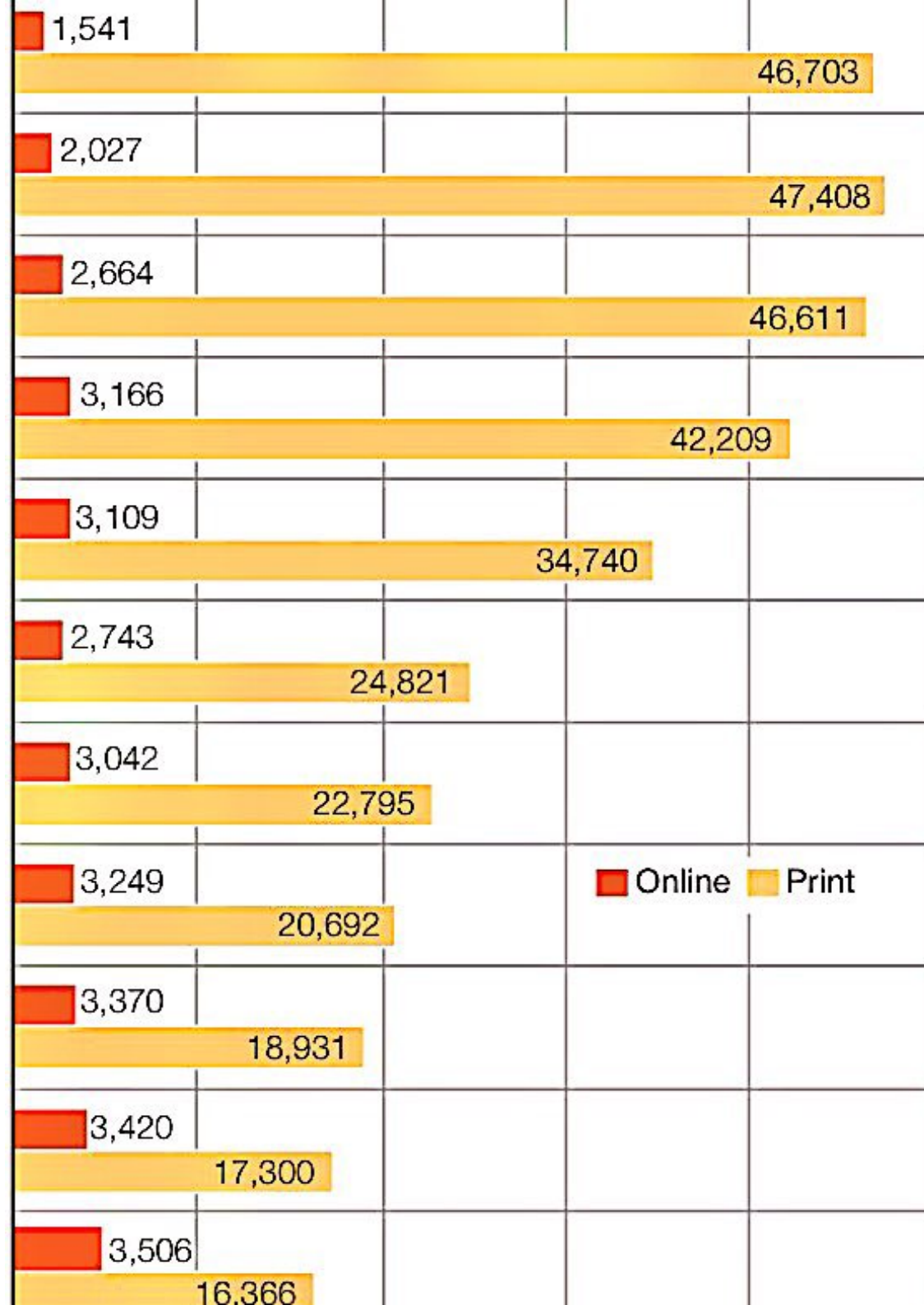
SOURCE: Pew Research Center, "Amid Criticism, Support for Media's 'Watchdog' Role Stands Out," August 8, 2013, www.people-press.org/2013/08/08/amid-criticism-support-for-medias-watchdog-role-stands-out (accessed 4/27/14).



centuries. For example, the development of standardized reporting and writing practices that emphasized “objectivity” in political news coverage was due in large part to this shift in the structure of media organizations. The owners of large newspaper companies, concentrated in urban areas, determined that the best way to make a profit was to appeal to as broad an audience as possible, which meant not alienating potential readers who held liberal or conservative political views. This, in turn, required methods to train and “discipline” reporters to produce a standardized, seemingly neutral news product. Specialized journalism schools and major journalism prizes were founded largely with money from media moguls (Joseph Pulitzer, William Randolph Hearst) who owned the first large news corporations, rewarding standardized news reporting. In contrast, some digital news, as discussed in the next section, is much less likely to be value-neutral like journalism from legacy media outlets.

These journalistic practices were successful in attracting audiences, and for a long time, most cities and towns in the country had their own newspaper. However, the long reign of newspapers as leading political news sources appears to be waning, and for most traditional newspapers, recent decades have been ruinous. Competition from broadcast media and, more recently, free content online, combined with simultaneous declines in advertising revenue and circulation levels, have undermined the traditional business model of newspapers, bringing financial disaster to traditional print media.⁸ In 2015 there were roughly 36,000 working journalists, down from a high of 60,000 a decade before, a 40 percent decline.⁹ Estimates indicate daily newspaper print circulation has declined by over 30 percent over the past 20 years.¹⁰ Advertising revenue at print newspapers is half of what it was in 2005 (see Figure 7.2).¹¹

For most newspapers today, non-ad revenue comes mainly from digital subscriptions rather than print circulation. The *New York Times*, for example, reported an average weekday print circulation of fewer than 650,000 copies in



As a result of financial losses, newspapers have had to make dramatic cutbacks. Employment in print newsrooms continues to fall each year. These cutbacks have affected papers both big and small. For example the *Chicago Tribune*, the *Minneapolis Star Tribune*, and the *Philadelphia Inquirer* have sought bankruptcy protection; and many others have gone out of business altogether.

The effects of a decade of newsroom cutbacks are evident in the political sphere. During the 2012 presidential election, one report showed that campaign reporters were acting primarily as megaphones, rather than as investigators, of the claims made by the candidates. These findings indicate a decline in investigative reporting by journalists to interpret the claims made by the candidates resulting in the media playing less of a watchdog role than in previous years. Readers, too, noticed this shift: Pew found that nearly one-third of U.S. adults had stopped turning to a news outlet because it no longer provided them with the quality of news they were used to receiving.¹⁴ The media were widely criticized during the 2016 presidential campaign for a lack of scrutiny and uneven coverage of candidates, but at the same time, some coverage was investigative. Investigative articles in the *Washington Post*, for example, revealed the history around candidate Donald Trump's casino bankruptcies as well as his ties to mafia-controlled organizations, while others focused on the defunct and fraudulent Trump University.¹⁵

Broadcast Media

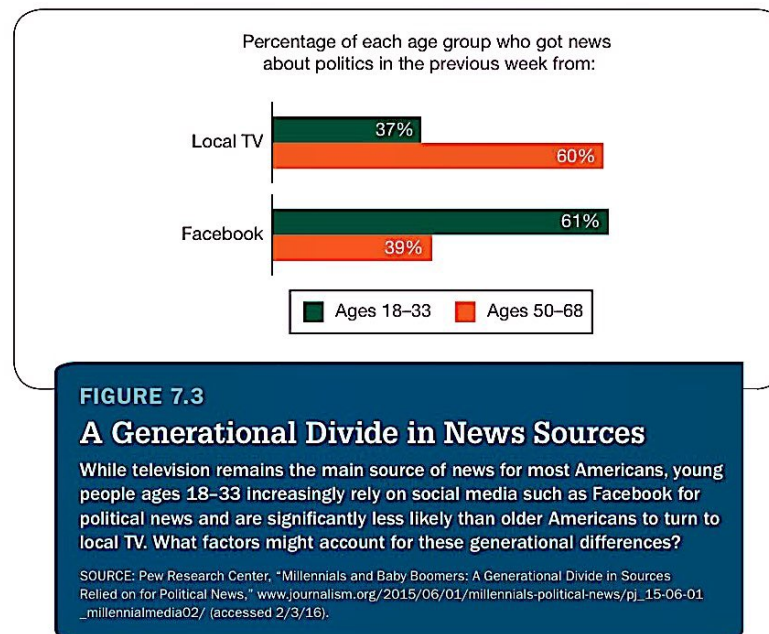
Television news reaches more Americans than any other single news source. It is estimated that over 95 percent of Americans have a television, and tens of millions of people watch national and local news programs every day. Television news, however, generally covers relatively few topics and provides little depth of coverage. It serves the important function of alerting viewers to issues and events—headline news—via brief quotes and short characterizations of the day's events, often little more than a few seconds in length. Furthermore, broadcast media do very little of their own reporting, instead relying on leading newspapers such as the *New York Times* or, increasingly, digital media to set their news agenda. For example, sensational charges that President Bill Clinton had had an affair with a White House intern were reported first by the Drudge Report, a popular news website, and then picked up by the *Washington Post* and *Newsweek* before being trumpeted around the world by the broadcast media. Print and digital media, as written text, also provide more detailed and complete information than radio or television media, offering a better context for analysis.

Because they are aware of the character of television news coverage, politicians and others often seek to manipulate the news by providing the media with sound bites that will dominate news coverage for at least a few days. Sound bites can work for or against politicians. During the 2016 Republican primary races, calls for deporting illegal immigrants were a frequent sound bite topic from candidates such as Donald Trump and Ted Cruz. When another candidate, Marco Rubio, repeated the same statement criticizing Barack Obama four times during one debate, the media quickly latched onto the sound bite, mocking him as “Robot-Rubio.”

Twenty-four-hour cable news stations such as Microsoft National Broadcasting Company (MSNBC) and Fox News offer more detail and commentary than the half-hour evening news shows found on the three broadcast news stations—ABC, NBC, and CBS. But even these channels offer more headlines and sound bites than news analysis, especially during their prime-time broadcasts.

Politicians generally consider local broadcast news a friendlier venue than the national news. National reporters are often inclined to criticize and question, whereas local and state reporters are more likely to accept the pronouncements of national leaders at face value. During the 2016 presidential campaign, Republican Donald Trump took a new strategy in responding to tough questioning by national reporters. After the first televised Republican presidential primary debate in 2015, the national media widely reported that Trump stumbled badly in responding to some tough questions about prior sexist remarks. In retaliation, Trump went on a Twitter rampage against one of the debate's moderators, Fox News host Megyn Kelly, in the early morning hours after the event. His angry public response resulted in more national media attention than the televised presidential debate itself. Strategically playing new media against old, Trump turned to social media to promote his message when traditional media threw him a hard ball. The result was a rise in his polling numbers.

As more Americans turn online for news and entertainment, cable television has experienced modest declines. The Pew Research Center found that cable news experienced an 8 percent decline in viewership across the three channels—Fox News, MSNBC, and CNN—in 2014. Local TV continues to be a major source of news, especially for older Americans, though its importance as a news source is decreasing among the younger generation in favor of social media such as Facebook (see Figure 7.3). Generally, however, Americans' reliance on television does not appear to be going away. From 2014 to 2015, network television experienced audience growth of 5 percent in evening news and 2 percent in morning news, with an average evening viewership of roughly 24 million across all networks.¹⁶



As the Hispanic population continues to grow, Latino-oriented news outlets are increasingly influential. Jorge Ramos is a popular news anchor on the Spanish-language network Univision, which in recent years has beat out major networks ABC, CBS, Fox, and NBC for the number one primetime spot.



Radio is another broadcast news source that has evolved in response to the rise of new media. In the 1990s talk radio became an important source of commentary as well as entertainment. Conservative radio hosts, such as Rush Limbaugh and Sean Hannity, have huge audiences and have helped to mobilize support for conservative political causes and candidates. In the political center or center left, National Public Radio (NPR) is a coveted source for in-depth political reporting. In recent years radio news listening has experienced significant growth; in 1990 there were 400 radio stations, a number that has grown to over 2,000 today. In 2015 more than half of Americans reported that they had listened to online radio in the past month; NPR's podcast downloads alone grew 41 percent. Mobile devices, including wireless car radios and cell phones, have triggered a growth in radio use as online radio listening can occur nearly anywhere. Listening to radio news while commuting is a primary way Americans become informed about politics; today, one in three cell phone-owning adults listens to online radio in the car.¹⁷

Comedy talk shows with political content, such as *The Daily Show* or *The Late Show*, attract millions of television viewers. Comedian Stephen Colbert went so far as to establish a political action committee (PAC) during the 2012 presidential primaries and to enter the Republican primary in his home state of South Carolina in an effort to draw attention to problems with current campaign finance laws. These shows use humor, sarcasm, and social criticism to discuss serious topics, generally covering almost every major political event. Pew surveys have shown that these talk shows are important sources of political news, especially for younger viewers, and that followers of comedic talk shows are well informed about politics.¹⁸ These shows combine political news and entertainment and are an important source of news for young people.

The broadcast media are also diversifying as America becomes more multicultural. In 2014 the *New York Times* had its first African American executive editor. But racial minorities remain underrepresented at major U.S. news organizations. Although blacks and Latinos make up over one-third of the adult U.S. population, they account for only 22 percent of the local television news workforce and 13 percent of the local print media workforce.¹⁹ News outlets aimed at specific ethnic groups, however, have become common in many areas. For example, the

Latino-oriented television channels Telemundo, Univision, and MSN Latino attract large audiences and may focus on topics or perspectives of particular interest to their audience, which are sometimes significantly different from those of mainstream media. Pew's "State of the Media" found that some of these outlets have faced financial hardship as more Latinos transition to English rather than Spanish only.²⁰

Mass Media Ownership

One noteworthy feature of the traditional media in the United States is the concentration of its ownership. A small number of giant corporations control a wide swath of media holdings, including television networks, movie studios, record companies, cable channels and local cable providers, book publishers, magazines, and newspapers. **Media monopolies**, such as Disney, have prompted questions about whether enough competition exists among traditional media to produce a truly diverse set of views on political matters.²¹ As major newspapers, television stations, and radio networks fall into fewer hands, the risk increases that politicians and citizens who express less popular or minority viewpoints will have difficulty finding a public forum. Ultimately, media are private corporations whose business is to sell audiences to advertisers, not to supply news or protect democracy.

Despite the appearance of substantial numbers overall, the number of traditional news-gathering sources operating nationally is actually quite small—several wire services, four broadcast networks, a few elite print newspapers, and a smattering of other sources, such as a few large local papers and several small, independent radio networks. More than three-fourths of the daily print newspapers in the United States are owned by large media conglomerates such as the Hearst, McClatchy, and Gannett corporations. Much of the national news that is published by local newspapers is provided by one wire service, the Associated Press. More than 500 of the nation's television stations are affiliated with one of just four networks and carry that network's evening news programs.

The trend in concentration of traditional media ownership occurred in large part due to the relaxation of government regulations in the 1980s and '90s. The enactment of the 1996 Telecommunications Act opened the way for additional consolidation in the media industry, and a wave of mergers and consolidations has further reduced the field of independent media across the country. For example, the Australian press baron Rupert Murdoch owns the Fox network plus a host of radio, television, and newspaper properties around the world, known collectively as News Corporation, the world's second-largest media conglomerate, which owned 800 media companies in more than 50 countries before its 2013 split into the new News Corporation and 21st Century Fox. Murdoch remains chair of both. But as more digital-only news sources come online, these trends toward concentration in media ownership may reverse.

One negative consequence of media concentration combined with party polarization may be a growing distrust of mainstream media. The political scientist Jonathan Ladd argues that 50 years ago the political parties were less polarized and were less likely to attack one another in the press.²² During this period, newspaper editors also had less incentive to attack their competitors. Ladd cites a 1956 study that found 66 percent of Americans thought newspapers were fair. Party polarization increased with the Nixon presidency, and over the past 50 years, political candidates, especially Republican candidates, have made prominent attacks on the mainstream media. Ladd argues that as competition increased in party politics

media monopoly the ownership and control of the media by a few large corporations

for critical analysis

In recent years, a number of major media corporations have acquired numerous newspapers, television stations, and radio properties. Is media concentration a serious problem? Why or why not?



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advertising has grown as a percentage of total media advertising across all platforms. The main benefactors of digital advertising continue to be social media and technology companies, such as Google and Facebook.

The Internet is particularly convenient for obtaining news, and formats for doing so are becoming more diverse and interactive. For example, it is increasingly common to watch online campaign ads, and one in three Internet users report having done so in the last election cycle. Streaming live videos is a growing substitute for television for some viewers. Presidential addresses are now regularly streamed live, and millions of people tune in to hear the president in this format.²⁷

Rather than merely providing a forum to connect with friends and family, social media are increasingly places for learning about politics and now a primary source for news—a dramatic change from just a few years ago. A 2016 Pew survey found that 66 percent of Facebook users and 59 percent of Twitter users read the news from these platforms.²⁸ When we look at the American adult population as a whole, a majority—62 percent—gets news on social media. The trend in using social media for political information continues to grow at a rapid rate across all demographic groups. Social media are discussed in more detail below.

The rise of digital media has changed the way that people get information and share it, affecting everything from political activism, campaign organization, and voter mobilization to public opinion. Online media are more diverse and have created a more participatory press, one in which citizens and nonprofit organizations now play a prominent role. Readers can now post comments online, upload videos, and participate in a community, providing feedback on almost all online news articles. Digital media, by representing a wide range of voices, has helped to diversify the news landscape.



The rise of digital media has made it easier for Americans to get political news, but one in five Americans still lacks home Internet access. People without high-speed Internet access at home often get free access in public libraries, but access is restricted to certain times.

digital divide the gap in access to the Internet among demographic groups based on education, income, age, geographic location, and race/ethnicity

data suggest that there are significant inequalities in access to digital media, what is called the **digital divide**.³⁴

Today, mobile Internet on smartphones is ever more important for news and participation in society. Similar inequalities based on demographic factors such as income and education are also found for mobile Internet access. High monthly subscription rates and data usage caps make mobile access a poor substitute for a broadband connection at home. Affordability is a major barrier to access, with the poor more likely to cite cost as a reason why they are offline. Because digital media are essential to participation in society, some argue that government has a responsibility to provide affordable access.

In this section we look at the major types of online news available to citizens today. While many traditional news sources, such as newspapers, now publish online, other digital-only outlets tend to be smaller and more specialized and have lower personnel and overhead costs than mainstream publishers. According to Pew Research Center, the major online political news websites in 2015 included a few major newspapers, such as the *New York Times*; radio programs, such as those on NPR; economic sources, such as Business Insider; and news sources whose audiences tend to lean to the ideological left or right.³⁵

Today, streaming videos on YouTube, Netflix, and Amazon are fundamentally altering broadcast news, as dedicated channels provide political analysis, commentary, full-length features, and comedy. Similarly, podcasts are restructuring radio news by allowing listeners to tune into the news at any time online. Digital news sources include digital journalism, social media, citizen journalism and blogs, and nonprofit journalism.

Digital Journalism

In the gap opened by the decline of traditional print media, the last decade has seen the rise of **niche journalism** and digital-only publications. Bloomberg News, one of the most successful specialty online sources, has hundreds of thousands of readers paying a large annual fee for detailed business-related news. In politics, the Huffington Post, Vice, BuzzFeed, Gawker, the Drudge Report, and others are the niche leaders with detailed political reporting. FiveThirtyEight specializes in data journalism providing election forecasts but also broad coverage including sports, science, and lifestyle. Niche journalism feeds citizens' interest in politics across the full range of the political spectrum.

More and more news sources are digital-only, including the *Christian Science Monitor*, one of the five leading national newspapers. Hybrid media helps explain why yesterday's reporters from traditional media are today's entrepreneurs of digital news media. For example, digital-only Vox Media launched in 2014 under the leadership of former *Washington Post* journalist Ezra Klein and now ranks 35th in the top 50 news sites with 14 million unique visitors.³⁶ Similarly, Politico, another established leader in digital news, was founded in 2007 by two former *Washington Post* reporters. The oversight of professional journalists helps ensure that the quality of these online news outlets is high. A significant trend in media today is the sharp increase in the number of professionally trained journalists working for digital news platforms.³⁷

The rise of digital news and niche journalism has fundamentally changed how Americans consume news and what they read. News consumers have shifted from a few general-purpose sources, such as the evening television news and a local newspaper, to a large number of niche publications and specialized sources: business

niche journalism news reporting devoted to a targeted portion (subset) of a journalism market sector or for a portion of readers/viewers based on content or ideological presentation

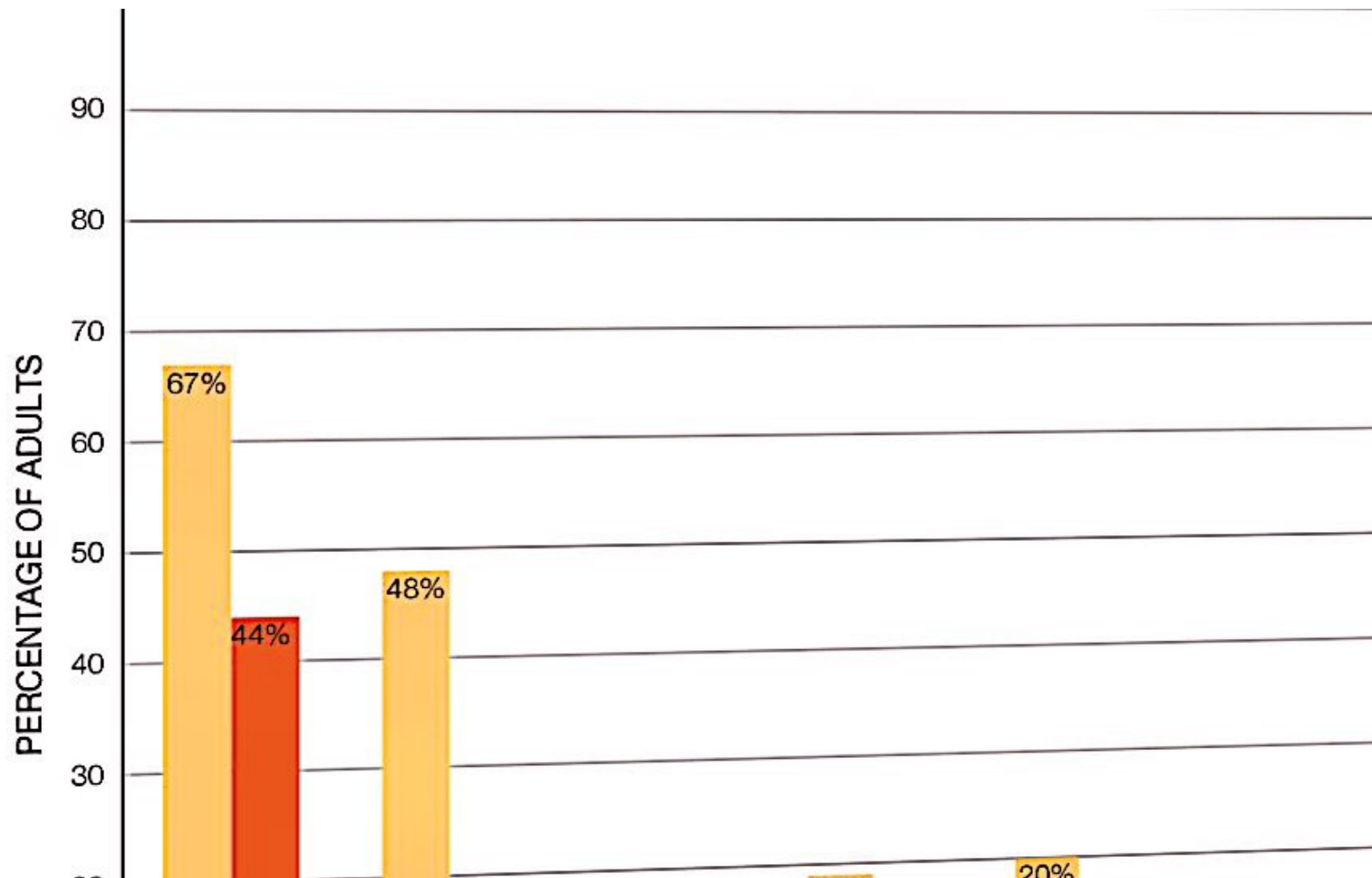


FIGURE 7.4

Social Media as a News Source

Many Americans who use social media use those sites as a way to obtain political news. This graph shows the percentage of American adults who use each social media site compared with the percentage who report getting news from that site. What are the advantages of getting news on social media, and what are some potential drawbacks?

SOURCE: Jeffrey Gottfried and Elisa Shearer, "News Use across Social Media Platforms 2016," Pew Research Center, May 26, 2016, www.journalism.org/2016/05/26/news-use-across-social-media-platforms-2016/ (accessed 6/17/16).

get news from that site.) As previously shown in Figure 7.3, social media tend to be a secondary source for news after television for many Americans but a primary source for the young, with 61 percent of those 18–33 years old reporting that they got political news from Facebook in a given week in 2015. The high rate of exposure to political news online is notable since young Americans overall are less engaged in politics—just 35 percent of 18–33 year-olds say they talk about politics at least a few times a week. As the Internet becomes an increasingly important source for political news, young people may become more engaged in politics.⁴⁰

Facebook provides a more interactive forum for learning about politics than does Twitter. A 2015 Pew survey found that Facebook users are more likely to post and respond to news about government and politics, while Twitter users are more likely to follow news organizations. Twitter's strength is providing news coverage as it happens, focusing on live events. Twitter users are more than twice as likely to say they use the site for breaking news compared to Facebook. More than two-thirds of users of both sites say they posted about news at least at some point. Compared to passively watching television or reading the news, this is a high rate of engagement with political news.⁴¹

Both Facebook and Twitter have contributed to political mobilization and information sharing by creating virtual social networks where groups of like-minded individuals can quickly and easily share information. Social networking is a key feature of the dissemination of news through social media platforms; a majority of social media users follow links to full news stories after learning about a story from friends and family.

Finally, social media also provide a platform for citizens to be directly engaged with political candidates and elected officials, who have been quick to adopt Facebook and Twitter as means of communicating with their supporters and providing them a continual feed of new information. Obama was the first American president to use social media extensively for governing.

Citizen Journalism

Related to social media is the concept of citizen journalism and blogs. The old media system was dominated by professional journalists, trained in journalism schools, who served as gatekeepers in determining what was front-page news and how political events were to be interpreted. This system had benefits and costs: the quality was high, but the diversity of opinions was relatively low. The media's gatekeeper role continues, but the incredible diversity of online media is changing journalism and the very nature of "news coverage." Digital news is creating a new generation of whistle-blowers, enhancing the media's traditional role as a watchdog for the people against government corruption.

A distinguishing feature of the digital media is **citizen journalism**, which is interactive and participatory. Citizen journalism includes news reporting and political commentary by ordinary citizens and even crisis coverage from eyewitnesses on the scene. Because it involves a wider range of voices in gathering news and interpreting political events, contemporary news reporting and commentary are more democratic. Magnifying the power of the Internet is the near-universal availability of cameras on cell phones, which gives millions of Americans the capacity to photograph or film events. At the same time, social media and YouTube permit users to upload videos that can be viewed by hundreds of thousands of subscribers or relayed by the mainstream media for even wider dissemination.

citizen journalism news reported and distributed by citizens, rather than professional journalists and for-profit news organizations



During the 2011 Occupy Wall Street protests, many ordinary citizens recorded videos—both of the protests themselves and of police responses to them—that were widely shared on the Internet and sometimes made headline news.

Citizen journalism is enhanced by the ease of starting a blog. There are millions of blogs, covering virtually every topic imaginable, and a large share of these include political news and commentary on local, national, and world events. Many blogs are citizen-run and more interactive and representative of the diversity of American views than traditional news, which generally reflects the priorities of political elites. A number of blogs, such as the *Daily Kos* and the *Monkey Cage*, have thousands of loyal readers who regularly critique stories presented by the print and broadcast media. These online discussion forums create a community for readers, further interpreting the news.

Citizen journalism supplements the work of professional journalists in many important ways. The diversity of online media has created new opinion leaders and new voices and has even, at times, improved information. In recent years, for example, bloggers have uncovered major factual errors in media reports and forced the networks and newspapers to issue corrections. Furthermore, because bloggers and social media posts do not have strict editorial boards, they can post a story within minutes. This ability to scoop the mainstream media means bloggers can frame stories about political candidates before they break in the mainstream media.⁴² By sharply lowering the technological and financial barriers that previously prevented all but a few individuals from reaching mass audiences, blogs increase the ability of ordinary people to engage in effective political action. (In Chapter 8, we will take a closer look at the Internet's effects on political participation.)

To be sure, the freewheeling nature of blogging and social media often means that there is less traditional quality control employed by professional journalists and institutional old media. Because they do not face the burden of fact-checking required for the mainstream media or some digital-only news outlets, even well-meaning bloggers can post false information. This could be one reason why misinformation about some political issues is higher among blog readers than those reading online news from the mainstream press.⁴³

Nonprofit Journalism

As traditional news organizations have cut budgets and especially investigative journalism, political information is increasingly emanating from universities, think tanks, nonprofit organizations, and private foundations. For example, the *Washington*

Post, one of the nation's premier newspapers known for the investigative journalism that broke the Watergate scandal, is now run as a nonprofit and owned by the chief executive officer of the technology giant Amazon.com, Jeffrey Bezos. Think tanks such as the Brookings Institution, the Cato Institute, the Hoover Institution, the Heritage Foundation, and the Center for American Progress provide news and analysis on current events to influence public debate. Universities have expanded their public outreach, encouraging faculty to explain their findings for a general audience; as a result, university faculty are increasingly cited in the mainstream media, and many are bloggers themselves. Community-based nonprofit newspapers are supported by local foundations seeking to fill the void in local news as local papers close their doors. The Kaiser Family Foundation was early in creating *Kaiser Health News*. The Bill and Melinda Gates Foundation, established by Microsoft founder Bill Gates, provides extensive funding to National Public Radio.

Benefits of Online News

As digital news media become mainstream, it is worthwhile to reexamine why Americans appear to prefer online news. The reasons include (1) the convenience of getting news online, (2) the up-to-the-minute currency of the information available online, (3) the depth of the information available online, (4) the diversity of viewpoints, and (5) the low cost.⁴⁴ At the same time, changes to the media arising from the rapid proliferation of the Internet have raised some concerns, as we will see in the following sections.

Convenience Information online is convenient and always available for those with access to the Internet at home or, increasingly, through mobile devices such as smartphones. Pew surveys show that nearly half of those who use online news and political information cite its convenience, with much more depth than that found when tuning in to the national evening news on television.⁴⁵ Because political knowledge is central to the formation of political attitudes, the convenience of online news may lead to a more informed and engaged citizenry. Use of digital media is associated with more interest in politics, greater knowledge of politics, and a greater likelihood of discussing politics with friends and family, as well as voting.⁴⁶

Currency One of the fundamental changes ushered in by an era of online news is the speed with which local, national, and international events are covered, as well as the scope of coverage. Major news stories regularly break first online. Social media have accelerated even further the speed with which news travels around the globe. For example, news of Osama bin Laden's death in May 2011 spread rapidly through messaging and social media even before it could be verified by traditional media.

Depth Online news provides more information than the 60-second sound bites found in television and radio news. By blending more detailed treatment of topics with the visual and emotive appeal of streaming videos, the Internet shares qualities both of print media (promoting knowledge) and of the visual aspects of television (promoting interest and engagement).⁴⁷ The multimedia capacity of the Internet notwithstanding, most websites still rely heavily upon written text, and most political "web surfing" consists mainly of reading, which facilitates greater recall of information and, in turn, encourages the acquisition of political knowledge.⁴⁸



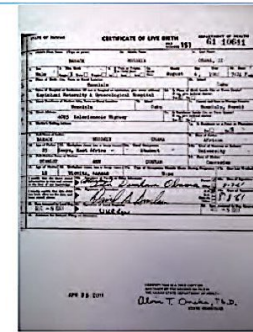
The Internet has facilitated both diversity and specialization in news media. Websites such as FactCheck.org exist solely for the purpose of evaluating statements made by U.S. politicians. The site corrects misinformation every day, such as incorrect claims about the Syrian refugee crisis.

Diversity Online sources are much more diverse than those found in the traditional media, and this diversity may lead to an increase in political knowledge and interest.⁴⁹ While major players online certainly do include mainstream outlets,⁵⁰ the Internet remains populated by a wide range of information sources. By making foreign media such as the British Broadcasting Company (BBC) and Al Jazeera television easily available, the Internet has reduced the importance of physical proximity and created more global news. Such a vast array of voices, of course, means that online sources also can provide misinformation or outright lies—just as can happen in mainstream media, campaign events, and even presidential debates. To verify media reports found in both traditional and online media, there are new websites, such as FactCheck.org and PolitiFact.com, devoted exclusively to checking the veracity of political claims.

Concerns about Online News

While online news holds significant promise for improving access to the political information citizens need, the shift toward online media has also given rise to several major concerns. These potential disadvantages include a decline in investigative journalism, uneven quality in news content, and negative effects on knowledge and tolerance.

Loss of Investigative Power In a democracy, the press is expected to be a watchdog for the people and to inform citizens about government abuses of power. Stated another way, democracies depend on news organizations to inform the people about current events and help citizens hold their leaders accountable for their actions. The greatest challenge for journalism organizations is to generate enough revenue to finance traditional investigative journalism.⁵¹ This activity requires more time and resources than other aspects of the news, and it may be the most important. When readers paid subscription fees to read the news, circulation was high and advertising provided sufficient revenue to allow newspapers and broadcasters to cover both basic news (weather, sports, business) and political events. Revenue from publishing basic news subsidized political analysis and



Without traditional media's commitment to fact-checking, digital media sometimes spread inaccurate information and rumors. In 2008, the false claim that President Obama was not a natural-born U.S. citizen spread rapidly online and remained a top story even after Obama released his official long-form birth certificate.

investigative journalism. By breaking apart mainstream news organizations, digital news may actually reduce the media's ability to engage in the kind of sustained, in-depth reporting that is critical to the media's watchdog role and thus to the health of American democracy. In the 2016 presidential election, the media were criticized for focusing coverage on some candidates, most notably Donald Trump, much more than others and for a lack of more critical reporting.

More Variation in the Quality of News As already noted, the growing diversity of digital news has led to substantial variation in the quality of available information. Multiple perspectives create a stronger marketplace of ideas, but the freewheeling nature of the Internet also means that hate speech, unsubstantiated rumors, and factual errors can overwhelm thoughtful, original, and civic-oriented voices. And while viral media may elevate the watchdog function of the media, the misinformation and unsubstantiated rumors that are part of viral media can substitute for objective truth as claims are widely repeated. This is especially so in anonymous online forums. Political scientist Dianne Bystrom has noted that “the online universe of political commentary operates outside traditional media editorial boundaries and is sometimes incisive but often offensive and unsubstantiated.”⁵²

Political candidates and political leaders are particularly susceptible to attack when negative stories go viral and spread quickly without the traditional media filters of fact-checking and respect for the privacy of public figures. False rumors that President Obama and 2016 Republican presidential candidate Ted Cruz were not natural-born citizens and therefore not eligible to be president under Article II of the U.S. Constitution spread rapidly online and spilled into mainstream news. In Obama's case, the “birther movement” conspiracy theories alleged that he was born in Kenya, not Hawaii, and that his birth certificate was a forgery. Extensive media coverage allowed what many viewed as an attack against a sitting president to become headline news, something that may not have occurred in a pre-Internet era. Belief in these theories has persisted, despite Obama's preelection release of his official long-form birth certificate from Hawaii in 2008, the posting of a copy of his birth certificate online, and confirmation by the Hawaii Department of Health based on the original documents.

Potential Effects on Knowledge and Tolerance Perhaps the greatest concern about politics in the digital age goes to the heart of modern democracy: Does the Internet ultimately help or hinder progress toward the ideal of a well-informed citizenry that can govern itself effectively? The very diversity of online news may

actually *lower* tolerance for social, religious, and political diversity. Digital media often do not abide by traditional media's principle of objective journalism, in which both sides of an argument are reported. Instead, the specialization of information online and on cable television means that liberals and conservatives alike can self-select media that are consistent with their underlying assumptions and avoid exposure to information that might challenge their preconceived beliefs.⁵³ The natural tendency to select news that conforms with our own beliefs is exacerbated by the way search engines cater to our individual preferences—what one scholar has called the “filter bubble,” or “self-selection bias,” which screens out exposure to information that might challenge or broaden our worldview.⁵⁴

The benefits and possibilities created by digital media for the American political process may well outweigh these concerns about accuracy, reliability, ethical practices, and depth of reporting. If the new media are to create a more informed democratic process, citizens must have “information literacy” or the ability to find and evaluate information.⁵⁵ Greater access to information online makes education and critical thinking among citizens more important than ever before.

Social Media as Propaganda Another concern about the Internet as a source of political information is that its accessibility has enabled violent groups to spread political propaganda more effectively. Social media have been a primary means to distribute the political propaganda of the extremist militia group the Islamic State of Iraq and Syria (ISIS), creating headline news worldwide. The group's sophisticated media campaign, including the use of Twitter, YouTube, and other forums, distributes a multitude of social media messages daily and has helped mobilize thousands of people to fight on behalf of the group's cause. In the most significant terrorist attack on U.S. soil since September 11, 2001, Omar Mateen, an American citizen of Afghan descent, carried out a mass shooting at a gay nightclub in Orlando, Florida, in 2016. Mateen killed 49 people and wounded dozens more. He took to social media immediately following the killings to pledge his loyalty to ISIS. Just six months earlier, a husband and wife team carried out a terrorist attack in San Bernardino, California, leaving 14 Americans dead. According to the FBI, the couple was inspired, if not directed, by extremists via social media.

ISIS has also used social media to distribute gruesome videos of public executions, beheadings, and burnings of foreign journalists, soldiers, and other ordinary individuals. These videos, in combination with mass media coverage of ISIS's actions in the Middle East, fueled fear and calls for government action in countries around the world.⁵⁶

for critical analysis

Does digital news coverage differ from traditional print and television media? What impact does digital media have on American politics?

Media Influence

Analyze the ways the media can influence public opinion and politics

The content and character of news and public affairs programming—what the media choose to present and how they present it—can have far-reaching political consequences. The media can shape and modify, if not fully form, the public's perception of events, issues, and institutions. Media coverage can rally support for, or intensify opposition to, national policies on matters as weighty as health care, the economy, or international wars. Media disclosures can greatly enhance or fatally damage the careers of public figures, as discussed earlier. At the same time, the media are influenced by the individuals or groups who are subjects of the news. The president in particular has the power to set the news agenda through speeches and actions. All politicians,

for that matter, seek to shape or manipulate their media images by cultivating good relations with reporters and through news leaks and staged news events.

In recent American political history, the media have played a central role in many major events. For example, the media were a critically important factor in the civil rights movement of the 1950s and '60s. Television images showing peaceful civil rights marchers attacked by club-swinging police helped to generate sympathy among northern whites for the civil rights struggle and greatly increased the pressure on Congress to bring an end to segregation.⁵⁷ The media were also instrumental in compelling the Nixon administration to negotiate an end to American involvement in the Vietnam War. Beginning in 1967 the media, reacting in part to a shift in elite opinion, portrayed the war as misguided and unwinnable and, as a result, helped turn popular sentiment against continued American involvement.⁵⁸

The media were also central actors in the Watergate affair, the cluster of scandals that ultimately forced President Richard Nixon, the landslide victor in the 1972 presidential election, to resign from office in disgrace just two years later. A relentless series of investigations launched by the *Washington Post*, the *New York Times*, and the television networks led to disclosures of the various abuses of which Nixon was guilty, ultimately forcing him to choose between resignation and almost certain impeachment.

Harsh media coverage of Iraqi leader Saddam Hussein, combined with White House claims that Iraq was harboring weapons of mass destruction (WMDs), led 70 percent of Americans to approve of the U.S. decision to invade Iraq in 2003. (It was later determined that, in fact, Iraq did not have any WMDs.) The Pew Research Center reported that individuals getting the news from mainstream American media were more supportive of the Iraq invasion, while those relying on foreign news coverage or online news were more likely to oppose the invasion.

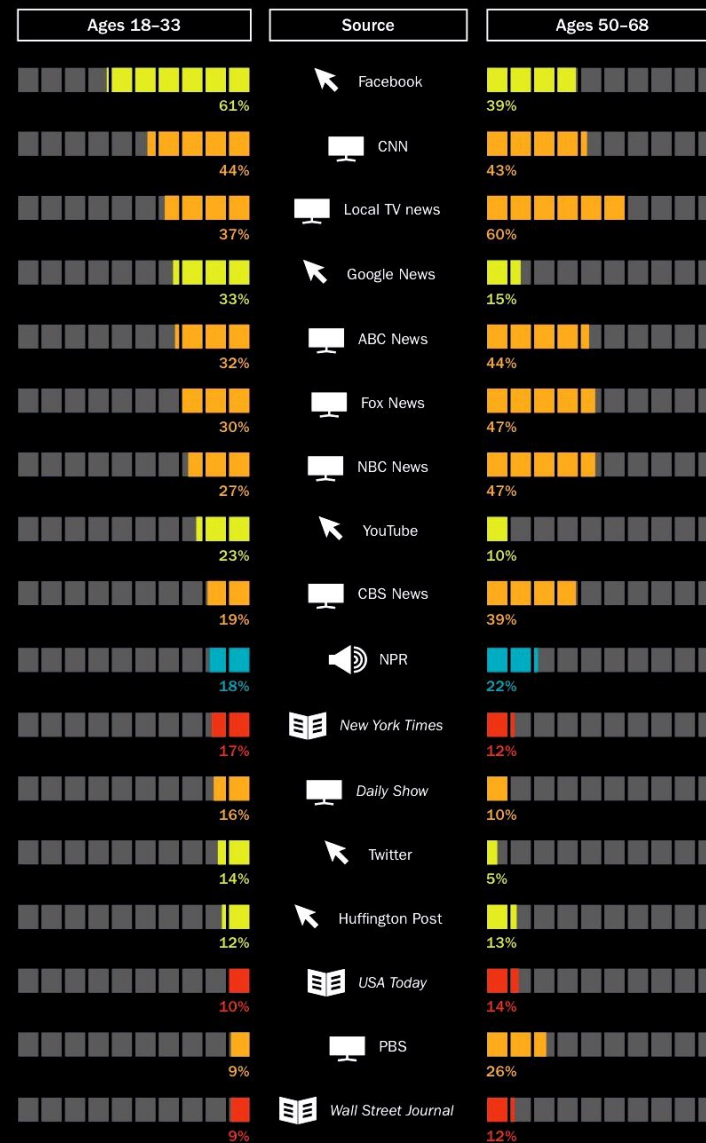
Conservatives have long charged that the liberal biases of reporters and journalists result in distorted news coverage.⁵⁹ Though many professional journalists do lean Democratic, they generally defend their professionalism, insisting that

During the 1960s, civil rights protesters learned a variety of techniques designed to elicit sympathetic media coverage. Television images of police brutality in Alabama led directly to the enactment of the 1965 Civil Rights Act.



Where Do Americans Get Their News?

Percentage of each age group who got news about politics and government in the previous week from...



In a democracy like the United States, people need information to understand current issues and the government's actions. But not all Americans get their news from the same place. Outlets for news vary by medium (print, TV, radio, and Internet) as well as source (e.g., *The Daily Show*, Fox News).

SOURCE: Pew Research Center, "Political Media Habits across Millennials, Gen Xers and Baby Boomers," June 1, 2015, www.journalism.org/interactives/generational-media-habits/ (accessed 3/8/16).

for critical analysis

1. Are there differences between how younger adults and older adults get their news? Which age group is more likely to get news from television versus the Internet?
2. What might be some consequences of such differences?

for critical analysis

To what extent, do you think, are the media biased? As more news sources have become available, has this led to more or less bias in the media?

agenda setting the power of the media to bring public attention to particular issues and problems

their personal political leanings do not affect the way they perform their jobs.⁶⁰ Moreover, journalists represent liberals, conservatives, and moderates. Those who decry “the liberal media” seldom acknowledge the partisan or ideological leanings of media owners. Rupert Murdoch, the chief executive officer of News Corporation and 21st Century Fox, is a politically active conservative. Philip Anschutz, owner of the *Examiner* newspapers in San Francisco, Washington, and other cities, has been a major financial contributor to the Republican Party and its candidates. Many news sources are distinctly left- or right-leaning, and, as discussed above, people have a tendency to select news that conforms with their own ideology. Table 7.1 shows where different ideological groups get political news. The diversity of online news, however, may mean that debates about liberal or conservative bias in the mainstream media are becoming less important.

How the Media Influence Politics

Traditional and digital media influence American politics in a number of important ways.⁶¹ The power of all media collectively, both traditional and online, lies in their ability to shape what issues Americans think about (agenda setting) and what opinions Americans hold about those issues (framing and priming).

Agenda Setting and Selection Bias The first source of media power is **agenda setting**; that is, the media help to set the agenda for political discussion. Agenda setting involves identifying the issues that politicians will pay attention to: some things are deemed important, while others are not. Groups and forces that wish to bring their ideas before the public in order to generate support for policy proposals or political candidacies must secure media coverage. If the media are persuaded that an idea is newsworthy, then they may declare it an “issue” that must be confronted

TABLE 7.1

Media and Viewers' Ideology

or a “problem” to be solved, thus clearing the first hurdle in the policy-making process. If, on the other hand, an idea lacks or loses media appeal, its chance of resulting in new programs or policies is diminished.

After September 11, 2001, President George W. Bush had little difficulty convincing the media that terrorism and his administration’s efforts to forestall further terrorist attacks merited a dominant place on the national agenda. Not surprisingly, the American-led military campaigns in Afghanistan and Iraq dominated the news throughout 2002 and 2003. Some stories have such overwhelming significance that the main concern of political leaders is not whether a story will receive attention—wars and natural disasters always receive attention—but whether the leaders themselves will figure prominently and positively in media accounts. Yet many important issues are not on the media’s agenda, such as alternative energy sources to fossil fuels (oil and gas). Likewise, these issues are often absent from major policy discussions.

Media attention plays a central role in whether or not officials act on a policy issue, but how policy issues make the news in the first place has remained a puzzle. Political scientist Amber Boydstun has shown that there are two different patterns of media attention that determine which issues are brought before the public: media storms and general coverage.⁶² The media have two modes: an “alarm mode” for breaking stories and a “patrol mode” for covering them in greater depth. The incentive to reach a wider audience (and generate ad revenue) often initiates “alarm mode” around a story, after which news outlets go into watchdog “patrol mode” to monitor policy implications until the next big media storm hits. This pattern results in skewed coverage of political issues, with a few issues receiving the majority of media attention while others receive none at all.

Today, digital and social media are increasingly defining what becomes headline news as it is often social media, especially Twitter, that sets off “alarm mode” by breaking news and causing it to go viral. A 2014 study found that the top media sources linked to in tweets are not traditional media, with the exception of the *New York Times*, but rather alternative and niche media, YouTube, and other

social media. In this way, social media more broadly, and Twitter especially, play an important role in setting the overall news media agenda.⁶³

Political candidates need the media's agenda-setting role to win elections. Candidates who receive positive news coverage gain momentum, pick up political endorsements, attract campaign contributions, and win support from voters.⁶⁴ In the 2008 presidential campaign, Barack Obama exceeded the media's expectations with his early win in the Iowa caucuses, in which he upset the front-runner, Hillary Clinton, in the Democratic primaries for president. Obama's unexpected victory earned him increased press attention and eventually led the first African American president to the White House.⁶⁵ In 2016, Donald Trump exceeded media expectations by coming in second in Iowa and winning New Hampshire. But candidates who disappoint media expectations, such as 2016 Republican candidate Jeb Bush, see their political endorsements, campaign contributions, and polling numbers dwindle. The influence of the media on political candidates is just one example of the media's vitally important role in American democracy.

Often, the media serve as conduits for agenda-setting efforts by competing groups and forces. Occasionally, however, journalists themselves are instrumental in setting the agenda of political discussion. The Watergate scandal that destroyed Nixon's presidency was in some measure initiated and driven by the *Washington Post* and the national television networks.

Because the media are businesses and seek to attract the largest possible audiences, they naturally tend to cover stories with dramatic or entertainment value, giving less attention to important stories that they deem less compelling. News coverage often focuses on crimes and scandals, especially those involving prominent individuals. **Selection bias** means that the news media may provide less information about important political issues that the public depends upon. For example, there was a media frenzy in January 1998 when reports surfaced that Democratic president Clinton might have had an affair with a White House intern. In 2016, Donald Trump's sensationalist statements during the course of his campaign dominated headline news for months. Partisanship and ideology notwithstanding, the age-old journalistic instinct for sensational stories often trumps both the media's responsibility to inform the public about what really matters and the public's responsibility to demand that from the media.

What the mainstream media decide to report on and what they ignore has important implications. For example, the Bush tax cuts of 2001 and 2003, extended under Obama in 2008, had widespread effects, dramatically increasing the federal budget deficit and widening the income gap between the super-rich and most other Americans. But the media provided little coverage of these measures, the result being that 40 percent of Americans had no opinion on whether they favored the massive tax cuts in 2001.⁶⁶

Access to the print and broadcast media is such an important political resource that political forces that lack media access, such as the Black Lives Matter or Occupy Wall Street protestors, have only a very limited opportunity to influence the political process. The skewed coverage of traditional media, however, may be balanced out by the diversity of media sources available online, especially the growing influence of social media.

Framing The language and context in which the media present the news, known as **framing**, can determine how the American people interpret political events. Robert Entman defines *framing* as the social construction of social phenomena by the

selection bias (news) the tendency to focus news coverage on only one aspect of an event or issue, avoiding coverage of other aspects

framing the power of the media to influence how events and issues are interpreted

mass media, political or social movements, political leaders, or other political actors and organizations. Frames shape how individuals perceive meaning from words or phrases, photographs, or video.⁶⁷ Knowing this, politicians take care to choose language that presents their ideas in the most favorable light possible. Public opinion on politics naturally changes with facts, but few citizens read legislation, so when forming opinions about policy and politics, the public relies on media coverage. This means that arguments made by elected officials and other political actors, or frames, are critical in how the public interprets events and policy.

For example, Obama's health care initiative was framed differently by Democrats and Republicans. The Obama administration labeled the initiative the Patient Protection and Affordable Care Act, thus framing the proposal as a matter of compassionate responsibility and good economic sense. As the bill was debated in Congress, early press coverage framed it as "health care reform." Sensing that Americans generally approve of the idea of "reform," Republican opponents of the legislation chose different language: the law's provisions for limiting excessive medical testing were labeled as "health care rationing," for example, and proposals to create committees to advise patients about end-of-life care were called "death panels." Other opponents called it "Obamacare." The Democrats framed the initiative as achieving the positive goal of reform, while the Republicans framed it as achieving the negative outcome of rationing.

Priming A third important way the media can shape political events is known as **priming**. Priming involves "calling attention to some matters while ignoring others" when evaluating political officials.⁶⁸ As a result, the public will be *primed* to use certain criteria when evaluating a politician or an issue and ignore other criteria. For example, the media's intensive focus on terrorism and security in the wake of the September 11, 2001, terrorist attacks primed the public to evaluate President Bush's performance in office based on his ability to defend the nation from terrorism and not on, say, his ability to manage the economy.

priming process of preparing the public to bring specific criteria to mind when evaluating a politician or issue

information on cable television news and online news also increases people's interest in electoral campaigns, which in turn affects voter turnout.⁶⁹

The media in all their varying forms—traditional and digital—lead to a more informed public, but also to growing gaps between the informed and uninformed.⁷⁰ A puzzle remains, however. Despite the dramatic rise in political information and the diversity of the media, average levels of political knowledge in the population have remained constant for the last few decades.⁷¹ One widely discussed reason has been proposed by Cass Sunstein. He argues that individuals “customize” the political information they receive through their choice of news outlets to follow.⁷² This customization leads to a polarized news environment in which media users are unlikely to encounter information that challenges their partisan viewpoints, which is related to selective exposure and the filter bubble, discussed above.

● News Coverage

Explain how politicians and others try to shape the news

News coverage, or the content of the news, comes from numerous sources. Governments, politicians, corporations, interest groups, nonprofit organizations, and others issue press releases to draw attention to an

issue and tell their side of the story. Journalists also gain information through investigative journalism and media leaks.

Press Releases

Each year, thousands of press releases are seamlessly incorporated into daily news reports. These press releases are written by advocates or publicists and distributed to the media in the hope that journalists will publish them, under the journalists' own bylines, with little or no revision. The originator of the press release, or news release, was a well-known New York public-relations consultant named Ivy Lee. In 1906 a train operated by one of Lee's clients, the Pennsylvania Railroad, was involved in a serious wreck. Lee quickly wrote a story about the accident that presented the railroad in a favorable light, and he distributed the account to reporters. Many papers published Lee's slanted story as their own objective account of the events, and the railroad's reputation for quality and safety remained untarnished.

Consistent with Lee's example, today's press release presents facts and perspectives that serve an advocate's interests but is written in a way that mimics the factual news style of the paper, periodical, or television news program to which it has been sent. A well-designed press release can be nearly impossible to distinguish from an actual news story. Newspapers, of course, understand that in publishing press releases they are allowing themselves to be used, but they have a strong financial incentive to publish material that, in effect, allows them to fill their pages at little cost. The White House regularly issues press releases—for example, in preparation for a State of the Union address or major legislation supported by the president. Polling companies, such as Gallup, use press releases to share the results of election surveys.

Media Leaks

The media may also report information that is leaked by government officials. A leak is the disclosure of confidential information to the news media. Leaks may

emanate from a variety of sources, including “whistle-blowers,” lower-level officials who hope to publicize what they view as their bosses’ or the government’s improper activities. In 1971, for example, Daniel Ellsberg, a minor Defense Department staffer, sought to discredit official justifications for America’s military involvement in Vietnam by leaking top-secret documents to the press. The Pentagon Papers—the Defense Department’s own secret history of the war—were published by the *New York Times* and the *Washington Post* after the U.S. Supreme Court ruled that the government could not block their release.⁷³ The Pentagon’s credibility was severely damaged, hastening the erosion of public support for the war.

Most leaks, though, originate not with low-level whistle-blowers but rather with senior government officials, prominent politicians, and political activists. Journalists are likely to regard high-level sources of confidential information as valuable assets whose favor must be retained. For example, during the George W. Bush administration, Lewis “Scooter” Libby, Vice President Dick Cheney’s chief of staff, was apparently such a valuable source of leaks to so many journalists that his name was seldom even mentioned in the newspapers, despite his prominence in Washington and his importance as a decision maker.⁷⁴

Digital technology has taken the cat-and-mouse game of leaks to a new level. WikiLeaks, an independent nonprofit organization dedicated to publishing classified information, posts leaked documents to its website and uses an anonymous drop-box system so that leakers cannot be identified. In recent years, WikiLeaks has released thousands of secret government documents involving instances of government corruption, war crimes in Afghanistan and Iraq, torture at U.S. military



Leaks of classified information have sparked significant debate over what the government should classify as “secret” and what deserves to be public knowledge. After Edward Snowden leaked thousands of classified documents, he fled the United States to escape arrest and prosecution. His actions have been both defended and denounced.

This famous photograph of the aftermath of a napalm attack was one of many media images that shaped the American public's views on the Vietnam War. Media accounts critical of the war helped to turn public opinion against it and hastened the withdrawal of American troops.



a form of reporting in which the media adopt a skeptical or even hostile posture toward the government and public officials.

During the nineteenth century, American newspapers were subordinate to the political parties. Newspapers depended on official patronage (legal notices and party subsidies) for their financial survival and were controlled by party leaders. At the turn of the twentieth century, with the development of commercial advertising, newspapers became financially independent, making possible the emergence of a formally nonpartisan press.

Presidents were the first national officials to make use of the opportunities presented by this development. By communicating directly to the electorate through newspapers and magazines, Theodore Roosevelt and Woodrow Wilson established political constituencies for themselves, independent of party organizations, and thereby strengthened their own power relative to that of Congress. President Franklin Delano Roosevelt used the radio, most notably in his famous fireside chats, to reach out to voters throughout the nation and to make himself the center of American political life. Subsequent presidents have all sought to use the media to enhance their popularity and power.

During the 1950s and early 1960s a few members of Congress also made successful use of the media, especially television, to mobilize national support for their causes; but through the mid-1960s the executive branch continued to generate the bulk of news coverage, and the media became a cornerstone of presidential power.

The Vietnam War shattered this amicable relationship between the press and the presidency. During the early stages of U.S. involvement, American officials in Vietnam who disapproved of the way the war was being conducted leaked to reporters information critical of administrative policy. Publication of this material infuriated the White House, which pressured publishers to block its release. However, the national broadcast media and especially the two leading national newspapers, the *Washington Post* and the *New York Times*, discovered an audience for critical coverage and investigative reporting among segments of the public

skeptical of administration policy. As the Vietnam War dragged on, adverse media coverage fanned antiwar sentiment. In turn, these shifts in popular and congressional sentiment emboldened journalists and publishers to continue to present news reports critical of the war. Gradually, a generation of journalists developed a commitment to adversarial journalism, and a constituency emerged that would rally to the defense of the media whenever it came under attack from the White House.

To take a more recent example, during her campaign for the presidency in 2016, Hillary Clinton became embroiled in controversy regarding her use of a private email address during her tenure as secretary of state, despite protocol that official government email should be used for security reasons. In response, the Justice Department demanded that Clinton turn over her entire private email server. Through investigative journalism, McClatchy News Service reported that two of the four classified emails on her server were top secret, the highest security classification. Clinton had previously denied sending or receiving any classified material via her email account.⁷⁵ An investigation by the FBI recommended no criminal charges against Clinton for her handling of classified information using email while she was secretary of state. To warrant a criminal charge there had to be evidence that Clinton “intentionally transmitted or willfully mishandled classified information.” The investigation found neither.⁷⁶

Aggressive use of the techniques of investigation, publicity, and exposure has allowed the national media to enhance their autonomy and carve out a prominent place for themselves in American government and politics. Without investigative journalism, would we have known of the illegal break-in to the Democratic Party headquarters in the Watergate building by Nixon’s “Committee to Re-elect the President” and the White House’s subsequent cover-up of the scandal? Would we have known the extent of government surveillance of American citizens? Without aggressive media coverage, important questions about the conduct of American foreign and domestic policy, police violence, drone attacks, and civil liberty violations may not ever be raised. It is easy to criticize the media for their aggressive tactics, but our democracy may not function effectively without the critical role of the press. Independent media are needed as the watchdogs of American politics. Digital technology has provided a new means by which the media are a watchdog of government wrongdoing. One advantage of digital media is that they are less likely to be co-opted by the government, taking the adversarial role of the press to new heights.

for critical analysis

Before he left office in June 2007, the longtime British prime minister Tony Blair called the news media a “feral beast.” Why are many politicians hostile to media? Do you share their views?

● Regulation of the Media

Trace the evolution of rules that govern broadcast media

In many countries, such as China, the government exercises strict control over traditional media content. In others, the government owns the broadcast media (for example, the BBC in Britain) but does not tell the media what to say.

In the United States, the print and online media are essentially free from government interference. The broadcast media, on the other hand, are subject to federal regulation. American radio and television are regulated by the Federal Communications Commission (FCC), an independent agency established in 1934. Radio and TV stations must have FCC licenses, which must be renewed every five years. Through regulations prohibiting obscenity, indecency, and profanity, the FCC has



After Janet Jackson's "wardrobe malfunction" during a live performance at the Super Bowl in 2004 led to indecent exposure, the FCC increased fines for indecency and profanity violations. In turn, many networks increased their broadcast delays for live performances.

equal time rule the requirement that broadcasters provide candidates for the same political office equal opportunities to communicate their messages to the public

right of rebuttal a Federal Communications Commission regulation giving individuals the right to have the opportunity to respond to personal attacks made on a radio or television broadcast

sought to prohibit radio and television stations from airing explicit sexual and excretory references between 6 A.M. and 10 P.M., the hours when the audience is most likely to include children. Generally speaking, FCC regulation applies only to the over-the-air broadcast media. It does not apply to cable television, the Internet, or satellite radio.

In 1996, Congress passed the Telecommunications Act, a broad effort to end most regulations. The legislation loosened restrictions on media ownership and allowed telephone companies, cable television providers, and broadcasters to compete with one another to provide telecommunication services. Following the passage of this act, mergers between telephone and cable companies and different entertainment media produced a greater concentration of media ownership than had been possible since regulation of the industry began in 1934.

Though the act loosened many regulations, it did include an attempt to regulate the content of material transmitted over the Internet. This law, known as the Communications Decency Act, made it illegal to make "indecent" sexual material on the Internet accessible to those under age 18. The act was immediately denounced by civil libertarians, and in 1997 the Supreme Court ruled that the Communications Decency Act was an unconstitutional infringement of the right to freedom of speech guaranteed by the First Amendment (see Chapter 4).

Although the government's ability to regulate the content of the Internet is limited, the FCC has used its licensing power to impose several regulations that can affect the political content of radio and TV broadcasts. The first of these is the **equal time rule**, under which broadcasters must provide to candidates for the same political office equal opportunities to communicate their messages to the public. Under the terms of the Telecommunications Act, during the 45 days before an election, broadcasters are required to make time available to candidates at the lowest rate charged for that time slot.

The second regulation affecting the content of broadcasts is the **right of rebuttal**, which requires that individuals be given the opportunity to respond to personal attacks. In the 1969 case of *Red Lion Broadcasting Company v. FCC*, for example, the U.S. Supreme Court upheld the FCC's determination that a radio station was required to provide a liberal author with an opportunity to respond to a conservative commentator's attack that the station had aired.⁷⁷ For many years, a third important federal regulation was the *fairness doctrine*. Under this rule, broadcasters that aired programs on controversial issues were required to provide time for opposing views. In 1985, however, the FCC stopped enforcing the fairness doctrine on the grounds that there were so many radio and television stations—to say nothing of newspapers and newsmagazines—that in all likelihood many different viewpoints were already being presented without each station being required to try to present all sides of every argument. Critics of this FCC decision charge that in many media markets the number of competing viewpoints is actually quite small.

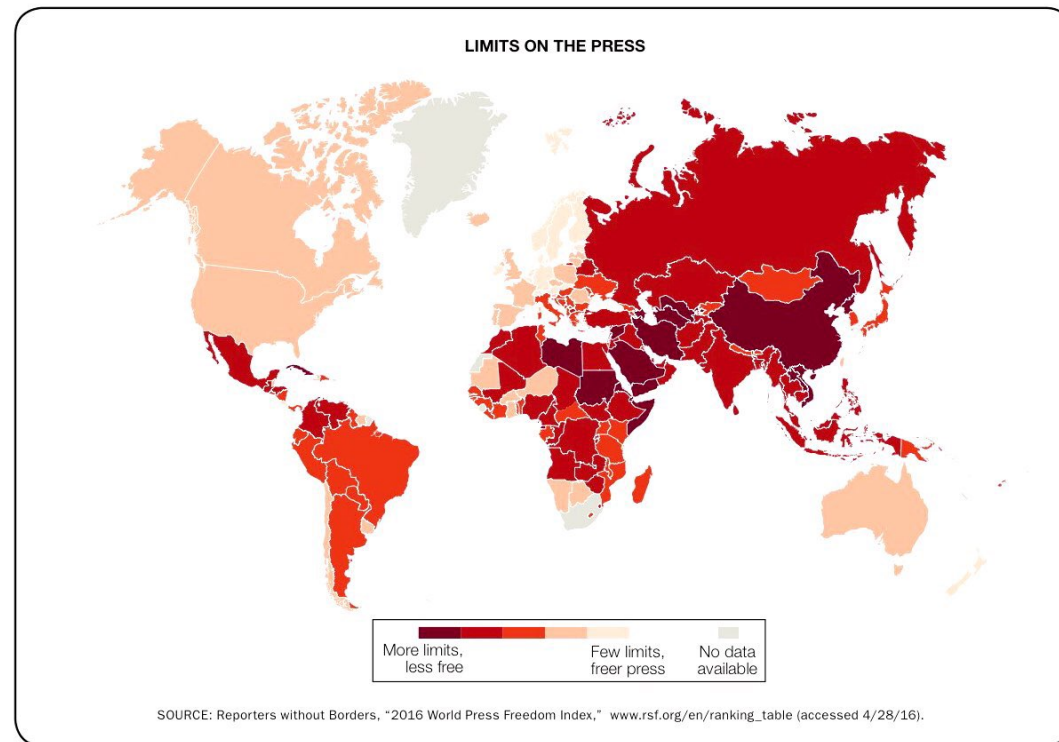
The rise of online media challenges our thinking about regulation of the media as it is more difficult—some say impossible—to regulate political content online. In 2011 the United Nations declared that access to the Internet is a human right.⁷⁸ While this declaration came in response to threats by authoritarian governments

Press Freedom around the world

AMERICA
Side *by* Side

The First Amendment to the U.S. Constitution guarantees that the media are essentially free from government interference. A free press is a necessary component of a functioning democracy, as critical media help hold leaders accountable for their actions. However, many countries limit freedom of the press in at least some ways. For example, in some democratic countries, such as Hungary, rules limiting hate speech or protecting privacy rights can inhibit critical journalism. Some non-democratic governments, such as in China or Cuba, exercise strict control over the media.

When we think about attacks on the freedom of the press, it's often government arrests and the killing of journalists that make the headlines, but threats to media freedom can be more subtle. In Russia, for example, journalists who criticize government officials may find themselves targets of expensive libel or slander lawsuits. In an ideal world, should all media be free from interference? Is there ever a reason to place limits on press freedom?



against Internet access, it demonstrates the significance of information technology in modern life.⁷⁹

The Media, Democracy, *and Your Future*

for critical analysis

In wartime, can media criticism of government action aid the nation's enemies? Should there be limits on media criticism of the government during times of war? Or does criticism actually enhance the nation's strength?

The freedom of the press is essential to democratic government. Ordinary citizens depend on the media to investigate wrongdoing, publicize and explain governmental policy, evaluate politicians, and bring to light matters that might otherwise be known to only a handful of governmental insiders. In short, without free and active media, democratic government would be virtually impossible. Citizens would have few means through which to know or assess the government's actions—other than the claims or pronouncements of the government itself. Moreover, without active (indeed, aggressive) media, citizens would be hard-pressed to make informed choices among competing candidates at the polls.

Today's media are not only adversarial but also increasingly partisan. Blogs, digital journalism, social media, and other Internet outlets can be unabashedly partisan. To some extent, increasing ideological and partisan stridency is an inevitable result of the expansion and proliferation of news sources. When the news was dominated by three networks and a handful of national papers, each sought to appeal to the entire national audience. This required a moderate and balanced tone so that consumers would not be offended and transfer their attention to a rival network or newspaper. Today, there are so many news sources that few can aim for a broad-based national audience. Instead, many target a partisan or ideological niche and aim to develop a strong relationship with consumers in that audience segment by catering to their biases and predispositions.

The rise of citizen journalism, social media, and digital media has fundamentally changed how political information is gathered and distributed. News today is participatory and involves citizens as well as professional journalists. Wikipedia, the free online encyclopedia founded by Jimmy Wales, has millions of pages compiled by legions of volunteers and provides relatively unbiased content on virtually every political topic imaginable. Social media (Facebook, Twitter, and countless others), Wikipedia, and all Wiki-type sites involve people working collaboratively to write and create information and transmit knowledge. Social media also enable citizens to express their political opinions. (The “Who Participates?” feature on the facing page shows some of the ways Americans participate in politics via social media.) Is such a system the future of the news media?

The media can make or break reputations, help to launch or destroy political careers, and build support for or rally opposition to programs and institutions.⁸⁰ Wherever there is so much power, at least the potential exists for its abuse or overly zealous use. All things considered, free media are so critically important to the maintenance of a democratic society that Americans must be prepared to take the risk that the media will occasionally abuse their power. Governmental controls that would prevent the media from misusing their power would also limit freedom. The ultimate beneficiaries of free and active media are the American people.

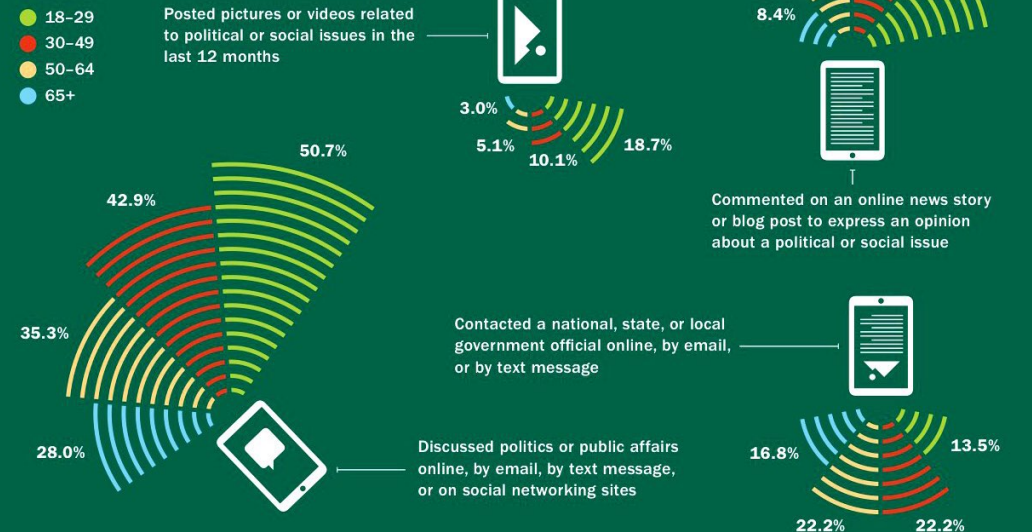
WHO PARTICIPATES?

Who Participates via Social Media?

Percentage of Adults Who Have...

Age group

- 18–29
- 30–49
- 50–64
- 65+

SOURCE: Pew Research Center, "Civic Engagement in the Digital Age," www.pewinternet.org/2013/04/25/civic-engagement-in-the-digital-age/ (accessed: 10/5/15).

WHAT YOU CAN DO

Be an Informed Consumer of Media



Gather information from a variety of news sources rather than relying on just one. You can set up a news aggregator with a variety of free downloadable apps, including Flipboard (www.flipboard.com) and Feedly (www.feedly.com).



Check media watchdog organizations such as the Columbia Journalism Review (www.cjr.org), Fairness & Accuracy in Reporting (www.fair.org), and Accuracy in Media (www.aim.org) for reports of media bias and censorship.



For information on the factual accuracy of what is said by political players, go to www.factcheck.org. For investigative journalism in the public interest, go to www.propublica.org. For reporting on the accuracy of news rumors, go to www.snopes.com.

Political Participation and Voting

WHAT GOVERNMENT DOES AND WHY IT MATTERS Who votes affects who is elected and what issues politicians put at the top of their agenda. Voters tend to be more affluent, educated, and older than nonvoters. Elected officials adopt policies consistent with the preferences of voters, rather than nonvoters. Thus who votes matters. The United States has relatively low voter participation, setting it apart from other democracies in the developed world. Even in the high-turnout presidential election of 2008, only 62 percent of Americans voted;¹ in 2016, the turnout rate was 59 percent.² In most democratic countries, residents are automatically registered to vote in elections at adult age. In the United States, citizens must actively register to vote and, in most states, must do so in advance of the election—sometimes 30 days beforehand.

The registration requirement accounts in large part for low voting rates among Americans. One of the most common reasons that people in the United States give for not voting is that they are not registered; on average more than 5 percent of Americans indicate that registration problems prevented them from voting, adding up to millions of people. Young people especially are less likely to register to vote than are older Americans.³ In an effort to boost voter turnout, a number of states have begun to offer same-day registration, which means that people can both register and vote when they go to the polls on Election Day. As of 2016, 13 states plus Washington, D.C., had same-day registration laws. Of the 10 states with the highest average voting rates, 7 offer same-day registration.⁴

Five states—California, Oregon, Connecticut, Vermont, and West Virginia—have recently gone even further and have adopted laws that will automatically register their residents to vote in elections.

These new laws place more responsibility for increasing voter turnout on the government rather than on citizens, requiring information sharing between two government agencies collecting similar information, the Department of Motor Vehicles and the secretary of state's office. Though all five states have adopted these laws, automatic voter registration was only in effect in Oregon for the 2016 election. Though turnout in Oregon did not increase in 2016 from 2012, some scholars believe automatic voter registration is more likely to have an impact on turnout in state in local elections, rather than in presidential elections when voters are better informed and don't need a reminder to vote.⁵

Although this kind of election reform may seem wholly positive at first, it triggers controversial debate and deep partisan conflict. Opponents contend that these laws make the states' voter rolls more vulnerable to fraud. Supporters say the new system may be more secure than traditional paper registration because rather than simply attesting to their eligibility with a signature, individuals have to submit proof of citizenship to the Department of Motor Vehicles. Automatic voter registration is generally favored by Democrats, who want expanded access to the ballot box; Republicans, on the other hand, often don't want to add new voters who may be more likely to support the Democratic Party. It is important to note, however, that lawmakers are not always correct about which party will benefit from increased voter registration.

Voting is just one form of political participation, and voter-registration requirements are just one factor that affects who participates in American politics. As we will see in this chapter, who participates and how they participate matter a great deal—in elections and in influencing government policy.

● Forms of Political Participation

Describe the major forms of traditional and digital participation in politics

We can think of political participation as falling into two major categories. Traditional participation in politics includes not only voting but also attending campaign events, rallies, and fund-raisers, volunteering on behalf of candidates and political organizations,

canvassing, displaying campaign signs, contacting elected officials, contributing money to candidates and parties, or even challenging a law in court. Protests, demonstrations, and strikes, too, are age-old forms of participatory politics.

In addition to traditional participation, there is a growing world of digital politics, which includes not only the exchange of information but also fund-raising and voter mobilization. Most experts now agree that digital politics is just a new way of engaging in traditional politics. As digital politics becomes more common, it continues to change participation in important ways that may increase engagement in politics overall.

Traditional Political Participation

Traditional political participation refers to a wide range of activities designed to influence government, politics, and policy. For most citizens today, voting is the most common form of participation in politics. Yet ordinary people took part in politics long before the advent of the election or any other formal mechanism of popular involvement in political life. If there is any natural or spontaneous form of popular political participation, it is not the election but the riot. In fact, for much of American history, fewer Americans exercised their right to vote than participated in urban riots and rural uprisings as voting for a long time was limited to white, male, landowning citizens.

The vast majority of Americans reject rioting or violence for political ends, but peaceful **protest** is protected by the First Amendment and generally recognized as a legitimate and important form of political activity. During the height of the civil rights movement in the 1960s, hundreds of thousands of Americans took part in peaceful protests to demand social and political rights for African Americans. Peaceful marches and demonstrations have been employed by a host of groups, including opponents of the war in Iraq and the 2011 Occupy Wall Street protests against unemployment, undue corporate influence on government, and growing income inequality.

Growing concern over police discrimination and excessive use of police force against African Americans has led to both peaceful protests and civil unrest. The Black Lives Matter campaign took off after the killing of Michael Brown, an 18-year-old unarmed black man, by a white police officer in Ferguson, Missouri, in 2014. The incident sparked protests in Ferguson that began peacefully but soon became unruly. Mass media attention and an ongoing investigation—in which the police officer was not indicted—put the incident on the forefront of the American political scene, triggering protests in 170 American cities. Since then, a number of similar incidents of police force resulting in the deaths of African Americans have kept the issue in the spotlight. In July 2016 the widely publicized deaths of two black men at the hands of police within one day of each other again spurred nationwide protests. While most of the protests were peaceful, a sniper killed five police officers at a protest in Dallas, Texas. The events indicated that nearly two years after the death of Michael Brown, tensions around race relations in the United States

traditional political participation
activities designed to influence government, including voting and face-to-face activities such as volunteering for a campaign or working on behalf of a candidate or political organization

protest participation that involves assembling crowds to confront a government or other official organization



One advantage of protest is visibility: through media attention, protesters can raise awareness, attract like-minded individuals, and put pressure on politicians, all of which are goals of Black Lives Matter protests.

suffrage the right to vote; also called *franchise*

remain very high, and protests and civil unrest in response to the issue are unlikely to go away any time soon.

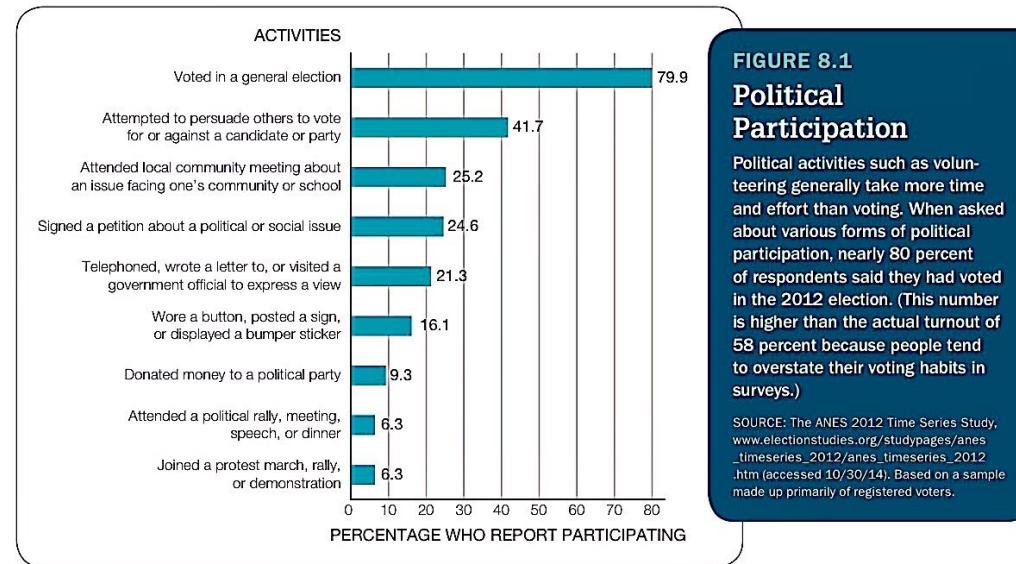
People participate in public protests to attract media attention, raise public awareness, and send a message to politicians about the policies they enact. The Black Lives Matter campaign has prompted discussion and political action around police reform, including revamped training programs and calls to equip police officers with body cameras. Opinion polls suggest that both white and black Americans increasingly feel that racism is a problem in American society.⁶ The Occupy Wall Street movement and protests were similarly successful in raising awareness of income inequality. For example, a Pew survey found that in 2014 two-thirds of Americans (66 percent) believed there were “very strong” or “strong” conflicts between the rich and the poor—an increase of 19 percentage points since 2009.⁷ As noted in Chapter 6, a larger number of Americans have concerns with rising economic inequality.

Elections, of course, are the hallmark of political participation in a democracy. In addition to voting (discussed below), citizens can give money to candidates or political organizations, volunteer in campaigns, contact political officials, sign petitions, attend public meetings, join organizations, display campaign signs and pins, write letters to the editor, and attend rallies. They can also lobby their representatives in Congress; they can even sue the government or run for elected office. Such activities can

communicate much more detailed information to public officials than voting can. Voters may support a candidate for many reasons; their votes do not indicate which specific policies they support or how strongly they feel about particular issues. By volunteering for a political campaign, writing or emailing their member of Congress, or contributing money to a political organization, people can convey their specific opinions, making these other political activities often more satisfying than voting.⁸ However, these other forms of political action generally require more time, effort, and/or money than voting. As a result, as Figure 8.1 shows, the percentage of the population that participates in ways other than voting is relatively low.

Participation through Voting For most Americans, voting is the single most important political act. Voting is the most common way that individuals interact with politics. The right to vote gives ordinary Americans an equal voice in politics as each vote has the same value. Voting is especially important because it selects the officials who make the laws that the American people must follow.

The right to vote, or **suffrage**, is a legal right. During the colonial and early national periods of American history, suffrage was generally restricted to white males over the age of 21. Many states further limited voting to those who owned property or paid more than a specified amount of annual tax. Until the early 1900s, state legislatures elected U.S. senators, and there were no direct elections for members of the Electoral College (who in turn elect the president). As a result, elections for the U.S. House as well as state and local offices were the primary venue for citizen participation in government.



During the nineteenth and early twentieth centuries, states often acted to restrict suffrage, initially through poll taxes (fees to vote) and literacy tests (reading tests) designed to curtail immigrant voting in northern cities. These laws were later imported to the southern states to prevent African Americans and uneducated whites from voting during the Jim Crow era, the period after the Civil War and before the 1960s (see Chapter 5). Voter eligibility requirements often varied greatly from state to state. Some states openly prevented the right to vote on the basis of race; others did not. Some states required property ownership for voting; others had no such restrictions.⁹

Over the past two centuries of American history, a dominant trend has been federal statutes, court decisions, and constitutional amendments designed to override state voting laws and expand suffrage to nonlandowners, African Americans, Asian Americans, women, young adults, and others.¹⁰ In the South, voting rights for black men were established by the Fifteenth Amendment in 1870, which prohibited denying the right to vote on the basis of race. Despite the Fifteenth Amendment, the voting rights of African American men were effectively rescinded during the 1880s by the states of the former Confederacy with voting laws such as poll taxes and literacy tests, as discussed above. A goal of the civil rights movement in the 1950s and '60s led by Martin Luther King, Jr., was voting rights for African Americans. This goal was partially achieved with the enactment of the 1965 Voting Rights Act, which authorized the federal government to register voters in states that discriminated against minority citizens. The result was the re-enfranchisement of southern blacks for the first time since the 1860s.

The campaign for women's suffrage gathered strength in the United States in the mid-eighteenth century. Activists fought for decades—with tactics ranging from protests to pickets to hunger strikes—before the Nineteenth Amendment to the Constitution granted all adult women the right to vote in 1920.



for critical analysis

Describe the expansion of suffrage in the United States since the Founding. Why might the government have denied participation to so many for so long? What forces influenced the expansion of voting rights?

Women won the right to vote in 1920 through the adoption of the Nineteenth Amendment to the Constitution. This amendment resulted primarily from the activism of the women's suffrage movement, led by Elizabeth Cady Stanton, Susan B. Anthony, and Carrie Chapman Catt, among others, during the late nineteenth and early twentieth centuries. The suffragists held rallies, demonstrations, and protest marches for more than half a century before achieving their goal. Before the federal government granted women the right to vote, numerous states and territories adopted women's suffrage, paving the way for women to earn the right to vote nationally. The cause of women's suffrage was ultimately advanced by World War I, when President Woodrow Wilson and members of Congress argued that women would be more likely to support the war effort if they were granted the right to vote.

The most recent expansion of the right to vote in the United States, the Twenty-Sixth Amendment, lowered the voting age from 21 to 18. Ratified during the Vietnam War, in 1971, it was intended to channel the disruptive protest of students involved in the war into the political process.

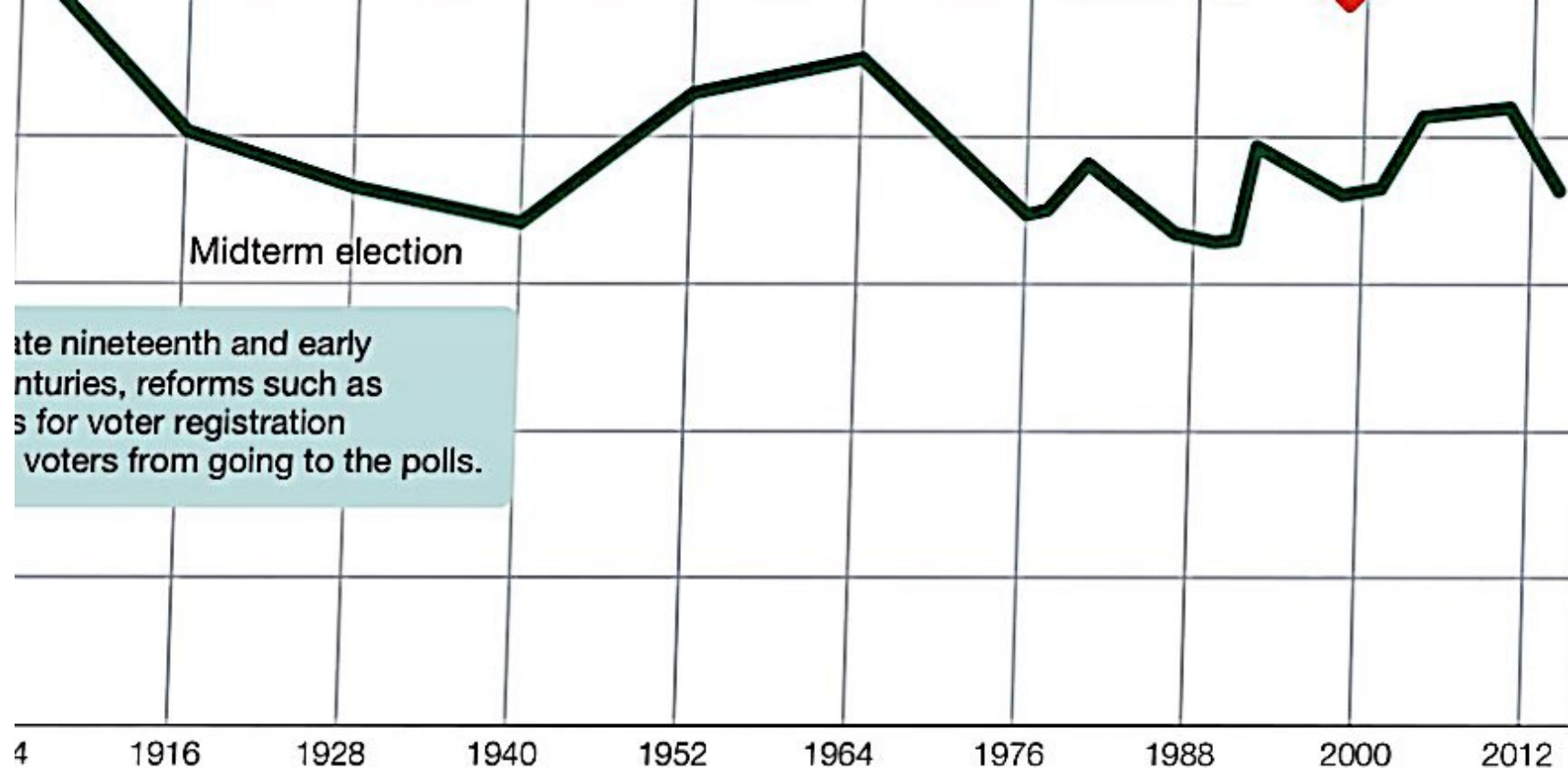


FIGURE 8.2

Voter Turnout in Presidential and Midterm Elections, 1892–2016

Since the 1890s, participation in elections has declined substantially. One pattern is consistent across time: more Americans tend to vote in presidential election years than in years when only congressional and local elections are held. What are some of the reasons that participation rose and fell during the last century?

*Percentage of voting-eligible population

SOURCES: Erik Austin and Jerome Clubb, *Political Facts of the United States since 1789* (New York: Columbia University Press, 1986); United States Election Project, www.electproject.org (accessed 11/14/16).

Voter Turnout in Comparison

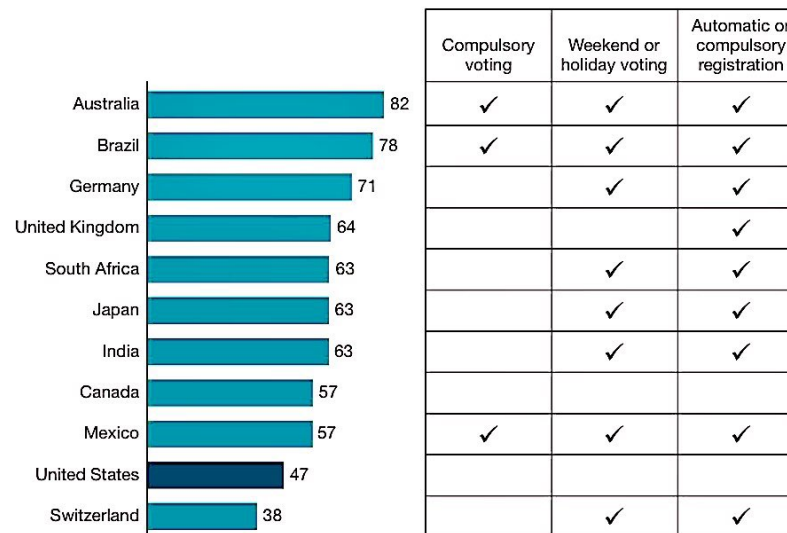


Over the past 20 years, voter turnout in U.S. national elections has hovered around 45 percent of the voting-age population. While the number is significantly higher in presidential elections than in midterm elections (in the 2014 midterm election, for example, turnout was roughly 33 percent),^a voting rates in the United States still lag behind those in many other democratic countries. Australia, for instance, had almost 80 percent of their voting-age population (roughly 93 percent of registered voters) participate in the 2013 parliamentary election.

So why does voter turnout vary so much from country to country? Part of the explanation rests in how we calculate who is eligible to vote. In the United States, noncitizens and ex-felons are denied voting rights. If we exclude those populations when calculating voter percentages, U.S. turnout would be several percentage points higher.^b

Another explanation relates to the rules governing elections. Some countries have rules that make it easier or harder for citizens to vote, while others penalize those who do not vote. In many democracies, citizens are automatically registered to vote when they reach a certain age; in contrast, U.S. citizens generally have to register themselves, reregister if they move, and, in many states, register a certain number of days before the election. Many countries hold their elections on a Sunday, send their ballots through the mail, or declare their election day a national holiday, meaning that fewer voters have to choose between going to work or going to the polls. Voting is also compulsory in many countries. Australia, for instance, charges a \$20 fine (about \$17 U.S. dollars) unless a citizen can provide a good excuse for why she did not vote.^c These factors help explain why turnout is lower in the United States than in many other countries.

TURNOUT IN NATIONAL ELECTIONS*



*Average 1990–2016.

SOURCES: International Institute for Democracy and Electoral Assistance (IDEA) Voter turnout database, www.idea.int/vt/viewdata.cfm and the ACE Electoral Knowledge Network, www.aceproject.org/epic-en/CDMap?question=VR008&f= (accessed 3/27/16).

^aInternational Institute for Democracy and Electoral Assistance (IDEA), Voter Turnout Database, www.idea.int/vt/viewdata.cfm (accessed 3/27/16).

^bMichael P. McDonald, "National General Election VEP Turnout Rates, 1789–Present," United States Election Project, June 11, 2014, www.electproject.org/national-1789-present (accessed 6/24/16).

^cJuliet Lapidus, "Doing Democracy Right," Slate, October 17, 2008, www.slate.com/articles/news_and_politics/how_they_do_it/2008/10/doing_democracy_right.html (accessed 6/24/16).

Digital Political Participation

Digital political participation is rapidly changing the way Americans experience politics. The Internet gives citizens greater access to political information about candidates and campaigns and, at least potentially, a greater role in politics than ever before. Digital politics builds on traditional forms of participation, but social media, email, text messaging, and online news make many of these activities easier and give citizens greater potential for community building. The Internet offers an active, two-way form of communication with feedback, rather than the more passive, one-way communication involved in reading printed newspapers, watching television, or listening to the radio. It allows for person-to-person communication as well as broadcast capability especially through social media, video, and visual images where information can be widely shared.

Digital participation includes discussing issues or mobilizing supporters through social media (such as Facebook, Twitter, and Snapchat), emailing and text messaging, reading blogs and online news stories, viewing online videos and campaign ads, commenting and sharing opinions on the Internet, contributing money to candidates, campaigning on social networking sites, working on behalf of candidates, and organizing face-to-face neighborhood meetings online. Digital participation is the most common way average Americans participate in politics outside of voting.

Recent survey data illustrate how widespread digital politics has become. Today, a majority of American adults—62 percent in 2016—get news about politics and government on social media.¹³ One in three social media users have encouraged others to vote, and roughly the same percentage have shared their own thoughts or comments on politics or government using social media.¹⁴ About the same percentages of Democrats, Republicans, and independents use social media for politics.¹⁵

Twitter in particular has become a key networking tool for politics and a preferred platform of candidates and political organizations. Twitter users represented just 17 percent of the American adult population in 2015, but Twitter news consumers are younger, more mobile, and more educated than average Americans.¹⁶ Twitter's forte is sharing breaking news about politics. While older and more affluent individuals are more likely to vote, it is young people and individuals making less than \$75,000 a year who are more likely to post political news on Twitter and other social media. Social media may help level the democratic playing field, allowing the young, people with lower incomes, and racial and ethnic minorities to play a larger role in news and politics.¹⁷

With each successive election, political news continues to reach a greater number of Americans as the Internet creates new platforms for communication and political mobilization. The 2008 presidential election ushered in the modern era of digital politics. Democratic candidates and their left-leaning political organizations in particular built comprehensive Internet strategies that did more than just duplicate offline efforts to mobilize supporters, and citizens made unprecedented use of digital media to learn about candidates and to participate in campaigns.¹⁸ While only 4 percent of likely voters went online for election information in 1996, a full 61 percent reported looking at information online or discussing politics online in 2012.¹⁹

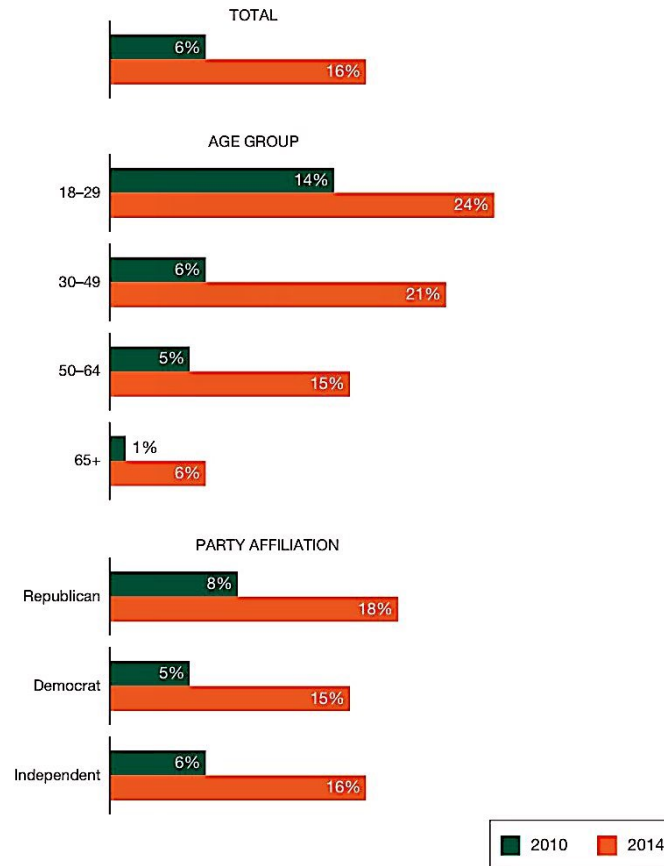
In 2016 every serious presidential candidate had a Facebook page and Twitter account, with millions of fans who received daily updates from the candidates and campaigns. These fans, in turn, signaled to their "friends" which candidates they

digital political participation
activities designed to influence politics using the Internet, including visiting a candidate's website, organizing events online, and signing an online petition

FIGURE 8.3 Registered Voters Who Follow Political Figures on Social Media

While younger Americans are more likely to follow political figures on social media than are older Americans, there is little difference across party lines. The total number of registered voters who follow political figures on social media rose drastically from 2010 to 2014. What might have accounted for such a change? Would you expect a similar increase from 2014 to today?

SOURCE: Monica Anderson, "More Americans Are Using Social Media to Connect with Politicians," May 19, 2015, www.pewresearch.org/fact-tank/2015/05/19/more-americans-are-using-social-media-to-connect-with-politicians/ (accessed 3/8/16).



supported for elected office, making politics a seamless part of everyday discussion. The number of registered voters who follow candidates or other political figures on social media rose to 16 percent in 2014, more than double the number from four years prior (see Figure 8.3), and rose even higher in 2016. Those who follow political figures on social media not only receive frequent updates directly from the candidates but also report feeling more directly connected to the candidates.²⁰

With each election cycle the population turning to digital politics expands, much like the rapid diffusion of literacy with the invention of the printing press centuries ago.²¹ Those who benefit most from online politics are likely to be those who are most active online, including the young and more educated.²² Mobile technology is especially important for the organization necessary in campaigns, elections, and other forms of political participation. A Pew survey found that 27 percent of registered voters used their cell phone for news related to elections

or political events in 2012.²³ Candidates and political campaigns continue to turn to digital politics to reach their audience. If these trends are sustained, they may result in greater overall levels of political interest and activity.

Does Online Participation Lead to Offline Participation?

An important question is whether online political participation influences offline participation, especially voting. Political participation requires that people have an interest in the outcome of the election. They must have the knowledge or capacity to understand how to participate, and they must be mobilized.²⁴ Digital politics encourages information-gathering and interaction among users and elected officials by combining the content of traditional media with interpersonal communication. It is this combination of information and interactivity that gives the Internet the potential to promote interest in politics and increase participation.

Digital politics also goes hand in hand with other types of traditional campaign engagement. A growing body of research finds that online activities such as reading digital news, commenting on blogs, and using email or social media for politics increases the likelihood of voting. Digital politics is associated with contributing to political campaigns, volunteering on behalf of candidates, and even contacting elected officials. Online participation is also linked with discussing politics with friends or family, developing an interest in politics in general, and being politically knowledgeable.²⁵

Researchers who study this subject have suggested a number of possible reasons that digital politics may foster participation. First, information and political news are easier to obtain online and available 24 hours a day for those who have Internet access. Online news is often breaking news than can spread rapidly, and it is generally free.

Second, digital politics may engage individuals who otherwise would not be involved in politics. The Internet creates a form of “accidental mobilization” for those who are greeted by political news when they open their email, check social media, or conduct online searches—sometimes politics finds the individual, rather than the other way around.²⁶ For example, candidates regularly place political ads on social media sites and in Google searches, prompting the individuals exposed to these ads, who may be online for entirely separate reasons, to learn about politics.

Third, digital media have unique characteristics that enhance participation. Streaming video online combines the qualities of print media that promote knowledge with the visual aspects of television that generate interest, engagement, and emotion.²⁷ News online covers events and issues with the same immediacy as television but with the in-depth treatment that is typical of newspapers. Emotional responses to political candidates or issues learned from online media or social media have been shown to trigger interest in politics and engagement.²⁸

Fourth, online politics makes it easier for people to participate in politics because it requires less effort. By its very nature, digital politics occurs in ways that are less location-dependent than traditional politics: *community* takes on a very different meaning in an online social network compared with a voter’s actual neighborhood precinct or a local political party office. The Internet facilitates participation that is potentially broad but with looser connections among participants than in more traditional networks of coworkers or neighbors.²⁹ A large but



Like the traditional “I Voted” stickers, political messages shared on social media may remind and encourage others to participate too. In recent elections, Facebook users could click an “I Voted” button to announce that they had cast a ballot.

more loosely knit online community may promote extensive organizing efforts and improve political knowledge, interest, and participation, but it also encourages forms of participation that can be low in intensity and sporadic, possibly attracting individuals with only moderate political interest. The political scientist Bruce Bimber has shown that some interest groups are responding to this new political climate of sporadic participation by focusing more outreach on the web and by making it possible for individuals to support a specific issue or campaign without making a commitment to membership in the organization as a whole.³⁰ In this way, online politics widens the pool of political participation. On the downside, some argue that digital politics fosters what has been termed “slacktivism”—or point-and-click activism involving minimal personal effort or sustained engagement with political issues or a campaign.

Finally, the Internet enables new forms of political expression through blogs, videos, social media, and websites. The expressive capacity of technology can lead to increased citizen involvement in politics.³¹ For many citizens, becoming a fan or follower of a candidate online is a first step toward active participation in politics.

For all these reasons, digital media may foster a new kind of community building that has the potential to reverse the trends in declining political participation since the 1960s. Some analysts have cited reduced trust in government, unresponsive elected officials, and a diminishing stock of what Robert Putnam, author of *Bowling Alone*, calls social capital—community networks that motivate political participation—to explain low voter turnout in the United States.³² By making political information, discussion, communication, and mobilization easier, the Internet, and especially social media, may help Americans grow a new kind of digital social capital, one based on shared political experiences online.³³

Expressive Politics Political scientist Russell Dalton has argued that participation in politics is becoming more expressive than ever before, largely aided by social media. Today, voting and volunteering are not enough. Individuals turn to social media to express their opinions on issues or candidates. This trend was exemplified by the response to the Supreme Court ruling on same-sex marriage. In 2015 the Supreme Court declared marriage a fundamental constitutional right for opposite-sex and same-sex couples alike. The Court decision made same-sex marriage legal in all 50 states; previously, 37 of the 50 states had recognized same-sex marriages.

In the wake of the decision, digital politics created a media firestorm as responses to the decision took over the Internet. The immediacy with which the news spread was remarkable. Traditional media and social media converged to celebrate or denounce the news that marriage for same-sex couples was the new law of the land. Google news listed thousands of stories, but social media, especially Twitter, generated the most energy and participation by average citizens. Social media enabled citizens to share their opinions in uniquely expressive ways, including through hashtags and displaying rainbow images. While multiple hashtags were used, including #SCOTUSMarriage and #GayMarriage, the most popular was #LoveWins. This hashtag was used almost 5.5 million times in 24 hours, even by celebrities and President Obama to recognize the Court’s decision. Overall there were 10 million tweets about the Supreme Court decision in less than 12 hours.³⁴

Facebook networks were also ablaze with activity. Millions of people used Facebook’s tool to add a rainbow-colored background

News about the Supreme Court’s 2015 decision to legalize same-sex marriage spread rapidly, in part through viral activity on social media. Sites such as Twitter provided users with a highly visible platform to show support.



to their profile pictures or shared news stories and memes using rainbow images to show their support for marriage rights. The rainbow-colored backdrop draped over profile pictures was a particularly expressive means of sharing a political opinion. Corporate America even joined in to express support for the Court decision, renaming products and displaying rainbow images. Increased participation in digital politics, especially through social media, may force elected officials to better represent the people.³⁵

Are There Drawbacks to Digital Participation? As the above examples illustrate, traditional political participation and digital politics are not mutually exclusive. Many people are equally comfortable in both worlds, using the Internet to facilitate organizing face-to-face neighborhood meetings or seek out information about a local campaign event or where to vote.

As we described in Chapter 1, digital citizens are daily Internet users who have regular access to high-speed broadband and the skills to use that technology, including language skills.³⁶ A barrier to digital participation is the digital divide—defined as the gap between those with and those without home Internet or mobile access. Today, over 20 percent of Americans don't have home broadband.³⁷ Those on the wrong side of the divide tend to be poorer, less educated, African American or Latino, and older. The digital divide creates new inequalities as the world of politics moves online.³⁸ These groups are more likely to cite affordability as a reason for lacking Internet access at home compared with other groups. Inequality in access to information online and the skills to use digital information is an important public policy issue, separating the digital “haves” from the “have-nots.”

Despite these limitations, perhaps the most transformative aspect of digital media is how they affect not the participation of ordinary citizens but rather that of candidates and parties. Political candidates find campaigning online particularly attractive because it is cost-efficient and can reach a wide audience of prospective voters. Running for office can be enormously expensive, but new media may level the playing field by reducing candidate reliance on money from corporations, special interests, and wealthy donors. Despite recent Supreme Court rulings against legislative attempts to limit the influence of money in politics,³⁹ digital politics holds the promise of reinvigorating a more grassroots and participatory democracy.⁴⁰ In 2016 presidential candidate Bernie Sanders largely rejected Super PAC funding for his campaign and relied heavily on digital media. Grassroots funding in turn may allow political leaders to better represent the people, rather than special interests.

● Who Participates?

Describe the patterns of participation among major demographic groups

The factors that predict whether an individual will vote in elections are also related to the other, nonvoting forms of political participation discussed above, including working on behalf of a candidate or party.

Because the affluent have more resources, they are significantly more likely to donate money to candidates and political organizations. But voting remains the primary focus of the study of political behavior. In the end, the candidate with the majority of the votes cast in an election wins political office—so patterns in voting behavior matter.



Even though polls on the West Coast hadn't closed, Obama achieved the 270 electoral votes he needed to win the 2012 election by evening on the East Coast. With the outcome already determined, Americans living in Pacific time zones who hadn't yet voted had little incentive to do so.

A common starting point for understanding who votes and who does not is to consider that individuals face a number of costs and benefits related to their decision to become involved in politics, just as in any other activity in life. According to such an analysis, an individual is likely to participate only if the benefits of voting in an election outweigh the costs.⁴¹ One benefit associated with voting, for instance, may be the favorable policies that might result from having one's preferred candidate or party in office, which the potential voter weighs against the slim likelihood of her vote actually influencing the outcome of the election. Another benefit of voting is the sense of pride gained from fulfilling one's civic duty or efficacy from helping a candidate from one's preferred party win office. The costs related to voting can include the time and resources needed to

become informed and to cast a ballot, which may help explain why the poor and the less educated are less likely to vote and participate in politics in other ways.

To understand who votes, it helps to understand why some Americans don't vote. The U.S. Census indicates the top reason for not voting in the 2012 presidential election was being "too busy or conflicting schedules," cited by almost one in five nonvoters. Minorities were more likely to cite conflicting schedules, which can include holding multiple jobs or balancing work and family. Sixteen percent of nonvoters said they were "not interested in politics," followed by 14 percent who had an illness or disability which prevented them from voting. Even personal health can be a predictor of voting, with the healthier more likely to participate in politics.⁴² Thirteen percent of nonvoters said they "didn't like the candidates running for office or the campaign issues."⁴³

Another factor affecting voting is people's political environments. State residence, for example, matters for participation in politics. For example, if headline news stories declare an early winner based on exit polls in a presidential election, there is little incentive for individuals to vote at that point. This occurs every four years when voters on the West Coast, located in a time zone three hours behind that of the East Coast, learn that the presidential race is effectively over. Turnout in California and other western states naturally plummets. The political environment can also positively affect voter turnout. For instance, citizens living in presidential battleground states (states with roughly equal numbers of Democrats and Republicans in the population) are exposed to a torrent of campaigns ads, candidate visits, and grassroots mobilization efforts. These individuals are more knowledgeable about presidential elections, are more interested in the campaign, and have a higher probability of voting than residents of states that are "safe" for either the Republican Party, such as Texas, or the Democratic Party, such as New York or California.

The factors that help us explain voting in elections can be grouped into three general categories: (1) a person's social and demographic background and attitudes about politics; (2) the political environment in which elections take place, such as campaigns that seek to mobilize voters and whether an election is contested among two political candidates; and (3) the state electoral laws that shape the electoral process. We examine each in turn.

Socioeconomic Status

One of the most important and consistent findings from surveys about participation is that Americans with higher levels of education, more income, and

higher-level occupations—collectively, what social scientists call higher **socioeconomic status**—participate much more in politics than do those with less education and less income.⁴⁴ Education is the single most important factor in predicting not only whether an individual will vote but also most kinds of participation. Unsurprisingly, income is an important factor when it comes to making contributions, as well as voting. People who are more affluent have the money, time, and capacity to participate effectively in the political system. Among the age group with the highest overall turnout (people aged 45–64), for example, the 2012 Census found that 86 percent of individuals earning over \$100,000 a year voted compared to 53 percent of those earning less than \$20,000 per year.⁴⁵ These characteristics are also related to attitudes toward politics. Higher levels of political interest and psychological involvement in politics, such as political efficacy, are associated with individuals higher on the socioeconomic scale.⁴⁶

Figure 8.4 shows the differences in voter turnout linked to ethnic group, education level, employment status, and age. Just 50 percent of those with only a high school diploma voted in the recent presidential election compared with 70 percent of college graduates.⁴⁷

Education is one of the most important predictors of voting, and it also leads to other forms of participation. A 2014 Pew survey found that one in two registered voters with a college education or more encouraged other people to vote or support an issue compared to 34 percent of those with a high school degree or less. Eighteen percent of college graduates contributed money to candidates in 2014 compared to 7 percent of those with only a high school degree.⁴⁸

Age and Participation

Older people have much higher rates of participation than do young people, in part because homeownership and property taxes, more common among older individuals, lead to a greater awareness of the importance of government. In the 2008 presidential elections, youth turnout was at its highest level in decades, with 44 percent of those aged 18 to 24 voting—still significantly lower, however, than the estimated 70 percent of older (65 and over) voters who turned out.⁴⁹ In 2016 youth turnout remained lower than the average across all age groups. Moreover, in midterm elections, youth turnout has historically been extremely low. In 2014, for example, only 20 percent of people ages 18 to 29 turned out to vote, the lowest in 40 years.⁵⁰ The primary reason young people don't vote is that they lack an interest in politics or have not been mobilized to participate. Studies have found that if young people do vote, they tend to maintain this habit throughout their lifetime.⁵¹

Another reason younger people vote less is that political campaigns rarely target young voters. A study of political advertising found that 64 percent of campaign television advertising was directed at people over 50. Only 14.2 percent of advertising was aimed at 18- to 34-year-olds.⁵² Political campaigns strategically target older voters because they are more likely to turn out to vote. The most important organization representing the elderly is the AARP (formerly the American Association of Retired People), which has a membership of 40 million. AARP's ability to mobilize many thousands of individuals to weigh in on policy proposals has made the organization one of the most powerful in Washington. Young people have no comparable organization.

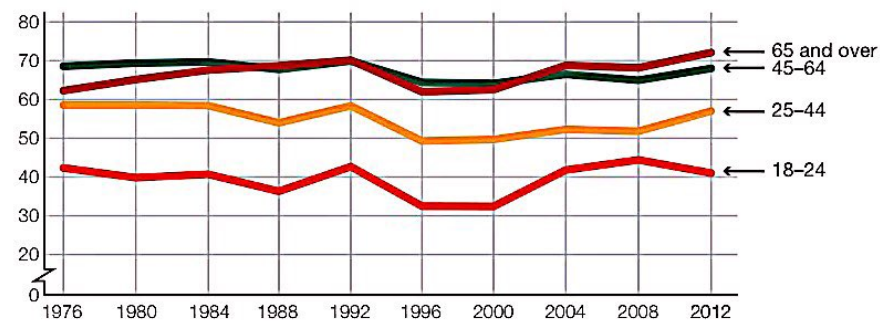
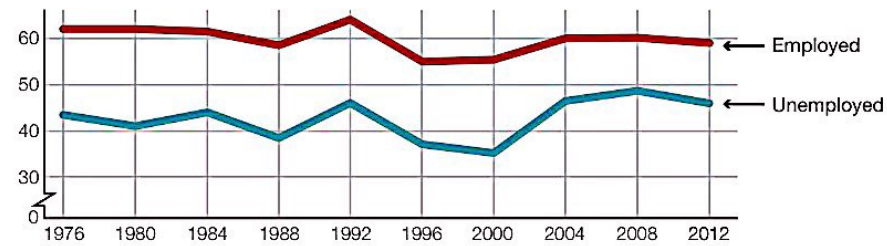
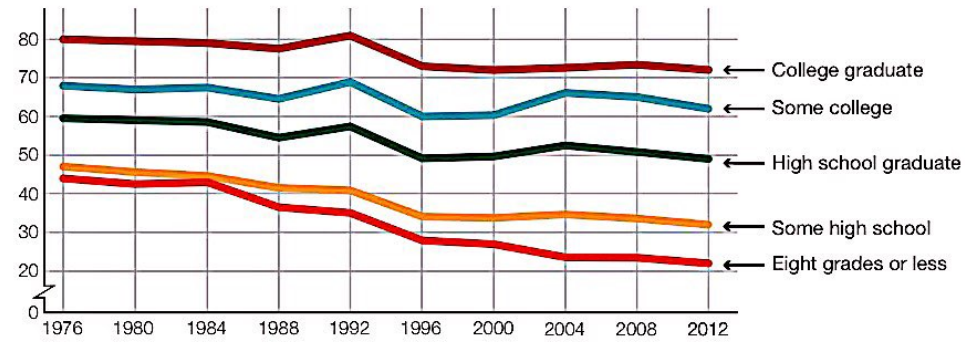
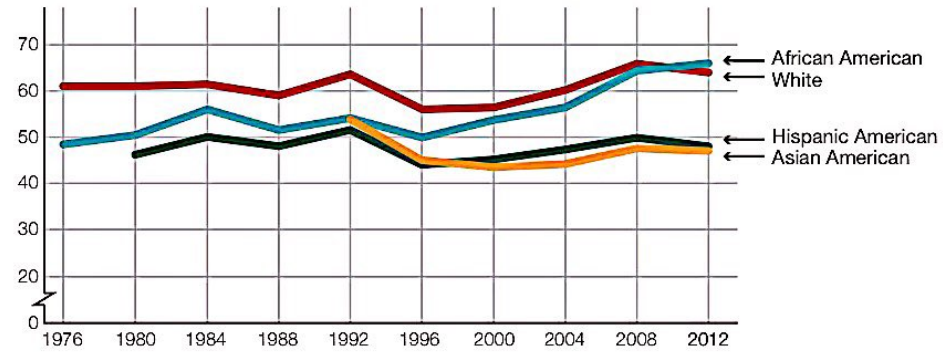
Since the early 1990s, several campaigns have sought to increase the participation of young voters. Rock the Vote enlists musicians and actors to urge young people to vote. It has spawned other initiatives aimed at young voters, including

socioeconomic status status in society based on level of education, income, and occupational prestige

for critical analysis

As voter turnout has declined since its peak in the late 1800s, inequality in political participation has become more severe. Why are upper-income Americans more likely to be voters than lower-income Americans?

PERCENTAGE OF POPULATION
REPORTING THEY VOTED





In the 2016 presidential primaries, Democratic candidate Bernie Sanders energized young people and swept the youth vote, despite trailing Hillary Clinton overall. Still, 18- to 24-year-olds turned out at lower rates than all other age groups.

Rap the Vote and Rock the Vote a lo Latino. The Obama campaign made young voters central to its electoral strategy in 2008 and 2012, winning a significantly higher percent of the youth vote (66 percent in 2008 and 60 percent in 2012) than his opponents.⁵³ The Obama campaign posted videos on YouTube and used social media to reach out to young people rather than focusing primarily on television ads (which target older voters). It also worked to increase participation of young voters through major voter-registration drives on college campuses. In 2016, Democratic presidential candidate Bernie Sanders was also effective in inspiring youth participation in politics. Although Sanders failed to secure his party's nomination, election polls consistently showed 85 percent of people aged 18 to 29 preferred him to his opponent, Hillary Clinton. Sanders called for a political revolution and focused on ending a corrupt campaign finance system, combating economic inequality, and providing free college tuition. Young people were drawn to the candidate's reputation of honesty and authenticity.

primary deprived African Americans (and many poor whites) of the right to vote. This system of legal segregation meant that black Americans in the South had few avenues for participating in politics. Through a combination of protest, legal action, and political pressure, the civil rights movement compelled a reluctant federal government to enforce black civil and political rights.

The victories of the civil rights movement made blacks full citizens and stimulated a tremendous growth in the number of African American elected officials as blacks exercised their newfound political rights. The movement drew on an organizational base and network of communication rooted in black churches, the National Association for the Advancement of Colored People (NAACP), and black colleges. By voting as a cohesive bloc, African American voters began to wield considerable political power. When such legal barriers as the poll tax and literacy tests were removed in the 1960s, black political participation shot up, with rates of turnout approaching those of southern whites as early as 1968.⁵⁶ Today, state laws requiring government voter identification have created a new impediment for black voters in some states.

The increase in the number of black elected officials, in turn, had positive effects on the level of participation. One study found that African Americans in cities run by a black mayor were more likely to vote, participate in campaigns, and contact public officials.⁵⁷ African Americans are also more likely to vote when residing in states with increased representation in the state legislature, as measured by the percentage of black lawmakers.⁵⁸ African Americans represented by a black member of Congress are more likely to vote in elections and to have a sense of efficacy—the belief that the government is responsive to them—and higher levels of political knowledge.⁵⁹

With Barack Obama running in 2008 as the first black major-party candidate for president, African American interest in the election surged. Exit polls indicated that 95 percent of African Americans who voted cast ballots for Obama. The 2008 and 2012 elections also witnessed a significant increase in minority participation. The black–white gap went from 7 percent in 2004 to 1 percent in 2008 as many African Americans voted for the first time (see Figure 8.4).⁶⁰ In 2012, blacks were more likely to vote than whites.⁶¹ In 2016, however, black voter turnout was lower than in 2008 and 2012.

Yet despite these successes, racial segregation remains a fact of life in the United States, and new problems have emerged. Most troubling is the persistence of black urban poverty, now coupled with social and economic isolation.⁶² These conditions, often called *concentrated poverty*, raise new questions about African American political participation. As the previous section on socioeconomic status described, participation (for blacks as well as whites) is highly correlated with more income, more education, and higher-level occupations. The persistence of poverty among African Americans in urban areas is thus a troubling issue in that participation may remain low in this group, with the result that their interests will not be represented as effectively in politics.

On the other hand, African Americans who feel a shared sense of collective identity, a concept called *linked fate*, are more likely to vote and participate politically. Political scientist Michael Dawson argues that black linked fate is a major predictor of political behavior. Dawson uses the construct of *linked fate* to measure the degree to which African Americans believe that their own self-interests are linked to the interests of the race.⁶³ That is, the experiences of African Americans with race and racial discrimination in the United States, including a history of

slavery, unify their personal interests in seeking a candidate and policies that benefit their racial group. Black civic, community, religious, and political organizations are also important in increasing political participation for this group.

Latinos

For many years, analysts called the Latino vote “the sleeping giant” because Latinos, while accounting for a large portion of the population, as a group had relatively low levels of political participation. For instance, 48 percent of Latinos voted in the 2012 presidential election compared to 62 percent of non-Hispanic whites and 57 percent of blacks.⁶⁴ Political scientists Matt Barreto and Gary Segura have helped explain why voting rates are lower for Latinos compared to whites and African Americans. As a group, more Latinos are recent immigrants to this country and thus have fewer opportunities, such as access to a quality education, than do other ethnic and racial groups; therefore, they are more likely to lack resources for participation in politics such as money, time, and language skills.⁶⁵

Today, politicians, political parties, and scholars view Latinos, the largest and fastest-growing minority in the United States, as a political group of critical importance. Latinos make up 17 percent of the population and represent 1 in 10 voters. In large states such as California and Texas, Latinos are approaching 50 percent of the population.⁶⁶ Although Latino registration and turnout are lower than those of whites and African Americans, these numbers have been steadily increasing. In 2016 approximately 27.3 million Latinos were eligible to vote, amounting to 11 percent of the electorate.⁶⁷ Rapid population growth, increased registration and voting, and uncertain party attachment all magnify the importance of the Latino vote.

While Latinos have tended to favor the Democrats in national elections, many Republicans believe that the tendency of Latino voters to be more socially conservative on issues such as family, abortion, and religion provides the GOP with an opportunity to attract support from this growing constituency. However, staunch Republican opposition to immigration has caused Latinos to generally prefer Democratic candidates. Furthermore, while Latinos tend to be religious, national surveys of



In the 2016 presidential election, Republican candidate Donald Trump's harsh proposals on immigration and his claims that immigrants were disproportionately criminals offended many Latinos. Democratic candidate Hillary Clinton won a majority of Latino votes.

for critical analysis

How significant a factor was the Latino vote in the 2016 election? Why does the percentage of eligible Latinos who vote still lag behind that of other groups?

Latinos find that they often do not allow their religious beliefs to dictate their political decisions and therefore may be less likely to vote for conservative politicians because of their positions on social issues related to religious values, such as abortion.⁶⁸ Latinos also favor an easier path to citizenship for noncitizen immigrants and more liberal economic policies, stances more in line with the Democratic Party. In 2016, Latinos strongly favored Democratic candidate Hillary Clinton over Republican candidate Donald Trump. Trump made ending illegal immigration a major theme of his campaign, proposing to build a wall between the United States and Mexico.

One study found that traditional explanations of vote choice based on economic evaluations and other predictors fail to take into account factors important to Latino voters, including perceptions of shared ethnic identity. Latinos in the United States have been especially concerned with changes in U.S. immigration policy, and responses to immigration policy might act to create a more cohesive Latino collective identity, similar to the linked fate for African Americans discussed above. Using national surveys of Latinos, political scientists Loren Collingwood, Matt Barreto, and Sergio Garcia-Rios evaluated Barack Obama's and Mitt Romney's cross-racial mobilization of Latino voters during the 2012 presidential election. They found that the candidates' policy stances vis-à-vis immigration and their ability to convey care and concern for the Latino community were important factors that shaped Latino vote choice.⁶⁹

Similar to African Americans, Latinos are also more likely to vote when residing in states with increased representation in the state legislature, as measured by the percentage of Latino lawmakers, or in a district with a Latino member of Congress.⁷⁰ This phenomenon is commonly referred to as *descriptive representation*—when individuals are represented in government by officials of their same race, ethnicity, or gender. In this context, minority groups may have a greater ability to affect policy outcomes, thus incorporating minority populations and their concerns and interests into the political system. Descriptive representation may also confer symbolic benefits, such as reducing levels of political alienation among racial and ethnic minorities.⁷¹ As the Latino population continues to grow, this group will continue to shape who wins and who loses in U.S. elections.

Asian Americans

Asian Americans are a smaller group than whites, Latinos, or African Americans, comprising 5.6 percent of the population in 2014. Today, over 17 million people of Asian descent call the United States home. The largest ethnic groups are Chinese, followed by Filipino, Indian, Vietnamese, Korean, and Japanese. In particular states, such as California, home to 33 percent of the nation's Asian American population, the group has become an important political presence. In terms of socioeconomic status, Asian Americans have education and income levels closer to those of whites than of Latinos or African Americans; but they are less likely to vote or participate in politics than whites or African Americans.⁷² Asian Americans have voter turnout rates similar to Latinos.

No one national group dominates among the Asian American population, and this diversity has impeded the development of group-based political power. Asian Americans often have different political concerns, stemming from their different national backgrounds and experiences in the United States. Historically, these groups have united most effectively around common issues of ethnic discrimination or anti-Asian violence, federal immigration policies, and discriminatory mortgage loan practices.

Turnout rates among Asian Americans have been generally lower than those of other groups, though they have been gradually increasing: in 2012, 47.3 percent of

Asian Americans turned out to vote, their third-highest percentage turnout since the census began tracking their participation in 1990.⁷³ In terms of political orientation, Asian Americans are a diverse group; but they have been moving, along with other minority groups, toward the Democratic Party in recent elections. Although a majority of Asian Americans voted Republican in the early 1990s, in the 2000s they have been voting increasingly Democratic; and 65 percent of Asian Americans voted for Hillary Clinton in 2016.⁷⁴ The U.S. electorate in 2016 was the country's most racially and ethnically diverse ever; one in three eligible voters on Election Day was Hispanic, black, Asian or another racial or ethnic minority.

Gender and Participation

Today, women register and vote at rates similar to or higher than those of men. The ongoing significance of gender issues in American politics is best exemplified by the **gender gap**—a distinctive pattern of male and female voting decisions—in electoral politics. Women tend to vote in higher numbers for Democratic candidates, whereas Republicans win more male votes. In 1980 men voted heavily for the Republican candidate, Ronald Reagan; women divided their votes between Reagan and the incumbent Democratic president, Jimmy Carter. Since that election, gender differences have emerged in congressional and state elections as well. The gender gap runs around 10 points in presidential elections.

Behind these voting patterns are differing assessments of key policy issues. Women are more likely than men to oppose military activities, especially war, and to support social spending for health care, public education, and welfare, as well as gun control. In 2014, 71 percent of women supported banning assault rifles compared to just 50 percent of men.⁷⁵ Over the past 30 years Democratic candidates have received much higher support from women than from men. The 2016 presidential election saw the first female major party candidate, Democrat Hillary Clinton, and the largest gender gap in history: surveys showed that 54 percent of women supported Clinton compared to 41 percent among men, a 13-point advantage.⁷⁶ These differences, of course, do not mean that all women vote more liberally than all men.

One key development in gender politics in recent decades is the growing number of women in elective office (see Figure 8.5), an increasingly significant form of descriptive representation. Journalists dubbed 1992 the “Year of the Woman” because so many women were elected to Congress: women doubled their numbers in the House and tripled them in the Senate. Following the 2016 elections, 21 women served in the Senate, including Catherine Cortez Masto (D-Nev.), the first Latina elected to the Senate. In 2016, 84 women were elected to the House of Representatives, or 19.3 percent of the body. Women have been elected to the House of Representatives from 44 of the 50 states.

Recent research has shown that one key to increasing the number of women in political office is to encourage more women to run for political office. Although women are just as likely as men to win an election, women are less likely to run for office, even if they are equally qualified. Because women are less likely than men to hold office, they also are less likely to benefit from the advantage of incumbency.⁷⁷ Organizations supporting female candidates have worked to encourage more women to run for office and have supported them financially. In addition to the bipartisan National Women’s Political Caucus, the Women’s Campaign Fund and EMILY’s List provide prochoice Democratic women with early campaign financing, which is critical to establishing electoral momentum.

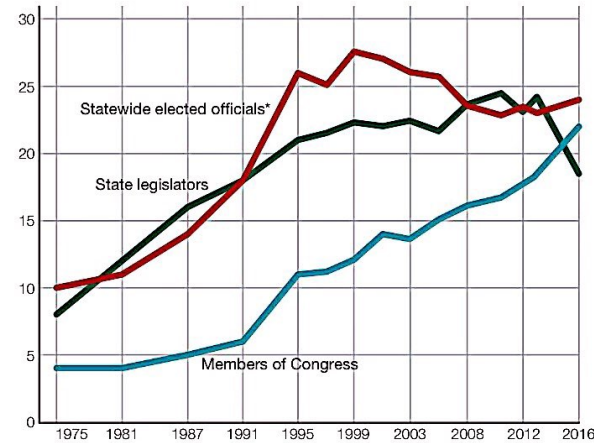
gender gap a distinctive pattern of voting behavior reflecting the differences in views between women and men

FIGURE 8.5
Increase in Number of Women in Elective Office, 1975–2016

The number of women holding elected office has always been larger in state offices than in Congress. When did the percentage of women elected to office begin to rise more rapidly?

*Governors, attorneys general, etc.
 SOURCES: Cynthia Costello, Shari Miles, and Anne J. Stone, eds., *The American Woman, 2001–2002* (New York: W. W. Norton, 2002), 328; and Center for American Women and Politics, www.cawp.rutgers.edu (accessed 11/11/16).

PERCENTAGE OF ELECTED OFFICEHOLDERS WHO ARE WOMEN



Why does the gender gap matter? Although women in public office by no means take uniform positions on policy issues, surveys show that, on the whole, female legislators are more supportive of women's rights and education and health care spending and are more attentive to children's and family issues.⁷⁸

Religious Identity

Religious identity plays an important role in American life. For many citizens, religious groups provide an organizational infrastructure for political participation, especially around issues of special group concern. Black churches, for example, were instrumental in the civil rights movement, and black religious leaders continue to play important roles in national and local politics. Jews have also been active as a group in politics but less through religious bodies than through a variety of social action agencies, including the American Jewish Congress, the American Jewish Committee, and the Anti-Defamation League.

For most of American history, religious language, symbols, and values have been woven deeply into the fabric of public life. Until the mid-twentieth century, public school students generally began the day with prayers or Bible readings, and city halls displayed crèches during the Christmas season. But over the past half-century a variety of court decisions greatly reduced this kind of overt religious influence on public life. In 1962 the Supreme Court ruled in *Engel v. Vitale* that prayer in public schools was unconstitutional—that government should not be in the business of sponsoring official prayers.⁷⁹ These decisions helped to spawn a countermovement of religious activists seeking to roll back these decisions and restore the prominent

role of religion in civic life. The mobilization of religious organizations that seek to infuse moral views into the public sphere has been one of the most significant political developments of the past few decades. Some of the most divisive conflicts in politics today, such as those over abortion, birth control, and same-sex relationships, hinge on differences over religious beliefs. These divisions have become so salient that they now constitute what is called a “culture war,” with repercussions throughout the political system and many policy areas.

One of the most significant drivers of this new politics was the mobilization of white evangelical Protestants into a cohesive political force. The Moral Majority, the first broad-based political organization of evangelical Christians, was founded in 1979 and quickly rose to prominence in the 1980 election when it aligned with the Republican Party, eventually backing Ronald Reagan for president. Over the next few years, evangelicals strengthened their movement by registering voters and mobilizing them. Their success was evident in the 1984 election, when 8 in 10 evangelical Christian voters cast their ballots for Reagan. The 1988 election was a turning point in the political development of the Christian right. The televangelist Pat Robertson ran for president, and although his candidacy was unsuccessful, his effort laid the groundwork for future political strength. Robertson’s supporters gained control of some state Republican parties and won positions of power in others. President George W. Bush was closely aligned with religious conservatives, and the religious right played an important role in mobilizing voters to support him in the 2000 and 2004 elections. Bush’s faith-based initiatives, for example, sought to funnel government assistance to religious groups engaged in charitable work.⁸⁰ In 2016, Republican presidential candidates Ted Cruz and Ben Carson received strong support from evangelical Christians, most of whom came around to supporting Trump in the general election.

Religious adherents can also be mobilized to participate in politics to protect their group. In his examination of the 2004 presidential election results, political scientist David Campbell found that voting preferences among white evangelical Christians are determined, to a large extent, by their community context. The



Religious identity remains a significant factor in voting patterns. For Republicans in particular, evangelical Christian groups tend to form a very cohesive and sought-after voting bloc. In the 2016 presidential primaries, evangelicals overwhelmingly supported Republican candidate Ted Cruz.

higher the number of secularists in their communities, the more likely evangelical Christians are to hold conservative views and vote Republican.⁸¹

But individual-level factors are not the only explanations for voter turnout or other forms of political participation. Our incomplete understanding of participation is evident when we compare voting across countries. If more political resources lead to a greater likelihood of voting, why does the United States, one of the most prosperous countries in the world, have only moderate voting rates? And Americans have become more educated over the past century, with more people finishing high school and attending college; given the well-documented links between educational attainment and voting, why has participation declined during this period?⁸² These puzzles mean that we need to look beyond the socioeconomic characteristics of individuals and to the larger political environment in which participation occurs.

● Political Environment and Participation

Explain the factors in the political environment that influence whether individuals vote or not

Political environments matter a great deal in understanding individual political behavior. Whether or not people feel engaged or are recruited to participate in politics depends on their social setting—what their parents are like, what state they live in, what associations they belong to. As discussed above,

in the United States churches are one example of an important social institution that often fosters political participation. Through their church activities people learn the civic skills that prepare them to participate in the political world.

Mobilization

A critical aspect of political environments is whether people are mobilized—by parties, candidates, campaigns, interest groups, and social movements. A recent comprehensive study of the decline in political participation in the United States found that half of the drop-off could be accounted for by reduced **mobilization** efforts.⁸³ People become much more likely to participate when someone—especially someone they know—asks them to get involved.

A series of experiments conducted by the political scientists Donald Green and Alan Gerber demonstrate the importance of personal contact for mobilizing voters. Evaluating the results of several get-out-the-vote drives, the researchers showed that face-to-face interaction with a canvasser greatly increased the chances that the person contacted would go to the polls. They estimated that personal contact boosted voter turnout by almost 10 percent. The impact of direct mail was much smaller, increasing turnout by just 0.5 percent.⁸⁴ Robocalls from a phone bank had no measurable effect on voter turnout. Green and Gerber also evaluated the impact of mobilization on young voters by studying a series of get-out-the-vote campaigns conducted near college campuses. They found that phone contacts that were chattier and more informal than standard phone-bank messages increased turnout by an estimated 5 percent, while face-to-face contacts increasing turnout by 8.5 percent.⁸⁵ Social networks also matter. In a large study involving 61 million users on Facebook, political scientists said that turnout in the 2010 midterm election increased by 340,000 additional people (who otherwise would not have voted). Importantly, users' closest friends on the network had the most

mobilization the process by which large numbers of people are organized for a political activity

influence in getting them to vote. Thus, online and offline networks both played a role in mobilizing voters.⁸⁶

In previous decades, political parties and social movements relied on personal contact to mobilize voters. As we will see in Chapter 9, during the nineteenth century, American political party machines employed hundreds of thousands of workers to bring voters to the polls. The result was a very high turnout rate, typically more than 90 percent of eligible voters.⁸⁷ But political party machines began to decline in strength at the beginning of the twentieth century. By the late twentieth century, political parties had become essentially fund-raising and advertising organizations rather than mobilizers of people. Without party workers to encourage them to go to the polls, and even bring them there if necessary, many eligible voters will not participate.

Nevertheless, competitive presidential elections since 2000 have once again motivated both parties to build strong grassroots organizations to reach voters and turn them out on Election Day. In the 2004 elections, Republicans were more successful in their organizational efforts than Democrats, building an organization with more than 1.4 million volunteers who were trained to make calls, go door to door to register voters, write letters in favor of President Bush, post blogs online, and phone local radio call-in shows. During the 2008 campaign, it was the Democrats who built a more extensive organization to contact and turn out voters. Barack Obama's campaign made mobilization a centerpiece of its strategy from the start, organizing a base of volunteers to go door to door seeking support for their candidate. Many of Obama's crucial primary victories relied on direct voter mobilization. The campaign then created a nationwide organization, opening more than 700 field offices, where paid staff coordinated the work of tens of thousands of volunteers. Obama campaigned in all 50 states, rather than focusing

for critical analysis

Why do efforts toward direct mobilization seem to be more successful than television advertising in promoting voter turnout? How is the Internet becoming an important tool for increasing political participation?

Electoral Competition

To be motivated to vote, individuals must be interested in the election and knowledgeable about the candidates. An important factor, often overlooked in analyzing political participation, is whether elections are competitive; that is, whether there are at least two parties (and their candidates) actively contesting a position in government.⁹⁰ Competitive elections, and the campaign spending and mobilization efforts that go along with them, have been identified as playing a key role in turnout in the United States and cross-nationally.⁹¹ Conversely, limited exposure to competitive elections may be one reason for the lower levels of turnout recorded since the 1960s. In many congressional, statewide, and local races, a candidate (often the incumbent) runs unopposed or is expected to win by such a large margin that the challenger's chances are virtually nil. When congressional districts are drawn to favor one political party over another—what is termed *gerrymandering*—election outcomes are thus often highly lopsided in favor of one candidate over another. Relatively uncompetitive elections are a primary reason why most members of Congress win by landslides.

One political scientist, Todd Donovan, uses a baseball analogy to explain the importance of competitive elections in mobilizing people to participate in politics: "People watch a game to see their team win, or because of interest in an important game. Perfect scoring is meaningless if only one team takes the field, and attendance will suffer if two teams are playing that no one can cheer for."⁹² When candidates and political parties spend more effort and money to compete for an elected office, more information becomes available to voters in the form of media ads, news coverage, door-to-door campaigns, online campaigns, and more. Electoral competition reduces the cost to individuals of becoming informed, leading to higher turnout. Conversely, if elections are uncompetitive or uncontested, they generate little political information. Without active campaigns, individuals have few opportunities to be interested in an election and may not vote.⁹³

Individual states vary dramatically in the competitiveness of congressional elections, gubernatorial elections, ballot measures, and how they experience presidential elections. Some U.S. House districts are so uncompetitive that a single candidate often runs in an uncontested election; in some states, up to one-third of congressional races are uncontested in some election years.⁹⁴ With only one name appearing on the election ballot, there is little incentive for a rational citizen to vote as voting will not affect the outcome. Every two years only two dozen U.S. House races are very competitive, which is defined as the winning candidate beating the losing candidate by 5 percentage points or less. Many studies have shown that more electoral competition and increased campaign spending on the part of candidates lead to higher voter turnout, while uncontested elections lead to lower political participation.⁹⁵

An important source of variation in electoral competition is the United States' unique structure for presidential elections. No other country uses an electoral college to mediate between a national or direct vote for presidential candidates and the actual winner. To win, a U.S. presidential candidate must receive a majority of the votes in the electoral college. Each state is given a set number of votes in the electoral college based on the size of its congressional delegation. (The electoral college is covered in more detail in Chapter 10.) Some citizens reside in competitive battleground states, such as Ohio, Florida, and Pennsylvania. These states are defined by high levels of competition between the parties, with half the voters affiliating with the Republicans and half with the Democrats. Most Americans, however, live in nonbattleground states (also called "safe" states) such as California, New York, and Texas, where one of the major parties is generally assured of victory

in presidential elections. Every four years, residents of battleground states get smothered with attention from candidates and media, while citizens in states with few electoral votes or where one political party has a solid majority barely get noticed. Hence, presidential elections are often decided by a relatively small number of voters in the United States' dozen or so battleground states. One study found that voter turnout is higher in battleground states than in nonbattleground states and less skewed in terms of lower participation by the poor and young.⁹⁶ Since the number of battleground states has been decreasing, fewer Americans are exposed to high-intensity presidential campaigns, which may be another reason for lower levels of turnout since the 1960s.

Even the structure for nominating presidential candidates has implications for participation in government. Selecting presidential candidates involves a sequence of statewide primary elections and caucuses. The early phase of this process is dominated by a handful of small-population states. The privileged position of Iowa and New Hampshire, sites of the nation's first caucus and first primary election, respectively, can boost political participation in those states. Similarly, studies have shown that citizens residing in "Super Tuesday" states (the states that hold primaries or caucuses on a single day about six weeks after the New Hampshire primary) are more likely to vote in presidential primaries and be interested in the election.⁹⁷ Among residents of late-voting states, by contrast, turnout in primaries is often very low. Frequently, the nomination contest is over almost before it starts as one candidate secures a significant lead in early primaries, leaving many citizens with no role in selecting their party's nominee. Turnout in these later states naturally plummets.

Ballot Measures

Beyond candidate races, ballot measures (initiatives and referenda) have been found to increase voter turnout.⁹⁸ Elections that include controversial initiatives on the state ballot—in which citizens vote directly on policy questions such as affirmative action, the minimum wage, immigration, legalization of marijuana, or taxation—have also been found to increase voter turnout, political interest, and contributions to interest groups.⁹⁹ In many states, ballot-measure campaigns are important for mobilizing voters and can have spillover effects on candidate races.¹⁰⁰ When citizens are asked to vote directly on controversial policy issues, public awareness of politics and policy debates increases. Initiatives often involve high campaign spending by proponents and opponents of the proposed laws, which generates mass media coverage. The *Los Angeles Times* estimated that \$452 million was spent in California alone on controversial ballot measures including legalizing the recreational use of marijuana, repealing the death penalty, and banning plastic bags.¹⁰¹ Additionally, simply being asked to vote on issues—salient or otherwise—can increase participation. This has been called the "educative effects" of direct democracy as voters are forced to make a yes-or-no binary choice on the policy issue.¹⁰²

The most robust finding of the educative effects of ballot measures is the positive impact of direct democracy on voter turnout. Scholars have found that statewide initiatives on the ballot increases turnout in elections, especially in lower-profile, midterm elections but also in U.S. presidential elections and in cross-national contexts.

Voters often turn out in higher numbers when there are controversial initiatives on the ballot. In 2016 groups for and against Proposition 62 in California, which would repeal the death penalty, spent millions of dollars on media and mobilization campaigns.



● State Electoral Laws and Participation

Explain the effect of electoral laws on voting

As stipulated by the Constitution, the states retain control of voter registration and voting itself. This decentralized system continues to create wide variation in the laws governing elections and voting, and thus participation

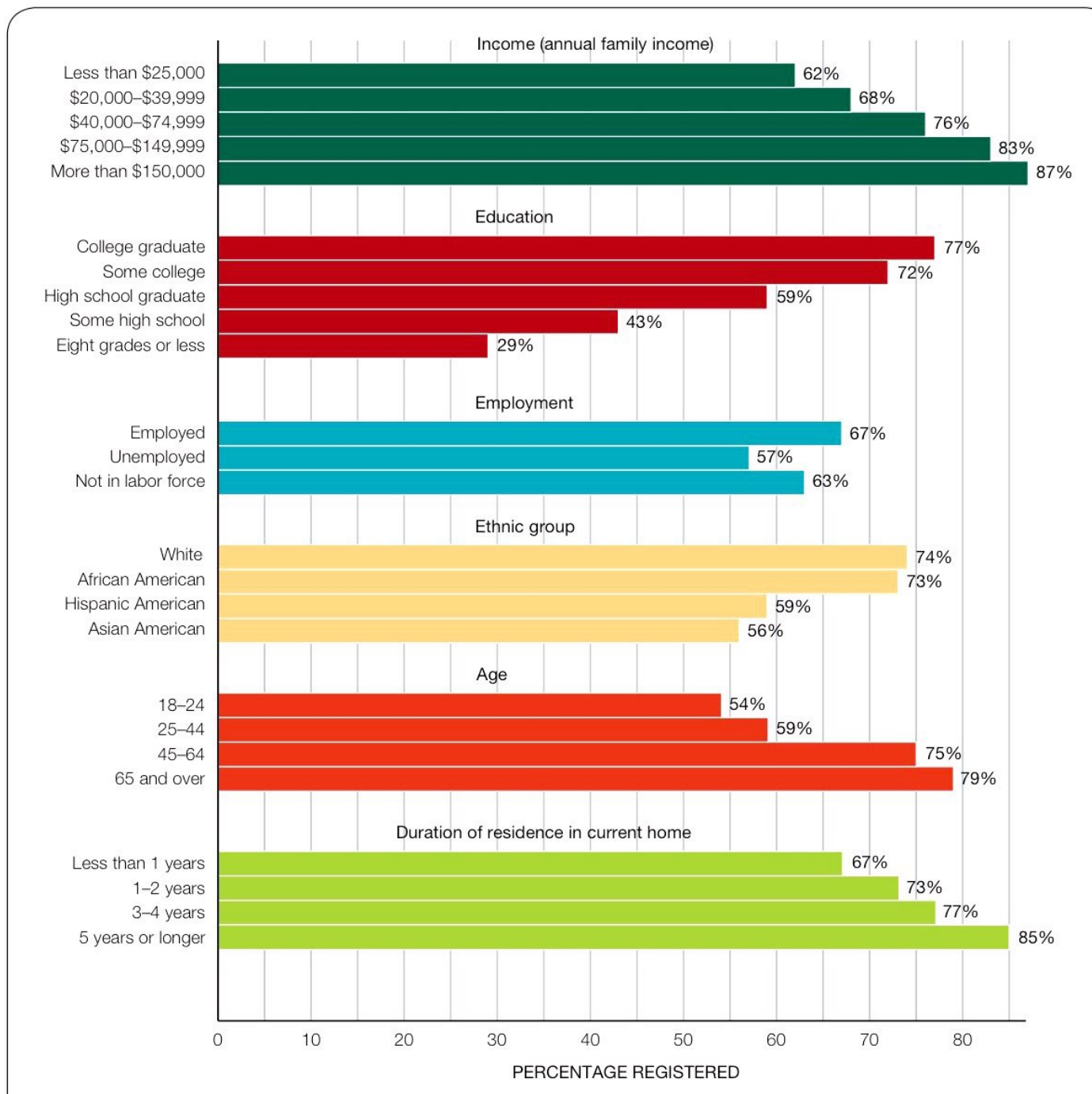
in politics.¹⁰³ Voter turnout in presidential elections in the last decade ranges from a high of over 70 percent of eligible voters in Minnesota to 45 percent in Mississippi, a 25-point difference. State electoral laws can create barriers to voting that can reduce participation and help explain the differences in turnout across states.

Registration Requirements

An important factor reducing voter turnout is our nation's unique state-by-state patchwork of registration rules. In most other democracies in the world, citizens are automatically registered to vote, making voter turnout rates higher; but the United States requires a two-step process: registering to vote and then voting. In every American state but North Dakota, individuals who are eligible to vote must register with the state election board before they are actually allowed to vote, although a growing number of states allow same-day registration, as discussed in the introduction to this chapter. Registration requirements were introduced by Progressive reformers at the turn of the nineteenth century who wanted to limit political corruption and discourage immigrant and working-class voters from going to the polls so that political parties would be more responsive to middle-class voters and professionals. In some states, these registration requirements reduced voter turnout by as much as 50 percent.

Registration requirements particularly reduce voting by the young, those with lower levels of education, and the less affluent because registration requires a greater degree of political involvement to become informed (a cost) than does the act of voting itself. Once individuals become interested in the election and learn about the candidates, it may be too late for them to register, especially if they live in states that require registration up to a month before the election. And because young people tend to change residences more often than older people, registration requirements place a greater burden on them. As a result, voter-registration requirements not only diminish the size of the electorate but also tend to create an electorate that is, on average, better educated, more affluent, and composed of fewer young people and minorities than the citizenry as a whole (see Figure 8.6). Advocates of voting reform hope that more states adopt automatic registration laws, which may help expand the electorate.

Voter Identification Requirements A barrier to voting is the requirement that voters provide proof of identity. As of the 2016 election, 32 states require all voters to show some form of ID before voting at the polls. Seven of these states have strict laws requiring a photo ID (Georgia, Indiana, Kansas, Mississippi, Tennessee, Virginia, and Wisconsin), while another nine request photo IDs but may count the vote with a nonphoto ID under certain circumstances.¹⁰⁴ Photo identification is a partisan issue: Republicans argue that such laws protect against voter fraud and ensure that the vote is fair, regardless of party; opponents, mainly Democrats, counter that there have been almost no significant instances of voter fraud in the modern era and that these laws suppress the vote of segments of the



population most likely to vote for Democrats but also least likely to have photo ID—racial minorities, the elderly, and the poor.¹⁰⁵

A study by political scientists Rene Rocha and Tetsuya Matsubayashi sought to understand what factors drive states to adopt voter ID laws and how these laws in turn affect voter turnout of whites and minorities. Their argument was grounded in a hypothesis that posits that states with higher minority populations would be more likely to adopt election rules with more stringent requirements for voting, including voter ID laws. The researchers found that Republican governments increase the likelihood that a new law requiring citizens to have a photo ID in order to vote will be passed.¹⁰⁶ But their data offer little evidence for the claim that minority and Latino turnout is uniquely affected by voter ID regulations. Instead, *overall* turnout is reduced with more stringent ID laws. This finding stands in contrast to some arguments that voter ID laws disproportionately target minorities. Instead, it suggests that while adoption of a voter ID policy may be indirectly related to race, its specific consequences seem not to be.

Other Formal Barriers

A barrier to voting that has grown more important in recent years is the restriction on the voting rights of people who have committed a felony. Forty-eight states and the District of Columbia prohibit prison inmates who are serving a felony sentence from voting. In 29 states, felons on probation or parole are not permitted to vote, but voting rights are restored automatically after parole or probation is complete. In nine other states, ex-felons can have their voting rights restored by the governor's or a court's action. On the other end of the spectrum, felons never lose their right to vote in Maine and Vermont. Generally, felons who have already served their sentences still face numerous restrictions on voting. With the sharp rise in incarceration rates over the past three decades, these restrictions have had a significant impact on voting rights. By one estimate, 5.3 million people (2.4 percent of the voting-age population) have lost their voting rights as a result of these restrictions. This included 2.1 million ex-offenders who had completed their sentences.¹⁰⁷ Further, such restrictions disproportionately affect minorities because 59 percent of the prison population is African American or Latino, though these groups make up only 30 percent of the population.¹⁰⁸ One in eight black men cannot vote because of a criminal record, amounting to 1.5 million black men missing from the voter rolls.¹⁰⁹ The impact of felon disenfranchisement has been especially strong in the South. Concern over the impact of these voting restrictions has led to campaigns to restore voting rights to people who have committed a felony. Since 1997, 23 states have reduced voting restrictions for people with a felony record.¹¹⁰

Another barrier to voting that has received less attention has to do with the fact that in the United States elections are held on Tuesdays—regular working days when most Americans face significant commute times in addition to hours worked. In most European countries, by contrast, elections are held on Sundays or holidays. Holding elections on working days may make it difficult for some people to vote due to the demands of work and family. This problem has been addressed somewhat by expanding the use of absentee ballots, early voting, and voting by mail. Some reformers have called for an Election Day holiday, as is commonly used in Europe. This would underscore the importance of voting in America, making democratic participation a priority. The sometimes odd rules of American elections reflect long-standing traditions extending back centuries when the country was an agrarian society and work schedules were more flexible.

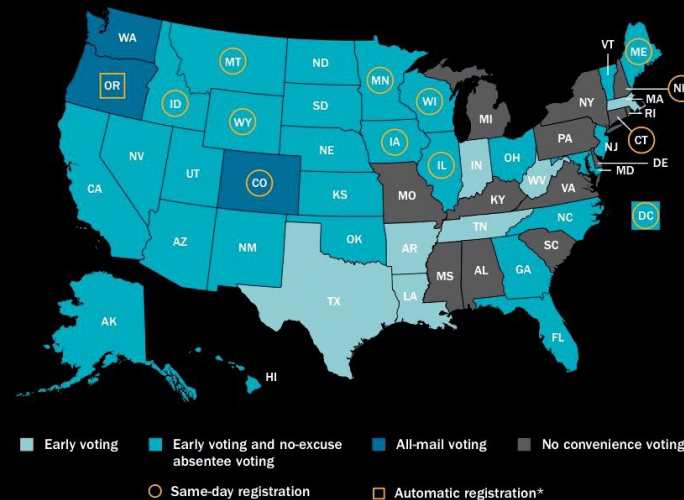
for critical analysis

Why is voter turnout so low in the United States? What are the consequences of low voter turnout?

WHO ARE AMERICANS?

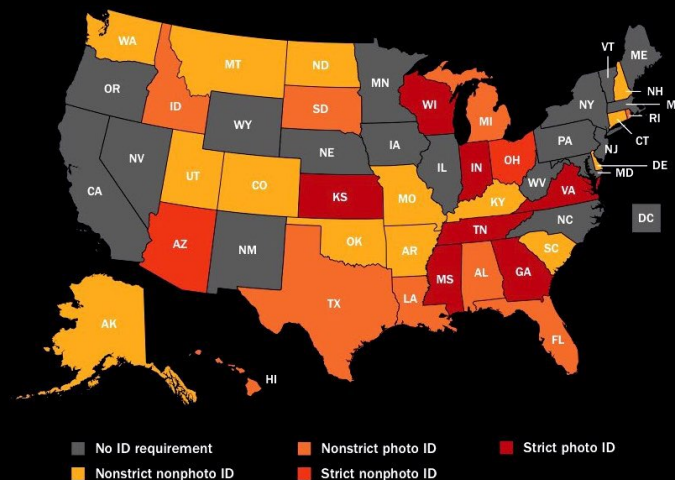
Which States Make Voting Easier?

Convenience Voting, 2016



States have increasingly passed laws to make voting easier, such as early voting, which allows voters to cast a ballot before Election Day; "no-excuse" absentee voting, which permits voters to request an absentee ballot without providing justification; all-mail voting, whereby voters fill in their ballot at home and mail it, eliminating polling places altogether; and same-day and automatic voter registration. At the same time, many states have passed voter identification requirements, which make voting harder for some people. The maps show these laws by state as of the 2016 election.

Voter ID Requirements, 2016



*Four additional states have adopted automatic registration to take effect after 2016.

SOURCES: National Conference of State Legislatures, "Absentee and Early Voting," January 5, 2016, www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx (accessed 9/22/16) and Ballot Pedia, "Voter identification laws by state," ballotpedia.org/Voter_identification_laws_by_state#tab=Map (accessed 9/22/16).

for critical analysis

1. Find your state on the map. Do you think your state's voting laws affected turnout in the 2016 election?
2. In which regions of the country do we find the most states with convenience voting? Why might this be the case?

of Californians and other western state citizens now cast votes using **permanent absentee ballots**, which are mailed.¹¹⁴ In Colorado, a state that promotes absentee voting, 77 percent of the vote was cast via absentee ballot in 2012.¹¹⁵ Twenty-seven states and the District of Columbia allow “no excuse” absentee voting, which



means any voter can request an absentee ballot without providing a justification. (See inside the back cover of your textbook to find voter-registration requirements in your state.) The western states tend to have higher voter turnout than other parts of the country besides the Midwest, making it difficult to disentangle whether mail voting or regional political culture drives higher turnout.

Another reform that has been adopted by many states is **early voting**, which allows registered voters to cast a ballot at their regular polling place up to 40 days before the election. As of 2016, 34 states allow early voting in which any qualified voter may cast a ballot in person during a designated period prior to Election Day.¹¹⁶ Three of these states go so far as to mail a ballot to all registered voters. Some studies find that the effects of early voting laws on turnout and the demographic composition of who votes are not yet clear.¹¹⁷ One study from Oregon found that voting by mail tends to advantage upper-class and older citizens, who are more likely to vote anyway.¹¹⁸ But others contend that early voting does increase turnout among groups that are traditionally less likely to vote, including minorities. The outcome of the 2012 presidential race, for example, was ultimately determined by Florida, where 53 percent of total votes were cast early, in large part because Obama's campaign took advantage of early voting laws, employing a sophisticated voter-registration database to call, message, and email supporters until they confirmed that a ballot had been cast.¹¹⁹ For a campaign, a vote cast early is like securing another dollar in the bank. Even though the Republican-controlled Florida state legislature had recently reduced the number of days allowed for early voting from 14 prior to the election to 8, including eliminating some weekend polling hours when many African Americans voted after church, Obama still won Florida. Comparing who voted early in 2008 (before the law change) to 2012 (after the law change), one study found that restricting early voting in Florida disproportionately hurt Democrats and African American turnout, implying that early voting can advantage these demographic and partisan groups.¹²⁰ This example also illustrates that Republicans tend to prefer laws that reduce voter turnout, while Democrats prefer more lenient laws.

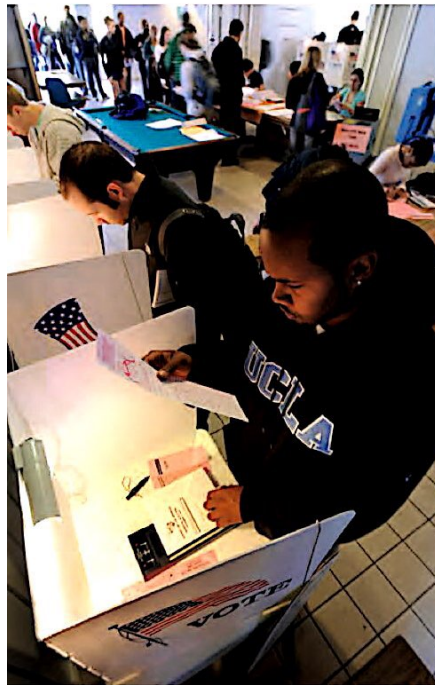
Overall, SDR has been found to have the greatest effect in boosting voting rates and making participation by different demographic groups more equal. These laws reduce the information and effort needed to participate in politics. An individual need not become aware of the registration process in order to register to vote; he merely needs to know the date of the election and the location of the polling place, where registering to vote and voting can happen at the same time. Having the ability to vote at the last minute helps many people who otherwise may not vote, particularly young adults and individuals with a high school-level education or less.¹²¹

early voting the option in some states to cast a vote at a polling place or by mail before the election

Political Participation *and Your Future*

The American political community has expanded over the course of history, with new groups winning and asserting political rights. This expansion has brought American politics more closely into line with the fundamental values of liberty, equality, and democracy. But for much of the twentieth century, the electoral system in the United States failed to mobilize an active citizenry, giving rise to an uneven pattern of political participation that gives some people more of a voice in politics than others. Since 2000 a series of highly competitive presidential

For much of American history, formal barriers restricted the right to vote and created a pattern of unequal participation in politics. Today, most of those barriers have been eliminated, but voter turnout remains relatively low, especially among young voters. In 2008 these voters cast their ballots at a polling station in a fraternity house near the UCLA campus.



elections has spurred political campaigns to pay more attention to drawing greater numbers of voters into the political process; even so, many Americans still do not participate in politics. The “Who Participates?” feature on the following page shows who turned out to vote in the 2012 presidential election. Turnout followed similar patterns in 2016.

Naturally enough, one of the most important factors in sustaining participation is a sense of political efficacy, the feeling that average citizens can help shape what government actually does. One important study found that elected officials respond more to the preferences of voters than nonvoters, confirming long-held assumptions that affluent, more educated, and older citizens have more voice in politics and public policy.¹²² A study by the political scientist Larry Bartels showed that senators (both Republicans and Democrats) are much less responsive to the policy preferences of low-income citizens—who are also less likely to be active voters.¹²³ If the voices of only the more affluent are heard during election time, the issues that concern lower-income Americans may not find a place at the top of the political agenda.

What would it take to increase political engagement among citizens of all backgrounds? Several recent developments promise to give a greater number of people more of a voice in American government. Over the past few decades, innovative states have led the way by reforming and modernizing America’s patchwork election system, with reforms ranging from automatic and same-day voter registration to early and mail voting. Hawaii registers all high school students to vote, while permanent voter registration, akin to voting systems used in European countries, is an increasingly popular reform at the state level. Some states, such as Iowa and California, use nonpartisan boards to draw legislative districts, which tend to boost competition in congressional and state legislative races. Increased competition, in turn, often results in a more informed and energized electorate, thus increasing turnout. Drawing on the American states as laboratories of democracy allows policy makers to test what works and what does not. Reforms found to be successful at the state level may be adopted at the national level.

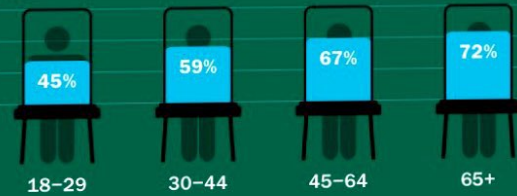
If more Americans voted, the policies adopted by their governments would be more representative of the majority preferences in this country. What other innovations might the states implement to encourage or enable more people to vote? How useful might it be to end registration requirements, particularly for young voters, who are the most mobile? Already, military personnel deployed overseas are allowed to vote by email in some states. Would you support vote-by-email?

The explosive growth in digital communication as a means of organizing political participation has been especially apparent during recent elections. New technologies have supplied political leaders and candidates with new avenues for reaching out to citizens and have given citizens novel (and even enjoyable) ways to learn about and engage with politics. As we have learned, individuals who learn about politics online are more likely to vote and participate in politics in myriad other ways. Astonishingly diverse online news sources have given rise to new opinion leaders and new voices. Whatever promise digital politics holds for increasing political participation, it also raises the same fundamental questions that have arisen with every major new development in America’s political history: How can citizens turn participation in politics into meaningful representation in government? And how, in turn, can representation result in public policies that reflect the needs of the greatest number of American citizens?

WHO PARTICIPATES?

Who Voted in 2012?

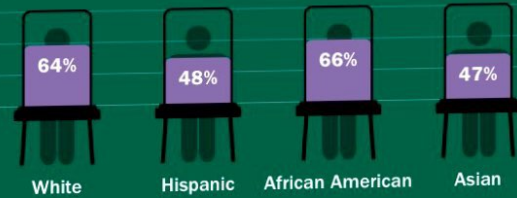
Age



Income



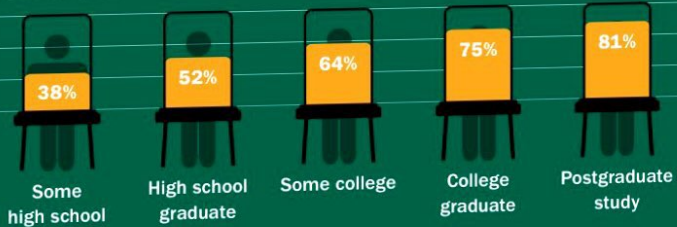
Race



Sex



Education*



*Highest level attained

SOURCE: U.S. Census Bureau, Current Population Survey, November 2012, www.census.gov/hhes/www/socdemo/voting/publications/p20/2012/tables.html?cssp=SERP (accessed 12/5/15).

WHAT YOU CAN DO

Vote



Register to vote. See page 33.