

LEVITAS

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Foreword

As the advisor for over thirty-five years to the Alpha Xi chapter of our national political science honor society, Pi Sigma Alpha, this edition of *Levitas* is especially significant to me. It happens to be the last one that will be produced under my “supervision” as I am turning over the chapter advisory duties to my colleague, Dr. Staci Rhine, at the end of this academic year. I write the word “supervision” in quotes because I really don’t do much of it, per se. Rather, the journal is a totally student-run publication, and depending on the interests and other commitments of our busy chapter members, it’s not every year that an edition gets published. So, it is with considerable pleasure that I write the Foreword to this particular edition.

Our students are studying politics and government in fraught times, both nationally and internationally, and as these articles herein suggest, students are trying to understand the many facets of the political world in which we live. Accordingly, their research interests have led them down some fascinatingly disparate paths ranging from the study of EU Partnership Agreements, to how former President Trump’s hypermasculinity helped energize the American far right, to the cinematic portrayals of Native Americans. In each of these analyses, the top-notch quality of our students’ research and writing skills is clearly evident in the following pages. Hence, I’m confident, dear reader, that you will find the articles delightful to read, as well as edifying in their arguments and findings. Enjoy!

Rob Baker, Advisor, *Levitas*

Euroskepticism, Brexit, and European Politics

Tyler Gardner, Class of 2025

Introduction

The United Kingdom's withdrawal from the European Union (EU), commonly referred to as "Brexit," was a substantial victory for those inside and outside of the nation who believed the EU was undermining the sovereignty of its member states' national governments. Known as "Eurosceptics," their rise to relevancy in European politics is the subject of this paper. The following sections will examine contemporary and historical examples of Eurosceptic parties across the European continent, the diversity of opinion between these parties and movements, and the UK Independence Party's (UKIP) role in the Leave campaign and Brexit referendum. But why does this matter? Well, at the time of writing, the European Union is the third-largest global economy. Given that the goal of Eurosceptics is to undermine or dismantle the EU, their successes could trigger significant economic and political consequences.

Literature Review

The History of Euroscepticism

According to Brack and Startin (2015), the term "Eurosceptic" can be traced back to the United Kingdom in the mid-1980s. Simply put, it refers to any person opposed to the European Union. A marginal position prior to the implementation of the 1992 Maastricht Treaty, Euroscepticism grew in popularity as the EU expanded, becoming mainstream after the 2008 Eurozone crisis. Since Brexit is one of the core themes of this paper, it should be no surprise that the UK will later receive particular focus in this discussion. While many of the sources cited in this paper either do not provide a clear definition of Euroscepticism or defer to Brack and Startin's definition, a noteworthy exception comes to us from Szczerbiak and Taggart (2017).

Szczerbiak and Taggart concluded that the best measure of Euroscepticism was the support of

or opposition to European integration via the EU, as opposed to a party's position on their nation's membership in the bloc. A party's stance on national membership is a poor litmus test, they found, given that party positions on this matter have been fluid over time. For instance, while the UKIP has been Eurosceptic consistently throughout its history, the positions of the two major parties in the UK have fluctuated. The center-left Labour Party was traditionally the more Eurosceptic party in British politics but campaigned to remain in the EU during the Brexit referendum, whilst the center-right Conservative Party, which has historically been the more pro-European party, recently united behind a pro-Brexit position.

Returning to the history of Euroscepticism, whilst the Maastricht Treaty is seen as a watershed moment for the rise of Euroscepticism, it should be noted that opposition to European integration has always existed. One noteworthy pre-Maastricht example is the Bruges speech given by former UK prime minister Margaret Thatcher, which Brack and Startin point to as a catalyst for diverging elite opinions on the matter. The other major turning point in the history of Euroscepticism was the 2014 European Parliament elections. In the data presented by Brack & Startin, two of the three major pro-EU blocs within the European Parliament lost seats, with the Eurosceptic blocs being the primary beneficiaries.

Since the 2014 elections are important to the story of Euroscepticism's rise to the mainstream, a detailed analysis of what happened is warranted. At the time, UKIP was the only major Eurosceptic party in British politics, but it found good company in Brussels. Two of the three largest blocs in the European Parliament, all of whom were pro-EU, lost 65 members, or MEPs. The center-right European People's Party fell from 274 MEPs to 221, and the Alliance for Liberals and Democrats was reduced to 65 MEPs, while the center-left Progressive

Alliance of Socialists and Democrats gained just eight MEPs. However, the right-wing parties, which incorporated Euroscepticism into their policy platforms, picked up a considerable number of seats. This electoral gain, according to Brack and Startin, helped parties like France's *Front Nationale* and the *Sweden Democrats* gain legitimacy and sanitize their reputations. The biggest winner, though, was UKIP, which emerged as the leader of the Eurosceptic hardliners in the European Parliament.

Diversity of Thought within Euroscepticism

Based on the radical right disposition of the parties listed in the previous section, it is understandable that some may conclude Euroscepticism is a radical right-wing philosophy. This, however, is not necessarily the case, either historically or presently. For instance, when the UK joined the forerunner to the EU, the European Economic Community (EEC), the Conservative Party was the more pro-European party, whilst the center-left Labour Party opposed integration. The EEC, being a free trade bloc with few or no restrictions on commerce between member states, naturally appealed to the neoliberal Tories, while Labour was more skeptical of the free trade agreements.

Bortun's (2022) article detailing "Plan B for Europe" provides a helpful look at contemporary radical left Eurosceptic parties and their objectives. Plan B emerged from the perceived failure of the Greek party SYRIZA—the only radical left party in an EU member state—in its negotiations with the EU. The new Greek government was forced to accept further austerity measures after only six months in office, which was seen as a capitulation to the EU's neoliberal agenda. Since this approach is called "Plan B," there presumably was a Plan A. According to Bortun, the Left's Plan A was a full renegotiation of the EU economic treaties, combined with a campaign of civil disobedience until the renegotiation happened. Plan B, which was formulated at three summits in Paris, Madrid, and Copenhagen in 2016, would, by contrast, adopt a party-based push to withdraw their nations from the EU.

As noted by Bortun, Plan B is intended by its far-left supporters to serve as a bargaining chip in negotiations with the EU, with Plan A remaining the preference of its party signatories. The final Plan B summit in Lisbon in 2017 produced what Bortun asserts was the most explicit statement of willingness to leave the EU if their demands were not met. However, at the time of Bortun's publication, Plan B appeared to be a dormant organization, with neither it nor its spinoff organization "Now, the People!" appearing to have had a noticeable impact on EU policy or institutions.

Whilst the previous paragraphs have sought to demonstrate that Euroscepticism is not exclusively a fixture of the Far Right, it is certainly found there as well—though obviously in a different form. Using the *Italian Social Movement* (MSI) to represent the old Far Right and the French *Front Nationale* (FN) to represent more contemporary right-wing populism, Lorimer (2020) highlights the differences of opinion within far-right Euroscepticism. This was done by analyzing the themes of 102 party publications, 64 for FN and 38 for the MSI. Lorimer also deliberately included documents other than party platforms or manifestos to detect any differences between what the parties said in public versus what they thought in private.

An idea espoused by both parties was the idea of Europe as a community of civilizations—an "us" threatened by "others" (Lorimer 2020). During the Cold War, the "others" included the USSR, which dominated half of the continent and was ideologically repugnant to the MSI and FN. After the collapse of the USSR, this antipathy was transferred to the EU by FN, who would refer to it as the "EUSSR." FN perceived the EU as being antithetical to their idea of Europe.

A noteworthy difference between the MSI and FN, where the EU was concerned, was their assessment of the blocs' successes and failures. While both parties are nationalistic in nature, their views of the pros and cons of the EU stem from their assessments of their own nations' capabilities. As Lorimer explains, the MSI had a more cynical opinion of Italy's strength in global affairs, which is

understandable as the nation had been the first of the Axis Powers to capitulate in the Second World War. For the MSI, the main benefit of the EU for Italy was strategic and defensive; by coming together, Europe (including Italy) could prioritize its collective security. EU membership also offered the additional benefit of helping address Italy's domestic problems, specifically in the nation's underdeveloped south. The MSI's main criticism of the EU was that the union was failing to achieve these goals by being too focused on macroeconomics.

Lorimer notes that FN was more negative than the MSI in its assessment of the EU. During the Cold War, FN shared a positive view of European integration where defense was concerned, with then-leader Jean-Marie Le Pen calling for Europe to unite as one nation to better face external threats. FN's turn against the EU can be explained partly by the end of the Cold War but also by the party's assessment of French prestige. Lorimer tells us that FN's view in this respect was in line with French national tradition, that France not only could but should stand on its own, projecting power on the world stage. While it could be said that both parties came to similar conclusions on the EU, a noteworthy difference in their assessments does exist.

One final aspect of Euroscepticism to consider here is what Heinisch, McDonnell, and Werner (2020) call equivocal Euroscepticism. This variant attempts to explain why a party might present different messages to different groups of voters. Equivocal Euroscepticism combines elements of hard and soft Euroscepticism with the intention of gaining political advantage for the parties who practice it. Hard Euroscepticism, according to Heinisch, McDonnell, and Werner, is the principled opposition to European integration via the EU, which often results in calls for the withdrawal of the party's member state from the bloc. Soft Euroscepticism is considered a more targeted opposition to the EU, in which parties only oppose the EU on specific matters. An analysis of the Italian party *Lega Nord* (LN) and the Austrian Freedom Party (FPÖ) illustrates the concept of equivocal Euroscepticism. For instance, the LN leader has compared the EU to the Soviet Union but

has at no point called for Italy's withdrawal from the bloc, unlike the UKIP and other hard Eurosceptic parties. Likewise, the FPÖ leader advocated for a referendum on Austria's EU membership without actually committing the FPÖ to the leave position. While the LN and FPÖ shy away from advocating for a Brexit-style break from the EU for their countries, they do take staunch positions against EU policy (Heinisch, McDonnell, and Werner 2020). For example, on the matter of finance, both parties want to fundamentally change certain arrangements within the Eurozone. In the run-up to the 2014 European Parliament elections, the LN advocated for abandoning the euro altogether and returning to national currencies, while the FPÖ called for dividing the euro into northern and southern common currencies. Neither proposal was necessarily a full-hearted rejection of the EU, but they represented a substantive opposition to a specific aspect of the union, which is typical of soft Euroscepticism.

Why Do Parties Become Eurosceptic?

Taggart and Szczerbiak emphasize two important categorizations for Eurosceptic parties: Programmatic/goal-seeking parties and pragmatic/office-seeking parties. The former prioritizes an ideological agenda, while the latter prioritizes electoral strategy. A party's position on European integration largely depends on its approach to politics. Applying this to Brexit, UKIP and the Brexit Party (now Reform UK) could be considered goal-seeking parties who pursued political office with the goal of advancing their Eurosceptic agenda. The Conservative Party, meanwhile, which adopted a Eurosceptic agenda to prevent a segment of Tory voters from defecting to the UKIP or Brexit Party, would be deemed an office-seeking party. It should be no surprise that parties are more likely to become Eurosceptic if there is an electoral advantage to doing so.

Brexit

How Did It Happen?

Whilst the paper up to this point has been dedicated to the history and varieties of Euroscepticism, Brexit provides a case study on how Euroscepticism can become mainstream. From here, the paper will be dedicated to the causes of Brexit and its uncertain economic and political impacts.

Support for Brexit may, in part, be attributed to one's education level and parental socialization. It is well documented that those with lower levels of educational attainment tend to be less supportive of the European Union and its institutions. However, another aspect that has not been thoroughly scrutinized is the impact of parents on shaping their children's political views. Put simply, Kuhn, Lancee, and Sarrasin (2021) demonstrated through their research that higher-educated parents tended to transfer their pro-EU attitudes to their children; conversely, children of lower-educated households tended to adopt the more Eurosceptic views of their parents.

The influence of one's financial situation on Eurosceptic feelings, in the UK at least, has been demonstrated by Fetzer (2019). The data shows that areas most adversely affected by the UK government's austerity policies saw a sharp rise in support for UKIP, which, prior to 2016, was the only major explicitly Eurosceptic party in UK politics. In the aftermath of the Financial Crisis in 2008, the UK government implemented a series of policies referred to as austerity, raising taxes and cutting welfare spending to address its expenditure issues. While austerity is a matter of domestic policy, not EU policy, Fetzer demonstrates that it is possible to map a sharp rise in support for UKIP onto areas most affected by austerity, which can, in turn, indicate which areas of the UK voted to leave the EU.

According to Fetzer's data, UKIP support in European Parliament elections rose from 15.6% in 2004 to 26.6% in 2014. The areas that saw the sharpest rise in support in that ten-year span were the English coastal regions, Wales, and parts of the Industrial Midlands. These regions—which were disproportionately affected by national welfare

cuts—track very closely with those areas that saw the greatest voter support for the Leave campaign in the 2016 referendum.

Vasilopoulou (2016), whose article was written before the referendum, brings other considerations to our attention. Vasilopoulou argues that, aside from the aforementioned domestic factors, public sentiment towards EU integration would be a significant determiner of the referendum result. He also considered partisanship and its ambiguous relationship to Brexit. While the Conservative leadership decided to be officially neutral due to longstanding internal division over the issue, this did not stop prominent figures within the party from taking sides, with then Prime Minister David Cameron supporting the Remain campaign and then London Mayor Boris Johnson advocating for leaving. The Labour Party, though officially dedicated to the Remain cause, also saw internal fracturing. Historically being the more Eurosceptic party, its leader at the time, Jeremy Corbyn, reflected this schism. While he campaigned for Remain in 2016, he had made Eurosceptic comments in the past and voted to leave the EU's predecessor, the European Community, in 1975. UKIP, of course, was firmly on the Leave side of the campaign, while the Liberal Democrats and the Green Party campaigned to stay in the EU. This matters because parties and party elites provide cues that voters use to decide how to vote.

Consequences of Brexit

First, considering a "Hard Brexit" scenario, Biscari (2019) only foresees downsides. The expected negative impacts of a clean break are three-fold, hampering foreign direct investment (FDI), migration, and productivity. FDI into the UK has been shown in empirical terms to have been positively influenced by EU membership. Without that membership, many expect foreign companies to leave the country to circumvent potential trade barriers. Similarly, data shows that EU migration to the UK has slowed since the referendum. And due to the ensuing trade uncertainty, a productivity shock seems increasingly likely.

Biscari also offers some possibilities for what the more likely “Soft Brexit” might look like. This is no simple task, as several proposed models for this arrangement would violate the UK’s red lines for a deal. If the UK were to forge a relationship with the EU comparable to Norway’s, that would require the European Court of Justice (ECJ) to maintain its authority over the UK, and the UK would be expected to continue making financial contributions to the EU and allowing freedom of movement with EU members. However, these concessions would conflict with the nation’s autonomy and sovereignty. A Swiss-style relationship, too, would require continuing freedom of movement and maintaining financial contributions while adhering to many of the EU’s regulatory constraints. The Ukraine model would require the UK to submit to ECJ jurisdiction and EU regulations, while a Türkiye-style relationship would prohibit the UK from pursuing an independent trade policy. The only acceptable arrangement for the UK—besides a no-deal scenario, of course—may be a deal similar to the kind the EU has with nations outside of Europe, such as South Korea. In any case, the UK’s withdrawal from the bloc will result in some kind of economic shock and significant restructuring for the UK itself and the EU’s 27 remaining members.

A Brief Evaluation of the Scholarship

Beginning with the history of Euroscepticism as an ideology, Brack and Startin’s work on the rise of Euroscepticism leading up to the 2014 European Parliament elections is very convincing and widely accepted. As for Brexit, it is interesting that Fetzer and Vasilopoulou propose different theories of what prompted support for leaving the EU. Despite being a matter of domestic policy, Fetzer ties the UK’s austerity measures following the Financial Crisis to support for UKIP and the Leave campaign, while Vasilopoulou places more emphasis on declining public opinion of the EU. Vasilopoulou’s article, however, seems to be missing a more in-depth exploration of the immigration debate’s impact on the British public’s opinion of the EU. One of the main arguments in favor of Brexit was regaining full

control of the country’s immigration policy, so it is sensible to believe that immigration concerns also bolstered support for the Leave campaign.

And lastly, concerning the economic consequences of Brexit, it would be worthwhile to elaborate on Biscari’s predictions. Slowing migration from the EU 27 to the UK, for example, would negatively impact industries that rely on migrant labor, though those numbers could be offset by domestic labor or immigration from outside the EU. One must consider, however, that the UK may not be as attractive to immigrants from outside the EU due to the increased difficulty they would face accessing EU economies. UK deregulation could make the UK more competitive and economically attractive, but it could also create the opposite effect, making business with its largest trading partners in the EU more difficult due to incompatible regulations. With the rules of commerce in limbo, businesses may incur higher transaction costs and face logistical challenges.

Conclusion

To surmise, this paper sought to understand Euroscepticism and its many iterations. To do this, it considered the diverse ways Euroscepticism has been expressed, both historically and across ideological divides; it analyzed what scholars attributed to the result of the 2016 Brexit referendum; and it hypothesized about the impending consequences of the UK’s withdrawal from the EU. The UK’s singular position within the Eurosceptic movement will continue to be the subject of scholarly interest as the country charts a new and uncertain path outside the EU.

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The European Union and Economic Partnership Agreements: A Comprehensive Analysis of Europe's Economic Success through EPAs

Anaiah Lightner, Class of 2025

Introduction

In the complex landscape of global economic partnerships, the interplay between the European Union (EU) and individual European countries with African-Caribbean-Pacific (ACP) nations has raised questions about the equity of economic benefits. This paper examines the complex dynamics of economic partnership agreements (EPAs), investigating whether the benefits derived by the EU and individual member states from these agreements intentionally exhibit disproportionality in terms of domestic economic stimulation and overall GDP growth. Exploring mostly qualitative dimensions incorporating quantitative context when applicable will aid in understanding the nuanced factors contributing to potential inequities, shedding light on the intricacies of these international collaborations and their implications for global economic relations. By investigating the intricate web of diplomatic, historical, and economic factors, this study seeks to provide a comprehensive understanding of the complexities surrounding economic cooperation between the EU, European nations, and ACP countries.

EPAs are contracts written up between the EU and individual ACP countries. These contracts solidify the guidelines regarding contemporary reciprocal trade negotiations. This can encompass every aspect of economic life in terms of goods and services traded, intellectual property rights, customs regimes, government procurement, investment regulations and protections, and competition policy.

The EPAs between Europe and Africa, the Caribbean, and the Pacific Territories serve as a compelling case study. This intricate dance between Europe's economic interests and its alleged commitment to providing developing nations with economic stimulation reveals a multifaceted approach to international relations. The language

and logistics of the EPAs, examined in this comprehensive analysis, are shaped by a pragmatic consideration of domestic advancement. The historical context of Europe's extensive foreign aid efforts plays a pivotal role in informing the strategies and goals of these contemporary trade agreements. By dissecting Europe's foreign aid history, this study aims to unravel the intricate web of influences that guide the formulation and execution of EPAs, ultimately shedding light on how Europe leverages its partnerships to maximize economic benefits. The discussion is organized into five sections. The first section delves into the historical and theoretical literature on the economic and political relationship between the EU, including its member-states, and the ACP regions. The subsequent sections provide an overview of EU-ACP EPAs, review analysis methods, and discuss potential economic advantages of the EU, with the fifth section focusing on economic advantages in EU member-states as a case study.

Though there is substantial research on these economic partnerships—and many scholars have even alluded to their inherent inequality—there is still a significant lack of an empirical approach that will uncover the mechanisms that contribute to this inequality. This analysis will expand on previous research by examining the factors that truly influence Europe's economic advantage rather than outlining and timelining the historical contexts that have led to current EPAs. Language and terms of agreements, general power dynamics between former colonizers and their liberated colonies, and economic power imbalances all have significant influence over the economic growth of all respective partners. Europe is a much more economically stable continent, whereas ACP countries find themselves more in need of a stimulated economy to tend to humanitarian crises and poverty issues, making it imperative

to investigate the nature of these relations from a critical lens.

Historical and Theoretical Context

The late 19th century witnessed the emergence of seven Western European world powers engaged in an unprecedented wave of invasion, annexation, division, and colonization of approximately 10% of African territories, signaling the onset of a period known as “New Imperialism.” By the mid-20th century, this imperialistic footprint had expanded dramatically, encompassing nearly 90% of African lands and leaving only a handful of countries with their independence intact. While the motives behind Western Europe’s occupation might seem egotistically driven, a closer examination reveals that economic success was the pivotal factor shaping this imperialistic era.

Writers of Marxist theory, such as Vladimir Lenin and J. A. Hobson, suggest that as the industrial revolution swept through Europe, transforming the continent into a technological powerhouse, markets became saturated, necessitating expansion beyond European borders (Rodney 1970). Other economists credit the so-called “scramble for Africa” for conflicts between European trading posts and inland African states which led to a fight for control over the flow and taxation of goods (Dun and Englebert 2019). Private European entrepreneurs then demanded protection or annexation from their states (Press 2015). While there are other widely accepted theories as to the factors that provoked the scramble that are unrelated to economic motivations, we will focus our study on these related theories to provide further context in terms of economic partnerships.

This quest for economic dominance led to Western Europe’s extensive history of colonialism, foreign occupation, and a profound influence on global trade relations. The repercussions of this occupation lingered for decades, sparking a protracted struggle for independence across African nations. By the 1960s, decolonization had largely succeeded, but newly independent African countries found themselves in need of both humanitarian and economic assistance (Oliver 2014). Initially, ACP

countries were wary of the agreements since there was already access to European markets. However, pressure from European diplomats leveraging a potential loss of import duty revenues and the threat of billion-dollar European corporations shutting down local businesses twisted the arm of African leaders, resulting in the modern EPAs (Chimanikire 2019).

The shifting dynamics between Europe and Africa evolved into a discourse centered on free trade and financial aid. The inaugural agreement, the 1963 Yaounde Convention, solidified economic ties between over 20 African states (formerly under Belgian and French occupation) and the European community. Lasting for five years, the Yaounde Convention was succeeded by the Lome Agreement, a response to the shortcomings of its predecessor. The Lome Agreement, signed in 1975 between the European community and 71 ACP countries, prioritized the interests of Francophone nations within its framework, incorporating the UK in 1973. Implemented in 1976, the Lome Convention underwent periodic reviews every five years, ultimately expiring in 2000 (Nowak 2019).

The subsequent Cotonou Agreement, emerging as the successor to the Lome Agreement, maintained a similar model while aligning more closely with the guidelines and regulations of the World Trade Organization (WTO) regarding liberalized trade. This transition reflected an evolving global economic landscape and Europe’s commitment to adapting its agreements to contemporary international trade norms. Through these historical agreements, the economic relationship between Europe and the ACP countries has evolved, highlighting the intricate interplay between power imbalances, colonial legacies, economic interests, and the changing dynamics of global trade (Chimanikire 2019).

The dependency theory provides some context as to the unbalanced power dynamics that arise when a less-developed country, or in our case multiple regions, engages in an economic relationship with a developed capitalist country. Originally developed by Raúl Prebisch, the dependency theory categorizes these less-developed

regions as the “periphery” and the developed capitalist regions as the “center” (Romaniuk 2017). The argument posits that there is a flow of resources from periphery nations to wealthier core states, ultimately benefiting the latter at the expense of the former. Dependency theorists, including Hans Singer and Raul Prebisch, noted a decline in the terms of trade, a ratio that reflects the number of units of exports that are needed to buy a single unit of imports, for underdeveloped countries compared to developed ones over time. This decline meant that underdeveloped nations were only able to receive a limited number of manufactured goods imported from developed countries in exchange for a set amount of their raw material exports. This control mechanism ensures that all profits in less developed countries are funneled directly into developed nations, impeding domestic reinvestment, causing capital flight, and ultimately hindering economic growth (B.N. Ghosh 2001).

All of this foreknowledge will help guide our exploration into the central research question: Do the EU and its individual member-states’ economies intentionally benefit from EPAs at the expense of ACP countries and, if so, what factors contribute to this inequity?

Overview of EU-ACP Economic Partnership Agreements

Donald Peter Chimanikire (2019) provides a concise yet comprehensive criticism of EPAs and their lack of language protecting the economic interests of both partners by mitigating the ability of Europe to unfairly profit off the ACP countries, specifically in sub-Saharan Africa. Chimanikire infers that many African nations have fallen dependent on European trade to stay afloat (Chimanikire 2019). The dependency theory reaffirms Chimanikire’s view, detailing the underlying conditions for dependency, including exporting firms being primarily owned by foreigners, exports being dominated by one—or a few—commodities, the export sector dominating the economy, imports being larger in relation to GDP, and mineral and petroleum products being

produced under conditions of vertical integration, all of which are consistent with the factors found in Chimanikire’s argument (B.N. Ghosh 2001). Despite increased spending, the overall global share of EU trade with Africa has been declining. Africa’s key exports are mainly raw materials—notably crude oil. The EU focuses its trade priorities with South Africa, Nigeria, Libya, and Algeria as all five ACP nations still export raw materials to Europe and engage in a ready market for European goods, reinforcing that one of the EU’s biggest driving factors in terms of trade partnerships is access to raw materials. This aligns with the dependency theory’s underlying conditions.

The most recent EPAs are, however, designed to encourage sustainable development in ACP countries, enhance regional integration within the ACP, and contribute to the reduction of poverty. As expected with an EPA, each involved nation should have equal negotiating power as well as be mutually benefitting and stimulating their economy, which is a clear result in terms of Europe’s access to desirable raw materials. For this partnership to function as intended, the GDPs of both EU member-states and ACP partner countries should experience a more paralleled increase with a relatively balanced ratio of exports and imports contributing to their GDP growth when compared to their other foreign trade partners, given the EU’s predominant access to African trade markets.

To the contrary, however, Chimanikire asserts that Africa’s economic development would benefit more significantly if there was an increased supply percentage of raw materials circulating through intra-regional and intra-continental markets instead. Chimanikire effectively concludes that the EU is intentionally capitalizing by limiting resources for its partners to engage in domestic investment which could develop infrastructure, create jobs, and overall tackle the humanitarian and poverty-related crises, drastically stunting their economic growth. Dependency theorists concurred that less developed nations should decrease their reliance on the world market. This shift aims to allow these nations to engage in domestic investments that align with their own socio-economic needs and are less influenced

by external demands. Poverty and economic stagnation are still high within the region.

Critics of these EPAs have effectively called out the EU for “Balkanizing Africa” due to them negotiating separate agreements with regions of Africa rather than Africa as a whole, causing tensions within intra-African trade. As a result of the EU member-states’ involvement in the colonization and subsequent poor governance within these African countries, the EU is responsible for the fragile state of many African economies. The EU undermines the litigation process by holding access to government revenues as collateral if African countries were to lower their tariffs. This could very well result in the inability of African governments to provide basic services such as health and education.

There is very little manufacturing that is physically taking place in Africa. European powers did not leave an industrial base in Africa for effective manufacturing to take place following their cessation of occupation in Africa, which begs the question: Has Europe been intentionally manipulating Africa’s access to economic success and its ability to stimulate its own economy dating back to the decolonization period, and, if so, in what other ways has/does the EU manipulate these Economic Trade Agreements to increase its economic success while stunting that of Africans?

A major step during the developmental stages of these contracts is the conversations wherein both partners discuss the mechanisms of development in regard to the guidelines and expectations involving access to markets and resources, stipulations and consequences, and technical revisions aimed at sustaining the trade model. Europe routinely exercises its power over its less economically appraised trading partners, beginning with the development of a new trade agreement (Nunn and Price 2010). Nunn and Price’s collaborative work focuses on these mechanisms of development in EU-African relations through the evolution of the Lomé and Cotonou Agreements. Their research draws on previous scholarship on development policies and international agreements, while their research question centers on understanding the evolution of these agreements, their impact on development

strategies, and their role in EPAs. The authors highlight Europe’s disproportionate influence within these agreements, ultimately facilitating a nuanced understanding of the developmental aspects of regional cooperation, partnership, and trade.

Deimante Blavasciunaite, Lina Garsviene, and Kristina Matuzeviciute (2020) contribute significantly to economic literature by investigating the intricate relationship between trade balance and economic growth, specifically within EU countries. Trade balance is the difference between the value of a country’s imports and exports over a period of time and can be used as a comparative tool (Blavasciunaite, Garsviene, Matuzeviciute 2020). A positive trade balance signifies a trade surplus, indicating that the value of exports surpasses that of imports. Conversely, a negative trade balance denotes a trade deficit, suggesting that a country imports more than it exports. A country with a substantial trade deficit essentially borrows money to acquire goods and services, while a country with a significant trade surplus essentially lends money to deficit countries. Expanding on the Dependency Theory, trade balance can be an indicator of the role a country plays in its foreign trade agreements, whether it be of the “rich center” or “poor periphery”. The authors present compelling evidence on how economic growth and trade openness are linked while demonstrating how these factors influence the economic landscape of the EU.

Trade has traditionally played a pivotal role in the economies of the Caribbean, constituting roughly 80% of the region’s GDP in 1999, surpassing the trade shares of Sub-Saharan countries (49%) and the global average (46%). However, over the past few decades, the Caribbean has witnessed a significant decline in its share of world trade, a trend shared by many developing countries, particularly within the ACP region, with the Caribbean experiencing the most substantial decrease. Additionally, the trade balance between the Caribbean and the EU has deteriorated (Bilal, Lodge, Szepesi 2003).

The Caribbean has consistently expressed the view that its favored position would have been the negotiation of an all-ACP EPA. Despite its

lobbying, regional EPAs were established, forcing the Caribbean to participate in trade conversations with the EU, which led to its involvement with the process as a whole. The logistics of drafting and executing an EPA, however, provide serious challenges to the Caribbean region. One major issue the Caribbean government cited regarding these regional EPAs is the difficulty in developing a negotiation strategy for such an economically diverse group of countries. With countries like The Bahamas having nearly 30 times the amount of income per capita as Haiti, finding common economic goals and demands proves to be incredibly challenging. In every legal agreement, it is essential for the participating members to have the capability to contribute to its development, actively engage in all stages of negotiation, and ensure the effective implementation and enforcement of its provisions. The EU, with its well-established capitalist economy and extensive experience in trade agreement negotiations, contrasts sharply with the Caribbean, which grapples with limited resources and weaker institutions. This broader context facilitates a reflection on the potential socio-economic outcomes of the ACP-EU EPAs for the Caribbean (Bilal, Lodge, Szepesi 2003).

Since the amount the Pacific ACP states import from the EU is small and the commodity composition is highly variable from year to year, most Caribbean countries, excluding Fiji and Papua New Guinea, focus their trade relationships on its other, more invested partners, such as Australia, Singapore, and New Zealand. Of greater concern is the possible impact on government revenues of any reductions in import duties. Most PACPs have routinely relied on import duties as their major form of revenue collection. Any anticipated revenue loss depends upon the size of the trade flows and the existing tariff rates. Given the lack of substantial imports from the EU, any EPA would appear to have very little impact (Dearden 2010).

Methodology

The chosen research design, a mixed-methods approach, is employed due to the nuanced

and multi-dimensional nature of the research question and the diverse set of objectives. The research question, “Do the EU and individual European countries intentionally benefit disproportionately from EPAs with ACP countries and, if so, what factors contribute to this inequity?” necessitates a comprehensive exploration of a multifaceted quantitative analysis. By interweaving the quantitative analysis with pointed qualitative examinations aspects, I seek to unravel the complexities of economic partnerships.

To build a foundation for our analysis, we will engage in qualitative examinations of the European Parliament and individual European nations’ official documents regarding foreign trade, which will provide valuable insights into the motivations, challenges, and perspectives of those involved in shaping economic partnerships. Using diplomatic communications to uncover the underlying motivations and regulatory language used in the discourse surrounding economic partnerships can help identify the stated goals and strategies of involved parties. This paper’s extensive literature review provides a historical and theoretical framework, capturing historical trends and existing theories on economic partnerships, laying the groundwork for an empirical analysis. By doing this, we will address the central research question and support the claim that trade with the EU is just as disadvantageous to these ACP nations as it is beneficial to the EU.

Economic Benefits for the European Union

Over the past three decades, the economic benefits accruing to the EU’s member-states from its EPAs with ACP countries have manifested across various dimensions: The EU’s engagement in these agreements has facilitated enhanced market access, fostering increased trade and investment opportunities for itself (Langan and Price 2020). The establishment of preferential trade arrangements has notably bolstered the EU’s economic growth by providing access to diverse markets and ensuring a stable supply of crucial resources. Additionally, these EPAs have contributed to the EU’s strategic

positioning in the global market; the cultivation of stronger economic ties with ACP nations has enabled the EU to diversify its trade portfolio and reduce dependency on specific markets. This diversification serves as a risk mitigation strategy, particularly in the face of global economic uncertainties. A potential rework of the EU's current economic agreements is analyzed in Mark Langan and Sophia Price's 2020 article *Imperialisms Past and Present in EU Economic Relations with North Africa: Assessing the Deep and Comprehensive Free Trade Agreement*. While the EU has established multiple DCFTAs, none of these agreements has been reached with ACP countries. The article critically examines the historical and contemporary dimensions of EU economic relations with North Africa and seeks to project what the ramifications of the EU's proposed deep and comprehensive free trade agreements (DCFTAs) could look like. Drawing on research regarding imperialism within Europe and economic agreements, Langan and Price investigate DCFTAs by assessing the imperialistic undertones in these agreements and their implications for North African countries. One key finding pertains to the perpetuation of historical imbalances within the DCFTAs. The authors argue that, despite the ostensibly equal terms of these trade agreements, historical power differentials between the EU and North Africa persist, influencing the implementation and outcomes of these potential economic partnerships. The findings suggest that economic ties established during periods of historical imperialism continue to influence the power dynamics within the DCFTAs. The economic interdependence fostered by these agreements may contribute to the perpetuation of historical imbalances, rather than alleviating them. This insight underscores the need for a nuanced understanding of economic relationships, acknowledging the complex interplay between historical legacies and contemporary economic engagements.

The EU commands unparalleled influence as the world's largest trading bloc, spanning the exchange of goods and services and serving as a vital hub for international investments (Ommeren, Poletti, and Bièvre 2021). Emile van Ommeren, Arlo

Poletti, and Dirk De Bièvre argue two pivotal factors have contributed to the EU's dominance in global trade, with the first being centralizing trade policy under supranational competence empowered the European Commission (EC) to efficiently formulate, negotiate, and enforce trade relations for the entire bloc. This streamlined approach enhances the EU's responsiveness and coherence in international negotiations. Secondly, the EU's stature as a 'great trade power' is fortified by a robust framework of multilateral trade rules, notably embodied in the General Agreement on Tariffs and Trade (GATT). GATT advances the interests of European exporting constituencies, providing predictable access to foreign markets, which underscores its significance.

The EU's advanced comprehension of the global trade process is demonstrated through its approach to establishing new trading partnerships. Its strategy involves careful consideration of the economic standing of a potential trade partner to inform its decision to opt for a negotiation technique or a more formal litigation technique. The term "negotiation" encompasses actions where the EU engages with demands and presents proposals to its trading partner, aiming to reach an agreement informally. Conversely, the classification of "litigation" pertains to instances where the EU opts for the legal pathway to eliminate a trade barrier. Power dynamics and the economic status in the form of partners' GDP per capita have significant influence over Europe's decision to use litigation (Ommeren, Poletti, and Bievre 2021).

Rich in insights, Ommeren, Poletti, and Bievre (2021) unveil the complexities of the EU's role in shaping the global trade landscape and, subsequently, its unmatched knowledge of global trade. Due to Europe's hand in the foundational stages of modern global trade relations and an explicit heightened knowledge of the intricacies of the global trade process, Europe has an irrefutable economic advantage over its partners. Despite the efforts of individual member states or governments to establish a power balance between the EU and its trade partners, there is an inherent advantage tied to the EU, its modern global trading strategy, and its fundamental role in shaping the contemporary trade

landscape, making it challenging to rebalance power inequities without a systemic restructuring of global markets.

The European Parliament's 2022 Report on the Future of European Union-Africa Trade Relations acknowledges this asymmetric power dynamic and clearly outlines its proposed amendments to its partnership agreements. As we've established, the EU's extensive familiarity with trade proceedings causes it to be calculated in nature, drawing on a variety of expert opinions and foreign-policy analyses to inform its developments within global trade. This report serves as a crucial resource in understanding the anticipated developments in EU-Africa trade relations from the perspective of the European Parliament. The European Parliament calls for a reevaluation of Euro-centric endeavors at the expense of trade partners and embraces the positive transition towards a partnership characterized by equality, reciprocity, and mutual benefit (Tobé 2022). This surpasses the traditional donor-recipient dynamic, allowing both parties to pursue their individual interests while also identifying shared areas for collaboration. They lobby for free, fair, and sustainable trade that will effectively facilitate sustainable and inclusive economic growth and development, which should contribute to poverty reduction. The European Parliament's acknowledgment of the imbalances within the EU's EPAs and its subsequent call for action may, however, be a major turning point in the logistical development of Europe's trade model.

Economic Benefits for Individual EU Member-States

For a comprehensive analysis of the overall economic relationship between the EU and ACP, delving into the specific connections between individual EU member states and their ACP trading partners is crucial. Examining individual case studies and elucidating the historical and economic dynamics that mold these trade partnerships will enable us to articulate the direct influence that these trade agreements have on overall economic

growth more effectively. In the case of France, The Netherlands, and Portugal, their complex trade and foreign relationship with Africa began during their occupation of Africa. The true nuanced aspect of their relationship, however, is their influence during the de-colonial transition period, wherein these countries were pioneers in their efforts to draft trade agreements.

Rooted in statistical analysis Luísa Freitas's book, *Neocolonialism: The Relationship Between Portugal and Angola* (2005) expands on the trade imbalance between Portugal and Angola. This trade relationship resulted in a negative trade balance for Angola, emphasizing a dependency on former colonial powers. The destruction of Angola's productive sector, geared toward satisfying international market demands, particularly for oil, has left the country economically imbalanced. This single-product focus has created scarcity in other sectors, mirroring colonial-era dynamics where former colonial powers import goods. Portugal's multidimensional impact on Angola extends beyond economics, involving the destruction of political structures, cultures, religions, and languages, reminiscent of colonial strategies.

Current realities in Angola echo historical patterns, with tax deductions benefiting elites and investors, often tied to the former President dos Santos's family. Oil and gas dominate the GDP, highlighting an export-driven economy, and maintaining a significant economic gap between elites and citizens. Freitas argues that Portugal's historical use of "development" as a guise for exploitation continues has influenced Angola's economic structure and perpetuates its dependence on international trade.

Portugal's economic domination persists, shaping Angolan national production and maintaining control despite the shift from direct to indirect influence. Investments portrayed as contributions to Angola's development are scrutinized, revealing that Portuguese companies primarily benefit from these actions. Despite various projects and partnerships, inequality and poverty in Angola have surged, emphasizing the disparity

between the nations, particularly economically. Freitas contends that Portugal's influence over Angola's economic system persists, raising questions about the genuine impact of purported developmental investments.

During the final years of colonization, as Angola experienced growth, Portugal not only mirrored that growth but also consistently overperformed due to its consistently obtained share of the funds circulating through Angola's economy. The proximity began to change in the final years of the independence wars and more abruptly after Angola gained independence. As the independence war was ending, there was a slight deviation in Portugal's GDP and national income from Angola's; however, following independence, this difference was more apparent. In the years after the separation of both states' economies, both countries saw a decrease in growth and income. This concurrent decline only changed for Portugal when it became a member state of the EU in 1986. This suggests that the growth of Angola's economic capacities was not just beneficial, but also interlinked with the improvement of Portugal's economic standing. The figures below reflect the GDP per adult as well as the national average income of both Portugal and Angola from 1954 until 2018.

Figure 1:

Graphic elaborated by Luisa Feitas with data retrieved from (World Inequality Database, 2021)

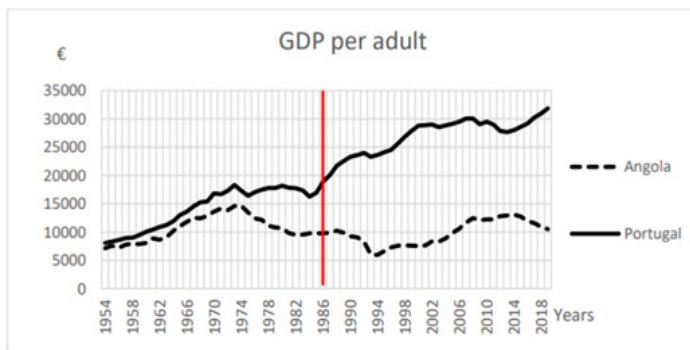
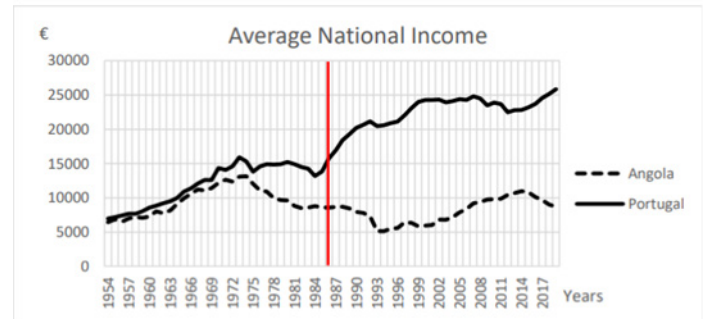


Figure 2:

Graphic elaborated by Luisa Feitas with data retrieved from (World Inequality Database, 2021)



Even today, Portugal is still exploiting its economic ties with Angola to further its economic gain, despite knowing the ramifications this will and has had on Angola's fragile economy. In 2021, the Portuguese government approved a guarantee of a 252.5-million-euro loan to the Angolan National Bank to fund the development of a Naval Base. At face value, the loan reads as an investment into Angola's infrastructure and subsequently its economy by providing labor and infrastructure. In reality, the benefactors from this development are overwhelmingly Portuguese, including Mota Engil, a Portuguese construction company, and the Portuguese banks via interests paid for the loan. Even the export partners of oil and gas moguls, who will have better access to the petrol region, see positive economic growth from this loan before Angola's economy. These investments overwhelmingly seek to stimulate Portugal's economy despite the facade that the Portuguese Government has vested interests in Angola's infrastructure and economic development. Emmanuelle Lavallée and Julie Lochard (2012) find a similar exploitive relationship in the context of Franco-African trade relations post-independence, drawing on existing research on neo-colonialism and international trade between France and the sub-Saharan African region.

The Netherlands published a statement titled *Africa Strategy: Government Presents Integrated Approach to Cooperation with Africa* (2020), highlighting its intended partnership development

agenda and providing insights into its integrated approach to cooperation with Africa in addition to projecting trading development between the Dutch and Africa until the 2030s. The Netherlands is working towards intensifying its collaboration with Africa by increasing investments in a more targeted and sustainable manner. This strategic approach aims to position the Netherlands and the EU as appealing partners for African countries. The goal is to foster cooperation on transnational challenges such as migration, energy transition, security, food security, and most notably trade. The Africa Strategy, presented to the Dutch House of Representatives by the Minister for Foreign Trade and Development Cooperation, Liesje Schreinemacher, and Minister of Foreign Affairs Wopke Hoekstra, outlines these efforts to enhance engagement and partnership between the Netherlands and African nations (Government of the Netherlands 2020). This statement draws on policy documents and official statements made by the Dutch Government and the EU using historical knowledge to formulate an effective course of action.

The complex trade and foreign relationship between Africa and France, The Netherlands, and Portugal began during the latter's occupation of Africa. However, the true nuanced aspect of their relationship is the European countries' influence during the de-colonial transition period, wherein these countries were pioneers in their efforts to draft trade agreements.

Conclusion

The research on EPAs within the EU context reveals systematic imbalances in economic benefits and opportunities. Key findings indicate that, while EPAs have facilitated increased EU imports from ACP nations, the reciprocal EU imports to ACP countries have been less pronounced. The EU tends to exploit its market knowledge to dictate terms of agreements in a way that significantly boosts its economy, exacerbating existing economic disparities.

These imbalances hold significant implications for EU-ACP economic relations. The

research highlights the need for a more equitable distribution of benefits to ensure sustainable and inclusive development, going so far as suggesting that ACP nations withdraw completely from world markets to grow their economies. It raises questions about the effectiveness of current EPA structures in addressing the unique needs of ACP nations and calls for a reevaluation of the terms to foster a more mutually beneficial partnership.

In the broader context of international economic partnerships, these findings contribute to a nuanced understanding of the complex dependency structures involved. Policymakers should consider recalibrating EPAs to promote fair trade practices, address structural inequalities, and prioritize ACP development.

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Coverage of the Iraq War: Voices and Frames in the *New York Times*

Racheal Vargo, Class of 2024

Introduction

At the beginning of 2003, news of a potential U.S. invasion of Iraq inundated the pages of newspapers. While the perceived job of the media is to provide an objective account of an event that equally encompasses all perspectives, that may not have been the case in the lead-up to the Iraq war. Due to a combination of Bush's rally effect and indexing, the Bush administration became one of the most frequently quoted sources in the papers. In fact, many papers cited Bush and other administration officials about intelligence regarding weapons of mass destruction (WMDs) and pro-war efforts. Additionally, because the administration was so frequently cited, Bush was given the ability to frame the war in any way he wanted, and he did so by developing links between the war on terror and Iraq. This persistent frame that the invasion of Iraq was an extension of 9/11 and the subsequent war on terror gave the public a rationale for the invasion of the country.

While many scholars have concluded that the media gave the American public a one-sided pro-war perspective of the war, an examination of six *New York Times* articles demonstrates the opposite. However, it is important to note that the six articles range from January 1, 2003, to January 30, 2003, and do not fully encapsulate the months leading up to the war. Additionally, the articles were hand-picked rather than randomly sampled, thus creating bias. Nonetheless, the results are quite fascinating. While I expected the Bush administration and a pro-war frame to dominate the articles, I found the results were more varied: I found a mix of frames, including a United Nations frame, an anti-war frame, a war on terror frame, a WMD frame, and a pro-war frame. Additionally, while Bush administration officials were quoted, they were not cited frequently. Instead, many of the voices were varied as well, including international and U.N. voices and those of critics.

Frames and Voices

The most prevalent frames were an anti-war frame and a United Nations frame. Following this was a WMD frame, a war on terror frame, and a pro-war frame. The articles "Modest Turnout in Pakistan for Anti-U.S. Demonstrations" (Rohde 2003) and, to a lesser degree, "Weapons Inspectors Will Ask U.N. for More Time in Iraq" (Sciolino 2003) demonstrate the anti-war frame. The anti-war frame is accomplished through the inclusion of international voices opposed to the war. For example, the international voices in Rohde's article include leaders of religious parties that encouraged Pakistanis to protest a potential U.S. attack on Iraq. The main voice was that of Maulana Samilul Haq, one of the religious leaders and a Taliban supporter. While the protests were small, only measuring around six thousand people across six cities, the protests demonstrated anger towards the U.S. One of the reasons for the protests, Rohde writes, was the 'American highhandedness' regarding policies in Iraq. Sciolino's article similarly demonstrates an anti-war frame, albeit to a lesser extent. The article states that Dr. Mohamed ElBaradei, Director of the U.N.'s International Atomic Energy Agency, and Hans Blix, Head of the U.N. Monitoring, Verification and Inspection Commission, both of whom are cited in the article, will ask the U.N. for more time to carry out weapons inspections to avoid a potential war. The two inspectors also articulated that war was 'the worst scenario' and, if war could be avoided, their extra time would be 'well spent,' articulating a clear anti-war position.

On the other hand, Sciolino's article also demonstrates a U.N. frame, which highlights the lack of support of an invasion from the U.N. The prominent voice supporting the U.N. frame is French President Jacques Chirac. Chirac, who supported extending the inspectors' time, stated that the inspectors could make "serious conclusions" that may sway the international community. Furthermore,

Chirac stated, “It’s the responsibility of the Security Council and the Security Council alone to make a decision regarding the report and also the requests of the inspectors” (Sciolino 2003).

Another U.N. frame is brought about by Knowlton’s article, “U.S. Says ‘Final Phase’ Begins on Iraq as Allies Urge More Time.” Similarly to the anti-war frames, international voices set the tone. While many welcomed the announcement that Powell, in the coming weeks, would offer more intelligence on Iraq, there was still a large amount of opposition. German Chancellor Gerhard Schröder stated that the intelligence question “must be treated in the Security Council and only there” (Knowlton 2003). In addition, the European Union’s foreign policy chief, Javier Solana, stated that the Security Council should remain “the center of gravity” (Knowlton 2003). Another voice was that of Australian Prime Minister John Howard, who stated that Powell’s presentation puts the matter at “the feet of the Security Council, where the matter belongs” (Knowlton 2003). There was also opposition from NATO, specifically France, Germany, Belgium, and Luxembourg, who prevented a request by the U.S. for military assistance. The four countries wanted to ensure inspectors had been given enough time. Bush administration officials Ari Fleischer, chief spokesman for Bush, and John Negroponte, US ambassador to the U.N., were briefly quoted in the article.

A third frame, brought on by Schmemmann’s article, “Iraq Gave no New Evidence in Arms Report, Inspector Says,” that can be seen is the WMD frame, which questions whether there are WMDs in Iraq. The primary voices, Blix and ElBaradei, stated that if they had found a ‘smoking gun,’ they would have already reported it to the Security Council. However, no new evidence has been acquired. Because of this lack of new evidence, inspectors said there are not high levels of confidence that there are no more WMDs. However, Bush Administration official John Negroponte was also briefly quoted, stating that Iraq’s unwillingness to cooperate with inspectors was an attempt to deceive and should result in a material breach (Schmemmann 2003).

A fourth frame outlined in the articles is a war on terror frame, which framed the invasion of Iraq as an extension of 9/11 and the subsequent war on terror,

prominently seen in the article “Bush Enlarges Case for War by Linking Iraq with Terrorists” (Gordon 2003). One voice of the article is President Bush, who stated that Iraq was hiding terrorists and that Hussein could give them WMDs to attack the U.S. The article notes that for many, “protecting the nation against terrorists is a far more persuasive rationale for going to war” (Gordon 2003). However, the article also includes voices critical of President Bush. For example, it quotes a letter from the CIA to Congress stating Iraq was “unlikely to orchestrate terrorist attacks in the United States unless Washington struck Iraq first” (Gordon 2003). Kenneth M. Pollack, a former CIA expert, was also quoted stating, “There is still skepticism around the world that Saddam would give weapons of mass destruction to terrorists” (Gordon 2003).

The final frame outlined in “Senate Presses White House to Disclose Evidence Against Iraq” (Stout 2003) demonstrates not only a pro-war frame but also one about transparency. The main voices were from the Senate Foreign Relations Committee. Senator Joe Biden expressed anger at U.S. allies for not supporting a military campaign, stating, “Every world leader in Europe and the Middle East knows he’s in material breach” (Stout 2003). In addition, Biden stated that the American people should be fully informed, demanding more clarity from the White House. Another voice was that of Deputy Defense Secretary Richard Armitage. Armitage stated that Powell’s presentation in Iraq in the coming weeks would “try to lay this out for the world” (Stout 2003). Powell’s presentation, which discussed evidence of WMDs in Iraq, was a critical piece in the U.S.’s attempt to go to war. Thus, in trying to ‘lay it out for the world,’ it was an attempt to get the U.N. to support an invasion of Iraq. Furthermore, he stated that if Hussein “doesn’t turn on the light, the lights will be turned on peacefully or forcibly,” meaning if Hussein does not come clean about WMDs, the U.S. will invade (Stout 2003).

Comparison to Other Scholars’ Findings

The findings of the six articles will be compared to the findings of “Whose Views Made the News? Media Coverage and the March to War

in Iraq” (Hayes and Guardino 2010) and “Shaping Public Opinion: The 9/11-Iraq Connection in the Bush Administration’s Rhetoric” (Gershkoff and Kushner 2005). In their study concerning media coverage prior to the Iraq War, Hayes and Guardino found that the Bush administration was the most cited source, followed by Iraqi, foreign, and military sources (73). Regarding my findings, only one of my articles is consistent with Hayes and Guardino’s findings; “Bush Enlarges Case for War by Linking Iraq with Terrorists” (Gordon 2003) quoted the Bush administration many times throughout the article. As for my other articles, I found that the Bush administration was not the main voice of the articles. Instead, many of the voices were foreign or that of weapons inspectors (U.N. officials). The Bush administration was quoted at varying rates and, for a majority of the articles, was not a dominant voice.

As for Gershkoff’s and Kushner’s study, the authors examined Bush’s rhetoric in the months leading up to the Iraq war. The authors found that the Bush administration framed the Iraq war as an extension of the war on terror, linking words such as Iraq and Hussein with words such as terror and al Qaeda (528). Gordon’s article was once again the only article to match Gershkoff and Kushner’s findings, as it had a clear frame of extending the Iraq war as a war on terror, which could be seen not only throughout the article but in the title as well. However, the war on terror frame was not prominent among the other articles. The most prominent frame was an anti-war frame and a U.N. frame. The articles also consisted of other frames, including a pro-war and transparency frame and whether or not Iraq had WMDs. Overall, my findings were inconsistent with those of Hayes and Guardino and Gershkoff and Kushner. Only one article was consistent with the authors’ findings.

Evaluation

Overall, I found that the six articles were inconsistent with the results of other scholars. Many scholars have found that the Bush Administration framed the Iraq war as an extension of the war on terror and the administration is the most quoted source. While only one of the articles I analyzed

overwhelmingly quoted Bush and used the war on terror frame, the other five articles varied in terms of frames and voices quoted—I found anti-war frames, U.N. frames, a pro-war frame, a transparency frame, and a WMD frame. Additionally, many sources were quoted across the articles, such as U.N. officials, world leaders, U.S. senators, Bush, and other members of his administration.

While most scholars acknowledge the one-sidedness of the media leading up to the war, that is, the media’s tendency to predominantly cover the Bush administration’s views and perspectives of the war, this begs the question of how well the *New York Times* informed their readers. Interestingly, based on the six articles I analyzed, the *New York Times* actually provided a well-rounded coverage of the events leading up to the war, which I was not expecting. I thought the news would be filled with pro-Bush/pro-war rhetoric, but this was not the case. The *New York Times* highlighted pro-war and anti-war perspectives, and they seemed to focus heavily on international opposition to the war, as well as promoting the idea that the U.N. Security Council should decide whether or not war happens. The *New York Times* also put opposing perspectives in conversation. For example, in the article “Iraq Gave no New Evidence in Arms Report, Inspector Says,” perspectives from Blix and ElBaradei are offered, as well as the opposing views of John Negroponte. Interestingly, and perhaps most importantly, the *New York Times* offered skepticism about the prudence of a potential invasion. For example, in “Bush Enlarges Case for War by Linking Iraq with Terrorist,” the article discusses Bush’s rhetoric in connecting the Iraq war and the war on terror. However, the article also articulates issues with Bush’s stance by including the CIA letter stating that it is unlikely Iraq would organize terrorist attacks. In addition, the article quotes a former CIA expert who also voiced his skepticism. Overall, the *New York Times* offered the American public a well-rounded perspective of the events leading up to the Iraq war.

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Policies Producing Participation: Examining the Effectiveness of Voting Policies on Increasing Youth Voter Turnout

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Introduction

Voting is a fundamental right and an essential element of any democracy, and for citizens aged 18 and above in the United States, participating in the electoral process is often regarded as a crucial civic responsibility. Despite representing a significant portion of the population, the voter turnout rates among the youth demographic, specifically aged 18 to 24, consistently trail behind those of other age groups (File 2014). The underlying reasons for this disparity are multifaceted and intricate, encompassing factors such as inadequate interest or knowledge, obstacles in accessing polling stations, and feelings of alienation from the political process. To address this critical issue and foster a more inclusive democracy, it is imperative to examine the relationship between registration and voting policies and their influence on youth voter registration and turnout.

Numerous policies and practices are frequently debated in relation to youth voter turnout, including voter ID laws, early voting opportunities, and registration procedures. The examination of these policies throughout this paper will explore whether and how policies impact the accessibility, convenience, and awareness of the voting process for young voters. For instance, it will investigate if voter ID laws discourage young voters lacking the required identification, while simultaneously examining whether early voting opportunities attract those facing time constraints due to work or education commitments. Furthermore, the analysis will determine if registration procedures are perceived as cumbersome or time-consuming, potentially deterring young voters from registering.

One particular policy that has garnered significant attention is preregistration, which allows individuals to register to vote before reaching the eligible age. Preregistration represents an innovative

means of promoting voter participation, especially among young voters in the electoral process (Holbein and Hillygus 2016). Delving deeper into the specific impact of preregistration along with other voting policies on youth voter registration and turnout will contribute to a broader understanding of how to foster increased youth engagement in the democratic process.

Literature Review

For several decades, political scholars and policy makers have been concerned about the declining rates of political participation among young Americans. Since being granted the right to vote in 1972, only 53 percent of 18 to 29-year-olds have cast ballots, and by 2000, this number had dropped to a historical low of 36 percent (Wolfinger and Rosenstone 1980). Moreover, from 2000 to 2012, the turnout gap between 18 to 29-year-olds and 30 to 44-year-olds averaged 14 percent, highlighting the significant decline in political engagement among the young population (CIRCLE 2015). Low levels of turnout among young Americans have been attributed to various factors, including lower levels of resources among young people which can impede their ability to participate in the political process (Squire, Wolfinger, and Glass 1987). Furthermore, younger Americans are less likely to have the psychological affiliations and attachments that are thought to be critical for political engagement, making it challenging for them to connect with the issues and candidates (Timpone 1998; Highton and Wolfinger 2001).

One significant barrier that young voters face is higher administrative red-tape when it comes to participating in the electoral process. Newly eligible voters may be unfamiliar with the registration system, including how and where to register to vote, making them more likely to miss registration

windows or be unaware of election day requirements (McDonald 2009). Even if these informational costs are relatively small, they may be enough to deter young voters from participating in political activities. Additionally, geographic mobility can exacerbate these costs by requiring young voters to re-register in a new location, making turnout even less likely (Highton 2000; McDonald 2008; Ansolabehere, Hersh, and Shepsle 2012). Overall, the reasons behind low youth turnout rates are varied and complex, with the persistent gap in voter turnout rates between young Americans and older citizens remaining stubbornly high.

Preregistration laws have been proposed as a solution to the low voter turnout rates of young Americans. These laws allow citizens under the age of 18 to add their names to registration rolls before they are eligible to vote (McDonald and Thornburg 2010), such as when they apply for a driver's license. This process lowers the institutional obstacles of engaging in the political process, making it easier for young people to participate in elections. Proponents of preregistration argue that it will reduce the "voting costs" for young people and remove any barriers to voting on Election Day (Cherry 2011). In fact, Congressman Edward Markey (D-MA) introduced "The Gateway to Democracy Act" in the U.S. House of Representatives, which aimed to create a nationwide preregistration law. He argued that it is in the best interest of the country to make it as easy as possible for young people to go to the polls for the first time, and by completing the paperwork ahead of time, the barrier for entry on Election Day is functionally eliminated (U.S. Congress 2004).

While there have been few attempts to empirically evaluate the effectiveness of preregistration laws, some research indicates that it can increase turnout rates among young voters. In one study, it was found that pre-registrants in Florida and Hawaii were 4.7 percent more likely to vote in the 2008 election than those who registered after they turned 18 (McDonald and Thornburg 2010). Many politicians, journalists, and policy advocates have supported preregistration reforms, arguing that by reducing the barriers to voting the youth turnout

will increase as a result. By filling out an application nearly identical to a regular voting registration form, minors add themselves to a queue, automatically activated upon reaching voting eligibility at age 18. Pre-registrants are entered into the state's voter database as a pending registration that becomes active when the individual becomes eligible to vote. Preregistration laws could encourage more young people to participate in the political process by providing them with a sense of civic duty and a means to become more informed about the issues and candidates (Lijphart 1997).

However, some scholars argue that any relationship between preregistration and turnout is spurious, an artifact of unobserved levels of political interest, motivation, or propensity to vote (Erikson 1981; Highton 1997; Martinez and Hill 1999; Berinsky, Burns, and Traugott 2001; Highton 2004; Ansolabehere and Konisky 2006; Kousser and Mullin 2007; Hanmer 2009; Keele and Minozzi 2013; Burden and Neiheisel 2013; Burden et al. 2014). This means that individuals particularly interested in politics may be more likely to preregister while simultaneously being more likely to vote, thereby creating a false relationship between preregistration and voter turnout. This explanation has been offered to account for the null findings that have become so common in casual analyses of the impact of other electoral reforms, such as early voting and vote-by-mail (Lijphart 1997).

Despite these concerns, there are distinct features of preregistration laws that should increase the likelihood that the reform will effectively increase youth turnout. Although removing obstacles to voting might not automatically translate into high turnout among the unmotivated and unengaged, preregistration laws could increase engagement among young people by encouraging them to register early. Preregistration laws could also lead to better and more targeted outreach efforts by political campaigns and community groups, which could further increase voter participation (Hillygus and Shields 2009; Hersh 2014). Thus, while the relationship between preregistration and voter turnout remains a contentious issue, there are reasons to believe that this reform could be an

effective way to increase youth engagement in the electoral process.

One benefit of preregistration is that it removes a barrier to participation when individuals are more likely to be interested in politics — during a political election (Freedman, Franz, and Goldstein 2004). Even though 16-year-olds may not be eligible to vote in an election, they can still join the political system and become familiar with the process during a heightened salience of an electoral campaign. This early integration into the political system may have a long-term impact on political engagement, as it sets habitual forces in action (Plutzer 2002; Fowler 2006; Meredith 2009) and changes a young person's identity as a participant rather than an outsider, leading to increased efficacy, attentiveness, and participation in future elections (Bryan et al. 2011).

Preregistration is a type of reform that brings in new voters rather than retaining existing voters, such as early-voting laws do (Burden et al. 2014). It also benefits from other supporting institutions, such as most individuals who preregister do so when they apply for a driver's license, which is a rite of passage for many young people that marks a new level of independence and responsibility. This “status change” signals to young people that they are now adults and have a responsibility to participate in the democratic process. Preregistration programs have been found to be particularly effective in increasing turnout among young people who may not have considered voting before, as it provides a concrete step that they can take to demonstrate their commitment to civic engagement (Hillygus and Shields 2009). Research has also found that preregistration programs can increase the likelihood that young people will remain registered to vote and continue to participate in elections over the long term.

Additionally, preregistration is reinforced by supporting institutions such as high schools, where many eligible individuals for preregistration programs are likely to be. Exposure to a civics curriculum in high school has been linked to increased turnout later in life (Niemi and Junn 2005), and some states require election officials to hold registration drives within public high schools,

further promoting the uptake of preregistration (McDonald and Thornburg 2010). Campaign efforts may also support preregistration, as once a young person is part of a state's voter file, they are more likely to be targeted by candidates, parties, and interest groups in their campaign communications and mobilization efforts (Burden et al. 2014). Preregistration is a promising reform that can bring new voters into the political system, increase long-term engagement, and build a more representative democracy (Hillygus and Shields 2009).

It is also worth noting that preregistration programs can be particularly important for increasing voter participation among marginalized communities. In many cases, low-income communities, communities of color, and other historically marginalized groups face significant barriers to political participation (Wolfinger N. and Wolfinger R. 2008). Preregistration programs can help to reduce some of these barriers by making it easier for young people from these communities to become registered voters. By doing so, they can help to ensure that these communities are fully represented in the democratic process and that their voices are heard on the issues that matter most to them.

The effectiveness of electoral reforms can be influenced by various factors beyond cost reduction. The success of these reforms often depends on the broader institutional and contextual factors that surround the electoral process. For example, reforms to increase access to voting may not be effective if the population lacks trust in the electoral system or does not see the value in participating in the process (Erikson 1981; Berinsky, Burns, and Traugott 2001). Additionally, it can be challenging to measure the impact of specific reforms on voter behavior, particularly among young people, due to the powerful role of individual motivation in determining whether someone turns out to vote. Furthermore, it is important to recognize the limitations of state-level “treatment” as a way to assess the impact of electoral reforms (Erikson and Minnite 2009). It is often assumed that these reforms occur exogenously, meaning they are generated outside the control of vested parties;

however, research has suggested that election laws are endogenous to political participation (Erikson and Minnite 2009; Hanmer 2009) and are instead often influenced by the interests and actions of political actors (Neiheisel and Burden 2012; Keele and Minozzi 2013). Therefore, studies that rely on state-level treatments struggle to capture the full complexity of the relationship between electoral reforms and political participation.

Overall, the declining rates of political participation among young Americans have been a persistent concern for political scholars and policymakers. Low levels of political engagement among young people have been attributed to various factors, including lower levels of resources, psychological affiliations, and attachments. One significant barrier that young voters face is higher transaction costs when it comes to participating in the electoral process. Preregistration laws have been proposed as a solution to this issue, allowing citizens under the age of 18 to add their names to registration rolls before they are eligible to vote. Although the relationship between preregistration and voter turnout remains a contentious issue, there are reasons to believe that this reform could be an effective way to increase youth engagement in the electoral process. Preregistration laws encourage more young people to participate in the political process by providing them with a sense of civic duty and a means to become more informed about the issues and candidates.

Methodology

This study employs a robust methodology to analyze the influence of state-level voting and registration policies on youth voter registration. By examining youth individuals aged 18-24, this research seeks to explain any possible relationship between voting policies and young voters' electoral engagement during the 2016, 2018, and 2020 elections. To do this, extensive data leveraged from *The Book of States*, the Center for Information and Research on Civic Learning (CIRCLE), and the U.S.

Census Bureau's Voting and Registration is utilized.¹

In this study, the dependent variables consist of voter registration and voter turnout among youth, while the independent variables are classified into three distinct dimensions of policy restrictions: 1) registration requirements, 2) voting restrictions, and 3) absentee restrictions. Each dimension is comprised of three variables that capture the nuances of each state's approach to voting accessibility and is assigned a value ranging from one to four based on the degree of restriction. The value of one denotes states with no policy restrictions for that dimension, the value of two signifies states with one policy restricting access to the dimension, three indicates states with two of the policies increasing barriers, and four represents states in which all observed policies are in place to restrict the dimension's accessibility. This scoring system enables a systematic analysis of the relationship between state-level voting policies and youth electoral participation, shedding light on the efficacy of various policy measures in promoting civic engagement among young voters.

To analyze the specific policies influencing youth electoral participation more effectively, this study has established three dimensions, each focusing on three distinct policies, to comprehensively examine the various electoral restrictions. In the registration restrictions dimension, the analysis considers the availability of same-day registration, the option for online registration, and the implementation of automatic voter registration. Within the voting restrictions dimension, the study evaluates the presence of early voting provisions, the requirement for voter identification, and the necessity of photo identification for voting. Lastly, the absentee restrictions dimension encompasses the need for an excuse to obtain an absentee ballot, the availability of permanent absentee status, and the requirement of a witness or notary signature for absentee ballot

¹ It should be noted that values gathered from the U.S. Census Bureau are part of the Current Population Survey (CPS) that the Bureau updates monthly. Further information regarding the CPS can be found at: <https://www.census.gov/topics/public-sector/voting/technical-documentation.html>

acceptance.

The data analysis in this study consists of several stages, starting with a univariate analysis to provide a comprehensive overview of the dataset. Central tendency measures, such as mean, median, and mode, will be calculated for both dependent variables, voter registration and voter turnout amongst youth, to understand the overall patterns of youth electoral engagement in the study. These measures will provide insights into the typical levels of registration and turnout among young voters in the United States. Additionally, dispersion measures, including the range, variance, and standard deviation, will be calculated for the dependent variables to assess the variability and dispersion of electoral engagement among young voters across states. These measures will help identify any significant differences in youth electoral participation between states with varying voting policies.

Following the univariate analysis, a bivariate analysis will be employed in order to explore the relationships between the independent and dependent variables. Cross-tabulation will be used to display the joint distribution of the categorical independent variables (dimensions of policy restrictions) and the categorical dependent variables (voter registration and voter turnout amongst youth, categorized into different levels based on percentage). This will provide a comprehensive view of how youth electoral engagement varies across different voting policy dimensions. Chi-square tests will be conducted to determine if there is a significant association between voting policies and youth electoral engagement. This test will help evaluate the null hypothesis that there is no relationship between voting policy dimensions and youth electoral participation, allowing me to determine whether the observed relationship is due to chance or an actual effect of the policies. These bivariate analyses will help determine the relationship between state-level voting policies and youth electoral participation and provide insights into the potential effects of various policy measures on promoting civic engagement among young voters. The findings can then be used to inform

policy recommendations aimed at increasing youth electoral engagement.

Building upon the univariate and bivariate analyses, a multivariate analysis will be conducted to examine the combined effects of multiple independent variables on the dependent variables (voter registration and turnout amongst youth). This approach will enable a deeper understanding of the complex relationships between state-level voting policies and youth electoral engagement while controlling for potential confounding factors that may influence these relationships. In the multivariate analysis, cross-tabulation with control variables will be employed, with voter registration and turnout amongst youth as the dependent variables, and the dimensions of policy restrictions and other relevant control variables as the independent variables. The control variable will be an examination of the dominant political party in the state, which has been identified as a potential influence on electoral participation through previous literature. This analysis will help assess the relative importance and contribution of each independent variable on the dependent variables while controlling for the effect that external variables may have on the model. This approach will provide a more comprehensive understanding of the complex interplay between voting policies and other factors that shape youth electoral engagement. Furthermore, it will aid in identifying the most effective policy measures for promoting civic engagement among young voters and uncover any potential interactions between the variables that could offer insights into the nuanced effects of voting policies on different subgroups of the youth population.

Data Analysis

Univariate

In this section, I analyze the distribution of youth voter registration and voter turnout in all 50 states of the United States for the years of 2016, 2018, and 2020. Table 1 below presents the distribution of youth registration and voter turnout as percentages of a provided dataset. On average, 52.1% of the youth population is registered to vote, with the highest coming from New Jersey in 2020

with 78.3% of the youth population registered to vote, and the lowest coming from Hawaii in 2018 with only 26.8% of the youth population registered. The median youth registration rate is 52%, indicating that half of the observations have a youth registration rate at or above this value. The standard deviation of 8.18 suggests a moderate variability in youth registration rates across the dataset, and the 33.33rd percentile value of 48% and the 66.67th percentile value of 55.3% provides additional insight into the distribution of youth registration rates.

In terms of youth voter turnout, the mean is 39.9%, with a range of 48 percentage points between the highest turnout of 2020 Minnesota at 67.5% and the lowest of 2018 Idaho at 19.9%. The median youth voter turnout is 39.5%, suggesting a relatively symmetrical distribution around the central value. The standard deviation of 10.4 indicates a greater variability in youth voter turnout compared to registration rates. The 33.33rd percentile value of 34.7% and the 66.67th percentile value of 45.3% further describes the distribution of youth voter turnout. This suggests that the differences in youth voter turnout across states are more pronounced than the variability in registration rates, emphasizing the need for further investigation into the factors driving these disparities.

Bivariate

In this comprehensive bivariate analysis, I examine the relationship between various dimensions of electoral restrictions—registration requirements, voting restrictions, and absentee restrictions—and both youth voter registration rates and youth voter turnout.

Exploring the impact of potential registration restrictions on youth voters—such as the availability of same-day registration, the option for online registration, the implementation of automatic voter registration, and their impact on youth voter registration rates—Table 2 categorizes states based on the level of registered youth voters: 42 states in the LOW registration category, 42 states in the MED category, and 57 states in the HIGH

category.² Table 2 also categorizes the registration restrictions dimension based on the severity of the state's restrictions: 19 states in the 1 category, which represents states with no registration restrictions; 31 states in the 2 category, which represents states with 1 registration restriction; 80 states in the 3 category which represents states with 2 registration restrictions, and 11 states in the 4 category which represents states with all policies restricting registration ease.

A chi-squared (χ^2) test was performed, yielding a χ^2 value of 9.27 with 6 degrees of freedom (df) and a p-value of 0.159. As the p-value is greater than the commonly used significance level of 0.05, we fail to reject the null hypothesis, which states that there is no relationship between the two categorical variables, suggesting no statistically significant evidence of association between Dimension of Registration Restrictions and % of Youth Registered Voters. Furthermore, the nominal measure of association, Cramer's V, which yielded .181, indicates a weak association between the two variables, though the lack of significance from the chi-squared test means that this weak association may not be reliable.

This next section further explores the impact that registration restrictions have, looking at youth voter turnout rates after adjusting for registration rates. Table 3 categorizes states based on the level of youth who voted: 44 states in the LOW turnout category, 48 states in the MED category, and 49 in the HIGH category. Table 3 also categorizes the registration restrictions dimension based on the severity of the state's restrictions: 19 states in the 1 category representing states with no registration restrictions, 31 states in the 2 category representing states with 1 registration restriction, 80 states in the 3 category representing states with 2 registration restrictions, and 11 states in the 4 category representing states with all policies restricting registration ease.

2 It should be noted that both Table 2 and Table 3 are only evaluating 141 states out of the 150-state dataset. This is due to the following states not including a full listing of registration restriction statistics in *The Book of States*. Maine (2020), Maryland (2020), Massachusetts (2020), North Carolina (2016, 2018, 2020), North Dakota (2016, 2018, 2020).

A chi-squared (χ^2) test was performed, resulting in a χ^2 value of 13.4 with 6 degrees of freedom (df) and a p-value of 0.037. As the p-value is less than the commonly used significance level of 0.05, we reject the null hypothesis, which states that there is no relationship between the two categorical variables. This suggests a statistically significant association between the Dimension of Registration Restrictions and % of Youth Voters. Furthermore, the nominal measure of association, Cramer's V, which yielded 0.218, indicates a weak to moderate association between the two variables.

Overall, this analysis of registration restrictions and their impact on youth voter turnout rates indicates that there is a relationship between these two factors. The findings suggest that as registration restrictions increase, it may have some impact on youth voter turnout, although the association is weak to moderate. This means that while registration restrictions may play a role in influencing youth voter turnout, there are likely other factors at play that also contribute to the differences in turnout rates among states. However, policymakers and election officials should consider the impact that registration restrictions have on youth voter turnout when designing policies and practices to promote civic engagement among young people.

In this section, we examine the association between voting restrictions—specifically whether there are early voting provisions, the requirement for voter identification, and the necessity of photo identification for voting—and their influence on youth registration rates. Table 4 categorizes states based on the level of registered youth voters, with 43 states in the LOW category, 41 states in the MED category, and 60 states in the high category.³ Table 4 also categorizes the voting restrictions dimension based on the severity of the state's restrictions: 38 states in the 1 category representing states with no voting restrictions, 48 states in the 2 category representing states with 1 voting restriction, 53

states in the 3 category representing states with 2 voting restrictions, and 5 states in the 4 category representing states with all policies restricting voting ease.

A chi-squared (χ^2) test was performed, resulting in a χ^2 value of 6.44 with 6 degrees of freedom (df) and a p-value of 0.375. As the p-value is greater than the commonly used significance level of 0.05, we fail to reject the null hypothesis, which states that there is no relationship between the two categorical variables, suggesting no statistically significant evidence of association between the Dimension of Voting Restrictions and % of Youth Registered Voters. Furthermore, the nominal measure of association, Cramer's V, which yielded 0.150, indicates a weak association between the two variables. However, the lack of significance from the chi-squared test means that this weak association may not be reliable.

In this section, we investigate the impact of voting restrictions on youth voter turnout. Table 5 displays the distribution of states with different levels of youth voter turnout, with 44 states in the LOW category, 48 in the MED category, and 52 in the HIGH category. The table shows some variation in youth voter turnout rates across restriction categories, which could suggest a potential relationship between the level of voting restrictions and youth voter turnout. However, the Chi-square test ($\chi^2 = 4.40$, $df = 6$, $p = 0.623$) and Cramer's V value of 0.124 do not support a statistically significant association between these variables. This finding suggests that voting restrictions may not play a significant role in influencing youth voter turnout.

This section explores the potential impact of absentee restrictions—specifically the impact of requiring an excuse to obtain an absentee ballot, the availability of permanent absentee statuses, and the requirement of a witness or notary signature for an absentee ballot to be accepted—on youth voter registration rates. Table 6 categorizes states based on the level of registered youth voters, with 42 states in the LOW category, 37 in the MED category, and 59

³ It should be noted that both Table 4 and Table 5 are only evaluating 144 states out of the 150 state dataset. This is due to the following states not including a full listing of registration restriction statistics in *The Book of States*. Oregon (2016, 2018, 2020), and Washington (2016, 2018, 2020).

in the HIGH category.⁴ The table also categorizes the absentee restrictions dimension based on the severity of the state's restrictions: 25 states in the 1 category representing states with no absentee restrictions, 43 states in the 2 category representing states with 1 absentee restriction, 51 states in the 3 category representing states with 2 absentee restrictions, and 19 states in the 4 category representing states with all policies restricting absentee voting.

A chi-squared (χ^2) test was performed, yielding a χ^2 value of 12.4 with 6 degrees of freedom (df) and a p-value of 0.053. Although the p-value is slightly greater than the commonly used significance level of 0.05, it is very close to this threshold, indicating that the relationship between the two variables may be worth further investigation. In this case, we cautiously accept the potential association between the Dimension of Absentee Restrictions and % of Youth Registered Voters, while acknowledging that more robust evidence would be desirable to establish a stronger conclusion. Furthermore, the nominal measure of association, Cramer's V, which yielded 0.212, indicates a weak to moderate association between the two variables, suggesting that absentee restrictions might have an impact on youth voter registration rates.

Lastly, Table 7 explores the relationship between the degree of absentee restrictions and youth voter turnout. Table 7 displays the distribution of states based on percentages of youth voter turnout, with 43 states placed in the LOW category, 45 states in the MED category, and 50 states in the HIGH category. The table shows a difference in youth voter percentages among various absentee restriction categories, which initially suggests a possible relationship between the level of absentee restrictions and youth voter turnout. However, upon further examination using a chi-squared test, the results yield a χ^2 value of 5.98 with 6 degrees of freedom (df) and a p-value of 0.425. As the p-value is much greater than the commonly used

significance level of 0.05, we fail to reject the null hypothesis, which states that there is no relationship between the two categorical variables. This suggests no statistically significant evidence of association between the Dimension of Absentee Restrictions and % of Youth Voters. Furthermore, the nominal measure of association, Cramer's V, which yielded 0.147, indicates a weak association between the two variables. The lack of significance from the chi-squared test means that this weak association may not be reliable, suggesting that the level of absentee restrictions may not significantly affect youth voter turnout.

Multivariate

In this comprehensive multivariate analysis, I take the original contingency tables as presented in the bivariate analyses and examine the changes in the relationships when adding control variables. In this first set of control variables, I assess whether political affiliation of states has an impact on the relationship between registration restrictions—defined as the availability of same-day registration, the option for online registration, and the implementation of automatic voter registration—and youth voter registration rates.

In Table 8, the multivariate contingency table is divided into three distinct sections: one for RED states, representing states that voted for a Republican candidate; one for BLUE states, representing states that voted for a Democrat candidate; and one showing the total impact. These sections display the observed counts and percentages within columns for each combination of RED v. BLUE and registration restrictions. The chi-square test was employed separately for RED, BLUE, and total, in order to determine if there is a significant association between registration restrictions and the percentage of youth registered voters for each state's political affiliation. With p-values of 0.242 for RED, 0.733 for BLUE, and 0.159 for total, all exceeding the typical significance level of 0.05, there is no evidence to suggest a significant association between the dimension of registration restrictions and the percentage of youth registered

⁴ It should be noted that both Table 6 and Table 7 are only evaluating 138 states out of the 150 state dataset. This is due to the following states not including a full listing of registration restriction statistics in *The Book of States*. Colorado (2016, 2018, 2020), Hawaii (2020), Oregon (2016, 2018, 2020), South Dakota (2016), Utah (2020), Washington (2016, 2018, 2020).

voters when controlling for political affiliation. Additionally, Cramer's V values of 0.232 for RED, 0.164 for BLUE, and 0.159 for total, provides a measure of strength of the association between the values, which suggests that although there may be some relationship between the two variables, it is not strong or consistent enough to draw a definitive conclusion. Overall, this implies that the political affiliation of states does not play a significant role in the relationship between registration restrictions and youth voter registration rates.

In Table 9, the chi-square test was employed separately for RED, BLUE, and the total, in order to determine if there is a significant relationship between registration restrictions and the percentage of youth voters for each state's political affiliation. With p-values of 0.240 for RED, 0.276 for BLUE, and 0.037 for total, the results reveal no evidence to suggest a significant association between the dimension of registration restrictions and the percentage of youth voters for RED and BLUE states, as both p-values exceed the typical significance level of 0.05. However, the total p-value is below the 0.05 significance threshold, indicating a significant association between registration restrictions and the percentage of youth voters when considering both RED and BLUE states together. Additionally, Cramer's V values of 0.232 for RED, 0.237 for BLUE, and 0.218 for total provide a measure of the strength of the association between the values, which suggests that although there may be some relationship between the two variables, it is not strong or consistent enough to draw a definitive conclusion. Overall, this implies that the political affiliation of states does not play a significant role in the relationship between registration restrictions and youth voter participation rates.

In Table 10, the multivariate contingency table is divided into three distinct sections: one for RED states, representing states that voted for a Republican candidate; one for BLUE states, representing states that voted for a Democrat candidate; and one showing the total impact. These sections display the observed counts and percentages within columns for each combination of RED v. BLUE and voting restrictions. The chi-square test

was employed separately for RED, BLUE, and the total, in order to determine if there is a significant association between voting restrictions and the percentage of youth registered voters for each state's political affiliation. The p-values of 0.253 for BLUE and 0.375 for total indicate that there is no evidence to suggest a significant association between the dimension of voting restrictions and the percentage of youth registered voters for BLUE states, as both p-values exceed the typical significance level of 0.05. Additionally, Cramer's V values of 0.247 for BLUE and 0.150 for total provide a measure of the strength of the association between the values. For BLUE states, the Cramer's V value of 0.247 suggests a weak association between the two variables. The Cramer's V value of 0.150 for the total also suggests a weak association between the two variables. The absence of a p-value and Cramer's V value for RED states suggests that the chi-square test and measure of association could not be computed due to the presence of unreadable values in the contingency table.

In Table 11, the multivariate contingency table is divided into three distinct sections, which display the observed counts and percentages within columns for each combination of RED v. BLUE and voting restrictions. The chi-square test was employed separately for RED, BLUE, and the total, in order to determine if there is a significant association between voting restrictions and the percentage of youth registered voters for each state's political affiliation. The p-values of 0.253 for BLUE and 0.375 for total indicate that there is no evidence to suggest a significant association between the dimension of voting restrictions and the percentage of youth registered voters for BLUE states, as both p-values exceed the typical significance level of 0.05. Additionally, Cramer's V values of 0.247 for BLUE and 0.150 for total provide a measure of the strength of the association between the values. For BLUE states, the Cramer's V value of 0.247 suggests a weak association between the two variables. The Cramer's V value of 0.150 for the total also suggests a weak association between the two variables. The absence of a p-value and Cramer's V value for RED states suggests that the

chi-square test and measure of association could not be computed due to the presence of unreadable values in the contingency table.

In Table 12, the chi-square test was employed separately for RED, BLUE, and the total, in order to determine if there is a significant relationship between absentee restrictions and the percentage of youth-registered voters for each state's political affiliation. With p-values of 0.183 for RED, 0.058 for BLUE, and 0.053 for total, the results reveal no evidence to suggest a significant association between the dimension of absentee restrictions and the percentage of youth registered voters for RED states, as the p-value exceeds the typical significance level of 0.05. However, the p-values for BLUE and total are both close to the 0.05 significance threshold, indicating a borderline significant association between absentee restrictions and the percentage of youth registered voters for BLUE states and when considering both RED and BLUE states together. Additionally, Cramer's V values of 0.238 for RED, 0.319 for BLUE, and 0.212 for total provide a measure of the strength of the association between the values, which suggests that there may be a weak to moderate relationship between the two variables, especially in BLUE states, although it is not strong enough to draw a definitive conclusion. Overall, this implies that the political affiliation of states may play a role in the relationship between absentee restrictions and youth voter registration rates, particularly for BLUE states. While the p-values for BLUE and total do not conclusively suggest a significant association, they are close enough to warrant further investigation.

In Table 13, the chi-square test was employed separately for RED, BLUE, and the total, in order to determine if there is a significant relationship between absentee restrictions and the percentage of youth voters for each state's political affiliation. With p-values of 0.258 for RED, 0.232 for BLUE, and 0.425 for total, the results reveal no evidence to suggest a significant association between the dimension of absentee restrictions and the percentage of youth voters for RED, BLUE, and both states combined, as all p-values exceed the typical significance level of 0.05. Additionally,

Cramer's V values of 0.223 for RED, 0.260 for BLUE, and 0.147 for total provide a measure of the strength of the association between the values. These values suggest a weak association between the two variables for RED and BLUE states and an even weaker association when considering both RED and BLUE states together. Overall, this table implies that the political affiliation of states does not play a significant role in the relationship between absentee restrictions and youth voter participation rates.

Conclusion

Youth voter engagement has been a subject of interest for numerous political science scholars as it plays a pivotal role in shaping the future of democratic processes. Investigating the influence of policy restrictions on youth voter engagement is essential to understanding the barriers young voters face and developing strategies to foster a more inclusive electoral system. By examining data over time and comparing the findings across various states, this research sought to minimize biases and limitations associated with studying a single jurisdiction or time period.

The data collected in this research reveals a nuanced relationship between policy restrictions and youth voter engagement. The main aim of this study was to determine whether the hypothesis—that registration, voting, and absentee restrictions substantially impact youth voter registration and turnout—can be validated. In the univariate and bivariate analyses, certain associations were identified; however, the multivariate analysis exposed a more intricate relationship, especially in states with a Democratic leaning. This complexity underscores the importance of examining multiple factors when assessing the influence of policy restrictions on the engagement of young voters in the electoral process.

Although the results are mixed, it can be concluded that policy restrictions, particularly in the realms of registration and absentee voting, do indeed have an impact on youth voter engagement, albeit in a complex and multifaceted manner. Proportional systems, such as those observed in BLUE states,

were found to be associated with higher levels of youth voter registration in comparison to non-proportional systems. Nevertheless, it is essential to recognize that these restrictions are not the exclusive driving force behind youth voter participation. The multivariate analysis underscores the presence of other contributing factors that influence the level of engagement among young voters.

Furthermore, it is important to acknowledge that several findings in this study produced p-values higher than the statistically significant threshold of 0.05. Given the nature of the research, which evaluates states individually and only considers three years of election data, obtaining statistically significant values would necessitate the presence of an exceptionally distinct relationship. This contrasts with datasets that examine a larger number of individual data points, which can identify more nuanced relationships. Consequently, future research should continue to investigate the connection between registration, voting, and absentee restrictions in relation to youth voter registration and turnout. In doing so, it is vital to consider the interplay with factors such as political affiliation, socioeconomic status, and the unique characteristics of rural and urban states. By addressing these complexities, scholars and policymakers can better identify and overcome the obstacles faced by young voters, ultimately promoting a more inclusive and representative democratic process.

Overall, this study sheds light on the multifaceted relationship between policy restrictions and youth voter engagement, contributing to the broader understanding of how various factors interact to shape the electoral participation of young voters. As the future of democracy rests on the shoulders of the younger generations, it is imperative for researchers and policymakers to continue investigating the complex interplay of factors that influence their participation in the democratic process. By identifying and addressing these barriers, we can work towards creating an electoral system that truly represents the diverse interests and aspirations of all citizens, ensuring a vibrant and inclusive democracy for years to come.

Table 1: Descriptives of Youth Registration and Voting

Descriptives		
	% Youth Registered	% Youth Voters
N	150	150
Missing	0	0
Mean	52.1	39.9
Std. error mean	0.668	0.848
Median	52.0	39.5
Mode	48.0 ^a	49.0
Standard deviation	8.18	10.4
Range	51	48
Minimum	27	20
Maximum	78	68
33.33th percentile	48.0	34.7
66.67th percentile	55.3	45.3

^a More than one mode exists, only the first is reported

Table 2: Registration Restrictions / Registered Youth

Contingency Tables

% Youth Registered Transformed		Dimension of Registration Restrictions				Total
		1	2	3	4	
LOW	Observed	4	9	24	5	42
	% within column	21.1 %	29.0 %	30.0 %	45.5 %	29.8 %
MED	Observed	5	8	23	6	42
	% within column	26.3 %	25.8 %	28.7 %	54.5 %	29.8 %
HIGH	Observed	10	14	33	0	57
	% within column	52.6 %	45.2 %	41.3 %	0.0 %	40.4 %
Total	Observed	19	31	80	11	141
	% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ² Tests

	Value	df	p
χ²	9.27	6	0.159
N	141		

Nominal

	Value
Phi-coefficient	NaN
Cramer's V	0.181

Table 3: Registration Restrictions / Voting Youth

		Dimension of Registration Restrictions				
% Youth Voters Transformed		1	2	3	4	Total
LOW	Observed	3	6	28	7	44
	% within column	15.8 %	19.4 %	35.0 %	63.6 %	31.2 %
MED	Observed	6	12	26	4	48
	% within column	31.6 %	38.7 %	32.5 %	36.4 %	34.0 %
HIGH	Observed	10	13	26	0	49
	% within column	52.6 %	41.9 %	32.5 %	0.0 %	34.8 %
Total	Observed	19	31	80	11	141
	% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

Nominal	
	Value
Phi-coefficient	NaN
Cramer's V	0.218

χ^2 Tests			
	Value	df	p
χ^2	13.4	6	0.037
N	141		

Table 4: Voting Restrictions / Registered Youth

Contingency Tables

% Youth Registered Transformed		Dimension of Voting Restrictions				
		1	2	3	4	Total
LOW	Observed	13	12	15	3	43
	% within column	34.2 %	25.0 %	28.3 %	60.0 %	29.9 %
MED	Observed	11	16	12	2	41
	% within column	28.9 %	33.3 %	22.6 %	40.0 %	28.5 %
HIGH	Observed	14	20	26	0	60
	% within column	36.8 %	41.7 %	49.1 %	0.0 %	41.7 %
Total	Observed	38	48	53	5	144
	% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ² Tests

	Value	df	p
χ²	6.44	6	0.375
N	144		

Nominal

	Value
Phi-coefficient	NaN
Cramer's V	0.150

Table 5: Voting Restrictions / Voting Youth

		Contingency Tables				
		Dimension of Voting Restrictions				
% Youth Voters Transformed		1	2	3	4	Total
LOW	Observed	12	14	15	3	44
	% within column	31.6 %	29.2 %	28.3 %	60.0 %	30.6 %
MED	Observed	12	18	16	2	48
	% within column	31.6 %	37.5 %	30.2 %	40.0 %	33.3 %
HIGH	Observed	14	16	22	0	52
	% within column	36.8 %	33.3 %	41.5 %	0.0 %	36.1 %
Total	Observed	38	48	53	5	144
	% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ ² Tests			
	Value	df	p
χ ²	4.40	6	0.623
N	144		

Nominal	
	Value
Phi-coefficient	NaN
Cramer's V	0.124

Table 6: Absentee Restrictions / Registered Youth

Contingency Tables

% Youth Registered Transformed		Dimension of Absentee Restrictions				
		1	2	3	4	Total
LOW	Observed	13	9	18	2	42
	% within column	52.0 %	20.9 %	35.3 %	10.5 %	30.4 %
MED	Observed	4	12	15	6	37
	% within column	16.0 %	27.9 %	29.4 %	31.6 %	26.8 %
HIGH	Observed	8	22	18	11	59
	% within column	32.0 %	51.2 %	35.3 %	57.9 %	42.8 %
Total	Observed	25	43	51	19	138
	% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ² Tests

	Value	df	p
χ ²	12.4	6	0.053
N	138		

Nominal

	Value
Phi-coefficient	NaN
Cramer's V	0.212

Table 7: Absentee Restrictions / Voting Youth

% Youth Voters Transformed		Dimension of Absentee Restrictions				
		1	2	3	4	Total
LOW	Observed	9	9	21	4	43
	% within column	36.0 %	20.9 %	41.2 %	21.1 %	31.2 %
MED	Observed	8	17	13	7	45
	% within column	32.0 %	39.5 %	25.5 %	36.8 %	32.6 %
HIGH	Observed	8	17	17	8	50
	% within column	32.0 %	39.5 %	33.3 %	42.1 %	36.2 %
Total	Observed	25	43	51	19	138
	% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ ² Tests			
	Value	df	p
χ ²	5.98	6	0.425
N	138		

Nominal	
	Value
Phi-coefficient	NaN
Cramer's V	0.147

Table 8: Registration Restrictions / Registered Youth (Red v. Blue)

Contingency Tables

z	% Youth Registered Transformed		Dimension of Registration Restrictions				
			1	2	3	4	Total
RED	LOW	Observed	0	5	17	4	26
		% within column	0.0 %	50.0 %	30.9 %	50.0 %	35.1 %
	MED	Observed	0	2	16	4	22
		% within column	0.0 %	20.0 %	29.1 %	50.0 %	29.7 %
	HIGH	Observed	1	3	22	0	26
		% within column	100.0 %	30.0 %	40.0 %	0.0 %	35.1 %
	Total	Observed	1	10	55	8	74
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
	LOW	Observed	4	4	7	1	16
		% within column	22.2 %	19.0 %	28.0 %	33.3 %	23.9 %
BLUE	MED	Observed	5	6	7	2	20
		% within column	27.8 %	28.6 %	28.0 %	66.7 %	29.9 %
	HIGH	Observed	9	11	11	0	31
		% within column	50.0 %	52.4 %	44.0 %	0.0 %	46.3 %
	Total	Observed	18	21	25	3	67
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total	LOW	Observed	4	9	24	5	42
		% within column	21.1 %	29.0 %	30.0 %	45.5 %	29.8 %
	MED	Observed	5	8	23	6	42
		% within column	26.3 %	25.8 %	28.7 %	54.5 %	29.8 %
	HIGH	Observed	10	14	33	0	57
		% within column	52.6 %	45.2 %	41.3 %	0.0 %	40.4 %
	Total	Observed	19	31	80	11	141
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ^2 Tests

Red v. Blue - RvB Transformation		Value	df	p
RED	χ^2	7.95	6	0.242
	N	74		
BLUE	χ^2	3.58	6	0.733
	N	67		
Total	χ^2	9.27	6	0.159
	N	141		

Nominal

Red v. Blue - RvB Transformation		Value
RED	Phi-coefficient	NaN
	Cramer's V	0.232
BLUE	Phi-coefficient	NaN
	Cramer's V	0.164
Total	Phi-coefficient	NaN
	Cramer's V	0.181

Table 9: Registration Restrictions / Voting Youth (Red v. Blue)

Contingency Tables

Red v. Blue - RvB Transformation	% Youth Voters Transformed		Dimension of Registration Restrictions				Total
			1	2	3	4	
RED	LOW	Observed	0	4	19	6	29
		% within column	0.0 %	40.0 %	34.5 %	75.0 %	39.2 %
	MED	Observed	0	3	18	2	23
		% within column	0.0 %	30.0 %	32.7 %	25.0 %	31.1 %
	HIGH	Observed	1	3	18	0	22
		% within column	100.0 %	30.0 %	32.7 %	0.0 %	29.7 %
	Total	Observed	1	10	55	8	74
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
BLUE	LOW	Observed	3	2	9	1	15
		% within column	16.7 %	9.5 %	36.0 %	33.3 %	22.4 %
	MED	Observed	6	9	8	2	25
		% within column	33.3 %	42.9 %	32.0 %	66.7 %	37.3 %
	HIGH	Observed	9	10	8	0	27
		% within column	50.0 %	47.6 %	32.0 %	0.0 %	40.3 %
	Total	Observed	18	21	25	3	67
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total	LOW	Observed	3	6	28	7	44
		% within column	15.8 %	19.4 %	35.0 %	63.6 %	31.2 %
	MED	Observed	6	12	26	4	48
		% within column	31.6 %	38.7 %	32.5 %	36.4 %	34.0 %
	HIGH	Observed	10	13	26	0	49
		% within column	52.6 %	41.9 %	32.5 %	0.0 %	34.8 %
	Total	Observed	19	31	80	11	141
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ^2 Tests

Red v. Blue - RvB Transformation		Value	df	p
RED	χ^2	7.98	6	0.240
	N	74		
BLUE	χ^2	7.51	6	0.276
	N	67		
Total	χ^2	13.37	6	0.037
	N	141		

Nominal

Red v. Blue - RvB Transformation		Value
RED	Phi-coefficient	NaN
	Cramer's V	0.232
BLUE	Phi-coefficient	NaN
	Cramer's V	0.237
Total	Phi-coefficient	NaN
	Cramer's V	0.218

Table 10: Voting Restrictions / Registered Youth (Red v. Blue)

Contingency Tables

Red v. Blue - RvB Transformation	% Youth Registered Transformed		Dimension of Voting Restrictions				Total
			1	2	3	4	
RED	LOW	Observed	12	10	5	0	27
		% within column	37.5 %	31.3 %	31.3 %	NaN	33.8 %
	MED	Observed	10	10	3	0	23
		% within column	31.3 %	31.3 %	18.8 %	NaN	28.7 %
	HIGH	Observed	10	12	8	0	30
		% within column	31.3 %	37.5 %	50.0 %	NaN	37.5 %
	Total	Observed	32	32	16	0	80
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
BLUE	LOW	Observed	1	2	10	3	16
		% within column	16.7 %	12.5 %	27.0 %	60.0 %	25.0 %
	MED	Observed	1	6	9	2	18
		% within column	16.7 %	37.5 %	24.3 %	40.0 %	28.1 %
	HIGH	Observed	4	8	18	0	30
		% within column	66.7 %	50.0 %	48.6 %	0.0 %	46.9 %
	Total	Observed	6	16	37	5	64
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total	LOW	Observed	13	12	15	3	43
		% within column	34.2 %	25.0 %	28.3 %	60.0 %	29.9 %
	MED	Observed	11	16	12	2	41
		% within column	28.9 %	33.3 %	22.6 %	40.0 %	28.5 %
	HIGH	Observed	14	20	26	0	60
		% within column	36.8 %	41.7 %	49.1 %	0.0 %	41.7 %
	Total	Observed	38	48	53	5	144
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ^2 Tests

Red v. Blue - RvB Transformation		Value	df	p
RED	χ^2	NaN	6	NaN
	N	80		
BLUE	χ^2	7.80	6	0.253
	N	64		
Total	χ^2	6.44	6	0.375
	N	144		

Nominal

Red v. Blue - RvB Transformation		Value
RED	Phi-coefficient	NaN
	Cramer's V	NaN
BLUE	Phi-coefficient	NaN
	Cramer's V	0.247
Total	Phi-coefficient	NaN
	Cramer's V	0.150

Table 11: Voting Restrictions / Voting Youth (Red v. Blue)

Contingency Tables

Red v. Blue - RvB Transformation	% Youth Voters Transformed		Dimension of Voting Restrictions				Total
			1	2	3	4	
RED	LOW	Observed	12	11	7	0	30
		% within column	37.5 %	34.4 %	43.8 %	NaN	37.5 %
	MED	Observed	11	11	3	0	25
		% within column	34.4 %	34.4 %	18.8 %	NaN	31.3 %
	HIGH	Observed	9	10	6	0	25
		% within column	28.1 %	31.3 %	37.5 %	NaN	31.3 %
	Total	Observed	32	32	16	0	80
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
BLUE	LOW	Observed	0	3	8	3	14
		% within column	0.0 %	18.8 %	21.6 %	60.0 %	21.9 %
	MED	Observed	1	7	13	2	23
		% within column	16.7 %	43.8 %	35.1 %	40.0 %	35.9 %
	HIGH	Observed	5	6	16	0	27
		% within column	83.3 %	37.5 %	43.2 %	0.0 %	42.2 %
	Total	Observed	6	16	37	5	64
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total	LOW	Observed	12	14	15	3	44
		% within column	31.6 %	29.2 %	28.3 %	60.0 %	30.6 %
	MED	Observed	12	18	16	2	48
		% within column	31.6 %	37.5 %	30.2 %	40.0 %	33.3 %
	HIGH	Observed	14	16	22	0	52
		% within column	36.8 %	33.3 %	41.5 %	0.0 %	36.1 %
	Total	Observed	38	48	53	5	144
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ^2 Tests

Red v. Blue - RvB Transformation		Value	df	p
RED	χ^2	NaN	6	NaN
	N	80		
BLUE	χ^2	10.24	6	0.115
	N	64		
Total	χ^2	4.40	6	0.623
	N	144		

Nominal

Red v. Blue - RvB Transformation		Value
RED	Phi-coefficient	NaN
	Cramer's V	NaN
BLUE	Phi-coefficient	NaN
	Cramer's V	0.283
Total	Phi-coefficient	NaN
	Cramer's V	0.124

Table 12: Absentee Restrictions / Registered Youth (Red v. Blue)

Contingency Tables

Red v. Blue - RvB Transformation	% Youth Registered Transformed		Dimension of Absentee Restrictions				
			1	2	3	4	Total
RED	LOW	Observed	5	7	13	2	27
		% within column	45.5 %	28.0 %	48.1 %	13.3 %	34.6 %
	MED	Observed	3	6	8	4	21
		% within column	27.3 %	24.0 %	29.6 %	26.7 %	26.9 %
	HIGH	Observed	3	12	6	9	30
		% within column	27.3 %	48.0 %	22.2 %	60.0 %	38.5 %
	Total	Observed	11	25	27	15	78
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
BLUE	LOW	Observed	8	2	5	0	15
		% within column	57.1 %	11.1 %	20.8 %	0.0 %	25.0 %
	MED	Observed	1	6	7	2	16
		% within column	7.1 %	33.3 %	29.2 %	50.0 %	26.7 %
	HIGH	Observed	5	10	12	2	29
		% within column	35.7 %	55.6 %	50.0 %	50.0 %	48.3 %
	Total	Observed	14	18	24	4	60
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total	LOW	Observed	13	9	18	2	42
		% within column	52.0 %	20.9 %	35.3 %	10.5 %	30.4 %
	MED	Observed	4	12	15	6	37
		% within column	16.0 %	27.9 %	29.4 %	31.6 %	26.8 %
	HIGH	Observed	8	22	18	11	59
		% within column	32.0 %	51.2 %	35.3 %	57.9 %	42.8 %
	Total	Observed	25	43	51	19	138
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ^2 Tests

Red v. Blue - RvB Transformation		Value	df	p
RED	χ^2	8.84	6	0.183
	N	78		
BLUE	χ^2	12.19	6	0.058
	N	60		
Total	χ^2	12.44	6	0.053
	N	138		

Nominal

Red v. Blue - RvB Transformation		Value
RED	Phi-coefficient	NaN
	Cramer's V	0.238
BLUE	Phi-coefficient	NaN
	Cramer's V	0.319
Total	Phi-coefficient	NaN
	Cramer's V	0.212

Table 13: Absentee Restrictions / Voting Youth (Red v. Blue)

Contingency Tables

Red v. Blue - RvB Transformation	% Youth Voters Transformed		Dimension of Absentee Restrictions				Total
			1	2	3	4	
RED	LOW	Observed	3	7	15	4	29
		% within column	27.3 %	28.0 %	55.6 %	26.7 %	37.2 %
	MED	Observed	5	10	6	4	25
		% within column	45.5 %	40.0 %	22.2 %	26.7 %	32.1 %
	HIGH	Observed	3	8	6	7	24
		% within column	27.3 %	32.0 %	22.2 %	46.7 %	30.8 %
	Total	Observed	11	25	27	15	78
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
	LOW	Observed	6	2	6	0	14
		% within column	42.9 %	11.1 %	25.0 %	0.0 %	23.3 %
BLUE	MED	Observed	3	7	7	3	20
		% within column	21.4 %	38.9 %	29.2 %	75.0 %	33.3 %
	HIGH	Observed	5	9	11	1	26
		% within column	35.7 %	50.0 %	45.8 %	25.0 %	43.3 %
	Total	Observed	14	18	24	4	60
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %
Total	LOW	Observed	9	9	21	4	43
		% within column	36.0 %	20.9 %	41.2 %	21.1 %	31.2 %
	MED	Observed	8	17	13	7	45
		% within column	32.0 %	39.5 %	25.5 %	36.8 %	32.6 %
	HIGH	Observed	8	17	17	8	50
		% within column	32.0 %	39.5 %	33.3 %	42.1 %	36.2 %
	Total	Observed	25	43	51	19	138
		% within column	100.0 %	100.0 %	100.0 %	100.0 %	100.0 %

χ^2 Tests

Red v. Blue - RvB Transformation		Value	df	p
RED	χ^2	7.74	6	0.258
	N	78		
BLUE	χ^2	8.09	6	0.232
	N	60		
Total	χ^2	5.98	6	0.425
	N	138		

Nominal

Red v. Blue - RvB Transformation		Value
RED	Phi-coefficient	NaN
	Cramer's V	0.223
BLUE	Phi-coefficient	NaN
	Cramer's V	0.260
Total	Phi-coefficient	NaN
	Cramer's V	0.147

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He Is The Only Man: How Trump's Hypermasculinity Energized the Right

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"Why don't they go back and help fix the totally broken and crime infested places from which they came?" is not a quote that seems to be fitting language for a president to use when speaking about other elected officials (Quealy 2021). Donald Trump defied convention throughout his campaign and presidency. His victory in 2016 was enabled by white conservative men who were angry because they felt as though their rightful place in society had been stolen from them. Trump recognized this unrest and used it to energize his base with an augmented image of masculinity and nostalgia. During his 2016 presidential campaign and resulting administration, Trump's demagogic neo-populism strategically employed hypermasculinity and traditional gender roles to amplify fear and resentment and energize conservative, in particular white, men.

Definitions

Before analyzing how Trump used masculinity, it must first be defined. Hypermasculinity is based on macho stereotypes and can be considered a reaction to gender equality more than a return to patriarchy (Smith and Higgins 2020, 549-550). Under this definition, Trump's hypermasculinity is partially about pushing back against women being in positions of political power, such as Hillary Clinton and Nancy Pelosi. There are three variables which combine to create hypermasculine behaviors and attitudes: "first, a callous sexual attitude towards women; second ... the belief that violence is a manly preserve; and thirdly, an attitude of excitement towards danger" (Smith and Higgins 2020, 550). Trump exhibits each of these traits in abundance.

The next term to define is manliness. Harvey Mansfield wrote a book in defense of manliness. In it, there does not seem to be a clear, singular definition. One line that comes close is, "a manly man asserts himself so that he and the justice he

demands are not overlooked" (Mansfield 2006, x). In his argument, manliness seems to be more of an abstract concept than a definable term. Generally, his book argues that manliness is a quality that cultivates assertion, courtesy, and virtue. While extolling his virtues, Tom Klingenstein (2022), chairman of the Claremont Institute, called Trump a "manly man" in the present time where "manhood is being stripped of its masculinity."

Trump has also repeatedly been called a demagogue. Demagoguery is "polarizing propaganda that motivates members of an in-group to hate and scapegoat some outgroup(s)" (Patricia Roberts-Miller qtd in Johnson 2017, 231). Trump's rhetoric encourages his followers (the in-group) to blame immigrants, progressives, and establishment politicians (the out-group) for their problems. A prime example of this is Trump's infamous statement on immigrants: "They're sending people that have lots of problems, and they're bringing those problems with us. They're bringing drugs. They're bringing crime. They're bringing rapists" (Donald Trump qtd in Johnson 2017, 242). By using this kind of rhetoric, he draws on the anger of his followers and positions himself as the person who can make their lives better.

Another important word when describing Trump's leadership tactics is populism. Populism is fueled by emotion, "and its dominant emotion is outrage at what is being done to 'us,' the little guy" (Kimmel 2017, 64). Trump's populism calls to white conservative Americans by validating their pain and promising to put them back on top. Without this audience, his movement would fall flat.

The Mythic Past

Trump's audience consists primarily of conservative, especially white, men. Many of these men long for a mythic past in which white men were powerful breadwinners. This bygone era simply never existed. It is based in nostalgia, art, and

advertisements from the 1950's rather than factual history (Kelly 2017, 73). The amalgamation calls to mind images of patriarchal breadwinners returning home from a long day at work to be greeted by their lovely housewives with a martini in hand and dinner on the table. An abstract time with so-called traditional gender roles frees Trump's audience from having to explicitly define the period they miss. Even staunch Trump supporters cannot exactly define or agree on the period to which they want to return. When interviewed at the 2016 Republican National Convention, one man said that the "turning point for our country was 1913 when we passed the 17th Amendment" (Daily Show 0:12). A woman said that America was great "when it was founded" (Daily Show 0:28). Other answers to being asked about when America was great included "immediately post-World War II... mid- '40s, '50s," "the '80s were pretty good," and "America became great when the Founding Fathers put pen on paper in 1776 and decided to build a country based on laws" (Daily Show 0:38, 1:10, 1:22). This desire to return to a non-existent time comprised of an amalgamation of American moments serves as an underlying tenant of social conservatism. More extreme conservative movements, like the alt-right, take this idea and bring it to the forefront of their platforms while also fusing it with victimhood and betrayal (Kelly 2017, 73).

Gender dynamics like this may have existed at some point in history, but conservatives usually evoke the abstract feelings of those times without having to pinpoint a specific era. This allows them to revel in the nostalgia without having to acknowledge the negative social aspects associated with those gender and political dynamics. This creates an opening for Trump to manipulate the desire to return to a simpler time. Because Trump is a demagogue, he can "simply say that life was once better and that society has somehow lost its way, thereby naturalizing an anachronistic gender and racial hierarchy as history's default setting" without having to grapple with the messiness of history (Kelly 2017, 73). The desire to go back to this non-existent, bygone era is exemplified throughout Trump's campaign.

Nostalgia also lies in the core of Trump's

message which can clearly be seen through his campaign slogan "Make America Great Again" or MAGA. This slogan implies three things: one, that America was at one point "great;" two, that it is no longer "great;" and three, that America's "greatness" was forcibly and intentionally taken away. This opens the window to understanding why this slogan energized white conservative men. Conservative men feel as though their power was stolen from them. By extension, they feel as though America, the country of their forefathers and their birthright, was stolen from them. By connecting political correctness and America's former identity as a strong, manly nation, "Trump posits that Americans have become so obsessed with pleasing everyone that they have lost their identity" (Johnson 2017, 240). Another perspective suggests that white men may think that the derailment of American culture must be because of internal enemies (usually Jewish people) because of the strength of America's white past when dealing with external enemies (Kelly 2017, 73-74). Regardless of the cause of America's supposed identity crisis, conservative voters felt as though Trump was the only one who would both listen to their plight and do something about it. His sympathy is encapsulated in this quote from the kickoff rally for his 2020 reelection campaign; "our political opponents look down with hatred on our values and with utter disdain for the people whose lives they want to ruin" (Haberaman et al. 2019). With this context added, it makes sense that Trump was able to swoop in and offer salvation to white conservatives with the promise of taking back their jobs, their masculinity, their power, and their country.

Cultural Reminders

September 11, 2001, serves as a concrete reminder of what white men feel America has lost. Not only were we too weak as a country to prevent such an attack, but the attackers themselves were also paragons of manliness and masculinity. Mansfield (2006, 11) argues that "with the disaster of September 11, 2001, Americans were sharply reminded that it is sometimes necessary to fight, and that in the business

of government, fighting comes before caring.” After 9/11, American culture swerved to value strong masculinity and in-group dynamics. Because outsiders had broken through American defenses, only truly “American” people could be trusted. The implication, of course, was that only white Americans were truly American. Everyone else, especially Brown people, would not put America and American interests first. This type of thinking led to shockwaves of racism and islamophobia we are still feeling the impacts of today. At the time, some conservative radio commentators argued that the Pentagon and the Twin Towers were vulnerable to attack because “liberal women in positions of power had feminized and homosexualized much of America” (Kelly 2017, 70). In other words, America had become too weak to defend itself. In reaction to this, conservative white men, and others in American culture, felt the need to strengthen old-school styles of masculinity. This cultural shift was shown by the resurgence of manly action protagonists, such as Indiana Jones, in 1980s action film revivals (Kelly 2017, 70). They felt like the country had been violated, so they attempted to regain power and protection by turning to manliness and masculinity as shows of strength. Trump referenced this during a tweet by calling on the American people to “get tough and smart U.S., or we won’t have a country anymore” (Quealy 2021).

The conservative attitude towards regaining power is paradoxical; they want to reclaim America for white Americans while also vehemently denying any ideological, personal, or political ties to white supremacy. By denying any connections to white supremacy, conservatives absolve themselves and their movement of any potential social consequences of saying potentially objectionable things. They can cloak their racial unrest and disquiet in “just asking questions.” This same concern for their image and capacity for deniability is not shown by more extreme conservative movements.

The Alt-Right

The alt-right in America, especially, has no qualms about aligning itself with white supremacy. The alt-right makes up another core faction of

Trump’s base. They express their white supremacist views through tattoos, clothing, and political demonstrations. Unlike the coded language of social conservatives, the alt-right are willing and enthusiastic about explicitly laying out their ideology. Arguably the most popular slogan for white supremacists and the alt-right is colloquially known as the 14 words; “we must secure the existence of our people and a future for white children” (“14 Words”). This is a much more overt and distilled version of the idea that “America is no longer a white country” and white people must work to take it back (Kimmel 2017, 229). The alt-right defines themselves by being more extreme than social conservatives. Along with being more extreme, the alt-right is not a traditional political movement in the way that social conservatives are. The alt-right is more of a small network of digital social hubs than an organized political movement (Kelley 2017, 69). In being online, the alt-right proves that “durable forms of social inequality achieve resilience by becoming flexible” (Messerschmidt and Bridges 2019, 459). Their ideas are more easily distilled and flow into the mainstream more quickly because they exist mainly online. Also because they exist mainly online, it is easier to evangelize about their cause and radicalize others.

A transitional movement between societal thinking and the alt-right is called the “alt-light,” and it promotes an anti-progressive version of neoliberalism (Kelley 2017, 75). The alt-light goes directly up to the line of overt white supremacy without crossing it. By existing in gaming sub-threads on Reddit, the alt-light serves as a first step to learning about alt-right ideology because of the casual and fairly unrestricted interactions with others. Reddit offers an ideal platform for this type of information dissemination because of the lack of enforced community guidelines and the anonymity offered by being behind a screen. The process of learning about alt-right ideology is referred to as the need to “unplug,” “redpill,” or “uncuck” (Kelly 2017, 74). Each of these terms in some way refers to disconnecting from mainstream societal notions and learning what “they don’t want you to know.” Redpill, specifically, refers to *The Matrix* and awakening from living in the simulation. Uncuck refers to a popular

trope in pornography “in which a man watches his wife or girlfriend have sex with another man, who usually but not always is black” (Kelly 2017, 75). In order to become uncucked or redpilled, one must work to undo liberal brainwashing and refocus on their toxic masculinity.

One crucial idea the alt-right has in common with social conservatives is that they must work to take the country back from the people who have intentionally derailed it. Men have historically placed their identities and self-worth in being the breadwinners and providers of their families; it is impossible for them to fulfill their perceived duty in the current economic climate (Kimmel 2017, 202). Their socialization instilled a sense of duty to their families. It also affects how they raise their children.

Gendered Expectations

Boys are raised within a rigid set of expectations which instructs them to be tough, aggressive, unemotional, and in control (Kivel 2019, 16). This constrictive set of expectations governs the way boys interact with the world and others. Kivel calls this social structure the Act-Like-a-Man box because “it feels like a box, a 24-hour-a-day, seven-day-a-week box that society tells boys they must fit themselves into” (Kivel 2019, 16). When a boy steps outside of this box, he is pushed back in through verbal or physical abuse from others. Most of this abuse comes in the form of attacking his masculinity with words like “wimp,” “girl,” “sissy,” “mama’s boy,” “fag,” and “bitch” (Kivel 2019, 17). As shown by these examples, stepping outside the box leads to attacking the boy’s masculinity by insinuating that he is homosexual or feminine. These expectations extend beyond childhood. Boys raised within the box become men who enforce the continuation of the box by raising their sons within the box and thereby perpetuating a cycle of masculinity.

These expectations then lead men to have strong feelings about which direction the country should move in. When children are raised to be tough and aggressive, they become men who expect the country to be strong and masculine. The alt-right feels as though the country is moving in the wrong

direction because of men who have become sensitive “snowflakes” and women who have taken over men’s roles. The people who have thrown America off-track are thought of as degenerates.

Historically, degenerates were either immoral or unpatriotic; however, “in alt-right spheres, degeneracy fuses both these threads to signal progressivism and modernity as an assault on a supposed white past” (Kelly 2017, 73). Because progressives are immoral and unpatriotic, their actions can be read as cloaked in modernity and science while working under the surface to derail the country and weaken masculinity.

Alt-Right Success and Ideology

Alt-right success is not measured by numbers of participants unlike many other political movements. Rather, their success is measured by “their ever-increasing dissemination of extreme right-wing ideals and their ability to project an updated rhetoric of anti-left antagonism” (Kelly 2017, 76). Their ideology has three main components which then percolate into the mainstream and become more acceptable.

The first component is that the alt-right is ferociously and radically procapitalist (Kimmel 2017, 252). This ties back into multiple different facets of conservative and alt-right ideas. One such facet is the idea that white men feel that they have been robbed of the ability to prove their masculinity through work. For example, farmers all over the country have been forced to sell their family farms as corporations push small businesses out of agriculture. These men have suddenly lost their dignity and masculinity. Many men turned their anger onto some faceless government bureaucracy which failed to help them or a corporation who squeezed them out of the industry (Kimmel 2017, 246). Being procapitalist means that the alt-right supports and validates the pain of people who have had their income, dignity, and masculinity taken from them.

The second component is that the extreme right is wholeheartedly patriotic (Kimmel 2017, 247). The problem with this is that the America they love and idealize is not the America in which they

currently live. This is perfectly exemplified by an exchange from *The Daily Show* video referenced earlier. When asked to name when America was great, one man said “well, we’re always great. The people are great.” The interviewer then pressed, “so America is great right now. We did it.” The man responded by with “no, we didn’t do it” (*Daily Show* 1:12). By placing patriotism in the forefront of their identity, the alt-right paints itself into a corner of cognitive dissonance. America is great, but not right now. We’ve always been great, but people are trying to take it away from us. The contradiction of thinking between radical patriotism for America and the America of the present allows them to feel good about their ideology while also substantiating their claims that the country is being stolen and weakened. This component perfectly meshes with Trump’s ideology and masculine presentation.

The third component is that the alt-right genuinely believes themselves to be “the true heirs of the real America” (Kimmel 2017, 254). Its members believe their birthright is to be in charge of American society, government, and economy. If America is their birthright, then the very existence of immigrants in America is a threat to white men and their way of life. Their understanding is that immigrants can and will steal their jobs, their women, and their way of life. By pushing back against this perceived threat, white men can assert their manliness by standing up for virtue and justice, thereby regaining their birthright, against authority, a faceless bureaucracy which has ignored their complaints and left them behind (Mansfield 2006, 53). White men represent strength and manliness, and America is their birthright, so the weakening of white men is the weakening of America itself.

The alt-right’s existence is a reaction to this perceived weakening and feminization. Trump offers salvation from weakness, passiveness, and femininity. His campaign promised to redefine the country and validate the masculinity of white men. Trump’s very existence in his unapologetic white masculinity gives millions of white American men the courage and license to “take to the streets to reaffirm the taken-for-grantedness of white male prerogative in American civic life” (Kusz 2017, 118). Trump’s outlandish

behavior, such as fixating on Hillary Clinton during part of his re-election speech, normalizes white men standing up for their value and proving that they have been victimized and cast aside (Haberman et al. 2019). According to Mansfield, this assertion proves their manliness; “manliness is an assertion of a man’s worth because his worth does not go without saying” (Mansfield 2006, 53). White men feel as though they have been taken for granted, and Trump gives them the power to prove their worth and regain some of the power that has been stripped away from them. Trump’s words and behavior have become so normal that they no longer shock (Smith and Higgins 2020, 540). His brash masculinity, though difficult to define, fades into the background through the overwhelming force of its constant presence.

Trump’s Masculinity

Narrowing down a definition of Trump’s particular brand of masculinity is a near-impossible task because his masculinity changes from situation to situation. Trump’s shifting masculinity can be called a dominating masculinity. A dominating masculinity is one that involves “commanding and controlling interactions to exercise power and control over people and events” (Messerschmidt and Bridges 2019, 457). Structuring his masculinity in this manner allows Trump to take control of every situation and manipulate it to his whims. It also makes him seem intoxicatingly powerful and strong to conservative men who feel as though their dignity has been stolen from them. They can idolize and emulate Trump as a person without having to get into the messy details of his humanity like serial infidelity and business failings. Trump’s ability to take control makes him not only masculine, but also manly. Mansfield (2006, 16) claims that confidence and the ability to command are what people actually like about manliness. Trump’s ability to control situations and command people exemplifies his dominating masculinity.

A dominating masculinity is the ideal of what boys inside the Act-Like-a-Man Box are taught to become. Trump fits squarely within the Act-Like-a-Man Box because he is perceived as aggressive, tough, competitive, takes charge, intimidating, rich,

successful, and popular with women (Kivel 2019, 17). Boys are raised to emulate these qualities while cultivating anger and suppressing their emotions. Trump expresses an abundance of anger compared to almost any other emotion. These traits, again, help enable conservatives in holding Trump up as a paragon of masculinity, power, and success. Because of this, Trump is able to use masculinity, manliness, and power to energize and validate white conservative men regardless of the form his masculinity takes. Once they have been validated and inspired into standing up for their masculinity and dignity, young white men are comfortable asserting “in a way they define as manly, the idea that white men’s prerogatives and interests should unquestionably sit at the center of American civic life” (Kusz 2017, 118). By exemplifying traditional masculinity and gender roles, Trump encourages conservative men to do the same.

Trump’s Hypermasculinity

Let us return to the three variables which comprise hypermasculinity: a callous sexual attitude towards women, the belief that violence is a manly preserve, and an attitude of excitement towards danger (Smith and Higgins 2020, 550). After attempting to pin down Trump’s masculinity, these three factors provide a deeper understanding of his style of dominating masculinity. Trump treats women as objects and nuisances. This can be easily seen in his treatment of women on Twitter and in real life. Trump calls women “crazy” while criticizing their vanity when women critique him. Megyn Kelly asked Trump about his previous comments denigrating women during the first GOP debate because he had previously called women, “fat pigs, dogs, slobs, and disgusting animals” (Johnson 2017, 240). These comments show Trump’s disregard for women goes further than simple humor; Trump believes that women are fundamentally lesser than men.

Trump exhibits the second factor anytime he enters a confrontation on Twitter or makes comments about military strength in comparison to other countries. Trump positions himself as a

political outsider who is not afraid to confront establishment politicians, celebrities, or other militaries. In doing so, he reaffirms his place as a populist leader and claims that he is speaking and standing up for “the people.” The third factor can be seen in Trump’s tweets about Hurricane Harvey in 2017. Tweeting with glee, words in all capital letters, and exclamation points, Trump praised the spirit of the people in Houston, touted the rescue operations, and bragged about the strength of Hurricane Harvey (Smith and Higgins 2020, 552). Trump performed hypermasculinity to capture the attention of conservatives and encourage their own masculinities.

Trump also used his hypermasculinity to prop up his demagoguery. During the campaign, Trump repeatedly enforced the notion that America had grown weak and complacent. By doing so, he created the opportunity for himself to step into the role of its savior and protector. This manufactured precarity also encouraged the self-identification of victimhood for the well-off and privileged (Johnson 2017, 230). White men are still well off within society. However, they feel as though their position in society is precarious and slipping from their grasp. Trump offers validation and understanding for their victimhood while then promising a solution. In this solution, Trump positions himself as America’s protector through a hybrid masculinity of both a “patriarchal masculine protector toward his wife and other members of the patriarchal household. But simultaneously, Trump presents himself as a compassionate, caring, and kind-hearted benevolent protector” (Messerschmidt and Bridges 2019, 458). His hypermasculinity is fluid and helps him present a multifaceted image to the public.

Trump’s Dominating Masculinity

This fluid, dominating masculinity centers on six features: it cultivates domination over others, it serves the interests of corporations, it serves his individual needs as president, it is exemplified through a dominating militaristic foreign policy, it is also used domestically to favor the repressive arm of the state, and it attempts to control public discourse

(Messerschmidt and Bridges 2019, 458-459). These characteristics work together to form Trump's white masculinity. As a by-product of Trump being in the highest publicly elected office in America, Trump's brand of masculinity percolated down through society to spread throughout conservatives and the alt-right. They were not radically different to begin with, which eased the process. Like the alt-right, Trump is ferociously procapitalist, wholeheartedly patriotic, and genuinely believes himself to be a true heir to the America of his forefathers. To conservative men, "Trump represents a brash, guilt-free, successful, non-deferential, unconstrained, and unapologetic way of being white and male that feels good to anxious whites" (Kusz 2017, 117). Trump provides an unapologetic example of masculine whiteness for conservative men to emulate. In this unrestrained masculinity, Trump can reinforce his own power while condemning those he deems to be weak, unworthy, or unpatriotic.

Trump Against the World

One of the ways Trump controls public discourse is by belittling and demeaning his opponents. A vivid example of this is Trump's condemnation of Colin Kaepernick when he knelt during the national anthem to "protest police brutality and continued racial injustice" (Kusz 2017, 120). Kaepernick's protest led to backlash from many sides, Trump included. Trump tweeted that kneeling during the national anthem was unpatriotic and disrespectful to the people who have fought and died for America (Smith and Higgins 2020, 552-553). He further implied that NFL fans would refuse to go to games unless there were consequences such as suspension or termination for players who protested. This calls back to his position as the leader of a populist movement and emphasizes that he speaks for "the people" (Smith and Higgins 2020, 553). He also implied that his dislike meant that others felt the same and would follow his actions in this matter. In reminding the readers of his leadership and dislike for Kaepernick, Trump reiterated his position as leader of the in-group and Kaepernick's position firmly in the out-group. Trump's tactics were successful in some measure.

Colin Kaepernick was "dropped by the 49ers at the start of 2017 and has not played professionally since" (Smith and Higgins 2020, 552). This is an example of Trump's demagoguery and populism being used to affirm his masculinity by condemning others.

A significant component of the way that Trump interacts with the world is by demeaning those he deems to be unworthy. In doing so, Trump continues to perpetuate traditional gender norms. This can be compared to the way boys are made fun of when they step outside the Act-Like-a-Man Box. When boys, or the men that Trump is criticizing, step outside the box, they are pushed back in the box with verbal or physical abuse (Kivel 2019, 16). The verbal abuse usually centers around weakness, femininity, and homosexuality. Trump referred to competitors as "weak, low energy, losers, inept, or a wimp" (Messerschmidt and Bridges 2019, 457). In doing so, Trump others his opponents while cementing himself as superior, dominating, and masculine. By calling his opponents childish names such as "Sleepy Joe [Biden]," "Lyn' Ted [Cruz]," and "Little Marco Rubio," Trump all at once strengthens his masculinity, weakens their masculinity, and validates masculine stereotypes (Quealy 2021). Trump's condemnation of other men acts as a force to push boys and men back inside the box while reestablishing the need for the box and perpetuating gender norms.

As previously mentioned, this type of behavior would have been unthinkable from a serious presidential candidate or the president, himself in the past. However, Trump has normalized hypermasculinity in the White House so fully that his antics no longer shock (Smith and Higgins 2020, 560). Similarly, the main goal of the alt-right is to normalize their beliefs and inject them into mainstream politics.

Contradictions in Image

Trump's masculinity exemplifies contradictions. He positions himself as the patriarch while also being caring, benevolent, and compassionate. He is at once, both a protector and a predator as shown by the notorious Access Hollywood tape where Trump was recorded saying

“you can do anything, whatever you want. Grab them by the pussy” (Kusz 2017, 118). He is authoritative and commanding but also manly. Manliness, recall, is commanding because confidence and the ability to command is part of what people like about manliness. However, manliness is not a claim of authority, but an assertion of virtue against authority (Mansfield 2006, 56). Therefore, Trump’s manliness is, in itself, a contradiction. By positioning himself as a manly populist leader standing up for the everyman, Trump, an elite himself, feeds into the narrative that some elite establishment is controlling the media and the government in order to crush white men. The contradictions inherent in Trump’s masculinity feed into the fluidity of his masculinity. It changes depending on the needs of the situation and what will benefit him the most.

Campaign Rallies

Campaign rallies for Trump function as a support for his masculinity, a support for his followers’ masculinity, and a homosocial event where his followers can solidify their beliefs. Here, Trump supporters can strengthen their place in the in-group while further intensifying their hatred of the out-group (Kusz 2017, 120). A central component of demagogic neo-populism is understanding your place in the in-group versus out-group dynamic. Campaign rallies provide space for this while also providing a place for white Americans to bask in their whiteness and entertain fantasies of taking their country back. They also provide clear delineations between the in-group, white men, and the out-group, everyone else. Trump rallies offer a place for “anxious white men to retreat to homosocial places of leisure where they can not only be free to do and say what they please, but where they can bond with other white men” (Kusz 2018, 120-121). The camaraderie of these campaign events shows the value of alt-right spaces to white men. Alt-right spaces, similarly to Trump rallies, provide places where conservative men are told that their whiteness, maleness, and masculinity are valuable, appreciated, and important. This affirmation and validation are part of what allowed Trump to come to power in the first place.

Why It Worked

Trump could only use masculinity to energize the Right because white men felt as though no one else was listening to their complaints. These men wanted to return to a mythic, non-existent, bygone era where white masculinity was at the center of the wheel. They look around today and see what appears to be a gender-neutral society governing their actions rather than a gentlemanly code of conduct and their own morality guiding society (Mansfield 2006, 5). If society is gender-neutral, men can no longer get ahead. This leads to men feeling betrayed because the advantages their fathers were entitled to have been stolen away. Because men put their identity in being breadwinners, they were suddenly left without a clear role in society. The lower middle class has “lost the most over the past half century” (Kimmel 2017, 22). Trump used this by reflecting their downward mobility back at them and promising to fix it.

Rather than blaming the rich who cut jobs and moved companies overseas to increase profits, conservative white men began to blame minorities (Kimmel 2017, 203). Trump offered salvation from this cycle of frustration, betrayal, and helplessness. He promised to strengthen the country to protect them, save society so degenerates would not brainwash their children, and fix their grievances to restore their masculinity and dignity. Trump saw an opportunity in this unrest and used it to get elected to the presidency, the highest elected office in the country. Without the malcontent masses, Trump could never have won.

This is not to say that increasing gender equality or affirmative action is at fault for Trump’s victory in 2016. Progress is necessary to dismantle oppression, and dismantling oppression is necessary for protecting humanity. However, white men felt as though they were left behind in the march for progress. This led to unrest which allowed Trump’s demagogic neo-populism to manipulate and energize conservative white men.

In conclusion, Trump’s demagogic neo-populism drew on existing gender and racial unrest in order to energize conservative white men so that he could win the White House in 2016. Trump could only use gender and racial discomfort to

fuel his campaign because the attitudes already existed in society. The alt-right and conservative men left open the window for demagoguery by focusing on centering victimhood, anger, and white supremacy. Trump saw this opportunity and used his masculinity to provide an example for conservative men to emulate. Trump's masculinity is difficult to pin down because it shifts and changes to best fit the situation he is in. This dominating form of masculinity allows Trump to better control situations and people. By understanding Trump's masculinity, we can better understand how his demagogic neo-populist doctrine took advantage of gender unrest and traditional gender roles to win the 2016 election.

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From Stereotypes to Authenticity: Examining Native American Representation in American Cinema

Charlie Bell, Class of 2027

Chris Eyre's 1998 film *Smoke Signals* challenges stereotypes and sheds light on the racial discrimination that Native Americans face. It emphasizes the importance of cultural representation and equality, which are especially important since "equality and non-discrimination are at the heart of the human rights project" (Walling 2022, 30). The film brings up issues commonly faced on Native American reservations, including poverty and alcohol abuse, in addition to exploring key events in the history between Colonial America and Native America. For example, the film explores General George Armstrong Custer and his role in the Battle of the Little Bighorn, a bloody battle that resulted in the loss of the U.S. armed forces, as well as the death of General Custer. Multiple times throughout the film, the main characters Thomas and Victor are called racial slurs and face the drunken stereotypes given to Native Americans. In one instance, a white sheriff asks Victor if he had been drinking after a car accident that caused the hospitalization of multiple people. When Victor responds by saying he had not, the Sheriff replies, "What kind of Injun are you?". "Injun" is a racial slur listed on *The Racial Slur Database* and comes from 19th century white settlers who could not properly say the word "Indian". This film analysis will take a deep dive into the history of Native American discrimination and misrepresentation as seen in one of the first films acted by, produced by, and directed by Natives: *Smoke Signals*.

History of Native American Film

As "The Burden of Historical Representation: The Case of/for Indigenous Film" states, "history is written by the victors" (Stoddard et al. 2014, 9). Exploring the history of Native America film is therefore a fruitful pursuit that will provide insight into the significance of Native

American representation in *Smoke Signals*. Stoddard et al. (2014) discuss how historical film is biased towards who it is being written by, and what they want people to see. There is also a popular debate about what counts as Indigenous films. As defined by Stoddard et al., there are two categories: The first consists of films written by non-Indigenous people about Indigenous people, and the second consists of films about Indigenous people written by Indigenous people.

Smoke Signals falls into the latter. In fact, it is one of the first films in that second category and was popular nationwide. The box office performance more than tripled the production budget. In the early and middle 20th century, western films hit their stride, which resulted in Native Americans receiving unsolicited "bad media." For example, a common theme in the John Wayne films I grew up watching with my father is the act of cowboys killing the Natives and receiving praise for their acts, as the Indigenous people are "Savage". This is the start, however, of a long history of Native American misrepresentation, which continues in the modern age. Stoddard et al. (2014) write, "For example, in both *Blackhawk Down* and *We Were Soldiers Once*, masses of generic nameless and faceless "others" get gunned down as part of a narrative of a fight for freedom and as an illustration of the technological advantage of the U.S. military" (12). This shows that, although the representation of Native Americans and other Indigenous peoples has improved since *Smoke Signals*, the Hollywood interpretation of these people as "savage" others that need to be slaughtered to ensure the continuation of western civilization persists.

The 1990's and early 2000's was the beginning of a culture shift in the representation of Native American and Indigenous peoples. Not only was *Smoke Signals* released in the 1990's, but other important films such as *A Good Day to Die*

(2010), *Cheiro De Pequi* (2006), *The Only Good Indian* (2009) were released shortly after in the early 2000s. *Smoke Signals*, however, follows a different path from these other films. It isn't a film about Indigenous history or their fight for rights; it is a comedic film that is able to be enjoyed by many different populaces. However, it still challenges the modern stereotypes of Natives, and it responds to films about Natives, as well as showing the challenges of the characters finding their identity through their understanding of what it means to be "Indian".

Response to Non-Native Written Films

One way *Smoke Signals* responds to films made about Native Americans or which have Natives in them (but not written by Natives themselves) is in the reaction Thomas has upon watching one. The movie includes a trailer for *Suzy Song*, which includes an unknown, old-timey, black and white film playing. Victor and Suzy are sitting down eating and drinking when Thomas comes in to join them. He watches the TV and says, "The only thing more pathetic than Indians on TV is Indians watching Indians on TV." This shows how, while they still do watch older films with Native Americans in them, they recognize how it isn't a good representation for them. However, even before this scene we discover Thomas' love for *Dances with Wolves* (1990), a film about a white soldier during the Civil War who is introduced to the lifestyle of Native people. He leaves his former life behind to join the Lakota tribe, and he ends up becoming an accepted member. He also falls in love with another white woman who was raised by this tribe. Although this film has some problematic themes, and is not written, produced, or directed by someone who is Native, Thomas doesn't seem to care. While on a bus on their way to Phoenix to pick up Victor's dad's ashes, Victor calls him out on it: He asks, "I mean how many times have you seen *Dances with Wolves* anyways? 100, 200 times?". Thomas doesn't reply and Victor is visibly shocked and annoyed by Thomas's affinity for the film. However, the reason Victor asks is because he is trying to teach Thomas the

stereotypical "stoic Indian" look. Victor doesn't like how Thomas is always smiling, and he brings up the film because of its representation of a mean, scary, and intimidating Native.

Stoic Indian Stereotype and Identification

The "Stoic Indian" stereotype is mentioned multiple times in the film. According to Merriam-Webster, the word stoic means "not affected by or showing passion or feeling *especially*: firmly restraining response to pain or distress." This means that when you look stoic, you don't show emotion, your feelings, and you don't respond to them or to pain. That's why, when Victor teaches Thomas how to look like a "Real Indian," he first tells Thomas not to smile, and then comments on his hair and clothing. Another time in the film, when Thomas and Victor get back on a bus, they find two hillbilly white men in their seats. Victor takes the charge and asks them to move, but they refuse. After a little bit of back and forth, Victor and Thomas move to different seats at the back of the bus. This location represents the racial discrimination between white and non-white people for the majority of U.S. history. However, this is not the only thing it hints at; it also shows the long-time relocation of Natives against their will. Thomas then tells Victor, "Geez Victor, I guess the warrior look doesn't work every time." However, later in the film this sentiment is proven false as the audience is given a glimpse of an effective use of the look. Thomas and Victor are brought into the Sheriff's office after getting into an accident, and Victor is falsely accused of assaulting a man. Thomas appears very nervous and unsure of what to do, but Victor stays calm and collected. After they get everything figured out and they leave the office, Thomas says, "Yeah, I guess your warrior look does work sometimes."

The previous two quotes mention the word "warrior" instead of using the word "stoic." It is important to note that both words can be used interchangeably in this context. When you are a warrior, you must be stoic, and when you are stoic, you look like a warrior. When Victor is explaining the look Thomas needs to have, he compares it to

looking like you just got done killing a buffalo. However, Thomas soon replies with “but our tribe never hunted buffalo, we were fisherman.” This gives us insight into how Indigenous people struggle with their identity due to the stereotypes forced upon them. They were never hunters, but they feel like they must look like one. Victor responds to Thomas’s interjection with “What! You want to look like you just came back from catching a fish? This ain’t “Dances with Salmon,” you know!” Another instance of Natives struggling with coming to terms with their identity is a flashback to young Victor. At a party, his drunken father asks him a simple question, “Who is your favorite Indian?” Young Victor replies with, “nobody, nobody, nobody.” This response angers his father, but his mother, who was also drunk, gives a subtle, understanding reaction.

Smoke Signals, however, addresses and helps refine Native identification. It not only mentions the struggle Natives have in identification, but the film itself strengthens the bond between Natives. In her article “John Wayne’s Teeth,” Joanna Hearne (2005) writes that “intergenerational contact between younger and elder cast and crew can strengthen tribal identities through the recognition and re-construction of cultural knowledge, skills, and values.” (193). Since *Smoke Signals* was written, produced, directed, and acted by Natives, it creates a new bond between the entire film crew from members of many different Native tribes, as they address the problems mentioned in the film. As Hearne observes, they recognize, share, and reconstruct each other’s cultural knowledge, their skills and what they excel in, and the values they have and share. This is important since Victor and Thomas have contrasting ideologies as to what it means to be Native; Victor believes you must be a warrior while Thomas believes that you can appear how you want to appear. The conversations between the two therefore help present a reconstruction of Native identity. It is now one that is decided by the individual, not an outside opinion.

Music in *Smoke Signals*

Hearne also discusses a scene in which Victor and Thomas move seats against their will on a bus ride to Phoenix. Hearne focuses on a musical piece called “Owen’s Garden” that was adapted by the Ulali Native group. It was General George Armstrong Custer’s favorite song to play when attacking Indian camps. Hearne describes its use in multiple Native films such as *Little Big Man* (1970) and *The Searchers* (1956). She writes, “Ford turned to it frequently as a musical signifier for the military (much like the bugle call)” (195). In Ford’s film *The Searchers* (1956), for example, the song introduces a scene where cavalry soldiers, including one played by John Wayne, are marching Indian women and children through the snow. Hearne bridges this back to *Smoke Signals* by writing, “allusions through music to the Western genre and to frontier history are paralleled in *Smoke Signals* by visual allusions in other parts of the film.” The scene Hearne then mentions is one of the biggest traumas to young Victor. After a night of drinking, Victor walks into the room his parents were sleeping in and had a look of disgust on his face. He then goes out and starts throwing empty beer bottles at his father’s truck making them explode. His mom wakes up to this sound and looks out of the window and watches as her son angrily throws them. This hurts her and she yells at Arnold (the father) saying they are not drinking anymore. The next flashback in the film is when Victor’s mom is once fighting with his dad about her drinking problem again. His dad hits his mother and then leaves, and never returns. The film playing in the background was a black and white western film.

After re-situating themselves at the back of the bus, Thomas and Victor start singing a song questioning if John Wayne had real teeth. The lyrics to the song are: “John Wayne’s teeth, hey ya, John Wayne’s teeth, hey ya, hey ya hey ya hey, John Wayne’s teeth, hey ya, John Wayne’s teeth, hey ya, hey ya hey ya hey, are they false, are they real, are they plastic, are they steel, hey ya, hey ya, hey.” John Wayne, as noted above, is one of the biggest cowboys in this time. The song captures the cultural

fascination with the actor and how he peculiarly never shows his teeth, which serves as an exemplar for the stoic look Victor is trying to get Thomas to use. John Wayne was known prevalently as an “Indian Killer”, and his serious look and demeanor rose him to success. As Hearne (2005) argues, “the figures of John Wayne and General Custer are defamiliarized, or made strange, through their re-constitution in indigenous song forms” (199). She compares this song about John Wayne to the similarly styled song about General Custer that was sung early in the film, which goes “Oh I took the ball to the hoop and what did I see? Oh, I took the ball to the hoop and what did I see? General George Armstrong Custer was-a-guarding me a-guarding me.” Both songs have a traditional Native style with a modern twist and focus on people who have negatively impacted the Native community.

The John Wayne song may seem misplaced in the scene. However, placing the film within the greater context of the powwow elucidates its inclusion. Just before Thomas and Victor move seats to the back of the bus, the white “hicks” tell them to have a “powwow” somewhere else. As noted in Jim Charles’ (2001) “Contemporary American Indian Life in The Owl’s Song and Smoke Signals,” the John Wayne song was a 49 song. The “49 song” is a Kiowa tradition in music that spread to many Native tribes over the nation and is very popular in powwows. It is sacred, and explains why after Thomas and Victor sing it, a professional group takes over the song, giving it more power in the film. Powwows are very important in Native communities and are relevant to almost every reservation. Suzy Song even mentions a powwow that she and Arnold attended, which included members from multiple tribes. In *Human Rights and Justice for All*, Walling (2022) analyzes racial discrimination and its negative effects. For example, she writes, “Racial and ethnic discrimination denies people the human rights they are entitled to and fuels hatreds that can destroy lives and communities” (33). Thus, we can see why in the film, they call the racially and ethnically discriminatory life outside of the reservation a “whole different world.”

Poverty in the Native Population

It is also important to consider living conditions for Native and Indigenous people both on the reservation and in non-reservation communities. The opening scene of the film shows a very rundown trailer housing the radio station “KREZ.” The weatherman sits on top of a van, while announcing the very small amount of traffic. Fry bread is the main source of food. Victor’s mom only being able to give him \$40 to travel from Idaho to Phoenix, and Thomas says, “I mean, who needs money on the Rez anyways?” All of these are evidence of the poor financial situation for people who are Native.

James Davis et al.’s (2015) “American Indian Poverty in the Contemporary United States” notes that “across the nineteenth century, the U.S. government forcibly relocated nearly every tribal group in the eastern and western United States to isolated, rural settings” (6). This is a hint into how they started far behind the rest of the U.S. in an economic sense; it is hard to start a business, or work in a business, if you are not near any. Native people were kept isolated away from modern societies, which is what they wanted at first, as it took many years for Natives to assimilate to the “modern” lifestyle they currently live in. However, because of this, they started off in a poor state, and in a way that makes it hard to grow as a community financially and economically. Another idea Davis et al. discuss is the quality of land Native people were given. As is commonly known, Natives were forced off their land because of the high quality of land they had control of, and the vast amount of it. For example, in Georgia the Cherokee tribe had lots of very good farmland. So, the Georgia state government parceled it out to white settlers and forced the Cherokee far west. Davis et al. note the common characteristics of the land given to the tribes: “poor quality... difficulties in agriculture, and a forced reliance on state paternalism” (6). This means that the land the tribes were eventually given to live on was not good land and was unwanted by settlers. Poor land causes difficulties in growing crops, which then causes it to be difficult to have livestock, which makes it hard not only to be able to have food to eat, but to grow

as a community enough to even start businesses. These led to Native tribes being forced to rely on the government to help them out, causing them to be at mercy of state paternalism. While state paternalism can be good, the history of the relationship between the government and Native people suggests the government abused their increased authority over Native people to its own advantage. The power of this governmental action gives it the right to abolish different aspects of Native people's local society or hinder what they do. The government can say that it does certain aspects for the betterment of the Native community, but do not have to provide evidence of this. This is especially troubling considering the history of governmental persecution of Native people.

Davis et al. (2015) also discuss the timeline of the biggest rates of poverty on Native reservations, as well exploring the factors that may have contributed to these rates. Their analysis helps us further understand why the Native community in *Smoke Signals* is far behind compared to non-reservation 1990's American society Davis et al. writes "Trosper (1996) found that from 1969 to 1989, the household poverty rate remained above 40% for many of the 23 reservations analyzed" and "more than 77% of the over 500 other Native homeland areas (reservations, rancherias, villages, and communities) have poverty rates above the U.S. average" (7). Davis et al. propose more explanations for the poor economy in these areas and expand upon the fact that their remoteness is a big contributor. They talk about how there is little to no industrial diversity, and little job opportunities due to the remote conditions Native people live in. Also, the few job opportunities they do have seem to be low wages. Some of the jobs they mention are construction, education, and public administration (7). As Walling (2022) concludes, "in reality, many governments respect, protect, and fulfill human rights for a portion of their population, while failing to do the same for others." (31). Given the disadvantage Native people face due to the seizure of their land and the economic isolation of reservations that has resulted in their high levels of poverty, the latter is certainly true of relations

between the U.S. government and Native people.

Unemployment is another huge cause of poverty rates for the Native American population. Davies et al. (2015) observe "that Indigenous people have difficulties not only on reservations, but also in metropolitan settings" (8). They also found that "the percentage of Native [people] who live in cities grew from 8% in 1940 to 64% in 2000" (8). They propose that this is due to the Indian Relocation Act of 1956, which tried to move Natives into areas that had a large white population and assimilate them into white society. It worked. In order to achieve their goal, the government provided job training opportunities to convince Native Americans to take the leap of faith and move into cities. Most Native people stayed in those areas after the training. You can compare this to the boarding school era of Native kids, in which the U.S. government forced many Native kids into boarding schools to try and make them Christian and literate in English language. The result was that the kids could not go back home or felt they no longer fit in on reservations.

Even after the movement into white society under the job training opportunities, Native people struggled to find employment. Davis et. al. (2015) comment, "Natives in metropolitan areas are 20% more likely to be underemployed or to be working part time than their non-Hispanic white peers" (8). This shows that even in areas where they should no longer have problems finding opportunities and employment, Native people were still not given a good chance. The writers propose that this could be due to racial discrimination. However, another reason is lack of education and quality of education. The local college in my hometown offered alternative methods for Native American kids to attend college, such as the American Indian College Fund, or AICF, which provides many scholarships to Native kids. Since the poverty rates among Native families are so high, and college is becoming more and more expensive, it can seem extremely difficult for prospective college students who are Native to take on that expensive life choice—hence the need for alternative methods to access college education.

Arnold's Disappearance and Alcoholism in the Native Population

Arnold's disappearance is foreshadowed throughout the film. Ironically, he talks about how he can make things disappear at several points throughout the movie. He even does coin magic tricks and mentions how he could make himself disappear. While Arnold is in the truck driving home with Young Victor, he gives a short speech about making things disappear. He says "Wave my hand and poof! The white people are gone, sent back to where they belong. Poof! Wave my hand and the reservation is gone. The trading post and the post office, the tribal school and the pine trees, the dogs and cats, the drunks and Catholics, and the drunk Catholics. Poof! And all the little Indian boys named Victor. I'm so good, I can make myself disappear." Hearne (2005) talks about this and Victor's nonexistent "favorite Indian" simultaneously. She suggests that these scenes are a result of the family's struggle against powerful and dominant stereotypes. This is ultimately unconvincing, as both scenes are actually a product of self-hatred among Arnold and Victor, respectively.

In the beginning scenes of *Smoke Signals*, we see that Thomas' parents die in a house fire after a July 4th party. Arnold was able to save baby Thomas, but the parents were consumed by the fire. Later in the film, we discover that Arnold, who still had long hair and was drunk, set off a Roman candle when everyone was asleep. One of the fireballs shot into the house and lit a curtain on fire. He was the reason Thomas' parents died. This was not an intentional act on Arnold's behalf, but it ultimately happened due to his drunkenness. Ever since that night Arnold cut his hair and never grew it long again. This is culturally significant as having long hair is a practice in Native culture—unless you are mourning. When you are mourning, you keep it short and grow it out long again when you are accepting of what happened. Thus, Arnold disappeared not due to the struggle against powerful stereotypes, but due to self-hatred and his own actions while being a drunk. As for Victor not having a favorite Indian, I believe this is because of the hatred he had not of

himself, but of his role models, his parents. More specifically his father. While the "drunken Indian" is a stereotype, I do not believe in this circumstance it is the reason Arnold decides to leave. It was because he was an alcoholic, not because of the stereotypes of Natives being alcoholics.

Alcoholism and domestic violence are also pressing issues within the Native community, both of which are broached by *Smoke Signals*. Throughout the film, we see the negative affects alcohol has on the Native population, especially for the kids, such as Victor. At time stamp 11:58 in the film, Victor is riding in the truck with his father, Arnold, holding his dad's beer since Arnold is driving. Once they get back home, Victor's father asks for the beer, but Victor drops it. His dad hits him across the face and tells him to go back inside as he gets another one out of the cooler in his truck. There is also, of course, the scene in which Victor's mom wakes up to him throwing empty beer bottles at Arnold's truck. She decides then to stop drinking and tries to get Arnold to as well. The next morning, Arnold hits her when she tries to get him to stop and then leaves for Phoenix. Thomas' parents died to a fire started after a night of drinking, which is started by Arnold trying to get everyone partying again, once again showing the dangers of alcoholism. Then, as I said in the beginning paragraph, a white sheriff asks Victor if he had been drinking after a car accident that causes the hospitalization of multiple people. When Victor responds by saying he had not the Sheriff replies, "What kind of Injun are you?". It is also important to note that it is surprising they let them go, especially given the surprising statistics about the U.S. justice system in *Human Rights and Justice for All*: "The United States imprisons more people – in absolute numbers and per capita – than any other country" and "in the United States, people of color make up 27% of the US population, but make up 67% of the incarcerated population" (35). It is therefore surprising that the white police officer does not arrest Victor, a person of color.

The "drunken Indian" is a common stereotype present in films other than just *Smoke Signals*. In their article "Alcohol among Native Americans: An Analysis," French and Hornbuckle

(1980) write, “alcohol is a factor in 75 to 80 percent of all Native American suicides and about 90 percent of all homicides” (276). This means alcohol is a key contributor to the pain and suffering of Native Americans. It causes lots of problems, and in *Smoke Signals* it causes pain and suffering for Victor. French and Hornbuckle also write, “marginals drink heavily in public at a greater frequency than their traditional counterparts, resulting in serious health, legal, economic, and social problems. Violence, either toward self or others, arrest, and jail often accompany these situations” (280). They are referring to the Natives in *Smoke Signals* as Marginals, and the “traditional” counterparts are the Natives who still live a very traditional lifestyle. This shows how, across all Native reservations, alcoholism follows the population, and it causes lots of problems for them, including the domestic violence exhibited by Victor in the film.

French and Hornbuckle (1980) propose possible explanations for why alcoholism occurs at such a high rate on Native reservations. Some ideas they mention are cultural, social, and political issues. Drinking is commonly known as a coping mechanism. Many times, people who are heavy drinkers either have a family history of alcoholism or have underlying problems causing them to drink heavily. Personally, most of the heavy drinkers I know are “self-medicating” with alcohol. Since Native Americans have been discriminated against through dispossession of land and forced relocation at the hands of the government, they have a reasonable, but not acceptable, reason to drink. When parents drink and showcase domestic violence, they model behavior their kids are likely to model when they get older, causing a never-ending cycle of alcoholism and abuse passed down generations. Suicide is also a very common result of alcoholism, and the friends and family of the person who commits suicide may end up drinking due to the pain, furthering the cycle. Victor standing against drinking, therefore, shows hope for improvement among the younger generation. Even their friends, Velma (portrayed by Michelle St. John) and Lucy (Elaine Miles), who were driving a car in reverse (known as a “rez-car”), talked about how they also

don’t drink anymore. It offers some hope, but it is still a problem among Native reservations.

The Growth of Thomas and Victor

By the end of the film, we see how Victor and Thomas grow as people and as friends. In the early stages of their life, the two struggled to connect. Through flashbacks, for example, we get a glimpse of Victor’s anger when he was young, and how he took it out on Thomas. It is understandable as Victor was young, and Thomas did not help the situation either. After Victor’s dad leaves, he and his mom are talking about how they feel ripped into pieces. Victor’s mom describes it as parts of her body being in different rooms of the house, and Victor agrees. Soon after, Thomas comes up to their house to talk to Victor. He says he heard Arnold left, asks why he left, and asks Victor if Arnold hated him. Victor responds by beating up Thomas up, until he is bloody, and runs away. At another point in the film, Thomas and Victor are standing by a barrel with a fire inside. Thomas brings up Arnold and talks about how “when Indians go away, they don’t come back. Last of the Mohicans, last of Winnebago.” Victor responds by threatening Thomas, telling him to not make Victor beat him up again. These two scenes show the strained relationship Thomas and Victor had as young children. This continues to adulthood, as Victor constantly tells Thomas to shut up and not to tell “stupid” stories, and even complains about Thomas’ look. Victor does not even want to go to Phoenix with Thomas; however, due to Victor’s low funds, and Thomas’ offering to help pay, he ultimately decides embarking on the trip is for the best.

By the end of the film, Thomas and Victor become close friends and have respect for one another. Victor realizes that his aggression was due to anger towards his father, and accepts that Thomas is a unique character, and that he should not change himself. Victor even goes as far as giving Thomas some of Arnold’s ashes. Then, he tells Thomas thanks for everything he has done. One reason Victor gave some of Arnold’s ashes to Thomas is because, while Victor only remembered the bad parts

of Arnold, Thomas reminded him of the good parts, such as when Thomas and Arnold went to Denny's together. Victor and Thomas both grow by the end of the film, as they both become more understanding. Victor has the most growth as he relinquishes the feelings he has toward his father and lets go of the past. This is represented in the scene where he throws Arnold's ashes into the falls, and screams, finally letting out all his pent-up feelings.

Conclusion

While a superficial analysis of *Smoke Signals* reveals a comedic film with characters of Native American tribes, a more sophisticated analysis—such as that presented in this paper—reveals the deeper cultural meanings of the film. The film covers topics that are hard to talk about, such as alcoholism and domestic violence, as well as the racial discrimination Natives face. It showcases the poverty problems on Native reservations, as well as the problems Native Americans have with identification. It is one of the first major films that is completely created by Native Americans, and subtly shows the effects that poor representation from many western films has had on Native Americans. Ultimately, the film provides an important understanding of cultural representation and equality in media when it comes to film not only for Native Americans, but for Indigenous people as a whole.

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Case Note: *Bond v. United States*

Danny Bean, Class of 2024

Introduction

Article II Section II of the United States (U.S.) Constitution dictates that the President “shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur” (Bradley 2014, 486—footnote 4). Article VI declares that “all treaties made... under the authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding” (*ibid.* footnote 5). The former is referred to as the “Treaty Power,” and the latter both strengthens and constrains the force of a treaty. The breadth of the power and its relation to the Elastic Clause (Article 1 Section 8 Clause 18 of the U.S. Constitution)—which grants Congress the ability to make laws deemed “necessary and proper” to execute its enumerated powers—has long been a matter of dispute, especially given the Tenth Amendment, which states that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people” (Glennon and Sloane 2016, 55).

The controversy primarily rests on the topic of federalism. There are two primary forms of federalism within the U.S. government. The first is dual-layer (or layer cake) federalism, in which “each tier of government pursues its own programmes in its own relatively separate and clearly demarcated sphere of competence or jurisprudence” (Entwistle et al. 2012, 310). As such, there is “little need for intergovernmental coordination” (*ibid.* 311). The second, referred to as marble cake federalism, consists of a cooperative system in which there is an “intermingling of roles and responsibilities such that different sectors are governed in some way by more than one and perhaps all tiers of government at the same time” (*ibid.*). These two systems are irreconcilable, which poses a serious problem for

constitutional scholars; while the Tenth Amendment, commonly cited by layer cake proponents, “reserves some authority to the constitutive states, or to the people,” the U.S. operationally governs “through sectors or ‘industries’... embracing both government and non-government actors with overlapping rather than discrete jurisdictions” (Bradley 2014, 486; Entwistle et al. 2012, 311). In other words, the U.S. is fundamentally marble cake in terms of operation.

The Court has weighed in on the connection between the Treaty Power and federalism several times, including in *Bond v. United States* (2014). The majority of the Court supposedly avoided the Constitutional question concerning the range of Congress’s Treaty Power to intrude on 10th Amendment divisions. However, Justice Scalia’s concurring opinion provides the most pernicious Constitutional interpretation of the case and deals a devastating blow to proponents of marble cake federalism. Should this concurrence become typical federalist jurisprudence, the ability of the United States to effectively participate in international treaties would be nil.

Background

Missouri v. Holland (1920) is arguably the most important Treaty Power decision ever issued by the Court. The Migratory Bird Treaty Act of 1918, designed to protect birds migrating between the U.S. and Canada, “prohibited the killing, capturing or selling any of the migratory birds included in the terms of the treaty except as permitted by [specified] regulations” (Strasser 2015, 311-2). Congress justified the passing of such a treaty, despite previous rulings holding that the regulation of game fowl falls under state police power, using the Necessary and Proper Clause to extend their Article II Treaty Power. Missouri sued, claiming a 10th Amendment violation (Glennon and Sloane 2016). Two federal district courts sided with Missouri (Strasser 2015;

Bradley 2014). Justice Holmes delivered the majority opinion (Glennon and Sloane 2016; Strasser 2015; Rosenkranz 2014).

The Court ruled that “one could not simply cite the 10th Amendment to establish the treaty’s unconstitutionality” (Strasser 2015, 312). In the single most famous sentence from his opinion, Holmes held that “if the treaty is valid there can be no dispute about the validity of the statute under Article I, [Section] 8, as a necessary and proper means to execute the powers of the Government” (*ibid.* 313; Rosenkranz 2014, 286-7; Bradley 2014, 488). In other words, under Holmes’s opinion, “the national government has more authority to regulate state and local matters when using the Treaty Power than when acting pursuant to Congress’s domestic legislative authority” (Bradley 2014, 487). Holmes further clarified that, per the Supremacy Clause, “treaties are declared to be [the supreme law of the land] when made under the authority of the United States” (qtd. in Strasser 2015, 313). This power allows Congress to protect “certain kinds of national interests... even if [their] protection or promotion... does not clearly fall within an existing enumerated power;” treaties trump state laws (Strasser 2015, 314). Some scholars have suggested that this decision resulted in an “increase [in] the legislative powers of Congress” through the signing of a treaty (Rosenkranz 2014, 287). In their view, the decision resulted in a questionable extension of the Treaty Power that allows the national government to unconstitutionally increase its authority.

Congress then used their newly extended Treaty Power to pass the Chemical Weapons Convention Implementation Act of 1998 (CWA), an enforcement mechanism for the 1993 Chemical Weapons Convention (CWC) (Strasser 2015). The CWC is “a multilateral treaty signed in 1993 that is designed to address the global threat posed by chemical weapons” (Sloss 2015, 1583). It “requires the parties to prohibit certain activities set forth in the Convention” (Glennon and Sloane 2016, 68). These activities, outlined in Section 229, are “the development, possession, or use of chemical weapons, which the CWC defines as ‘toxic chemicals and their precursors,’ which, in turn, it defines

broadly as ‘any chemical which through its chemical action on life processes can cause death, temporary incapacitation or permanent harm to humans to animals. This includes all such chemicals, regardless of their origin or method of production, and whether they are produced in facilities, in munitions or elsewhere’” (*ibid.*).

When the Court first agreed to hear *Bond v. United States* (2014), it appeared to be a direct challenge to *Holland* (1920). However, the path this case took the Court was tortuous. There was an original case, *Bond v. United States* (2011), investigating whether Bond had standing to bring a 10th Amendment challenge to the CWA. Carol Anne Bond, “a microbiologist in Pennsylvania who worked for a chemical manufacturer,” had “learned that her husband had impregnated Myrlinda Haynes, her (former) friend” (Bradley 2014, 491; Strasser 2015, 339). Enraged, she began harassing Haynes, “making threatening phone calls,” and was “prosecuted under state law” (Bradley 2014, 491). After this strategy failed, “her thoughts [then] ran right to potassium dichromate and 10-chloro-10H-phenoxarsine” as a means of poisoning Haynes (Rosenkranz 2014, 285). She “ordered one chemical (potassium dichromate) on the Internet [and] stole [the] second chemical from her workplace” (Nickles 2015, 68). “On at least twenty-four occasions between November 2006 and June 2007,” she then “applied these chemicals to [Haynes’s] house, car and mailbox in an effort to cause her injury” (Glennon and Sloane 2016, 69; Bradley 2014, 491). Specifically, she “applied these chemicals several times, increasing the likelihood both that her intended victim and that other unintended victims would suffer adverse consequences resulting from the exposure” (Strasser 2015, 340). “Because the chemicals were readily noticeable, however, Haynes avoided them except on one occasion” (Glennon and Sloane 2016, 69). Haynes had reported the mysterious substance she continually found on her property to the authorities, “who dismissed [her] discovery of white dust on her car, doorknob, and mailbox (Gerken 2014, 87). On the one occasion in which she did not avoid the chemicals, Haynes “suffered a minor burn to her thumb” (Glennon and Sloane 2016, 69). The

local authorities eventually referred Haynes to the postal service, “which set up surveillance and filmed Bond stealing from Haynes’s mailbox and stuffing chemicals into her car muffler” (*ibid.*).

Bond was “indicted... for mail fraud” and “accused of violating the [CWA]” (*ibid.*; Strasser 2015, 339). She “entered into a conditional plea bargain that accepted guilt while preserving her right to appeal, and she was sentenced to six years in prison and five years of supervised release” (Bradley 2014, 491). She brought a constitutional challenge against Section 229 of the CWA, arguing that “the application... exceeded the federal government’s authority to regulate state and local matters, in violation of the Tenth Amendment of the Constitution” (*ibid.*). The Third Circuit ruled that “a private party lacks standing to claim that the Federal Government is impinging on state sovereignty in violation of the Tenth Amendment, absent the involvement of a state or its officers as a party or parties,” a position supported by the government (Strasser 2015, 309). On appeal to the Supreme Court, “the government reversed course and confessed error” (Rosenkranz 2014, 286). The Supreme Court unanimously reversed the Third Circuit’s decision, holding that “Bond had standing to raise this federalism argument,” as “federalism protects not only the states, but also individual liberty” (Bradley 2014, 491). However, they “expressly declined to address the merits of Bond’s appeal,” that was to be saved for another case (Strasser 2015, 341).

Considering the case on its merits on remand, the Third Circuit conceded that “treaty-implementing legislation ought not, by virtue of that status alone, stand immune from scrutiny under principles of federalism” (Bradley 2014, 491). However, they concluded that because of “the devastation chemical weapons can cause and the corresponding impetus for international collaboration to take steps against their use,” there could be no doubt that “the Convention falls within the Treaty Power’s core” (Strasser 2015, 342). They then relied on *Holland* (1920) to justify the legislative implementation of the treaty (Bradley 2014; Strasser 2015; Rosenkranz 2014). Bond appealed to the Supreme Court.

With the case before the Court, there were

two primary legal issues: The first was whether Section 229 could be applied to local poisoning cases (Bradley 2014, Rosenkranz 2014, *Bond v. United States* 2014). The second, only approached if the first is answered in the affirmative, was if Congress’s use of the Treaty Power to prosecute a local poisoning case violated the 10th Amendment (*Bond v. United States* 2014).

Analysis of the Decision

The Court ruled unanimously in Bond’s favor. In Chief Justice Roberts’s majority opinion, joined by Justices Kennedy, Breyer, Kagan, Sotomayor, and Ginsburg, the Court applied “a doctrine known as constitutional avoidance, under which the court refrains from deciding a constitutional question if a case can be resolved through statutory interpretation” (Greenhouse 2021, 12). According to Roberts, the CWA was not specifically intended to usurp the states’ control over local criminal activity, and the act thus does not cover Bond’s actions; she cannot be charged under it. In Part I, Roberts outlines the history of the ratification of the CWA (Section A) and the case itself (Section B). In Part II, he justifies the use of constitutional avoidance after describing the constitutional issue (the 10th Amendment vs. Treaty Power) at stake.

The crux of the majority’s argument occurs in Part III. In Section A, Roberts, using precedents such as *Gregory v. Ashcroft* (1991) and *United States v. Bass* (1971), argues that “it is appropriate to refer to basic principles of federalism embodied in the Constitution to resolve ambiguity in a federal statute.” The ambiguity in question is the definition of the term “chemical weapon.” Section B seeks to reconcile this ambiguity through an analysis of the ordinary meaning of the term, which clearly does not extend to the “kitchen cupboard;” the CWA could not conceivably be applied to “common household substances.” Moreover, as defined in Webster’s Third New International Dictionary, a weapon is “[a]n instrument of offensive or defensive combat,” which would not apply to the chemicals used by Bond. Roberts concludes that “if statute 229 reached Bond’s conduct, it would mark a... serious reallocation of

criminal law enforcement authority between the Federal Government and the States.” Because the CWA does not present a clear intention to do so, the Court simply presumes it was not meant to extend to Bond’s actions. The Third Circuit’s judgment was reversed, and the case was remanded for further proceedings.

In his succinct concurrence in the judgment, Justice Alito held that Bond’s actions were covered by the CWC, deferring to Justice Scalia’s opinion on this point. He notes that the CWC is “not self-executing,” meaning that it “does not have domestic effect without congressional action.” Insofar as the treaty requires Congress to control true chemical weapons, which is a power reserved for the states (per the 10th Amendment), it extends beyond the proper scope of Congress’s Treaty Power. Section 229 therefore cannot stand unless it is tied to an enumerated power of Congress (outlined in Article I Section 8). The government has provided no such justification, and the majority therefore came to the correct judgment.

Justice Thomas, joined by Justice Scalia, also concurred in the judgment. Justice Alito joined Parts I, II, and III of the argument. Thomas provides a clear limitation for the Treaty Power, asserting that it “can be used to arrange intercourse with other nations, but not to regulate purely domestic affairs.” In Part I, he turns to the definition of treaty in founding-era dictionaries, practices under the Articles of Confederation, and common practices at the time of the founding to justify his interpretation. In Section A of Part II, he refers to the ratification debates and writings of Madison and Hamilton in the *Federalist Papers* to justify the limitation of the Treaty Power to purely international affairs. In Section B, he addresses the counterargument that the Treaty Power was not given enumerated limits; the federal government was given flexibility, not absolute power. Section C argues that Representative James Hillhouse’s analysis of the limited scope of the Treaty Power and Thomas Jefferson’s Senate Manual of Parliamentary Procedure prove that the Treaty Power was purely international in scope in post-ratification times. Part III examines the Court’s precedent on Treaty Power and even uses *Holland* (1920), insofar as it was an agreement with Great Britain, to recognize the fundamental

limitations of the Treaty Power.

Justice Scalia, joined by Justice Thomas, wrote yet another concurrence in the judgment. Justice Alito joined Part I of the opinion. Scalia was amused by the minor crime the national government used to bring forward its case, and he concluded that Section 229 was unconstitutional. In Part I, he addressed the statutory question. Section A correctly notes that the act provides its own definition of chemical weapon, which extends to the substances used by Bond. Section B questions the precedents used by the Court, including *Gregory* (1991), which rely on ambiguous statutes. In Section C, Scalia claims that the Court’s amendment of the statute, in forcing those who own harmful toxins to “ponder the totality of the circumstances in order to determine whether his conduct is a felony,” has rendered it “broad and unintelligible.” Part II addresses the constitutional question. In Section A, he argues that the Elastic Clause, when combined with the Treaty Power, does not give Congress the authority to implement non-self-enforcing treaties. Section B contains the true force of his argument, however; the limits of the Treaty Power are clearly delineated. Treaties that are to be legislatively enforced must be tied to an enumerated power of Congress. Otherwise, the national government would be able to encroach on states’ rights simply by drafting a treaty with another nation. He relies on *Federalist No. 33*, which includes an example of an antipolygamy convention that gives the national government power over the law of intestacy, to illustrate this point.

Significance

Justice Scalia was so amused at the federal government’s use of a case in which “a husband’s paramour suffered a minor thumb burn at the hands of a betrayed wife” that he was largely ignorant of the pernicious nature of his constitutional interpretation, which threatens the very essence of the Treaty Power itself (*Bond v. United States* 2014). In his layer cake textualist interpretation, he exhibited an almost complete disregard for the original intent for the ratification of Article II Section II. The historical context is best seen in the argument of Alexander

Hamilton in *Federalist 22*, who explained that “the treaties of the United States, under the [Articles of Confederation] are liable to infractions of the thirteen [states]... The faith, the reputation, the peace of the whole union, are thus continually at the mercy of the prejudices, the passions, and the interests of every member of which it is composed” (qtd. in Glennon and Sloane 2016, 52). Hamilton concluded his analysis by asking two final, thought-provoking questions: “Is it possible that foreign nations can either respect or confide in such a government? Is it possible that the people of America will longer consent to trust their honor, their happiness, their safety, on so precarious a foundation?” (*ibid.*). The immediate dangers of a *prima facie* acceptance of Justice Scalia’s interpretation become apparent under this framework; the U.S. will no longer hold any sort of negotiating power when it comes to an international agreement, as it lacks the proper enforcement authorities over the states. In addition, the American people, realizing the sheer absurdity of such a proposition, will begin to question the government’s ability to properly protect them. The states have been afforded too much power, and the Supremacy Clause is robbed of any substantive meaning.

Dean Nickles (2015) rightfully concludes that, despite Justice Scalia’s arguments to the contrary, “the Necessary and Proper Clause and treaty-making power, however, should also be sufficient on their own, barring other constitutional constraints, to permit Congress to pass laws carrying out the obligations of treaties” (72). As he astutely notes, “without the assurance (and likelihood) of treaty obligations being enforced, the power to make treaties would be hindered (72-73). While Justice Scalia is concerned about the erosion of states’ rights, he does not stop to consider that the limitations he proposes would inevitably result in a fundamental loss of federal and international authority. With Congress only able to enact treaties that fall within the meager list of enumerated powers, there would certainly be a harkening back to the days of bilateral agreements that Justice Scalia appears so fond of in his opinion (*Bond v. United States* 2014). His interpretation also largely ignores (or, perhaps more accurately, guts) the

Elastic Clause, as the Treaty Power, which is afforded to the legislature in Article II, becomes severely limited in scope. Congress is no longer able to rely on a proper extension of authority to make the U.S. a respectable global citizen, instead being forced to defer to the individual states. In terms of ratifying and implementing treaties, the executive is rendered as incredibly weak as it was under the Articles of Confederation.

Heather Gerken (2014), realizing the layer cake nature of Justice Scalia’s opinion, was dismayed by his approach to federalism. She masterfully describes a federalist paradigm that encompasses Scalia’s jurisprudence: the “tale told by those who believe in state sovereignty,” as the name suggests, grants almost unilateral power to the states over the national government (85). Gerken realizes that “the market touches virtually everything and interconnected regulatory regimes can sweep almost anything into Article I’s ambit” and advocates for a new marble cake federalist doctrine (102). As she argues, federalism must recognize the “vibrant, interactive relationships” between the state and national governments (87). Thus, the layer cake approach advocated by Scalia, which attempts to “keep federal and state officers separate,” denies reality and instead pursues a dysfunctional form of government that does not support a relational interpretation of federalism (115). He is chasing a pipe dream instead of rooting his decision in practicality. While this may prove quite pleasing to the states, it would wreak havoc on the existing cooperative systems that allow the U.S. to actually function. Gerken’s marble cake conceptualization would be both far more practical and allow for the upholding of the Constitution in a collaborative process that also preserves the international reputation of the U.S.

Nicholas Rosenkranz (2014) presents a different perspective on the argument; he believes that Justice Holmes’s opinion in *Holland* (1920) issued a “pernicious suggestion that a treaty can increase the legislative power of Congress” (305). A true states’ rights advocate, he was extremely disappointed that the three concurring justices were not in the majority. However, he retains hope that *Holland* (1920) “may

yet be overruled” (306). He ultimately believes that “the Necessary and Proper Clause does not empower Congress to implement treaties,” but rather to consent to their signing (*ibid.*). Rosenkranz does not address the fundamental question that arises under such an interpretation: What is the point of signing a treaty if you are not able to enforce it? As Nickles recognizes, this question would become a common one within the international sphere, and “other nations would hesitate to make treaties with the United States if [they were] unable to trust that the United States would actually enforce the agreed upon terms” (73). The U.S. would be alienated due to the tyranny of the masses (of states) imposed under Justice Scalia’s interpretation, and isolationism would inevitably follow.

Rosenkranz also agrees with Justice Scalia’s assertion that the crux of Holmes’s argument does not rest on constitutional grounds but rather uses an overly broad interpretation of the Elastic Clause. However, this runs contrary to Justice Marshall’s opinion in *McCulloch v. Maryland* (1918), in which he proclaimed, “let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, which are not prohibited, but consist with the letter and spirit of the constitution, are constitutional” (qtd. in Nickles 2015, 74). And, seeing as non-self-executing treaties require the “acquiescence of the President, two-thirds of the Senate, and the passage of a statute by Congress,” there are numerous safeguards in place to help prevent an overexpansive interpretation of the Elastic Clause that runs contrary to constitutional principles (*ibid.*). Justice Scalia’s worry of Congress’s use of the Treaty Power to acquire a “general police power” seems exceptionally silly under these circumstances (*ibid.*; *Bond v. United States* 2014). Justice Scalia’s opinion therefore weakens the Elastic Clause in sheer contradiction of precedent; there seems to be no part of the Constitution immune from his attenuation witch hunt.

Mark Strasser (2015) addresses another fundamental flaw of Rosenkranz’s argument, venturing deeper into it than Rosenkranz seems willing to. In his interpretation, overruling *Holland* (1920) would “severely [undermine] the interests of the nation as a whole” because it would “unduly

limit the federal government’s ability to prosecute individuals who use chemical or biological agents to harm others in the United States or unduly handcuff the federal government’s ability to engage in foreign relations or promote national interests” (348). By zooming out from the burned thumb, Strasser is able to examine the importance of the treaty as a whole, and he thus recognizes the pernicious implications of Scalia’s concurrence. Instead of limiting the Treaty Power, the national government must retain the right to “enter into agreements to promote national and international goals” (*ibid.*). Scalia’s layer cake interpretation would deny this fundamental role.

As has been suggested above, Scalia’s concurrence, if adopted as law, would have disastrous consequences on U.S. foreign affairs. Rosenkranz is so obsessed with the thought that “a treaty *can* exceed [Congress’s] enumerated powers and violate the Tenth Amendment” that he neglects to consider the implications of his unwavering support for states’ rights on international commitments (297). This also says nothing about how, for his and Scalia’s darkest nightmares to come true, current jurisprudence on the Elastic Clause—see above—would need to be thrown out the window. In their baseless worry, Rosenkranz and Scalia severely hinder, if not altogether eliminate, the U.S.’s ability to engage in international agreements.

This hindrance is perhaps best explained in terms of the general lack of enforcement accorded to the national government under this conceptualization. The national government would appear unbelievably weak on the international stage, as it “would be forced to rely on the states to implement the nation’s treaty obligations” (Sloss 2015, 1602). Furthermore, due to the largely increasing category of non-self-executing treaties, this would become commonplace under Justice Scalia’s state sovereigntist rule (*ibid.*). Looking specifically at the facts of *Bond* (2014), David Sloss (2015) argues that “a decision to rely on state governments to implement the CWC”—as Justice Scalia wishes—“would have required the federal government to invent a novel mechanism to encourage states to enact new laws quite unlike preexisting state laws” (1604). In this layer cake system, the national government would be rendered

subservient to the fickle whims of the individual states. Should the Court rule that “the exercise of the Treaty Power will” no longer “be upheld as long as the means adopted is reasonably related to the promotion of important national interests,” states will be allowed to wantonly disregard national agreements with no fear of retribution (Strasser 2015, 321). Congress will prove trapped within its narrow enumerated powers.

Curtis Bradley (2014) is most concerned about the implication of Justice Scalia’s (and Thomas’s) concurrence on human rights treaties, seeing as they “do not involve traditional cross-border or reciprocal commitments among nations” (495). The potentially disastrous effects on human rights are therefore clear. Gregory Van Houten (2016) provides one such example in his analysis of 18 U.S.C. Section 2423(c), one of the travel statutes of the PROTECT Act. The statute, in response to child sex tourism, “criminalizes traveling in foreign commerce and engaging in illicit sexual conduct abroad” (179). The act is directly tied to the Optional Protocol, which “mandates that each signatory nation ‘shall ensure that... [sexual exploitation offenses are]... covered under its criminal or penal law, whether the offenses are committed domestically or *transnationally*’” (*ibid.* 206). Employing the logic from Justice Scalia’s concurrence, Van Houten believes that “the government would likely have to point to the Foreign Commerce Clause, another enumerated power” to justify 18 U.S.C. Section 2423(c) (212). This would prove necessary because the esteemed justice would “reject the government’s contention that Congress had authority via the Necessary and Proper Clause to enact 18 U.S.C. Section 2423(c)” (213). A far superior strategy would be a marble cake system that recognized the importance of protecting children and encouraged cooperation among the national government and the states. Alas, the protection of children is not an enumerated power and, under a layer cake interpretation of the 10th Amendment, is therefore reserved solely for the states.

In summation, accepting Justice Scalia’s constitutional interpretation would render the national government weak and ineffective in terms of implementing treaties, making any approval a

meaningless signature. In his ahistorical crusade to protect states’ rights, he leaves the national government with no enforcement recourse in the face of state refusal to abide by the terms of international agreements. As the number of treaties considered to be non-self-enforcing grows, Scalia advocates for a shackling of the United States’ ability to act as a responsible global citizen in direct contradiction of Article I Section 8 Clause 18. The consequences on human rights alone (including child sex tourism) should be enough to make us run away in fear.

Conclusion

In the majority decision, the Court attempted to ignore the federalism-sized elephant in the room through constitutional avoidance. However, the three justices concurring in the judgment were more than comfortable to provide their constitutional interpretation concerning the relationship between the 10th Amendment and the Treaty Power. Should Justice Scalia’s concurrence—the most pernicious one—become modern jurisprudence, the ability of the U.S. to enter into international agreements would be wobbled. Scalia’s unwavering layer cake federalism would severely limit the United States to the point of only entering bilateral treaties and would render the country incapable of legitimate enforcement of most provisions. As can be seen through the example of child sex tourism, this would have devastating consequences.

In his misinterpretation of the 10th Amendment, Scalia effectively rejects any notion of marble cake federalism. Rather than create a cooperative system that limits the acquisition, possession, and use of chemical weapons, the national government would have no ability to enforce its treaty obligations, and individual penalties would waver due to varying state statutes. The United States and its incredibly weak enforcement power would become a laughingstock within the international sphere under such a rigid system, and inefficiency would run rampant. Unless the U.S. adopts an exclusively isolationist foreign policy, Justice Scalia’s reasoning must be abandoned.

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Contributors' Notes

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