Paideia

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Editor's Note

Bringing Paideia's presence back to campus in the post-covid era was no small feat—but it was certainly made easier by Paideia's enthusiastic, talented student staff, the incredible work of the many insightful authors who submitted their work to the journal, and the dedicated Cal Poly faculty who supported and guided Paideia along the way.

This school year was marked by a new sort of energy on campus: an invigorated enthusiasm for all of the experiences that awaited us in our time back together, back in the classroom, Learning by Doing from Cal Poly's incredible faculty.

Paideia is a testament to the rigor and earnest dedication of the Political Science student body and an astute reflection on the important knowledge and critical skills bestowed upon us by our diligent, devoted expert instructors.

Enclosed in this year's edition, we've incorporated perspectives and topics ranging from global political phenomena to the impacts of policy close to home. Each author brought to the table a unique perspective to explore, enriching the journal with critical analyses of contemporary, complex topics.

We hope that readers come away with a sober and worldly appreciation not only for history as we live it, but also for the many hands who came together to make Paideia's return to campus so momentous.

Thank you to everyone who contributed, and to everyone who now reads their Volume 9 copy of Paideia, Cal Poly Slo's one and only Journal of Political Science. The Paideia team is thrilled to present you with the culmination of our efforts this year.

Sincerely,
Chloe Bonini, Editor in Chief

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The Paideia Team

Chloe Bonini
Editor in Chief

Chloe Bonini is a senior at Cal Poly graduating in June 2022. She majors in Political science, concentrating in global politics, and minors in communication studies. In her free time, she likes to paint, listen to music, and hike. Chloe's favorite thing about political science is analyzing history in the making.

Kat Markovich
Submissions Coordinator

Kat Markovich is a fourth year political science major with a concentration in global politics. She has a passion for learning about other countries and international relations. Outside of school, she enjoys spending time outside, reading, and doing yoga.

Emma Goudy
Director of Outreach

Emma Goudy is a second year political science major with a concentration in global politics. Aside from Paideia, she's interned for Congressman Lowenthal (D-CA 47th District) and aspires to work at Foreign Affairs magazine. Outside of academics Emma enjoys hiking, fashion, decorating (she's very interested in carpentry), and of course socializing!

Kate Curcio
Executive Ambassador

Kate Curcio is a fourth year blended BA Political Science + Master of Public Policy Student. She has a pre-law concentration and a minor in Ethics, Public Policy, Science, and Technology. In addition to being a student, Kate enjoys working at Joliene Bakery in downtown SLO. She looks forward to graduating in June.

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Josh Gumacal
Executive Ambassador

Joshua Gumacal is a fourth-year Political Science major with a concentration in Global Politics. Upon graduating in Spring, he hopes to join a research institution in the San Francisco Bay Area. On campus, Josh has been a proud member of Beta Theta Pi for the past four years. In his free time he enjoys playing chess, soccer, and reading.

Reece Williams
Executive Ambassador

Reece Williams is a third-year political science major concentrating in pre-law and minoring in global politics. He is graduating fall 2022 and hopes to continue working in the global development field. He is a member of Cal Poly's Marksmanship club and enjoys backpacking, reading, and traveling in his free time.

Sierra Erdem
Editor

Dani Bello
Editor

Sierra Erdem is a 4th year Communication Studies major, with minors in Law & Society and Ethnic Studies; a music, movie, and pop culture enthusiast; and an animal lover. After graduating in the Spring of 2022, Sierra will be continuing her education and entering law school, hoping to work in public interest, pro-bono work, and critical legal studies.

Dani Bello is a second-year Political Science Major with a concentration in Global Politics. Outside of class, she is involved with Cal Poly Mock Trial, serves as Event Chair for Mustangs for Israel, works as a Student Assistant for Information Technology Services, and tutors in the Writing and Learning Center.

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Grace Walter
Editor

Grace Walter is a third year Political Science Major Concentrating in Pre-Law and minoring in Sociology. She is from Napa, California.

Henry Lamborn
Editor

Henry Lamborn is a first year Political Science student with a concentration in Global Politics. On campus, he is involved in Cal Poly's music department, and is a member of the Cal Poly Mustang Band and the Cal Poly Wind Orchestra. Henry is from Pasadena, California, and in his free time, he enjoys reading, gaming, and exploring the SLO area.

Lorna Loch
Editor

Lorna Loch is a third year Political Science major with a Pre-Law concentration, graduating this Spring. Lorna is very excited to be a part of Paidea this year, and has loved watching the process unfold. Outside of school and Paidea, Lorna loves music and playing tennis.

Makara Tunstall-Runge
Editor

Makara Tunstall-Runge is a second-year student in the BA Political Science + Master of Public Policy Blended Program. She volunteers at a non-profit coffee shop, is VP Membership for my sorority, work at a restaurant, and is a member of Order of Omega honor society. In her free time she loves to be outside, go on runs, and hang out with friends and family.

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Lauren Tankeh
Editor

Lauren Tankeh is a 4th year Political Science major concentrating in American Politics. During her time at Cal Poly she was involved with Phi Alpha Delta, Undergraduate Law Association, PCE, and of course Paideia. She is interested in education policy and will be joining the Teach for America Bay Area Corps after graduation.

McKenna Nuzum
Editor

McKenna Nuzum is a third-year History and Political Science major concentrating in Pre-Law. She volunteers with the Advocacy Committee at ECOSLO and is interested in environmental justice and foreign policy. She enjoys swimming, rock climbing, camping, and seeing live music with friends. Grace plans to pursue a career in environmental and natural resource law.

Maxwell Blanchard
Editor

Maxwel Blanchard is a fourth-year Political Science major with a concentration in Pre-Law that will be graduating Spring quarter of 2022. He has interned with the San Luis Obispo County Democrats in order to raise awareness on a variety of issues in SLO including homelessness, gerrymandering, and upcoming elections. In his free time, Max enjoys skateboarding, baking and working out

Clarissa Guglielmelli
Editor

Clarissa Guglielmelli is a third-year History and Political Science student at Cal Poly. She enjoys researching international peace studies and conflict resolution and, after graduating from Cal Poly, she plans to continue her education in this field in graduate school. In her free time, she enjoys reading, writing, and cruising down the California Coast on her longboard.

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Sarah Sykora
Graphic Designer

Sarah Sykora is a second year Graphic Communication Major with a concentration in UX/UI. They currently work for the Cal Poly CubeSat Laboratory. Sarah is involved with Cal Poly extracurriculars, including Cal Poly TAGA, Hack4Impact, and the Studio Art Club. They participate art, reading, swimming, lifting weights, and taking photos.

Kylie Wong
Graphic Designer

Kylie Wong is a second year studying Graphic Communication with a concentration in UX/UI. She is interested in product design and getting involved in impactful design during and after her time at Cal Poly. Some things that bring her joy include exploring SLO, dancing hula, kickboxing, being outdoors in the sun, and dessert.

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Geopolitical Implications of the Nord Stream 2 Pipeline

During the 2020 election cycle, Alexander interned for Congressman Salud Carbajal's re-election campaign. On campus, he has been involved with 91.3 KCPR and the German Conversation Table. Alexander is from Dana Point, California, and plans to pursue a career involving diplomatic work or teaching English abroad. In his free time, he loves to play music and travel.

Alexander Cambra

Political Science,
Global Politics
3rd Year

Abstract

The Russian-backed Nord Stream 2 pipeline, which travels from Russia to Germany through the Baltic Sea, has caused political turmoil within the European Union. Nord Stream 2 provides the E.U. with a difficult choice of receiving natural gas during an energy crisis in exchange for further Russian influence over the continent. Through the pipeline, President Putin of Russia is attempting to establish greater diplomatic and economic power over his European adversaries. Although it is clear Nord Stream 2 presents the Union with many political challenges, I seek to explain how Nord Stream 2 will reshape geopolitics in the 21st century. On October 13th, 2021 Andrew Kramer of The New York Times reported

how President Vladimir Putin of Russia is advocating for Germany to approve the Nord Stream 2 pipeline in order to supply the European Union with an abundance of natural gas.[1] At a Russian energy conference, President Putin detailed the benefits of Nord Stream 2, asserting "if we could expand supplies along this route, then, 100-percent, I can say with absolute certainty, the tension on the European energy market would significantly decline, and that would influence prices, of course. This is an obvious thing."[2] President Putin's persistent recommendation of Nord Stream 2 comes as a result of Europe's ongoing struggle with energy prices and production.[3] Although Russia remains strongly in favor of Nord Stream 2, European Union member states have their reservations, believing the Gazprom pipeline company will be used as a political weapon on behalf of the Russian government.[4] German Green Party leader and now current foreign minister, Annalena Baerbock, has advocated for Germany's opposition to Nord Stream 2, claiming "we can't allow ourselves to be blackmailed" by Russia.[5]

President Putin's support for Nord Stream 2 emphasizes an increase of influence over energy and diplomatic relations within western Europe. Russia's Gazprom company has however, intruded into the foreign energy markets of former Soviet satellite states. For instance, Kazakhstan's energy market and distribution system capitulated to the

[1] *Andrew Kramer, "Putin Suggests Germany Approve Nord Stream 2 to Solve Energy Crisis," The New York Times (October 13, 2021).*

[2] *Vladimir V. Putin, "President Putin's Remarks at Russian Energy Week," (speech, Moscow, Russia, October 13, 2021).*

[3] *Patrick Donahue and Dina Khrennikova, "Nord Stream 2 Is Still Months From Easing Europe's Gas Woes," Bloomberg (November 2, 2021).*

[4] *Julian Lee, "Russia's 30-Year Vision Is Realized With Nord Stream 2," The Washington Post (October 25, 2021).*

[5] *Louis Westendarp, "German Green Leader Baerbock Opposes Nord Stream 2 Permit, Calls Out Russian 'Blackmail,'" Politico (October 20, 2021).*

Russian-backed CPC pipeline as a result of Gazprom's involvement.[6] Similarly, when distributing oil to markets in western Europe, Russia relies on the former Soviet satellite states of Belarus, Poland, and Ukraine for transportation purposes.[7] Russia already has a presence in western markets with the creation of Nord Stream 1. The original 2005 Nord Stream project materialized under an agreement between President Putin and former German Chancellor Gerhard Schröder to boost the economies of both states.[8] Beginning production in 2011, the Nord Stream 1 pipeline travels from Russia to Germany through the Baltic Sea, delivering nearly 2 trillion cubic feet of natural gas to the E.U. every year.[9] Clearly, the Kremlin maintains an existing presence in the European energy market, as Europe receives 35-percent of its energy from Russia.[10] For these reasons, concerns continue over further Russian involvement in the European Union's energy market, as Nord Stream 2 deepens the E.U.'s dependency on Russian energy. Nord Stream 2 anchors relative change by increasing Russia's political and economic influence through proliferating its energy production.

The launch of Nord Stream 2's gas production introduces numerous implications for geopolitics at large. The new pipeline's seemingly imminent approval poses a threat to the fight against climate change. As of late, many member states of the European Union have set progressive goals to limit fossil fuel use and reduce carbon emissions. By contrast, the E.U.'s approval of Nord Stream 2 presents a direct challenge to the bloc's environmental ambitions due to the increased availability

[6] *op. cit., fn. 4*

[7] *Ibid*

[8] *Ben Knight, "The History of Nord Stream," Deutsche Welle News (July 23, 2021).*

[9] *Ibid*

[10] *Susanna Twidale, "Why Russian Exports Hold Sway Over European and British Gas Prices," Reuters (November 3, 2021).*

of natural gas. Moreover, various E.U. members, such as the Baltic states, fear Russia's close proximity in relation to the pipeline, believing national security risks will heighten.11 The uneasy feelings surrounding Nord Stream 2 are not exclusive to a European scope but also stretch abroad with the United States' fears regarding the Kremlin's expanding influence.12 Despite the concerns about the Gazprom-backed pipeline, the European Commission has been unable to reach any agreements on how to deflect future Russian aggression.13 In the absence of such agreements, Europe's ongoing energy crisis provides President Putin with the leverage to inaugurate Nord Stream 2's energy output. The European Union's lack of unity and concrete policy against prospective transgression with the Russian-backed pipeline leads me to ask the following research question: How will Nord Stream 2 reshape geopolitics in the 21st century?

Conventional Wisdom

The conventional wisdom in regard to Russia's role in world politics is one of a declining power. Although there is no singular poll addressing Russian power, favorability rates of Putin's Russia allow for an overall analysis of how individuals perceive the authoritarian state. In a poll conducted in 2020 by the nonpartisan Pew Research Center, the core European Union member states of Germany and France possess an unfavorable opinion of President Putin's Russia, with the favorability rate respectively placed at 35-percent and

11 Keno Verseck, "Nord Stream 2 Deal Stokes Fears of Russian Aggression in Eastern Europe," *Deutsche Welle News* (July 23, 2021).
12 Timothy Gardner, "U.S. Imposes Nord Stream 2 Sanctions; Opponents Say They Won't Halt Project," *Reuters* (August 20, 2021).
13 Ewa Krukowska, "EU Lawmakers Voice Doubts Over Approval For Nord Stream 2," *Bloomberg* (October 5, 2021).

33-percent.[14] An additional poll led by Gallup in 2018 reports that in the United States, Americans have similar opinions to their European counterparts, with an average favorability rating of 25-percent.[15] These polls conducted by Pew Research Center and Gallup reveal that unfavorable attitudes toward Vladimir Putin's Russia are not isolated to one region of the world. Instead, such perceptions of Russia divulge that this phenomenon is global, as both the European Union and the United States maintain unfavorable attitudes toward the Russian state. These beliefs maintained by much of the world fit into the broader picture of how Russia is in decline.

Though it may be true Russia is in decline with much of the industrialized world, this conventional wisdom remains incomplete. Russia may not become as prosperous or as democratically oriented as the European Union or the United States, but their impact with Nord Stream 2 is highly understated. Russia's authoritarian behavior directly opposes the values of both the E.U. and the United States. Gazprom, which is backed by the Kremlin, has the power to provide Russia with significant influence over geopolitical issues. The future of foreign relations, climate change, and Europe's energy crisis are all pressing matters—and President Putin and Russia stand at the center of it all. Russia's impact on these concerns will provide the state both with leverage and sway over their adversaries in the immediate region and abroad. Furthermore, Russia may not rival the power of the U.S. or the E.U., but Putin will gain just enough strength to force such states to oblige in key situations.

[14] *"Russia and Putin Receive Low Ratings Globally," Pew Research Center (February 7, 2020).*

[15] *"Americans, Particularly Democrats, Dislike Russia," Gallup (March 5, 2018).*

Methodology and Evidence

In order to explain the geopolitical implications of the Nord Stream 2 pipeline, my paper will utilize a qualitative methodology approach through applicable case studies. Such case studies examine a wide-range of issues—including the challenge to environmentalism, the strengthening influence over the E.U., and the increase in strained allied relations—relating to Nord Stream 2. These case studies will not be exclusive to a European perspective, but will encompass actors within the greater global political economy beyond the European Union. To answer my research question, this paper employs mainly primary sources. Primary source examples include political party platforms, Congressional Research Service reports, and European Commission reports. Second-hand evidence examples include published pieces found in The Washington Post and The New York Times.

Theoretical Paradigm

Historical institutionalism is the best theory that helps explain and shape my research question dealing with the geopolitical implications of Russia's Nord Stream 2 pipeline. When taking a closer look into historical institutionalism, the theory's central assumption is how states themselves produce political outcomes—rather than simply reacting to such outcomes.[16] In addition, historical institutionalists argue "change is state-driven," with states, politics, and political structures acting as the causal mechanism for the occurring change.[17] Although historical institutionalism has its roots in American political thought, the theory has gained greater appeal in the broader

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[16] *Shelley L. Hurt, "Domestic Theoretical Paradigms of U.S. Foreign Policy," POLS 427 theoretical paradigm page (Fall 2021).*
[17] *Ibid*

context of comparative politics and international relations.[18] With this background in mind, historical institutionalism helps frame the implications of Russia's pipeline project. Orfeo Fioretos article "Historical Institutionalism in International Relations" highlights an

 important aspect of the theory of how historical institutionalists often "underscore how the sequence of political events can have a causal effort for later developments."[19] The sequence of events also plays into historical institutionalism's emphasis on path dependency. Path dependency maintains that a specific event will occur in which a state's past historical actions will lead to a distinct course of action that cannot be altered.[20] In regard to my research question, the construction of the Russian-sponsored Nord Stream 2 pipeline has aided in their expansion of influence in the European context. Specifically, President Putin's Kremlin acts as the practitioner for change. The events of Europe's ongoing energy crisis serve as the turning point whereof Russia's growing ascendancy is solidified.

Case Study: Challenge to Environmentalism

The concerns over climate change gain greater attention every year as we progress further into the twenty-first century. Consequently, the threat of climate change and the championing of environmentalism elicit themselves as serious topics of discussion within the European Union. In fact, the European Commission —the executive branch of the European Union—reiterated how the global average temperatures continue to rise, resulting in the earth's

five hottest years to date.[21] The European Commission wants to reduce their emissions by 55-percent by 2030, with net-zero emissions reached by 2050.[22] Furthermore, President Ursula von der Leyen of the European Commission, along with U.S. President Joe Biden, announced their pledge to ensure global temperatures will remain no warmer than 1.5 degrees Celsius.[23] Despite these progressive environmental ambitions, the European Union's expansion of fossil fuel usage with Nord Stream 2 challenges these goals set by the European Commission.

Germany is at the heart of the environmental discussion, as the country serves as the inception point of Nord Stream 2 near the city of Greifswald, along with their deep political environmental ties.[24] Making a shift to the left, Germany's new coalition leader and chancellor will be Olaf Scholz of the center-left Social Democrats (SPD) after the departure of current Chancellor Angela Merkel.[25] Most notably, the SPD's junior coalition partners will consist of the environmentally-friendly Green Party, alongside the pro-business Free Democrats (FDP).[26] The Green Party's inclusion into a German coalition government contains several environmental implications on a political level. As the coalition takes shape, Green members are likely to fill the prominent cabinet positions of Vice Chancellor, Transport Minister, and Agriculture Minister—among other

[21] *The European Commission, "Communication From the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Stepping up Europe's 2030 Climate Ambition," (online report, Brussels, September 17, 2020).*

[22] *Ibid*

[23] *The White House, "Joint E.U.-U.S. Press Release on the Global Methane Pledge," (online statement, The White House Briefing Room, September 18, 2021).*

[24] *Daniel Markind, "Nord Stream 2 Proves To Be Geopolitical Disaster," Forbes (April 7, 2021).*

[25] *Katrin Bennhold, "Who Is Olaf Scholz, Germany's Next Chancellor?," The New York Times, (November 24, 2021).*

[26] *Ibid*

top jobs.[27] The Greens take with them their pro-environment political agenda. Chief among them, the Greens explicitly state how Nord Stream 2 will deepen Germany's reliance on natural gas, as well as causing damage to the environment.[28] In addition, the Greens argue Germany's perpetual usage of natural gas will slow the green-energy transition, thus Nord Stream 2 "must therefore be stopped."[29]

Currently, the European Union—including Germany—has increased natural gas usage despite advocating for a limitation on fossil fuels. For instance, a Congressional Research Service Report issued in 2021 reveals how "Russian gas exports to the E.U. were up 18-percent year-on-year in the first quarter of 2021."[30] With natural gas consumption already experiencing an increase in distribution, Nord Stream 2 will boost Russian gas exports from 55 billion cubic meters per year to 110 billion cubic meters per year.[31] Such a substantial expansion of natural gas exports to the northern ports of Greifswald directly challenges Germany's future environmental prospects. In alignment with the Greens, Olaf Scholz of the SPD advocates for his upcoming coalition government to phase-out fossil fuels through adopting solar and wind power, "supported by a clean hydrogen economy."[32]

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[27] Arne Delfs, "Scholz Closer to German Chancellery as Cabinet Takes Shape," *Bloomberg* (November 21, 2021).

[28] The Green Party Campaign Program, "Germany. Everything Is Possible: Manifesto for the 2021 Parliamentary Elections," (online plattform, Berlin, June 13, 2021).

[29] Ibid

[30] Paul Belkin, Michael Ratner and Cory Welt, "Russia's Nord Stream 2 Natural Gas Pipeline to Germany," (online report, U.S. Library of Congress, Congressional Research Service, August 24, 2021).

[31] Ibid

[32] Social Democratic Party of Germany Campaign Program, "The SPD's Programme For the Future," (online plattform, Berlin, July 7, 2021).

Essentially, the abundance of Gazprom's natural gas exports provides less incentives for a quicker transition to greener forms of energy. According to a report released by Urgewald, an environmental NGO based in Germany, Nord Stream 2 will produce 100 million tons of CO_2 emissions per year.[33] Also, the Nenets Indigenous Peoples' livelihood remains in limbo, as their home in the Russian Arctic peninsula of Yamal is where Nord Stream extracts its gas from.[34] Consequently, these negative implications on the broader European climate situation directly oppose the European Union and Germany's commitment to progressive climate action.

Efforts to prevent Nord Stream 2's operation are ongoing. Direct political opposition to the Russian-backed pipeline is relatively exclusive to the Green Party—although the SPD supports a green economy, they do not have a hardline position against Nord Stream 2.[35] As of November 2021, Nord Stream 2's approval was delayed until March 2022 after a German regulatory commission found the Gazprom company was not compliant to German law.[36] The Kremlin has anticipated such opposition to Nord Stream 2, as expressed by Russian Foreign Minister Sergey Lavrov's statement back in August 2021: "I am convinced that all attempts to undermine it, challenge it, all attempts to surround its completion with some conditions, they are doomed to failure."[37] Due to the completion of Nord Stream 2, Russia is confident that the opening

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[33] *Urgewald: Anhalt für Umwelt und Menschenrechte, "Climate Disaster: Why Nord Stream 2 Is a Bad Deal," (online NGO report, April 20, 2021).*

[34] *Ibid*

[35] *Paul Belkin, "Germany's September 26 Elections," (online report, U.S. Library of Congress, Congressional Research Service, September 29, 2021).*

[36] *Andrea Rinke and Vera Eckert, "German Regulator's Nord Stream 2 Move May Delay Commissioning to March," Reuters (November 17, 2021).*

[37] *Sergey V. Lavrov, "Foreign Minister Lavrov's Statement on Nord Stream 2 Project," (speech, Kaliningrad, Russia, August 17, 2021).*

of the pipeline is all but imminent. In essence, Nord Stream 2 is here to stay within the European energy conversion. From excessive carbon emissions, to endangering indigenous communities, the Nord Stream 2 pipeline challenges the core of both the European Union and Germany's environmental ambitions. Since the origins of the Gazprom deal back in 2005 with former Chancellor Schröder, Russian gas exports will continue to serve as a thorn in the side of European environmentalism.[38] As a result, the Russian-backed Gazprom pipeline has curved and halted gains within the environmental movement both in Germany and the European Union in regard to fossil fuels—specifically natural gas.

Case Study: Strengthening Regional Influence Over the E.U.

As previously mentioned, a 2021 Congressional Research Service Report notes how Russia's Nord Stream 2 pipeline will boost Russian gas exports from 55 billion cubic meters per year to 110 billion cubic meters per year.[39] However, this fact was viewed through an environmental set of lenses, rather than a view regarding Russian influence. In particular, Nord Stream 2 poses a strong threat to many European nations opposed to Russia. For instance, Ukraine is projected to lose $2 billion every year after the Gazprom pipeline activates—which is approximately 1.5-percent of Ukraine's total GDP.[40] Yuriy Vitrenko, the CEO of the Ukrainian Naftogaz gas company, spoke against Russia's growing influence in existing European energy markets at an energy conference in Abu Dhabi: "We believe [Nord Stream 2] should not be certified until it is compliant with European law."[41] Moreover, Vitrenko asserted how Nord Stream

[38] *op. cit., fn. 8*

[39] *op. cit., fn. 30*

[40] *Alex Lawler and Yousef Saba, "Ukraine's Naftogaz CEO Still Hopes Nord Stream 2 Will Be Locked," Reuters (November 15, 2021).*

[41] *Yuriy Vitrenko, "Chief Executive Vitrenko's Remarks at Abu Dhabi Energy Conference," (speech, Abu Dhabi, United Arab Emirates, November 15, 2021).*

2 "is actually putting the whole continent and global security at risk."[42] Echoing similar concerns, Ukrainian President Volodymyr Zelensky characterized Nord Stream 2 as having a negative impact within the European region, stating the pipeline "would mark a serious geopolitical victory for the Russian Federation and a new redistribution of spheres of influence."[43] President Zelensky's worries over Nord Stream 2's implementation comes as a result of the direct threat in which the pipeline poses against Ukraine's economy. These economic deficits attributed toward Ukraine have several implications for the European Union at large. Although Ukraine is not a current E.U. member state, Ukraine and the European Union possess strong diplomatic relationships through the European Neighborhood Policy (ENP) of 2004 and the Eastern Partnership program (EaP) of 2009, with both initiatives strengthening the political and the economic alliance between the pair.[44] A Congressional Research Service Report issued on August 11, 2021 reveals Ukraine wishes to become a member of the European Union despite Brussels' apprehension.[45] Essentially, Ukraine's shortcomings related to Nord Stream 2 weaken Ukraine and Brussels' relationship, thus providing the Russian state with additional leverage.

Beyond Ukraine, Nord Stream 2 presents Russia with further influence over additional European Union member states. The nonpartisan Atlantic Council notes how the pipeline's bearing to Germany's northern ports results in southern and eastern member states paying over $2 billion

[42] *Ibid*

[43] *Volodymyr O. Zelensky, "President Zelensky's Remarks During Kyiv Press Conference," (speech, Kyiv, Ukraine, May 20, 2021).*

[44] *Kristin Archick and Sarah Garding, "European Union Enlargement," (online report, U.S. Library of Congress, Congressional Research Service, August 11, 2021).*

[45] *Ibid*

a year due to gas transportation.[46] GDP loss from these nations only increases Russia's influence over the region, as Gazprom becomes the main new source of natural gas for southern and eastern European nations. In addition, the Polish government criticized the European Union's inaction toward Nord Stream 2, claiming Germany and the Union are "unfortunately pursuing Russia's interests."[47] Profits from Russian oil have influenced oligarchs in several E.U. member states, such as Aivaras Lembergs of Latvia, Boris Rotenberg of Finland, and Sven Olsson of Sweden.[48] The U.S. Treasury Department has sanctioned Lembergs for being "directly or indirectly engaged in, corruption, including the misappropriation of state assets, the expropriation of private assets for personal gain, corruption related to government contracts or the extraction of natural resources, or bribery."[49] With Nord Stream 2 only increasing Russia's production capabilities, President Putin's cronies will only gain further influence in E.U. member states connected with the pipeline's location near the Baltic Sea.[50] Lithuania, Latvia, and Estonia have all voiced their respective opposition to Nord Stream 2, namely because of the nations' proximity to the Russian Federation.[51]

Case Study: Increased Strained Allied Relations

The strained relations in regards to Nord Stream 2 mainly center around the United States—specifically with Russia. In fact, both the Trump Administration and the Biden Administration have expressed

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[46] *Anders Åslund, "What Will The Impact Be If Nord Stream 2 Is Completed?," (online issue brief, The Atlantic Council, April 27, 2021).*

[47] *op. cit., fn. 11*

[48] *Ibid*

[49] *"Treasury Sanctions Corruption and Material Support Networks," (press release, U.S. Treasury Department, December 9, 2019).*

[50] *op. cit., fn. 30*

[51] *op. cit., fn. 11*

their opposition to the Kremlin-backed pipeline.[52] A Congressional Research Service Report issued on April 15, 2021 explains how President Trump opposed the ongoing construction of Nord Stream 2.[53] Under the Trump Administration, the U.S. Department of State, in accordance with the Bureau of Energy Resources, committed itself in defending the Protecting Europe's Energy Security Act (PEESA).[54] PEESA places sanctions upon sixteen vessels and seven entities as a result of engaging with Russia's construction of Nord Stream 2.[55] On January 19, 2021 President Trump pressed sanctions upon the Fortuna, a Gazprom vessel used for construction purposes in regard to Nord Stream 2.[56] Such sanctions assigned to operations related to Russia only furthers the divide between the United States and Russia. Under the current presidency of Joe Biden, both Congress and the Biden Administration have increased sanctions and calls to prevent Nord Stream 2's implementation.[57] On November 22, 2021, Bloomberg reported how the Biden Administration imposed additional sanctions on entities involved with the Kremlin-backed pipeline.[58] According to Secretary of State Anthony Blinken, both the Transadria Ltd and the Blue Ship received sanctions due to their connections with Gazprom.[59] Although Nord Stream 2's opposition is largely bipartisan among Republicans and Democrats, Republicans argue the Biden Administration must exhibit a tougher stance against

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[52] *op. cit., fn. 30*

[53] *Andrew Bowen and Cory Welt, "Russia: Foreign Policy and U.S. Relations," (online report, U.S. Library of Congress, Congressional Research Service, April 15, 2021).*

[54] *"Protecting Europe's Energy Security Act (PEESA), as Amended," (online amendment, U.S. Department of State, Bureau of Energy Resources, April 9, 2021).*

[55] *Dianne Rennack and Cory Welt, "U.S. Sanctions on Russia: An Overview," (online report, U.S. Library of Congress, Congressional Research Service, September 1, 2021).*

[56] *op. cit., fn. 30*

[57] *Ibid*

[58] *Vanessa Dezem and Nick Wadhams, "U.S. Sanctions Ship Involved in Nord Stream 2 Gas Pipeline," Bloomberg (November 22, 2021).*

[59] *Ibid*

the pipeline.[60] Senate Republicans' criticism of President Biden comes as a result of various wavered sanctions against German entities involving Nord Stream 2's construction.[61] Senator Jim Risch (R-Idaho) advocates for the Senate to pass legislation requiring President Biden to impose additional sanctions against any European entity working with Russia in relation to Nord Stream 2, asserting, "So long as the [Biden Administration] continues to ignore the will of Congress, we will continue to push legislation that protects our allies and interests in Europe, while countering the Kremlin's malign influence projects."[62] Despite Republican criticism, the Biden Administration still maintains Nord Stream 2 is a "bad deal" and that the United States' opposition to the Gazprom pipeline is "unwavering."[63] Increased Republican support for Nord Stream 2 sanctions provides President Biden with a diplomatic dilemma. If the Biden Administration reimposes German sanctions, relations will strengthen with states who oppose the pipeline—such as Ukraine and Poland. This hypothetical situation, however, would weaken existing relations between the European Union and the Russian Federation, as both actors are heavily involved with Nord Stream 2. President Biden's wavering of certain sanctions were to mend damaged European relations caused under the Trump Administration.[64] Further involvement between the United States and Nord Stream 2 threatens the stability of Transatlantic Relations. For the Biden Administration, the preservation of U.S.-German and U.S.-E.U. relations are essential.[65]

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[60] *"Nord Stream 2: U.S. Republicans Urge Sanctions," Deutsche Welle (November 11, 2021).*

[61] *"Nord Stream 2: Biden Says Sanctions 'Counterproductive' To U.S.-European Ties," Deutsche Welle (May 26, 2021).*

[62] *op. cit., fn. 60*

[63] *op. cit., fn. 30*

[64] *op. cit., fn. 61*

[65] *op. cit., fn. 30*

So What? Implications of Research Findings

In essence, Nord Stream 2 creates geopolitical problems not only constrained to the European continent—but also abroad. Regarding he broader global economy, Russia's Nord Stream 2 pipeline hands the European Union a double-edged sword. On one hand, Nord Stream 2 can benefit the E.U.'s economy by providing the organization with a diversified energy supply, lower gas prices, and many jobs through the pipeline's maintenance and energy distribution. Obviously, these factors are beneficial, as that is why the pipeline was built and initially approved in the first place. However, negative reasons exist once you consider the broader political and foreign policy issues. Whether it be by impacting climate policy and action surrounding various European Union member states or damaging E.U. relations with the United States, Nord Stream 2 speaks to a larger matter concerning Russia. Nord Stream 2 crystalizes Russia and the Kremlin's dominance in future geopolitical issues of the twenty-first century. Russia's leverage with its Gazprom pipeline is not exclusively energy-related, instead it provides Putin with political leverage. Whenever Russia and the European Union engage in political or economic strife, Russia can essentially shut down its operations of the natural gas pipeline, thus preventing the E.U. from receiving an abundance of much-needed energy. For this reason, concerns persist abroad among states like the United States. The U.S. views Nord Stream 2 as a way for Russia to re-enter the global stage. In addition, the American concern over the Russian-sponsored pipeline helps reveal Russia's rising status, having been perceived as a state in decline since the fall of the Soviet Union. A consensus has been made against Nord Stream 2, with both the Trump Administration and Biden Administration opposing its authorization in the Baltic Sea. The paradigm has begun to shift, and this shift looks beneficial for President Putin's

Russian Federation. Euroscepticism among E.U. member states—in conjunction with the growth of far-right political movements—reveals disharmony within the Union. These instabilities only provide Russia with the political and economic tools via Nord Stream 2 to further insert its diplomatic hand into European affairs.

The Military as a
Climate Actor

Amanda Kennedy

Abstract

Across the globe, the climate crisis is accelerating with each passing day. It is clear that the world's largest industrialized nations, such as the United States, hold the most responsibility when it comes to reducing carbon emissions. However, accountability has not been extended into the realm of the armed forces. This paper aims to thoroughly analyze the U.S. military's past and present contributions to climate change globally. Overall, the goal of the investigation is to identify the scale and scope of the U.S. military's global footprint. In this case, 'footprint' is defined by several factors which include fuel use, energy and resource expenditure and international base presence. The research methodology of this paper is a qualitative format using case studies. Each case study examines a different unit of analysis that contributes to the overall 'footprint' of the U.S. military.

On January 27th, 2021, the New York Times reported on President Biden's recent statements on climate change and took a closer look at how a shift in strategy might affect foreign policy and defense.[1] Biden plans to make climate change a central part of foreign policy and intends on taking climate considerations into account when moving forward with "trade policies, our foreign aid programs... and even our military readiness."[2] Reporter Somini Sengupta draws attention to several issues that might arise with this type of shift, for instance U.S. cooperation with China and the U.S.'s relationship with Saudi Arabia and other oil-producing countries. Sengupta quotes John Podesta, former Obama administration official, who said, in regards to climate change, "It changes defense posture, it changes foreign policy posture."[3] According to Sengupta, Greenpeace- an international non-profit that advocates to solve global environmental problems- has called for the U.S. to decrease its carbon emissions from 2005 emission levels by 70% [4] However, she questions the government's ability or willingness to meet such steep requirements given the split Senate. John Kerry, who is the U.S. Envoy for Climate, is in charge of making this happen. Although Kerry understands the urgency of the climate crisis, he says that the U.S. must also be realistic in its carbon emission reduction efforts and expectations. Time will tell what these "realistic" expectations will be, as White House officials have stated that new emission reductions targets will be announced this year sometime before Earth Day on April 22nd.[5] Recentering climate change as a critical issue in foreign policy will be a

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[1] Somini Sengupta, "How Biden's Climate Ambitions Could Shift America's Global Footprint," *The New York Times* (The New York Times, January 27, 2021).

[2] Ibid.

[3] Ibid.

[4] Ibid.

[5] Ibid.

sharp turnaround from the last administration's climate strategy (or lack thereof). Early on in Donald Trump's presidency, he faced a great deal of criticism when he withdrew the U.S. from the Paris Climate Agreement.[6] The remainder of President Trump's climate policy prioritized lifting Obama-era EPA regulations and relinquishing corporate responsibility of emission reduction[7] In reversing this anti-climate agenda, President Biden rejoined the Paris Agreement within the first few hours of his presidency, fulfilling one of his first-day-in-office promises.[8] Now, as the pendulum swings back, it seems likely that President Biden's climate policy will be momentarily consumed by reversing the policies enacted by Trump, considering the Trump administration rolled back more than 100 environmental protections.[9] Reversing Trump's policies is not the only ambition Biden has for climate policy. In fact, Biden has a $2 trillion climate plan in the works with the intent for the U.S. to become a world leader on climate issues.[10]

President Biden has set a new precedent by framing climate change as a foreign policy issue, which is unsurprising following the Department of Defense's (DOD) declaration of climate change as a national security threat in 2015.[11] However, what Biden has yet to address is how the military

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[6] Ali Vitali, "Trump Pulls U.S. Out of Paris Climate Agreement," NBCNews.com (NBCUniversal News Group, June 2, 2017).

[7] Nadja Popovich, Livia Albeck-Ripka, and Kendra Pierre-louis, "The Trump Administration Rolled Back More Than 100 Environmental Rules. Here's the Full List.," The New York Times (The New York Times, October 16, 2020).

[8] Elena Moore, "Biden's First 100 Days: Here's What To Expect," NPR (NPR, November 9, 2020).

[9] Nadja Popovich, et. al., "Trump Administration Rolled Back", 2020.

[10] Elena Moore, "Biden's First 100 Days", 2020.

[11] "DoD Releases Report on Security Implications of Climate Change," U.S. DEPARTMENT OF DEFENSE, July 29, 2015.

may have a hand in the acceleration of climate change. So far, Biden does not have plans to reduce the size or scope of the U.S. military; in fact, his administration ordered.[12] While the U.S. does need to be prepared for when a climate disaster strikes and other conflicts, the U.S. government has yet to assess its own military's appetite for the consumption of fossil fuels. This phenomenon leads me to ask the following research question: How does America's global military footprint impact climate change?

Conventional Wisdom

The conventional wisdom surrounding Pew Research Center, the non-partisan research found that when it comes to climate change, Americans on both sides of the aisle prioritize using more solar (90%) and wind (83%) energy and creating tax incentives for both businesses (89%) and individuals (86%) to reduce their carbon emissions.[13] These sentiments are reflected in a non-partisan poll by Gallup, which reports that 88% of Americans favor tax deductions for individuals who make their homes more energy-efficient and 76% of Americans are in favor of developing solar and wind energy.[14] These polls reveal that, in general, Americans are not considering the U.S. military to be a climate actor and would rather that the government's climate efforts center around further developing new renewable energy technologies and creating a carbon tax. Questions about the military's use of energy and waste

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[12] *Paul Adams, "Biden Approves U.S. Airstrike on Iran-Backed Militias in Syria," BBC News (BBC, February 26, 2021).*
[13] *Alec Tyson and Brian Kennedy, "Two-Thirds of Americans Think Government Should Do More on Climate," Pew Research Center Science & Society (Pew Research Center, December 17, 2020).*
[14] *"Environment," Gallup.com (Gallup, February 24, 2021).*

were not even included in the questionnaires, further demonstrating the absence of consideration of the military when it comes to climate solutions.

While the development of renewable energy sources and emphasis on reducing carbon emissions for both businesses and consumers are of the utmost importance in order to prevent further destruction of the planet, the conventional wisdom is incomplete. There are larger parties at play, such as the U.S. military, whose roles in the global climate crisis need to be scrutinized rather than overlooked. If the U.S. military's global carbon footprint is brought to light, Americans might change their prioritizations and call upon the U.S. government to make larger structural changes from within. Climate change is a large-scale problem that needs large-scale solutions, which individual consumers are not capable of, despite their potential belief that they hold this responsibility.[15] My research question will fill the gap left by the conventional wisdom and will lessen the emphasis on individual responsibility for the climate crisis and will offer a complete examination of the military's role in this issue.

Methodology and Evidence

In order to challenge the conventional wisdom, this project deploys a qualitative methodology using case studies. These case studies will each explore a different type of military "footprints" that have impacted the environmental issues related to climate change. The case studies this paper will analyze are: Fuel Use, Energy Expenditures, & Carbon

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[15] *Victoria K. Wells, Cerys A. Ponting, and Ken Peattie, "Behaviour and Climate Change: Consumer Perceptions of Responsibility," Journal of Marketing Management 27, no. 7-8 (July 2011): pp. 808-833.*

Emissions, and International Base Presence. In examining the case studies, I will be using a combination of primary and secondary evidence. Some examples of primary evidence are Congressional Research Service reports, U.S. Department of Energy reports, and U.S. Department of Defense reports. Some examples of secondary evidence are The New York Times, the New Left Review, and Princeton University Press.

Theoretical Paradigm

The theory that best frames and explains my research question can be found in Leo Panitch's article, "The New Imperial State". Panitch derives his theory from traditional Marxism, but his focus is framed around globalism and the role of states (particularly the American state) and markets in the creation and continuity of global capitalism. In this new globalist world, America is holding the reins: "the American state has restructured not just itself but other states through economic, political, or military means in order to make what is abstractly referred to as 'globalization' possible".[16] This global 'restructuring', as he calls it, is modern American imperialism. He argues that globalism was not simply a manifestation of the natural path of capitalism, rather it is a distinct effort made by agents of power in order to proliferate American hegemony beyond its borders. Now, he argues, the U.S. is "encumbered with the responsibility of sustaining it."[17]

Given these core assumptions, Panitch's theory on global capitalism is the best theoretical paradigm to frame and explain my research findings. The U.S. military is inextricably linked to the endeavors and interests of

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[16] *Chris Maisano, "The Marxism of Leo Panitch," Jacobin, January 15, 2021.*
[17] *Leo Panitch, "The New Imperial State," New Left Review, 2000.*

the American state. The U.S., according to this theory, seeks to maintain its global imperial dominance, and the Department of Defense serves as a powerful tool to fulfill its prophecy. This imperial mindset is what necessitates the maintenance of an overwhelmingly powerful military. American global primacy would not exist in this way without military prowess, and vice versa, the U.S. military would not be the behemoth that is it without this global power dynamic.

Case Study: International Base Presence

The "Bases of Empire", so-called by author David Vine, represents a significant portion of the global military footprint. As of 2019, the U.S. controlled approximately 800 military bases outside of the continental United States (there are 4,500 additional bases existing within the borders of the U.S.).[18] During the beginning years of the wars in Afghanistan and Iraq, there were just as many bases and installations abroad as there were during World War II.[19] However, by 2015, over 800 bases in Afghanistan and Iraq were closed. Despite this mass closure, the U.S. still occupies the largest collection of extraterritorial bases in world history, according to an article in the Monthly Review.[20] The Pentagon, erroneously, only counted 625 international bases in 2019.[21] That list fails to include US-Funded Host Nation Bases (foreign military bases paid for by the U.S.), which make up the majority of bases in Latin America and the Middle East. Another category of bases missing from the Pentagon's report is "Lily Pads", which are bases that are either smaller than 10

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[18] *David Vine and Simon Winchester, Base Nation: How U.S. Military Bases Abroad Harm America and the World (New York, NY: Skyhorse Publishing, 2017).*

[19] *David Vine, "'We're Profiteers': How Military Contractors Reap Billions from U.S. Military Bases Overseas," Monthly Review 66, no. 3 (June 2014), p. 82.*

[20] *Vine, "'We're Profiteers,'" Monthly Review (June 2014), p.83.*

acres in size or are worth less than $10 million.[22] The island of Okinawa, Japan has 32 different active bases alone, which now occupy over 25% of the island's land.[23] These bases are a remnant of WWII era occupation of Japan, but now these massive installations on Okinawa simply serve as a convenient location for trade management between China, Japan, and South Korea and continue to disrupt Okinawan ways of life generations later.[24] Like the International Monetary Fund, the World Bank, and the United Nations, the multitude of extraterritorial bases built and maintained by the U.S. is another way for the U.S. to maintain its political and economic hegemony in the post-World War II globalized era.[25] With hundreds of these bases in strategic locations, the military has a firm grip on crucial trade routes and oil hubs, not to mention that its gargantuan visible presence on nearly every continent serves as a reminder of the US's military prowess to those in the vicinity of any given base. The bases also contribute significantly to the DOD's overall energy and fuel consumption, and represent a continuation of path dependency of a reliance on foreign oil.[26] The contracts between the Pentagon and some of the world's most prominent private oil companies that built these bases make this evident.

While the military does employ thousands of its members to maintain these base sites, they have also made thousands of contracts with

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[21] Base Structure Report – Fiscal Year 2018 Baseline," Office of the Assistant Secretary of Defense for Sustainment (Department of Defense, 2018).

[22] Vine and Winchester, Base Nation (Skyhorse Publishing, 2017).

[23] Emma Chanlett-Avery and Ian E. Rinehart, "The U.S. Military Presence in Okinawa and the Futenma Base Controversy," Congressional Research Service, January 20, 2016.

[24] Ibid.

[25] Vine, "'We're Profiteers,'" Monthly Review (June 2014), p.83.

[26] Andrew T. Price-Smith, "The History of Oil and International Affairs," in Oil, Illiberalism, and War: an Analysis of Energy and U.S. Foreign Policy (Cambridge, MA: The MIT Press, 2015), pp. 1-24.

major corporations for construction and upkeep of bases.[27] Since the Vietnam War, private military contractors have increasingly been outsourced to build and run these facilities. By the second Gulf War, private contractors made up nearly half of all of those deployed in Iraq.[28] It is estimated that between the years of 2001 and 2013, the Pentagon allotted around $385 billion in taxpayer-funded contracts to private companies, mainly for work on bases outside of the country.[29] Some of the highest-earning recipients of these contracts include BP Oil, Kellogg Brown & Root (a subsidiary of Halliburton Oilfield Services, of which former Vice President Dick Cheney was CEO), and DynCorp International.[30] Prior to the Vietnam War, when bases were primarily run by public funds from the DOD, they provided meager benefits to service members and were not designed for comfort. However, without the draft post-Vietnam, the armed forces needed to retain troops for longer durations after they joined. This is where the private contractors came into play, making these bases into nearly-sovereign "cities", complete with gyms, coffee shops, and movie theaters, all of which greatly increased the amount of energy and waste being used and created by the bases.[31]

More than any other company, KBR received the largest number of and most substantial military contracts during the Afghanistan War. Some claim that the war would not have been possible without KBR, who provided "anything they need[ed] to conduct the war", according to Paul Cerjan, former Halliburton VP.[32] That also meant "base support services,

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[27] *Vine, "'We're Profiteers,'" Monthly Review (June 2014), p. 83.*

[28] *Ibid.*

[29] *Ibid.*

[30] *Vine, "'We're Profiteers,'" p. 84.*

[31] *Vine, "'We're Profiteers,'" p. 87.*

which includes all the billeting, the feeding, water supplies, sewage—anything it would take to run a city." Additionally, KBR funded "logistics functions, which include transportation, movement of POL (petroleum, oil, and lubricants) supplies, gas…spare parts, ammunition."[33]

These multi-million dollar base contracts, for the most part, went to Big Oil companies, KBR (Halliburton) and BP in particular. This arrangement between the public and the private sectors contributed to the proliferation of fossil fuel dependency in the military and beyond. These base contracts reinforce the path dependence of the U.S. government's enmeshment with the oil industry that began with the invention of the automobile.[34] This relationship is still strong today; in fiscal year 2019, the Defense Logistics Agency reported that the DOD spent almost $2 billion in contracts with oil companies, the three highest-earning companies being Tesoro ($348,692,953), BP ($315,599,804), and Hawaii Refining LLC ($271,274,321).[35] It is in the U.S. government's best interest, economically and politically speaking, to maintain this public-private relationship rather than invest in renewable energy sources.[36] However, it is not in the best interest of the citizens of the US, and of the world, as the climate crisis threatens more and more communities. John Glaser, writing for the Cato Institute, makes a compelling argument for restraint in U.S. foreign policy posture going forward.[37] The upkeep of the US's multitudes of bases overseas is no longer necessary, according

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[32] *Vine, "'We're Profiteers,'" p. 91.*

[33] *Ibid.*

[34] *Andrew T. Price-Smith, "The History of Oil and International Affairs," in Oil, Illiberalism, and War: an Analysis of Energy and U.S. Foreign Policy (Cambridge, MA: The MIT Press, 2015), pp. 1-24.*

[35] *"Contracts for August 1, 2019," U.S. DEPARTMENT OF DEFENSE (Defense Logistics Agency, 2019).*

[36] *Ibid.*

to Glaser. Arguing that the U.S. is "the most secure great power in history", there are no credible threats to invade or attack American soil.[38] Many U.S. bases are being used currently to maintain security over oil flow in the Persian Gulf. However, the U.S. military faces no threat in the region. No nation has the capability to overtake the Persian Gulf resources, regardless of U.S. presence, according to Glaser's reports.[39] Echoing Glaser's thoughts on restraint but from an environmental standpoint, Neta Crawford, a professor of Political Science at Boston University, argues that the U.S. could even benefit from reducing their overseas operations, specifically in the Persian Gulf, because it would reduce overall carbon impact, thereby lessening the posed climate-related security threat.[40] Base closure abroad, Crawford reports, could lead to significant carbon sequestration (absorption of carbon back into soil and trees) if those lands are reforested or restored to their natural state.[41] Plus, the extraordinary amount of money saved could be used domestically on creating jobs, perhaps in the renewable energy sector.[42] Remaining in the Persian Gulf despite the lack of a national security obligation is another symptom of path dependence on oil industry ties.

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[37] *John Glaser, "Withdrawing from Overseas Bases: Why a Forward-Deployed Military Posture Is Unnecessary, Outdated, and Dangerous," Cato Institute, July 18, 2017.*

[38] *Glaser, "Withdrawing from Overseas Bases", 2017.*

[39] *Ibid.*

[40] *Neta C. Crawford, "Pentagon Fuel Use, Climate Change, and the Costs of War," Watson Institute for International and Public Affairs (Boston University, June 12, 2019).*

[41] *Ibid.*

[42] *Ibid.*

Case Study: Fuel Use, Energy Expenditures, and Carbon Emissions

The U.S. military's exorbitant number of international bases are just one part of its worldwide footprint. Its energy and fuel use, which is reflected in both the base sites internationally and domestically, is potentially the largest aspect of its contributions to climate change. The federal government is the largest consumer of energy in the United States.[43] According to the Department of Energy's annual energy data report, the Department of Defense consumes more energy than any other federal agency, amounting to 77% of the federal government's annual energy consumption.[44] The U.S. military continues to be the largest consumer of fossil fuels in the federal government since 1975.[45] In fiscal year 2019, when measuring energy by British thermal units, or Btu's, the DOD expended 371 trillion Btu's on jet fuel alone.[46] For comparison, the average human being, in their lifetime, will only produce about 250 million Btu's.

The DOD categorizes its energy into two sectors: installation energy and operational energy. Installation energy encompasses "fixed" energy costs like buildings and non-tactical vehicles, which only amounts to 30% of total energy expenditure. Operational energy, on the other hand, which is responsible for sustaining military forces and weapons platforms, makes up the other 70%.[47] Installation energy is the only type of energy subject to federal energy management requirements, so the vast majority of the military's energy usage

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43 *Crawford, "Pentagon Fuel Use, Climate Change, and the Costs of War," (2019).*
44 *"Comprehensive Annual Energy Data and Sustainability Performance," Comprehensive Annual Energy Data and Sustainability Performance (US Department of Energy), 2020.*
45 *Ibid.*
46 *Ibid.*

goes completely unregulated.[48] The DOD's investment in oil and contractual relationships with Big Oil corporations allow for and propel its nearly unrestricted use of petroleum products.

Since 1975, there have been less than 10 laws enacted with the goal of moving the U.S. military towards efficiency and away from fossil fuels. For instance, the National Defense Authorization Act annually assesses where energy reduction is needed in the department. Additionally, the Energy Independence and Security Act of 2007, also known as EISA, sets many fuel reduction mandates, some of which the DOD has been able to comply with, and some of which they haven't. For instance, the DOD was able to comply with EISA's 20% reduction of petroleum use in non-tactical vehicles in 2015.[49] However, they still fall far behind many of the more substantial requirements set by EISA, such as the goal to reduce fossil fuel use in new buildings by 80% from 2003 levels by the year 2020.[50] As the world begins its attempt to decrease fossil fuel dependency, it appears that the U.S. military is a long way from prioritizing renewable energy. The EPA required every federal agency to reach 7.5% total renewable energy consumption by fiscal year 2013.[51] The DOD barely reached 6% in renewable energy as of fiscal year 2018, setting them far behind most sectors of the federal government.[52]

[47] Heather L. Greenly, "Department of Defense Energy Management: Background and Issues for Congress," *Congressional Research Service* (Federation of American Scientists, July 25, 2019).
[48] *Ibid.*
[49] Heather L. Greenly, "Department of Defense Energy Management: Background and Issues for Congress," *Congressional Research Service* (Federation of American Scientists, July 25, 2019).
[50] *Ibid.*
[51] *Ibid.*

Data on renewables isn't even available for operational energy, despite the fact that it accounts for more than two thirds of total energy use. The DOD, in its domestic operations as well as abroad, has doubled down on fossil fuels as its primary source of energy.

While the DOD does not consistently report on their annual carbon emissions, researchers have been able to estimate their carbon emissions based on their energy reports. For example, in fiscal year 2017, the DOD released 59 million metric tons of carbon into the atmosphere.[53] That year, the U.S. military surpassed the carbon emissions of the entire country of Sweden, as well as Finland and Denmark.[54] According to a study done at Brown university, when adding the energy used during war plus the maintenance of ongoing non-war operations, the results show that DOD is the world's largest institutional consumer of petroleum products, and, therefore [55] This obviously has major implications, especially considering that the Pentagon declared climate change [56]. It is estimated that between the years of 2001 and 2017, the military emitted 766 million metric tons of CO2, 400 million tons of which was emitted in the war zones of Afghanistan, Pakistan, Iraq, and Syria (a conservative estimate, according to the Brown study).[57] This indicates that 52% of all DOD carbon emissions during a 16 year period were emitted in countries abroad. The military's enormous presence in other nations, during times of war and peace alike, is causing significant

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[53] *Crawford, "Pentagon Fuel Use, Climate Change, and the Costs of War," (2019).*

[54] *Ibid.*

[55] *Ibid.*

[56] *"DoD Releases Report on Security Implications of Climate Change," U.S. DEPARTMENT OF DEFENSE, July 29, 2015.*

[57] *Crawford, "Pentagon Fuel Use, Climate Change, and the Costs of War," (2019).*

pollution nationally and overseas in the name of oil profit protection disguised as national security.

The immense amounts of energy spent by the U.S. military come at a cost to the taxpayer every year; the DOD makes up more than half of federal discretionary spending, which amounted to over $700 billion in Fiscal year 2020.[58] Energy represents 2% of this budget, which the market and will only get more expensive as the world's oil supply diminishes.[59] In 2017, the DOD spent $8.2 billion on oil in their operational sector alone.[60] That amount of money could power over 2 million homes for an entire year.[61] This is about 16% of DOD base budgets, not including auxiliary expenses from the Afghanistan and Iraq wars.[62] General Duncan McNabb, former commander of the U.S. Transportation Command said in this report, "If we can reduce our dependence on oil, we could reduce our presence in the Gulf and use the funds for other critical military priorities...The same funds could support different security priorities. We would make different choices, that would make us safer and more secure."[63] $81 billion each year (or even half of that), accrued over several years or a decade, is an incredible amount of money that is currently being wasted on the U.S. military's appetite for the infinite consumption of fuel.

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[58] *Heather L. Greenly, "Department of Defense Energy Management: Background and Issues for Congress," Congressional Research Service (Federation of American Scientists, July 25, 2019).*
[59] *Ibid.*
[60] *Ibid.*
[61] *"The Military Cost of Defending Global Oil Supplies," SAFE, September 21, 2018, https:// secureenergy.org/military-cost-defending-global-oil-supplies/.*
[62] *Ibid.*
[63] *"The Military Cost of Defending Global Oil Supplies," SAFE, September 21, 2018, https:// secureenergy.org/military-cost-defending-global-oil-supplies/.*

So What? Implications of Research Findings

In 2019, the Secretary General of the United Nations declared that in 11 years, certain damages of climate change will become irreversible.[64] While this is a vague measurement of urgency, many scientists have reported that in some cases, climate change damage is already irreversible; atmospheric warming, sea level rises, and precipitation changes are all results of climate change that will be with us for the next 300,000 years, according to the Proceedings of the National Academy of Sciences.[65] My research findings suggest that over the last several decades ,the U.S. military has and continues to be one of the greatest contributors to global warming and climate change globally. Despite this alarming reality, 70% of their energy use and operations are completely unregulated by.[66] The implications of the military's immense carbon footprint often go overlooked by the international community because the oil industry provides the federal government, and its officials, with exorbitant profits. Political path dependence (in the case of fossil fuel reliance), due to the U.S.'s status as the global capitalist hegemon, has been and is going to be extremely damaging to the environment. Any small efforts will be negated if the DOD does not meaningfully redirect away from fossil fuels.

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[64] *"Only 11 Years Left to Prevent Irreversible Damage from Climate Change," United Nations (United Nations, March 28, 2019).*
[65] *Susan Solomon et al., "Irreversible Climate Change Due to Carbon Dioxide Emissions," Proceedings of the National Academy of Sciences 106, no. 6 (2009): pp. 1704-1709, https://doi.org/10.1073/pnas.0812721106.*
[66] *Heather L. Greenly, "Department of Defense Energy Management: Background and Issues for Congress," Congressional Research Service (Federation of American Scientists, July 25, 2019).*

The first step towards reparation is for the Pentagon to properly and honestly report on operational energy and fuel use. Elected officials must acknowledge the DOD's culpability as a major climate actor and legislate accordingly. Reducing the size and scope of military operations, such as reducing bases presence overseas, could have tremendous positive effects on the world and even decrease the risk of security threats posed to Americans by the climate crisis that the Pentagon is preparing to confront.[67] But more importantly, the U.S. needs to divest from the oil industry and redirect its focus on domestic issues. Despite worldwide movements to reject oil dependency, such as General Motors committing to 'go all-electric' by 2035[68], the DOD has yet to keep up with the rest of the developed world. Being the imperial kingpin of global capitalism may have its limits. At a certain point, when will the U.S. turn inwards and face its own reality? If the U.S. wants to be a world leader in climate action like President Biden stated in his inaugural address, it's not enough to simply encourage the average American to carpool to work. Yes, the climate crisis is indeed a threat to national security. But it is a threat to national security caused by the US's own military. This issue is complicated because, for the first time, a security issue must be met with a reduction in military operation. As the climate crisis amplifies, the safety and health of, not only Americans, but the world's population, is contingent on whether or not the U.S. is ready to acknowledge its willingness to make structural changes.

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[67] *Crawford, "Pentagon Fuel Use, Climate Change, and the Costs of War," (2019).*
[68] *Neal E. Boudette and Coral Davenport, "G.M. Will Sell Only Zero-Emission Vehicles by 2035," The New York Times (The New York Times, January 28, 2021).*

Beware of Cyber Warfare

Antonia Starc

Political Science
Cal Poly Alumni, Winter 2022

Antonia Starc is most interested in global politics and international relations, with the aspiration of working in law. In her free time, you may find Antonia at the beach, playing volleyball, hiking, enjoying music, and spending time with her friends. After graduation, Antonia is going to Ljubljana, Slovenia as an American Slovenian Education Foundation Fellow to conduct research in law and government while connecting with her culture. Beginning in the fall, Antonia will return to California, joining Deloitte as a Government and Public Services Analyst in Sacramento where she hopes to further realize her legal area of interest and prepare to attend law school

Abstract

In recent decades the advancement of technology and cyber security has progressed dramatically, calling for the acknowledgement of cyberwarfare and the dangers it poses. In late 2021, The New York Times wrote about the growing threat of cyberwarfare, exposing some of the dangers of technology within war. By acknowledging the conventional wisdom and using the theoretical paradigm of realism, this paper analyzes three qualitative case studies to exemplify the threats that the United States faces as a result of advancing methods of cyberwarfare. The three case studies are areas of US critical infrastructure: water supply, information and communications, and banking and finance. The paper concludes by recognizing the progress we have made in the development of cyberwarfare protections and highlighting some of the dangers that we face if we do not continue to do so.

On December 17th, 2021, The New York Times reported an increase in cyberwarfare threats in the United States in the article, "More Hacking Attacks Found as Officials Warn of 'Grave Risk' to U.S. Government" by David E. Sanger and Nicole Perlroth.[1] The article comes after a recent cyberattack on a number of U.S. government departments and other major companies within the United States was discovered in December of 2020. The attack, now credited to Russian actors using software updates conducted by the company SolarWinds, is suspected to have first taken place in March of 2020.[2] Along with highlighting the threats and concerns cyberattacks warrant, the article discusses whom the cyberattacks were meant to reach—including nuclear labs and government departments like the Pentagon—and how the U.S. government is still struggling to evaluate the extent of the damage. According to The New York Times, then-President-elect Biden stated that "a good defense isn't enough; we need to disrupt and deter our adversaries from undertaking significant cyberattacks in the first place," signifying a potentially strong interest in preventing future attacks.[3] The authors of the article claim that "the extent and depth of the hacking raise concerns that hackers could ultimately use their access to shutter American systems, corrupt or destroy data, or take command of computer systems that run industrial processes."[4] The development and advancement of technology have caused cyberattacks to become a more prominent concern, due to their potentially destructive impacts on the United States' critical infrastructure, with The New York Times article highlighting one of the many recent cyberattacks

[1] *Perlroth, Nicole and Sanger, David E. "More Hacking Attacks Found as Officials Warn of 'Grave Risk' to U.S. Government," The New York Times (December 17, 2020).*
[2] *Ibid.*
[3] *Ibid.*
[4] *Ibid.*

that have taken place or drawn attention within the United States. The developing discussions regarding cyberwarfare represent a change in contemporary U.S. foreign policy. Cyberwarfare is a relatively new concept, with the word "cyberwar" only first being used in the late 1980s.[5] Since then, the threats from cyberattacks have grown substantially. This growth has required and resulted in a shift in foreign policy , in an attempt to mitigate its potential damage. Due to cyberwarfare's novelty and society's unfamiliarity withit relative to other weapons used to enhance national security, new policies and approaches for prevention have become all the more necessary and important. Currently, cyberwarfare can be used as an attempt for espionage, sabotage, and propaganda—all of which have significant impacts if used effectively.[6] As shown in the Department of Homeland Security's October 2020 Homeland Threat Assessment, cyberwarfare,and cyberattacks pose growing threats to national security, because they expose the U.S. to external nation-state threats, increase rates of cybercrime, and pose significant threats to U.S. democratic processes.[7] Threats of cyberwarfare pose new dangers due to their potentially quick and infectious impacts—destroying physical, technological, or financial institutions with minimal time and resources. Since news of the SolarWinds attacks surfaced in December, President Biden has contemplated taking retaliatory action through sanctions or other Russia-specific measures.[8] The policy changes that have recently occurred and are currently occurring are made "more urgent by the expected continued evolution of cyberspace and more difficult by the unpredictable nature of emerging threats."[9] The growing threats

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[5] *Greenberg, Andy. "Cyberwar: The Complete Guide," Wired (August 23, 2019).*

[6] *Townsend, Caleb. "Cyberwarfare: Modern Front-lines," U.S. Cybersecurity Magazine.*

[7] *"Homeland Threat Assessment," Department of Homeland Security (October 2020).*

[8] *Manson, Katherine and Murphy, Hannah. "U.S. considers sanctions against Russia over SolarWinds hack," Financial Times (February 23, 2021).*

[9] *Fefer, Rachel F., Finklea, Kristin, Fischer, Eric A., Jaikaran, Chris, Rollins, John W., Tehan, Rita,*

of cyberwarfare and cyberattacks require a shift in both thought and foreign policy regarding cyberattacks and cybersecurity in order to limit its devastating impacts.

The rise in concern regarding cyberattacks presents vast implications in terms of contemporary U.S. foreign policy. With evidence that both state and non-state actors are already heavily involved in both privacy and security measures, the security of the United States' critical infrastructure is potentially at stake. According to a 2018 CRS Report, "there have been increasing reports about foreign hackers targeting the U.S. electric power system and other critical infrastructure;" as a result, "concerns have increased over the potential of the intrusions for potentially damaging cyberattacks."[10] The growth in cyberwarfare and cyberattacks present severe threats to the United States' critical infrastructure—dangers that have yet to truly be grasped and mitigated by both citizens and experts alike. As stated by The New York Times, "attacks on critical infrastructure date back to at least 2007, when the United States and Israel famously conducted a joint attack on Iran's Natanz nuclear facility that took out roughly 1,000 uranium centrifuges. In the years that followed that attack, known as Stuxnet, critical infrastructure has become a more frequent target for hackers."[11] As a result, in recent history, new policies have been created in an attempt to begin combating the issue of cyberwarfare. For instance, "in 2009 the Secretary of Defense directed the establishment of a new military command devoted to

Theohary, Catherine A., and Webel, Baird. Cybersecurity: Selected Issues for the 115th Congress, CRS Report R45127, U.S. Library of Congress, CRS (March 9, 2018).

[10] *Richard J. Campbell, Electric Grid Cybersecurity, Congressional Service Report R45312 (September 4, 2018).*

[11] *Perlroth, Nicole and Robles, Frances. "'Dangerous Stuff': Hackers Tried to Poison Water Supply of Florida Town," The New York Times (February 8, 2021).*

cyber activities."[12] Additionally, after Former President Trump removed the position of a cyber coordinator in 2018, President Biden named Anne Neuberger as the new "deputy national security adviser for cyber and emerging technology on the National Security Council"—signifying a shift in contemporary U.S. foreign policy trends.[13] As reported by Bloomberg News in mid-December, the creation of new policies to prevent cyberattacks has been a priority for the Biden administration, with a senior administration official recently stating, "we want to make the federal government a leader, not a laggard, in cybersecurity."[14] Without further exploration and education on the impacts of cyberwarfare, devastating consequences and events can occur. To acquire a greater understanding of cyberwarfare and the impacts it can have on the United States' critical infrastructure, I am lead to ask the following research question: How do cyberattacks expose unique vulnerabilities in terms of United States security?

Conventional Wisdom:

The conventional wisdom is that Americans think of cyber threats as coming from individual hackers to harm individual citizens. In a non-partisan poll conducted by the Pew Research Center, 64% of

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[12] *Fefer, Rachel F., Finklea, Kristin, Fischer, Eric A., Jaikaran, Chris, Rollins, John W., Tehan, Rita, Theohary, Catherine A., and Webel, Baird. Cybersecurity: Selected Issues for the 115th Congress, CRS Report R45127, U.S. Library of Congress, CRS (March 9, 2018).*

[13] *Robinson, Teri. "Biden's Pick As White House Cyber Czar Provides Critical Federal Leadership And Diversity," SC Media (January 7, 2021); Riley, Tonya. "Analysis | The Cybersecurity 202: NSA Cyber Chief Anne Neuberger Is Heading to the Biden White House," The Washington Post (January 14, 2021); Nakashima, Ellen. "Tension Grows Between Congress And The Administration Over How White House Cyber Policy Should Be Run" (February 18, 2021).*

[14] *Kinery, Emma. "Biden Calls Cybersecurity a 'Top Priority' After Russian Hack," Bloomberg News (December 17, 2020); "Background Press Call by Senior Administration Officials on the Administration's Response to the Microsoft and SolarWinds Intrusions," The White House (March 14, 2021).*

respondents said that they have personally experienced a major data breach.15 These personal experiences have contributed to the idea that individual hackers are working to harm other individuals. In an additional non-partisan poll conducted by Gallup in October of 2018, 71% of respondents say they frequently or occasionally fear that computer hackers will access their personal, credit card or financial information—making it the most feared crime out of the 13 Gallup asked about.16 These fears help enforce the notion that individuals are at risk of having their information taken by computer hackers. In general, Americans are currently afraid that their private information is at risk of being taken or lost as a result of actions done by individual hackers trying to harm them.

While individual and personal data breaches do give reason for concern in today's technologically advanced society, the conventional wisdom is incomplete. The conventional wisdom fails to account for the dangerous impact and potential threats that cyberwarfare poses to much of the United States' critical infrastructure. Former U.S. Defense Secretary Robert Gates "declared cyberspace to be the 'fifth domain' of military operations, alongside land, sea, air and space. It is the first man-made military domain, requiring an entirely new Pentagon command."17 Gates' comments highlight the critical role cyberwarfare and cyberattacks currently play in terms of national security—not just in terms of personal privacy—and reinforce the need for policies and efforts to limit **large-scale cyberattacks** and their impacts. Senator Angus King, co-chair of

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15 *Smith, Aaron. "Americans and Cybersecurity," Pew Research Center: Internet, Science & Tech (August 17, 2020).*

16 *Brenan, Megan. "Cybercrimes Remain Most Worrisome to Americans," Gallup (January 14, 2021).*

17 *Glenny, Misha. "Who Controls The Internet?" Financial Times (October 08, 2010).*

the Cyberspace Solarium Commission, believes cyberattacks are "the most serious external threat to our country right now, as proven as recently as the SolarWinds hacks."[18] With this in mind, it is important to acknowledge that many of the threats and dangers posed by cyberattacks have yet to truly be realized due to the unique nature of these technological advancements. Consequently, the extent to which cyberattacks can harm U.S. infrastructure and society also cannot be fully acknowledged when focusing only on individual instances of hacking. In order to effectively analyze the possibilities that cyberwarfare presents, one must look at and evaluate the national, not just personal, security threats it poses.

Methodology and Evidence:

The methodology this paper uses is qualitative analysis by analyzing three case studies, each of which are identified as one sector of the United States' critical infrastructure. Critical Infrastructure, according to the U.S. government, is defined as "systems and assets, physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on security, national economic security, national public health and safety, or any combination of those matters."[19] The three case studies that will be analyzed in this paper are: water supply, information and communications, and banking and finance. In order to investigate and examine these case studies, I use a combination of primary sources like Congressional Research Service Reports ("CRS Reports") and Government Acts, and secondary sources like Bloomberg News, The Wall Street Journal and The New York Times.

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[18] Nakashima, Ellen. "Tension Grows Between Congress and The Administration Over How White House Cyber Policy Should Be Run" The Washington Post (February 18, 2021).
[19] Rita Tehan, Cybersecurity: Critical Infrastructure Authoritative Reports and Resources, CRS Report R44410, U.S. Library of Congress, CRS (April 21, 2017).

Primary sources will offer an objective restatement of information, allowing the research question to be effectively analyzed. Secondary evidence will include analyses of contemporary events and trends in society. By using both, I can form a holistic collection of evidence that will assist me in making a conclusion about my research question.

Theoretical Paradigm:

The theoretical paradigm that best explains and frames my answer to my research question is offensive realism. Realism, developed by thinkers including Thucydides and Hans Morgenthau, has two core assumptions: that human nature is conflictual and change is state-driven.[20] As maintained by Brian Schmidt, offensive realism supports the idea that "states are power maximizers" and that global hegemony is the "highest goal of every state's foreign policy."[21] Further, "offensive realists do not believe that security in the international system is plentiful."[22] Lastly, according to realists, the structure of world power is anarchic and the causal mechanisms include states, politics, and power.[23]

As cyberwarfare is used to increase and maximize power for state actors, the assumptions of offensive realism will help me best explain and frame my research analysis. Cyberwarfare is a new domain where states and political institutions are influential players. As cyberwarfare

[20] *Hurt, Shelley. "Foreign Policy Theoretical Paradigms." Online Module, Contemporary U.S. Foreign Policy, San Luis Obispo, March 16, 2021.*
[21] *Schmidt, Brian. "Theories of U.S. Foreign Policy." U.S. Foreign Policy. Oxford University Press, 2008 (7-21).*
[22] *Ibid.*
[23] *Hurt, Shelley. "Foreign Policy Theoretical Paradigms." Online Module, Contemporary U.S. Foreign Policy, San Luis Obispo, March 16, 2021.*

has become more prominent, states have used cyberwarfare to help and promote their power over others—thus following the theory of offensive realism. Moreover, currently, cyberwarfare can have a large influence on society, institutions, and foreign policy in general. Foreign policy change regarding cyberattacks and cyberwarfare is statedriven and influenced greatly by conflict—further exemplifying offensive realism's assumptions. Lastly, as suggested by Mearsheimer, "the logic of offensive realism leads states to "understand that the best way to ensure their survival is to be the most powerful state in the system"—motivating cyberattacks and advancements of cyberwarfare among states and non-state actors.[24] Overall, when discussing cyberwarfare and cyberattacks, the distribution and maximization of power is extremely relevant and can be seen as a large contributor to past, current or future attacks.

Case Study: Water Supply

Water is one of the most signifigant areas of critical infrastructure globally, but also within the United States. As stated by a 2018 CRS Report, "reliable water quantity and quality is essential for the U.S. population and economy, including public and ecosystem health, agriculture, and industry."[25] As such an important commodity, water has become more attractive and thus susceptible as a target for contamination or manipulation in the past few years. Natural causes of water issues have also been more prevalent recently, with a CRS Reporting, "drinking water contamination incidents (e.g., algal toxins in Lake Erie and lead in drinking water in Flint, MI) and recent droughts, floods, and storms also have increased interest in innovative

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[24] *Schmidt, Brian. "Theories of U.S. Foreign Policy." U.S. Foreign Policy. Oxford University Press, 2008 (7-21).*

[25] *Frank Gottron, Science and Technology Issues in the 115th Congress, CRS Report R44786, U.S. Library of Congress, CRS (May 23, 2018).*

technologies and practices (including nature-based approaches often referred to as green infrastructure) and the science to support them."[26] In general, discussions about water safety and security have remained relevant and required additional attention than previously given.

However, as stated by a 2017 CRS Report, "there have been increasing reports about foreign hackers targeting the U.S. electric power system and other critical infrastructure" providing an additional reason to be concerned.[27] While not always explicitly involving the water sector, the attacks on critical infrastructure increase the threats of cyberwarfare in relation to water safety and security because of the dangerous dependency and reliance on other sectors of critical infrastructure. As technology has advanced and the digitization of monitoring water has increased, there has been an increase in network and online activity regarding water safety including with "water monitoring infrastructure and programs, water quality monitoring activities, stream gauges, and remote sensing investments."[28] Additionally, an interest in studying "technologies to prevent and manage contamination issues at drinking water treatment plants and in distribution systems" and "innovative water protection technologies and practices" has been increased by the Federal Government and Congress.[29] While technology has admittedly solved many issues and allowed for greater growth and advancement in numerous beneficial ways, it has also opened opportunities for interference from external entities. This increased involvement of and

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[26] *Gottron, Frank. Science and Technology Issues in the 115th Congress, CRS Report R44786, U.S. Library of Congress, CRS (May 23, 2018).*

[27] *Rita Tehan, Cybersecurity: Critical Infrastructure Authoritative Reports and Resources, CRS Report R44410, U.S. Library of Congress, CRS (November 21, 2017).*

[28] *Gottron, Frank. Science and Technology Issues in the 115th Congress, CRS Report R44786, U.S. Library of Congress, CRS (May 23, 2018).*

[29] *Ibid.*

reliance on technology gives way to attackers accessing information and regulation materials through cyberattacks.

This rising threat from outside interference can be best shown through recent events taking place in Florida in February of 2021. On February 8, 2021, The New York Times reported an incident occurring in the suburban city, Oldsmar, Florida.[30] In Oldsmar, hackers accessed the local water treatment plant and changed the levels of lye in the drinking water. As reported by The New York Times, "though the hack was mitigated before it could reach the drinking supply, the scenario — a cyberattack on a water treatment facility that contaminates a town's water — has long been feared by cybersecurity experts."[31] As previously mentioned, technological and remote systems have been increasingly relied upon as of late; as reported by The New York Times, "across the nation, water plant operators, plus those at dams and oil and gas pipelines, have accelerated the transformation to digital systems that allow engineers and contractors to monitor temperature, pressure and chemical levels from remote work stations."[32] Especially as a result of remote work and budget cuts due to the Covid-19 pandemic, according to Lesley Carhart, a principal threat analyst, water treatment and sewage plants have been increasingly vulnerable targets to hacking.[33] As reported by CNN in February of 2021, an important thought to consider and evaluate after the Florida attack is not that the remote technology in use but that it was accessible to outside threats.[34] The dangers presented by

[30] *Perlroth, Nicole and Robles, Frances. "'Dangerous Stuff': Hackers Tried to Poison Water Supply of Florida Town," The New York Times (February 8, 2021).*
[31] *Ibid.*
[32] *Ibid.*
[33] *Greenburg, Andy. "A Hacker Tried to Poison a Florida City's Water Supply, Officials Say," (February 8, 2021).*
[34] *Levenson, Eric. "Florida Water Hack Highlights Risks of Remote Access Work Without Proper*

increased technology and a reliance on remote work are dangers that require consideration and consultation by both the government and members of society alike.

Despite the fact that the incident was caught before it caused true physical harm, the incident acted as a sobering reminder of what technology and remote work can accomplish. In order to try to combat cyber cyber-attacks on water and prevent dangerous consequences, the Environmental Protection Agency passed the "America's Water Infrastructure Act of 2018 (AWIA)" in which they require "community water systems serving more than 3,300 people to develop or update risk assessments and emergency response plans (ERPs)."[35] Despite both community water systems and the EPA's best efforts, water security remains a major challenge in a sector that is difficult to protect. With the rise of a reliance on technology and growing cyber threats from all over, the vulnerabilities of water security due to cyber threats continue to grow. As cyberwarfare has emerged and grown, water is but one important sector of critical infrastructure that has been attacked and required further attention in order to ensure and promote national safety.

Case Study: Communication and Information

Cyber interference and manipulation with regard to communication and information has grown extremely prominent and increasingly concerning in recent years. Within the last decade or so, cybersecurity has grown increasingly relevant and important, requiring the United States to

Security" CNN (U.S.) (February 13, 2021).
[35] *"America's Water Infrastructure Act of 2018 (AWIA)," Environmental Protection Agency, August 01, 2019,*

begin working to address and combat cyberattacks on communication and information through different means.[36] As reported by a March 2018 CRS Report, "during this time, the country has witnessed cyber incidents affecting both public and private sector systems and data. These incidents have included attacks in which data was stolen, altered, or access to it was disrupted or denied. The frequency of these attacks, and their effects on the U.S. economy, national security, and people's lives have driven cybersecurity issues to the forefront of congressional policy conversations."[37] As a growing issue, cybersecurity and the dangers it poses have become substantially more prominent and potentially damaging to both the United States and its critical infrastructure.

As a 2018 CRS report reports, "cyberspace presents an easy, cost-effective method to communicate a message to large swaths of populations," leaving both the country and globe as easy targets for information manipulation or outside interference.[38] As suggested by a 2018 CRS report, "some major problems encountered with cyberattacks, in particular, are the difficulty in determining the origin and nature of the attack and in assessing the damage incurred;" meaning some of the attacks cannot be credited to anyone—making it even more difficult to take retaliatory or preventative action.[39] The opportunity and ability to

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[36] *Jaikaran, Chris. Cybersecurity: A Primer, In Focus IF10559, U.S. Library of Congress, CRS (December 15, 2020).*

[37] *Fefer, Rachel F., Finklea, Kristin, Fischer, Eric A., Jaikaran, Chris, Rollins, John W., Tehan, Rita, Theohary, Catherine A., and Webel, Baird. Cybersecurity: Selected Issues for the 115th Congress, CRS Report R45127, U.S. Library of Congress, CRS (March 9, 2018).*

[38] *Theohary, Catherine A. Information Warfare: Issues for Congress, CRS Report R45142, U.S. Library of Congress, CRS (March 5, 2018).*

[39] *Jaikaran, Chris. Cybersecurity: A Primer, In Focus IF10559, U.S. Library of Congress, CRS (December 15, 2020).*

attack major institutions expose significant risks in terms of domestic and personal privacy and security.

An additional CRS report acknowledges the vast realm of actions that cyberwarfare covers and controls, writing, "cyberwarfare can be used to describe various aspects of defending and attacking information and computer networks in cyberspace, as well as denying an adversary's ability to do the same."[40] The ability to attack a state or group without being caught is increased as a result of the intricacies and potential anonymity of cyberattacks. One major, recent attack on information and communication was conducted by Russia during the 2016 United States Presidential Election.

Russia has engaged in cyberattacks that are often done "to achieve political objectives without the use of military force, and to shape a favorable international response to the deployment of its military forces, or military forces with which Moscow is allied."[41] Hence, in 2016, as stated by a CRS report, Russian actors used these tactics "to spread a mix of propaganda, misinformation, and deliberately misleading or corrupted disinformation."[42] During the 2016 Presidential Election, as stated by a 2018 CRS Report, "fake accounts, bots, and trolls sought to further polarize the U.S. population on already divisive social issues, such as race and immigration."[43] Ultimately, "thirteen Russian nationals said to be working with the IRA were indicted in February 2018 for their attempts

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[40] *Ibid.*

[41] *Theohary, Catherine A. Information Warfare: Issues for Congress, CRS Report R45142, U.S. Library of Congress, CRS (March 5, 2018).*

[42] *Ibid.*

[43] *Election Security: Issues in the 2018 Midterm Elections, In Focus IN10955, U.S. Library of Congress, CRS (August 16, 2018).*

to interfere with elections and the political process."[44] The involvement of foreign powers in the United States elections not only exemplifies the exposure of technology to interference and impairment, but this attack highlights the dangers to our democracy as well. With this cyberattack, our political institutions and democracy as a whole appear to be threatened—warranting concern and change within our existing systems and technology. As a result of the findings and evidence of a cyberattack, former President Barack Obama signed Executive Order 13757, titled: "Taking Additional Steps to Address the National Emergency with Respect to Significant Malicious CyberEnabled Activities" in an attempt to help combat cyber interference and the doubt in the United States' democratic systems.[45] Further, in a recent National Intelligence Council report, it was declared that both Iran and Russia, with Putin's support, actively worked to undermine and impact the 2020 election in Former President Trump's favor.[46]

Another actor posing a dangerous threat to the security of information and communications is China. As reported by The New York Times in early March, tech superpower, Microsoft, "fell victim to a major breach in Microsoft email systems used by small businesses, local governments and, by some accounts, key military contractors."[47] Since the breach, Microsoft has credited the attack to a state-sponsored group from China—providing an additional example of the increase in cyberattacks from foreign nations like China and Russia. The attack has

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[44] *Election Security: Issues in the 2018 Midterm Elections, In Focus IN10955, U.S. Library of Congress, CRS (August 16, 2018).*

[45] *Exec. Order No. 13757, Fed. Reg. Vol. 82, No. 1 (January 3, 2017).*

[46] *"Foreign Threats to the 2020 US Federal Elections" National Intelligence Council, (March 10, 2021).*

[47] *Barnes, Julian E., Perlroth, Nicole and Sanger, David E. "Preparing for Retaliation Against Russia, U.S. Confronts Hacking by China" The New York Times (March 7, 2021).*

since compromised both civilians as well as governments around the world, with the severity of the impacts still unknown.[48] President Biden, while already previously planning retaliatory acts towards Russia for the SolarWinds attack, is now contemplating what response it should enact towards China. New York Times reporter Nicole Perlroth writes of the dangers of cyberattacks with regard to information and the severity of them, saying, "everything worth taking has already been intercepted: Our personal data, intellectual property, voter rolls, medical records, even our own cyberweaponry."[49] While cyberattacks have yet to be prevented, the issue is acknowledged by many leading figures in politics Sand security institutions--according to a CRS Report referencing a joining statement during the 2020 Election, "Adversaries may try to accomplish their goals through a variety of means, including social media campaigns, directing disinformation operations or conducting disruptive or destructive cyber-attacks on state and local infrastructure." The acknowledgement, while insufficient to solve or alleviate the issue of cyberattacks in totality, offers a first step into combating and limiting the technological, physical, or political damage potentially caused by cyberattacks in the future—especially with regard to information and communications.

[48] Barnes, Julian E., Perlroth, Nicole and Sanger, David E."Preparing for Retaliation Against Russia, U.S. Confronts Hacking by China" The New York Times (March 7, 2021); Nakashima, Ellen. "Biden administration moving to address a global compromise by Chinese and other hackers of Microsoft email servers" The Washington Post (March 6, 2021).
[49] Perlroth, Nicole. "How the United States Lost to Hackers" The New York Times (February 6, 2021).

Case Study: Financial Institutions

Financial institutions, as a result of advancing cyberwarfare, have been in growing danger of being attacked or impacted by cyber interference. As stated by a 2020 CRS report, there are three major risks within the financial sector in regards to cyberattacks. The three risks are: operational risks, reputational risks, and systemic risks.[50] Firstly, "like any organization, financial institutions face operational risk from cyber threats. They engage in activities to protect their business information technology (IT) networks and their operational networks. Business networks (e.g., email systems and web portals), can be the initial point of entry for malicious actors."[51] Secondly, as declared by the same 2020 CRS Report, "the financial system depends on trust. For example, if a breach at a bank results in the release of personal data, customers may be reluctant to continue their relationship with the bank. They may choose to pull their deposits out from the bank and close their account."[52] Lastly, "financial institutions are highly interconnected, and many institutions depend on a few widely-accepted systems. Because an attack on one of these IT systems could result in significant losses across the entire industry, financial regulators must also consider the systemic risks to the entire industry."[53] The dangers and potentially damaging threats that cyberwarfare pose leads the financial sector to be susceptible to cyberattacks and the destruction of critical infrastructure.

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[50] *Cross-Cutting Issues in Cybersecurity: Financial Institutions, Insight IN11621, U.S. Library of Congress, CRS (December 01, 2020).*

[51] *Ibid.*

[52] *Cross-Cutting Issues in Cybersecurity: Financial Institutions, Insight IN11621, U.S. Library of Congress, CRS (December 01, 2020).*

[53] *Ibid.*

Similar to other sectors, as reported by a CRS Report, "The increasing potential for attacks that might cripple components of [critical infrastructure] or otherwise damage the national economy has led to debate about the best ways to protect those sectors."[54] Despite the desire to prevent and protect against cyberattacks, the uncertainty regarding potential damages have institutions' interest in insurance continue growing substantially.[55] In an attempt to combat some of the attacks on critical infrastructure, including financial institutions, there have been a number of executive orders and presidential directives—the earliest being from 2008.[56] The cyberattacks on financial institutions and banks have grown increasingly dangerous over the years. A March 2018 CRS report describes an instance of a cyberattack, saying, "beginning in 2011, a wave of cyberattacks on U.S. financial institutions disrupted banking operation and denied some customers from online access to their accounts. Roughly four dozen banks, including JPMorgan Chase, Bank of America, Capital One and PNC Bank, were besieged by crippling denial of service attacks that lasted for over a year."[57] An issue with cyberattacks, as reported by a 2015 CRS report, is "given the complex and sometimes ambiguous nature of the costs associated with cybercrime, and the reluctance in many cases of victims to admit to being attacked, there does not appear to be any publicly available, comprehensive, reliable assessment of the overall costs of cyberattacks."[58]

[54] *Cybersecurity: Selected Issues for the 115th Congress, CRS Report R45127, U.S. Library of Congress, CRS (March 9, 2018).*

[55] *Cybersecurity: Selected Issues for the 115th Congress, CRS Report R45127, U.S. Library of Congress, CRS (March 9, 2018).*

[56] *Cybersecurity: Selected Issues for the 115th Congress, CRS Report R45127, U.S. Library of Congress, CRS (March 9, 2018).*

[57] *Theohary, Catherine A. Information Warfare: Issues for Congress, CRS Report R45142, U.S. Library of Congress, CRS (March 5, 2018).*

[58] *Cyberwarfare and Cyberterrorism: In Brief, CRS Report R43955, U.S. Library of Congress, CRS (March 27, 2015).*

With all of the uncertainty related to cyberattacks, cyberattacks on financial institutions and other critical infrastructure are difficult to prevent, as well as difficult to effectively evaluate after they occur.

An example of an attack on the financial sector can be seen in 2016. In 2016, the U.S. Department of Justice reported the indictment of seven Iranian individuals who worked on behalf of the Iranian Government to hack and attack the U.S. financial sector.[59] As stated by the Department of Justice, "the attacks disabled victim bank websites, prevented customers from accessing their accounts online and collectively cost the victims tens of millions of dollars in remediation costs as they worked to neutralize and mitigate the attacks on their servers."[60] Cyberattacks on financial institutions, both arge and small, can have drastic impacts on both personal finances and the United States economy. As stated by the International Monetary Fund (IMF), "given strong financial and technological interconnections, a successful attack on a major financial institution, or on a core system or service used by many, could quickly spread through the entire financial system causing widespread disruption and loss of confidence."[61] Moreover, as reported by the IMF, many financial systems are not yet prepared to mitigate the damage done by outside attacks—especially without international cooperation.[62]

Overall, the banking and finance sector of critical infrastructure, like many other sectors, is at risk with the growing prevalence of

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[59] *Department of Justice."Seven Iranians Working for Islamic Revolutionary Guard Corps-Affiliated Entities Charged for Conducting Coordinated Campaign of Cyberattacks Against U.S. Financial Sector" U.S. Department of Justice (March 24, 2016).*
[60] *Ibid.*
[61] *Elliott, Jennifer and Jenkinson, Nigel. "Cyber Risk is the New Threat to Financial Stability" International Monetary Fund Blog (December 7, 2020).*
[62] *Ibid.*

cyberwarfare. With potentially devastating and destructive impacts on both the United States and global economy, the threats of cyberwarfare continue to be top of mind for financial and political leaders alike. The advancement of technology and prominence of cyberwarfare therefore pose extreme threats to the financial institutions and expose the unique vulnerabilities within the financial sector of critical infrastructure.

Implications of Research Findings:

Through my exploration of this research question, the dangers of cyberwarfare and cyberattacks on the United States' critical infrastructure become more clear and concerning. With the newfound knowledge of the threats that cyberwarfare pose, the United States' unique vulnerabilities in the realm of cyberwarfare become quite apparent. Through analyzing my three case studies, water supply, communication and information, and banking and finance, it is clear that while technology's advancement provides opportunity for growth and success, the reliance on technology proves to leave areas exposed to cyberattacks. These three areas, as well as a number of other sectors of critical infrastructure, are crucial sectors for domestic and global success. As a result of cyberwarfare's growing prevalence and further knowledge of its potential, it is imperative that contemporary U.S. foreign policy reflect the increasing dangers through preventive or protective measures.

While a shift is already occurring with the presidency of President Biden and his administration, attention to cyberwarfare and its threats must continue to be paid. In addition, in order to help correct the misleading conventional wisdom, cyberwarfare and cyberattacks must be addressed and exposed to the general public. With a better

understanding of the threats that cyberwarfare and cyberattacks pose, the United States can further prevent and protect against dangerous attacks on critical infrastructure. Especially as technology advances and developments are made, the United States and its citizens must increase their awareness and protections against the potentially devastating and destructive impacts of cyberwarfare. With many of our institutions and sectors of critical infrastructure at risk, attention must be paid to help mitigating the potential for damage. The United States remains a leader in technological advancement and warfare, meaning that with a better grasp on cyberwarfare, the United States can continue and further their global leadership.

The Effect of Populism on the 2016 United Kingdom European Union

Isabella Noden

Political Science,
Global Politics
3rd year

Isabella Noden plans on graduating in the Fall of 2022 and is interested in attending graduate school to pursue a master's degree in international relations and foreign policy. Isabella is from the Bay Area, and in her free time she loves running, hiking, and walking her dogs.

Abstract

While the presence of populism continues to grow in Europe, scholars point to populism when examining the political culture of the United Kingdom; however, we do not exactly know the extent to which populism influenced the outcome of the Brexit referendum. Considering the complex nature of populism, I argue that populism impacted the outcome of the 2016 referendum through the presence of Euroscepticism, nativism, and support for a charismatic leader. In order to evaluate these factors, I propose a survey of British citizens who voted in the referendum to analyze the ways that populism affected voter choice. If data are consistent with expectations, then populism is evidently a matter that should be further explored as a force driving political culture and action in the United Kingdom as well as the rest of Europe.

On June 23, 2016, UK citizens voted in a referendum regarding the state's membership in the European Union. The more commonly referenced term "Brexit" refers to the withdrawal of the United Kingdom from the European Union, which formally occurred on January 31, 2020, after a transitional period. In a general sense, scholars have come to the consensus that Brexit is indeed a complicated matter. Jessop (2017) summarizes the United Kingdom's unique situation in fitting terms: "Brexit is so polyvalent a notion and so complex a process that its present meaning is hard to define and its future trajectory hard to discern" (11). Due to these complexities, scholars tend to narrow their focus to specific factors that influenced the public's vote. For example, recent studies measure the economic, geopolitical, cultural, and social factors that contributed to the majority of citizens voting against a continued relationship with the EU (Abreu & Öner, 2020; Clarke et al., 2017; Iakhnis et al., 2018; Jessop, 2017; Smith et al., 2021)

Notably, many scholars (Smith et al., 2021; Iakhnis et al., 2018; Pirro et al., 2018) bring attention to the role of populism in the 2016 referendum. Populism— an ideology that entails depicting "the common people" against the "elite" of society (Mudde, 2004)— is on the rise throughout Europe (Mudde, 2007; Smith et al, 2021; Bonikowski et al., 2019; Albertazzi & McDonnell; 2008). Populist movements tend to evolve as a reaction or even a rejection of changes within modern politics. (Elchardus & Spruyt, 2016) These changes primarily come as a result of globalization and the mediatization of political discourse (Elchardus & Spruyt, 2016). Ramifications of populist movements include undermining the legitimacy of political institutions as well as opposition to representative politics (Taggart, 2004). While many assert that populism was associated with Brexit (Smith et al., 2021; Iakhnis et al., 2018; Pirro et al., 2018), these studies are limited as they do not

fully contend the extent to which populism influenced an individual's vote choice during the referendum. In this project, I explicitly address the various ways populism impacted voting behavior by focusing on the vote that can be determined by the 51.9% of UK citizens that marked their ballot in favor of leaving the European Union (Clarke et al., 2017). In the next sections, I first summarize existing literature about the Brexit referendum and populism. Then, I argue how populism influenced the results of the 2016 referendum through ramifications of Euroscepticism, nativism, and support for a charismatic leader. Next, I outline a research design to test how populism affects voter behavior. I conclude in order to fully understand the outcome of the Brexit referendum, it is imperative to consider the mobilizing force of populism.

Brexit

As previously alluded to, scholars took the task of interpreting the causes and events leading up to the majority of UK citizens voting to leave the European Union. For instance, Abreu & Öner (2020) highlight the economic factors that influenced an individual's vote such as unemployment, poverty, and financial security. Others such as Clarke (2017) point to the impact of political parties on public opinion during the referendum campaign. Throughout the campaign, media outlets and political leaders addressed the "costs and benefits" of remaining or leaving the European Union, shaping citizens' interpretations of warned economic consequences and tradeoffs (Clark et al., 2017). Looking beyond the influence of individual attitudes, Menon & Salter (2016) stress that the most identifiable Brexit voting pattern is geographic. These patterns can be found through Northern Ireland, Scotland, and London's decision to remain a part of the European Union while the majority of the United Kingdom aside from London voted to remain

(Menon & Salter, 2016). Overall, these sources take a variety of approaches to the analysis of factors that contributed to the outcome of Brexit. Hence, although this paper emphasizes the role of populism during the referendum, it is still crucial to keep in mind that these overlapping factors also held a significance to the vote.

Asides from understanding the causes of Brexit, scholars reveal mixed views on the consequences of the United Kingdom's decision to leave the EU. For instance, Dhingra et al. (2016) elaborates on the economic ramifications of Brexit, explaining how nearly half of the UK's trade was with the EU. Therefore, following the transition period, Dhingra et al (2016) asserts that there will be a decrease in trade and an increase in costs of goods for UK consumers. Tetlow & Stojanovic (2018) also highlights that following Brexit the EU will be moving away from close integration and trade. However, Tetlow & Stojanovic (2018) expands further to suggest that Brexit may present the UK with the opportunity to establish new trade deals with countries outside of the EU. Furthermore, Corbett (2016) addresses the social ramifications of Brexit. Corbett (2016) places emphasis on societal division, arguing that the result of the referendum indicates a potential for a resurfacing of the populist far right in Europe. To mitigate further societal tensions following Brexit, Corbett (2016) explains that international cooperation must be embraced when initiating post-Brexit relations. These scholars point to various consequences of the UK's decision to leave the EU. Nonetheless, it is important to reflect on these prospective consequences as the UK continues to move through its early years apart from the EU.

What is Populism?

In his book, The Populist Zeitgeist, Mudde (2004) defines populism as: "an ideology that considers society to be ultimately separated into two homogeneous and antagonistic groups, 'the pure people' versus 'the corrupt elite', and which argues that politics should be an expression of the volonté générale (general will) of the people" (p. 543). Populists generally see the "elite" or those in political power as oppressing the values and needs of "the people'' (Mudde, 2004). Through the literature that surrounds Brexit, most scholars (Iakhnis et al., 2018; Rooduijn & Kessel, 2019; Elchardus & Spruyt, 2016) tend to cite Mudde's definition of populism as it presents itself as applicable to the political trends during the 2016 referendum.

Mudde (2004) explains that populism is a "thin-centered" ideology, highlighting that the concept can be combined and associated with other overlapping political ideologies, and forms of populism can exist on either side of the political spectrum. While many scholars agree that populism is a thin-centered ideology (Bonikowski et al., 2019; Elchardus & Spruyt, 2016; Iakhnis et al., 2018; Rooduijn & Kessel, 2019), some scholars (Freeden, 2017), reject Mudde's (2004) interpretation. Freeden (2017) suggests that populism should not be labeled or used as a standalone ideology except: "to observe two opposing ideological reasons for the persistent prevalence of the name: (1) when it serves as a convenient catch-all marker of radical popular demands that clamour for legitimation, and (2) when it is used to denounce particular brands of rightwing xenophobia" (p. 10). In contrast to other scholars, Freeden (2017) argues that populism even falls short of being defined as a "thin-centered" ideology due to its general vagueness.

As Mudde (2004) alludes to, populism can manifest itself in both left-wing and right-wing populism. In regards to contemporary Europe, most scholars focus on right-wing populism, emphasizing that the political aspects of the radical right such as nationalism equate to replacing "the nation" as "the people" (Mudde, 2004, p.549; Bonikowski et al., 2019, p.2). Taggart (2004) goes further to state that populism on the far right demonstrates a consensus on anti-immigration beliefs, and opposition to taxation and ethnic regionalism or integration. Although different scholars advocate for their own interpretation of populism defined by Mudde (2004), all scholars tend to concur that populism is a difficult ideology to fully conceptualize and comprehend. Due to the complexity and various interpretations of populism, this paper will reference Mudde's (2004) definition of populism as it is more applicable to the nature of Brexit.

As scholars indicate populism is indeed on the rise in Europe (Bonikowski et al., 2019; Mudde, 2007; Smith et al, 2021; Albertazzi & McDonnell; 2008), it is imperative to consider the causes and consequences of populism. Albertazzi & McDonnell (2008) reveal factors that contribute to the increase in and continuous following of populism. First, through party systems in contemporary Europe, the mainstream parties encompassed by political elites themselves have moved further from their connection with the average citizen (Albertazzi & McDonnell; 2008). Through this distance, citizens can be drawn to populist parties and leaders who claim they are unlike the parties that dominate politics (Albertazzi & McDonnell; 2008). Second, the media plays a major role in contributing to polarization on issues such as immigration and the global economy, facilitating an environment for a populist leader to present on side of these contested matters (Albertazzi & McDonnell; 2008).

Finally, as the economy has shifted to the global scale, the rise of international organizations and corporations can be harnessed into populist rhetoric as parties claim globalization is a threat to the national identities of the "common" citizen (Albertazzi & McDonnell; 2008). Further consequences are considered by Taggart (2004), who notes that with populism comes the influx of 'ordinary' citizens rising to the role of a political leader through populistic rhetoric.

While scholars take a variety of approaches to measuring populism in conjunction with other ideologies or aspects of Brexit, studies reveal mixed findings indicating that there are different takes on the role of populism. For instance, Smith (2021) examined populist rhetoric within British newspapers during the referendum and found that the Vote Leave campaign successfully utilized populism through anti-elitist and nationalist appeals within the media to mobilize voters. Iakhnis (2018) analyzed populism through the interaction of nativism and anti-elitism to find that the vote to leave can be perceived as a nativist reaction to the resistance of the EU, demonstrating that Brexit is specifically a "right-wing" populist movement. In a somewhat similar manner, within the United Kingdom, Bonikowski (2019) asserts that the ideology of populism alone is the defining feature of Brexit. On the other hand, Corbett (2016) stresses that the outcome of the referendum can be attributed to a combination of both populist and nationalist forces by right-wing Eurosceptic groups. Evidently, these scholars all consider the impact of populism within their studies; however, they each choose to examine the ideology through different methods and associations.

In spite of the current scholarly discussion on Brexit, my study seeks to take a rather holistic approach to measuring populism through a focus on three key elements: Euroscepticism, nativism, and the role of

a charismatic leader. These three concepts allow for a more nuanced analysis as they elucidate factors and relationships that constitute populism.

Euroscepticism

In simple terms, Euroscepticism is known as opposition to the European Union (Rooduijn & Kessel, 2019; Taggart, 2004). More specifically, 'Eurosceptics' is the term attributed to those who are either critical or fully against the gradual increase in power within the EU (Rooduijn & Kessel, 2019). As Taggart (2004) reveals, Euroscepticism tends to exist through an anti-elitist manner with an emphasis on less integration. In contemporary Europe, Euroscepticism is perceived as a significant attribute of European party systems (Pirro et al, 2018). Hence in recent years, increased EU integration is promptly met with the voice of citizens who oppose the expansion of immigration and the transfer of more power to institutions surrounding the EU (Russell, 2021).

Moreover, Rooduijn & Kessel (2019) offer several lessons highlighting the relationship between populism and Euroscepticism in the European Union and explaining how the two concepts are distinct, yet related. First, Rooduijn & Kessel (2019) address conceptualization, stating that objectives behind populism tend to be more variable because who fills the roles of "the people" and "the elite" depends on context and interpretation. In contrast, the scholars explain that the definition of Euroscepticism is presented rather intuitively as the concept encompasses the opinion individuals have towards the EU (Rooduijn & Kessel, 2019). Second, despite these differences, Rooduijn & Kessel (2019) note that both concepts are found to be seemingly independent

as populists tend to hold objections towards the EU. For instance, populists traditionally stand against the overarching institutions and complexities within the dynamic of the EU, arguing that these issues undermine the voice of the people (Rooduijn & Kessel, 2019). Similarly, Rooduijn & Kessel (2019) indicate that populists may view the EU in its entirety as an organization that is carried out by elites who do not have the best interests of the common people in mind. Third, as populism is generally represented and adopted by various political parties in Europe, Rooduijn & Kessel (2019) find that Eurosceptics associate with these parties due to overlapping ideals. To conclude, the relationship with populism and Euroscepticism reveals that these two concepts can coincide while interacting with other political ideologies found within European society.

Nativism

As populism stands as a "thin-centered" ideology, many scholars note that right-wing populism is identifiable through its association with nativism or nativist beliefs (Iaknis et al, 2018; Mudde, 2007; de Vreese and Boomgaarden, 2005). When discussing the populist radical right, Mudde (2007) asserts that nativism, a feature of populism, involves both nationalism and xenophobia. Mudde (2007) explains that the ideology suggests a state should be occupied by the "native people" while those who are "nonnative" pose a threat to the structure and dynamic of the state. Nativist beliefs tend to reveal underlying views against immigration, which in the case of Brexit is represented as increasing integration (Iaknis et al, 2018). Additionally, sentiments expressed by nativists can easily be populist in their nature as they direct attention maintaining the privileges of the dominant group or the "common people," within

the state compared to the needs of newcomers that are generally advocated by organizations such as the EU (Iaknis et al, 2018; Elchardus & Spruyt, 2016).

Regarding views towards European integration, de Vreese and Boomgaarden (2005) bring attention to individuals who take pride in one's exclusive national identity. In other words, de Vreese and Boomgaarden (2005) highlight those who obtain a strong national attachment to their state. In the case of EU referendums, studies show that reluctance towards the EU may result from individuals who perceive integration as a cultural threat to their national identity (de Vreese and Boomgaarden, 2005). Furthermore, as populist political parties against the EU have become more prevalent in Europe, it is common for these parties to embrace anti-immigrant rhetoric, which alludes to the presence of nativism (de Vreese and Boomgaarden, 2005). Overall scholars (Iaknis et al, 2018; Mudde, 2007; de Vreese and Boomgaarden, 2005) contend that aspects of nativism are often utilized and upheld by populists and populist political parties in Europe.

Charismatic Leader

When examining the causes and driving forces behind populism, many scholars point to the influence of a populist politician. Populists, who claim to be the "common people," generally desire a remarkable, extraordinary, or more commonly referenced, a "charismatic leader" to guide their movement (Mudde, 2004). Clark (2017) demonstrates how positive images of leaders within the Leave campaign greatly impacted the likelihood of a citizen voting in favor of leaving the EU. For instance, Nigel Farage, the leader of the Brexit party and founding member of The United Kingdom Independence Party (UKIP), was known for his mission

to push Britain out of the EU through his notorious charismatic appeals (Jessop, 2017). Farage, among other leaders of the Leave campaign, mobilized voters through slogans such as 'take back control,' which alludes to putting political power back into 'the people's' hands as opposed to the overarching government institutions of the EU. During the campaign, Boris Johnson, the Prime Minister of the United Kingdom, advocated for a similar: 'people versus parliament' slogan (Russell, 2021). These direct appeals and stylistic communication between citizens and a populist leader show how charismatic leadership facilitates populism (Mudde, 2004).

Theory: The Effect of Populism on Brexit

I argue that populism impacted the outcome of the Brexit referendum through three key mechanisms. First, populism is associated with Euroscepticism, and Euroscepticism contributes to a desire to leave the European Union (Rooduijn & Kessel, 2019). As Hobolt (2009) notes, attitudes towards the European Union influence vote choice during European integration referendums. Second, populism is related to nativism, and nativism encompasses the idea that a state should be inhabited solely by native members (Muddle, 2007). Studies find that through nativist beliefs, attitudes against immigrants can determine whether citizens support the European Union (de Vreese and Boomgaarden, 2005). Finally, populism gives rise to a charismatic leader (Mudde, 2004). Support for a charismatic leader such as Nigel Farage and Boris Johnson increases the likelihood of an individual voting to leave the European Union (Clarke et al., 2017). Moreover, I suggest that support for a charismatic leader who also advocates through a platform that is in favor of leaving the European Union, strengthens the likelihood of an individual voting to leave. In turn, my argument entails

that Euroscepticism, nativism, and support for a charismatic leader all contributed to citizens' decision to vote to leave the European Union.
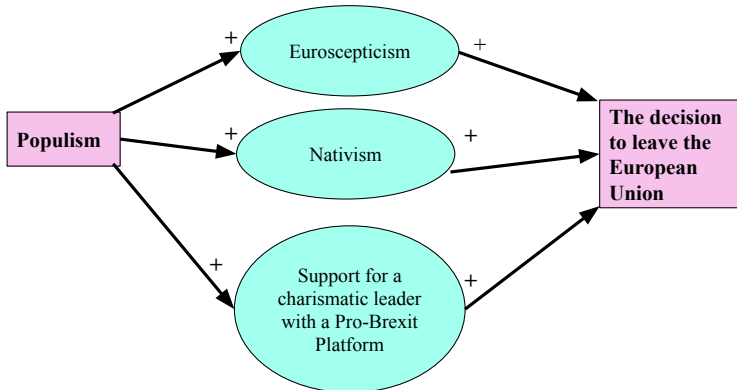
This argument entails the following six hypotheses:

H1: If populism is associated with an increase in Euroscepticism, then respondents who receive a combined score of 11 or greater on the three statements measuring populism will be more likely to receive a score of 11 or greater on the three statements measuring Euroscepticism.

H2: If populism is associated with an increase in nativism, then respondents who receive a combined score of 11 or greater on the three statements measuring populism will be more likely to receive a score of 11 or greater on the three statements measuring nativism.

H3: If populism is associated with an increase in support for a charismatic leader with a pro-Brexit platform, then respondents who receive a combined score of 11 or greater on the three statements measuring

populism will be more likely to answer yes to the question measuring an individual's support for a charismatic leader.

H4: If Euroscepticism increases the likelihood that an individual voted to leave the EU, then participants who received a combined score of 11 or greater on the three statements measuring Euroscepticism will be more likely to indicate that they voted in favor of leaving the EU.

H5: If nativism increases the likelihood that an individual voted to leave the EU, then participants who receive a combined score of 11 or greater on the three statements measuring nativism will be more likely to indicate that they voted in favor of leaving the EU.

H6: If support for a charismatic leader with a pro-Brexit platform increases the likelihood that an individual voted to leave the EU, then participants who answered "yes" to the question measuring support for a charismatic leader will be more likely to indicate that they voted in favor of leaving the EU.

Research Design

To test these hypotheses, I will be conducting a survey of British citizens who voted in the 2016 United Kingdom European Union membership referendum. In order to receive a holistic and representative sample of the British population, a survey will be accessible to an extensive amount of individuals in an efficient manner. The survey will include a series of questions that must be answered on a yes/no basis as well as statements where each individual will rank their opinion on a five point scale. This brief survey will also offer convenience and flexibility to the participants as their responses will remain anonymous when revealing the driving

factors behind their vote in the referendum. Importantly, a survey will allow me to compare features of voters who desired to remain in the EU and those who voted in favor of Brexit. With the survey data, I can identify the extent to which the theorized concepts— populism, Euroscepticism, nativism, and a charismatic leader—are associated with voting behavior.

Measures

Brexit:

First, in order to measure an individual's vote in the 2016 United Kingdom European Union membership referendum, I will ask participants to answer the following question:

> *Did you vote in favor of leaving the European Union during the 2016 UK EU Membership referendum? (Answer: "yes" or "no")*
>
> *An answer of "yes" indicates that an individual supported Brexit while an answer of "no" indicates an individual voted to remain as a member of the EU.*

Populism:

In order to measure populism, I will ask participants to rank their response to the following statements on a (1-5) scale ranging from strongly disagree (1) to strongly agree (5):

> *1. I identify as a populist.*
> *2. I consider myself a supporter of the United Kingdom Independence Party (UKIP).*
> *3. I view society as divided between the "the common people" and the "elite."*
> *With each of these questions, participants have the option of selecting strongly disagree (1), disagree (2), neutral (3), agree*

(4), or strongly agree (5). Each participant's response for the three questions will be added together in order to obtain a combined score that measures populism.
A combined score of 11 or greater, which consists of at least two "agree" responses and one "neutral" response, indicates an individual's support for populism.

Euroscepticism:

In order to measure Euroscepticism, I will ask participants to rank their response to the following statements on a (1-5) scale ranging from strongly disagree (1) to strongly agree (5):

1. I oppose further integration within the European Union
2. I disagree with the decision-making processes of the European Union.
3. I opposed the UK's past membership with the European Union

With each of these questions, participants have the option of selecting strongly disagree (1), disagree (2), neutral (3), agree (4), or strongly agree (5). Each participant's response for the three questions will be added together in order to obtain a combined score that measures Euroscepticism. A combined score of 11 or greater, which consists of at least two "agree" responses and one "neutral" response, indicates an individual's support for Euroscepticism.

Nativism:

In order to measure nativism, I will ask participants to rank their response to the following statements on a (1-5) scale ranging from strongly disagree (1) to strongly agree (5)

1. Immigration to the UK should come to a halt.

2. My identity as a British citizen is threatened by individuals who immigrate to the UK from other countries.

3. The overall stability and dynamic of the UK is threatened by individuals who immigrate to the UK from other countries. With each of these questions, participants have the option of selecting strongly disagree (1), disagree (2), neutral (3), agree (4), or strongly agree (5). Each participant's response for the three questions will be added together in order to obtain a combined score that measures nativism. A combined score of 11 or greater, which consists of at least two "agree" responses and one "neutral" response, indicates an individual's support for nativism.

Charismatic Leader:

In order to measure if a participant supported a charismatic leader, I will ask them to answer yes or no to the following question:

During the campaign, did you support or follow a charismatic leader such as Nigel Farage or Boris Johnson? (Answer: "yes" or "no")

An answer of "yes" indicates that an individual was influenced by a charismatic leader that was advocating under a pro-Brexit platform. An answer of "no" indicates that an individual was not influenced by support for a charismatic leader during the campaign.

Discussion and Conclusion

In contemporary Europe, populism evidently presents itself as an impactful force that drives political behavior. In order to fully understand the underlying causes of the outcome of the 2016 Brexit referendum, it

is critical to take into account the role of populism. Through a review of current literature, populism can be analyzed in conjunction with other notable ideologies in order to reveal the beliefs and attitudes of citizens during the time of the vote. By surveying citizens who voted in favor of leaving the EU, I contend that populism motivated the decision for Britain to leave the EU through the three driving factors of Euroscepticism, nativism, and the influence of charismatic leaders. Potential shortcomings of the presented research may be found within the participant responses of my proposed survey. That is, participants could possibly feel reluctant to express support for ideologies such as nativism or populism due to some negative connotations associated with the terms. Similarly, participants may refrain from expressing their honest opinion regarding both the nativism and Euroscepticism statements in fear of being labeled xenophobic. In the case of support for a charismatic leader, participants could also feel embarrassed or uncomfortable expressing their endorsement for these leaders who are generally perceived as quite extreme or nonconventional in their views. Although the survey is being conducted anonymously, participants may still be dishonest with their responses; therefore, when discussing the implications of my research it is important to keep these shortcomings in mind.

If my study supports my theory, then there will be evidence pointing to the direct implications of populism. These findings will demonstrate that Britain's political culture during the Brexit campaign and referendum should be carefully considered when analyzing how and why Britain is no longer a member of the EU today. As European integration continues to develop, my study indicates that researchers should note the presence of populism throughout other EU member states. Considering these findings, scholars may expect more European nations to perhaps follow in the same direction of the United Kingdom. Although studying

populism reveals significant aspects of Britain's current political culture, further research should consider studies around the potential long-term impacts of populism. More specifically, scholars may investigate if populism poses a threat to the legitimacy, purpose, and future of the European Union.

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Hiring Practices in the
United States

Jennifer Smith

Business Administration,
Management & HR
4th Year

Jennifer Smith served as the Chief Administrative Officer and Chief Operating Officer of her sorority, Kappa Alpha Theta, ensuring a safe and supportive community for her sisters. She also worked as a manager and associate in Cal Poly's Annual Giving Department, raising money for donation-based clubs and funds. Post-graduation, Jennifer will be pursuing a Master of Public Policy at the University of Southern California.

Abstract

A recent study exploring racial discrimination in the hiring process has provided evidence of civil rights violations in the American workplace. While efforts to decrease wage inequality have been prevalent since the foundation of the United States Equal Employment Opportunity Commission (EEOC) in 1964, this study demonstrates a recurring failure in equal opportunity rights. In addition to the American assumption that Black workers in the United States face more obstacles in the workforce than other races, I demonstrate that national entities, like the EEOC and the Department of Labor, can respond to discriminatory hiring and workplace practices by passing laws to limit barriers to entry. This paper argues that providing more spaces for minorities throughout all levels of the workforce will incite change in company culture and movement into more equitable workplaces.

On July 29, 2021, Eduardo Porter from The New York Times reported that a new study exploring racial discrimination in the hiring practices of many companies could "provide valuable evidence about violations of Black workers' civil rights."[1] Porter explains that after submitting 83,000 fake job applications with varying characteristics — like age, sexual orientation, or work and school experience — for entry-level positions at 108 companies, Economists at the University of California, Berkeley and the University of Chicago found "applications from candidates with a 'Black name' get fewer callbacks than similar applications bearing a 'White name.'"[2] According to a report by the Conference Board, a non-partisan think tank, the wage gap between White and Black Americans has been increasing over the last decade despite efforts to reduce it.[3] While the gap continues to rise overall, Black workers lack representation in industries, occupations, and locations where the fastest growth in high-paying jobs are located.[4] In 2010, Black men holding a bachelor's degree or higher received an 18 percent smaller wage than White men. By 2019, an increase in the underrepresentation of Black workers in high-paying occupations and industries led to a wage gap increase to 24 percent.[5]

The increase of racial wage inequality demonstrates a failure in equal opportunity rights over the last decade. Efforts to decrease wage inequality have been prevalent since the foundation of the U.S. Equal Employment Opportunity Commission (EEOC) in 1964.

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[1] *Eduardo Porter, "Who Discriminates in Hiring? A New Study Can Tell," The New York Times (July 29, 2021).*

[2] *Ibid.*

[3] *Frank Steemers, et al, Mind the Gap: Factors Driving the Growing Racial Wage Gaps and Solutions to Close Them, The Conference Board (2021).*

[4] *Ibid.*

[5] *Ibid.*

As a result of the Civil Rights Act of 1964, the EEOC was formed to enforce "federal laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, color, religion, sex, national origin, age, disability or genetic information."[6] Today, the EEOC enforces the Equal Pay Act to reduce sex discrimination and works to prevent discrimination in advance through education, outreach, and technical assistance programs.[7] In the 2020 fiscal year, the EEOC resolved 70,804 charges of workplace discrimination, securing $439.2 million for discrimination victims in the state and local government workplaces and the private sector through voluntary litigation and resolutions.[8] EEOC Chair, Charlotte A. Burrows, argues that the coronavirus pandemic disproportionately impacted minority groups creating a harsh impact on an already discriminatory workplace.[9] Beyond workplace discrimination, Burrows explains that the critical role of the EEOC is increasing as workers are overwhelmed with overcoming obstacles to address their basic survival needs.[10]

The critical issues that increase workplace inequities pose numerous ramifications for already vulnerable populations. For many minority groups in the United States, the COVID-19 pandemic had a negative impact on employment and higher education. The pandemic caused unemployment to rise among people without college degrees and eliminated millions of low-wage jobs, which affected America's working class at large.[11] that. Between fall 2019 and

[6] *"Overview." U.S. Equal Employment Opportunity Commission*

[7] *Ibid.*

[8] *"EEOC Releases Fiscal Year 2020 Enforcement and Litigation Data," U.S. Equal Employment Opportunity Commission (February 26, 2021).*

[9] *Ibid.*

[10] *Ibid.*

[11] *Stephanie Saul, "The Pandemic Hit the Working Class Hard. The Colleges That Serve Them*

fall 2020, the community college enrollment among Black students fell 19 percent and 16 percent among Hispanic students.[12] Additionally, the decline of minority enrollment in higher education has the potential to increase the underrepresentation of minority workers "in occupations and industries that have experienced the highest growth in pay in recent years,"[13] thus further adding to the wage gaps in America. To understand the history behind current equal opportunity practices leads me to ask the following research question: How do political and social factors impact hiring practices in the United States?

Conventional Wisdom

Non-partisan polling data from the United States suggests Black employees face the highest levels of discrimination in the workplace. Nonpartisan polling data provides my analysis of the conventional wisdom, with findings that Black workers in the United States face more obstacles in the workforce than other races. According to a 2018 poll from the Pew Research Center, 62 percent of Black STEM employees report they have experienced "any of eight specific forms of racial or ethnic discrimination at work, from earning less than a coworker who performed the same job to experienced repeated, small slights at work."[14] Likewise, a 2021 Gallup poll found that 24 percent of Black workers in the United States reported discrimination in the workplace within the last year.[15] These polls indicate that Black Americans are more likely to face discrimination in the workforce, with some industries being more prone than

Are Hurting, Too," The New York Times (April 2, 2021).
[12] *Ibid.*
[13] *Op. cit., fn. 3*
[14] *Monica Anderson, "Most Black Stem Workers Say They've Faced Discrimination on the Job." Pew Research Center (January 10, 2018).*
[15] *Camille Lloyd, "One in Four Black Workers Report Discrimination at Work." Gallup (January 12, 2021).*

others. From this data, we can infer that Black Americans face more barriers in the workforce than their non-Black peers. While the conventional wisdom holds that Black Americans face racialized barriers in the workplace, this analysis only scratches the surface of the truth and can be further contextualized by several factors. Several factors need to be considered about the workforce, including hiring practices and equal opportunities for all potential hires, before understanding how national organizations like the Equal Employment Opportunity Commission can respond to unequal hiring practices. Furthermore, this conventional wisdom does not address how national organizations respond to and prevent discriminatory practices in the United States. Specifically, the Equal Employment Opportunity Commission can look at the historical barriers specific demographics faced to determine the best method of preventing and responding to discrimination in the workplace. Because the conventional wisdom does not assess specific barriers faced by Black Americans in the workforce, I will analyze two case studies as to how minorities in America are discriminated against. To follow, I will employ a qualitative analysis of the Civil Rights Movement of the 1960s and the Gender Rights Movement to reach a deeper understanding of discrimination that minorities groups face in the United States.

Case Study: Civil Rights Movement of the 1960s

The fight to end slavery and create labor laws for Black Americans began with slavery abolishment in December 1865. After being excluded from the prosperous civil economy, over three and a half million former slaves joined the free working class.[16] The ending of slavery did not detail a particular political, legal, or social status for newly freed men,

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[16] *Robert H Zieger, "The First Fruits of Freedom," For Jobs and Freedom: Race and Labor in America since 1865, University Press of Kentucky, 2007, 9–42*

leaving the definitive status of Black Americans undetermined.[17] Over the next century, Black Americans continued to dream and fight for their equal rights despite being "trapped in a subordinate, repressive, and discriminatory economic and racial order."[18] However, by the end of the Civil War, their dreams of independence had died, coming as a result of highly-limited opportunities for self-improvement.

After the Civil War, Black Americans had few work opportunities, leading them to enter individual contracts with landowners that specified tasks and compensation among other details.[19] These individualized contracts made it impossible for Black Americans to work as a group to fight for equal or, at the very least, better compensation. However, they were able to compel farmers to "agree to arrangements by which each Black farmer worked a particular section of the farm, living with his family in separate quarters."[20] The improvement initiated by Black input and negotiation in terms of work allowed them to abandon landlords who refrained from acknowledging Black workers' rights and continued to attempt to control their and their families' personal lives.[21] Although it may have been a small victory in a corrupt and discriminatory system, Black workers beginning to amass bargaining power in their rights and establishing themselves in the workforce on their own terms.

Following the Second World War, many Americans were filled with enthusiasm and assurance knowing their defense of democracy and the "four essential human freedoms" — freedom of speech, religion,

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[17] *Ibid.*
[18] *Ibid.*
[19] *Ibid.*
[20] *Ibid.*
[21] *Ibid.*

fear, and want — had prevailed.[22] There was a baby boom, the economy skyrocketed, and hundreds of thousands of Americans now had the financial ability to purchase homes for the first time.[23] While many believed life would continue to improve following the war, it was not the case for all Americans. An increasing number of Black Americans had the same hopes for their lives, yet were not granted the same rights they deserved. It was a time categorized by significant advancements coupled with disappointing setbacks. Black Americans had found employment in manufacturing, mining, and railroading during the war. Black men that accepted manufacturing jobs in the 1940s were generally able to keep their jobs in the postwar period, as they were protected by union contracts.[24] For the next two decades, 1.3 million Black Americans would be employed in the manufacturing sector, "those working in retail trades grew from 288,000 to almost 1 million, and those engaged in professional and semiprofessional employment increased from 117,000 to over 500,000."[25] Overall, the comparative earnings of Black men continuously improved following the war, and Black representation in the number of better-paying and more secure fields increased.

However, while some were able to prosper in the post-war labor markets, many faced blatant discrimination. According to a General Motor's manager in 1957, when the company decided to move to the South, they consented to follow local customs and not hire Black workers for production work.[26] Additionally, Black Americans remained segregated

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[22] Anthony S Chen, "On the Origins of Affirmative Action: Puzzles and Perspectives," *The Fifth Freedom: Jobs, Politics, and Civil Rights in the United States, 1941-1972,* Princeton University Press, 2009, 1–31.

[23] Ibid.

[24] Robert H Zieger, "Race and Labor in the Postwar World," *For Jobs and Freedom: Race and Labor in America since 1865,* University Press of Kentucky, 2007, 139–174

[25] Ibid.

[26] Op. cit., fn. 24

from White Americans at work, where most jobs contained an apparent racial hierarchy due to employer and union discrimination.[27] In 1959, the median incomes for Black men and women were only 58% and 57% of the median for all men and women, respectively.[28] While Whites could find skilled and semiskilled positions, most Black Americans accepted unskilled and temporary job positions. Many Black Americans had lower levels of education as they were largely "educated in the South during periods of great inequality in the allocation for school resources."[29] As skill levels dropped, relative income levels would decrease, widening the economic gap between Black and White Americans. Young Black workers also found it challenging to secure a place in the changing economy even after overcoming educational levels that had once been a barrier for higher-paying jobs. As a result, Black youth unemployment increased alarmingly, and union activists fighting for racial justice became targeted.[30] While many profited from growing opportunities in the 1940s, statistics regarding income and employment exposed the obstacles facing Black workers in the rapidly evolving postwar environment.[31] During the postwar boom, Black income increased from under 40 percent of those of White workers in 1940 to 62 percent in 1951.[32] However, this gap decreased in the late 1950s as Black income receded to below 60 percent from 1954 to 1962.

The Civil Rights Movement in the 1960s was the largest organized movement by Black Americans to end racial discrimination in the United States. Along with racial discrimination, the movement aimed to create

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[27] *Ibid.*

[28] *Richard B. Freeman, et al., "Changes in the Labor Market for Black Americans, 1948-72," 67-131, Brookings Papers on Economic Activity, Vol. 1973*

[29] *Op. cit., fn. 22*

[30] *Op. cit., fn. 24*

[31] *Ibid.*

[32] *Ibid.*

equal opportunities for Black Americans, including in the labor market. In 1964, Congress addressed employment discrimination by passing Title VII, a law that currently prohibits discrimination in all employment environments on the basis of race, color, religion, gender, pregnancy, or national origin.[33] Title VII was created with a goal to "'level the playing field' by forcing employers to consider only objective, job-related criteria in making employment decisions."[34] However, Title VII's efforts were dismal, as it only established the Equal Employment Opportunity Commission (EEOC). The EEOC was given very little jurisdiction over job discrimination and virtually no authority to enforce the laws.[35] Beyond performative actions and hopes of shaming employers and unions into changing their actions, EEOC could only provide victims wanting enforcement action the opportunity to file, finance, and win a federal lawsuit on their own.[36] Over time, the EEOC was given more opportunity to combat discrimination in the workplace.

Case Study: Gender Rights

In the early 1900s, White women did not work outside the home, instead focusing on domestic housework. Women who did work filled the service sector as domestics and laundresses and were often young and unmarried[37], as many women left work after marriage, reflecting social and cultural norms, the available opportunities for work, and legal structures.[38] At the time, only 20 percent of all women and 5 percent

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[33] *SHRM, "Title VII of the Civil Rights Act of 1964." SHRM, (May 19, 2017).*

[34] *Ibid.*

[35] *Op. cit., fn. 22*

[36] *Ibid.*

[37] *Claudia Goldin, "The Quiet Revolution That Transformed Women's Employment, Education, and Family." American Economic Review, 96 (2): 1-21, (2006).*

[38] *Janet L.Yellen, "The History of Women's Work and Wages and How It Has Created Success for Us All." Brookings, (May 2020).*

of married women were "gainful workers," the way in which the Census Bureau categorized labor contribution outside the household.[39] The data also ignored contributions married women provided to the economy beyond domestic work, such as housekeeping and childrearing, as it did not take into consideration the work in family businesses and the production of goods that often took place in the home.[40] Beyond cultural norms preventing women from entering the workforce, most women did not receive a substantial education, leaving women with little opportunity for jobs as "piece workers in factories or as domestic workers, jobs that were dirty and often unsafe."[41] Less than 2 percent of all 18 to 24-year-olds were enrolled in higher education, and only 33 percent of those were women.[42] The jobs often lacked opportunity for learning the skills needed for work on the job, and the average married female worker was less educated than the population average.[43] Due to the lack of education and opportunity for women to secure safe jobs, the increase in female labor force participation rose only 9.5 percentage points for women 25 to 44 years old and 7.3 percent for married women 35 to 44 years old from 1890 to 1930.[44] In an effort to promote more women in the workforce, the U.S. Department of Labor established the Women's Bureau on June 5, 1920. The Women's Bureau had the responsibility of formulating policies and norms to "promote the welfare of wage-earning women, improve their working conditions, increase their efficiency, and advance their opportunities for profitable employment."[45] The Bureau was also given the authority to investigate on behalf of the U.S. Department

[39] *Ibid.*

[40] *Ibid.*

[41] *Ibid.*

[42] *Ibid.*

[43] *Op. cit., fn. 37*

[44] *Ibid.*

[45] *"History." Women's Bureau | United States Department of Labor*

of Labor any matters pertaining to the welfare of working women.[46]

Between 1930 and 1950, the precent of married women ages 35 to 44 years old increased by 15.5 percent from 10 to 25 percent.[47] Many factors, including the increased demand for office workers and rising high school enrollment and graduation, caused a spike of female workers to enter the workforce.[48] Between 1900 and 1930, the percent of female workers in the clerical industry rose from 24 to 52 percent.[49] The increased demand for clerical workers and higher rates of females graduating high school resulted in more young women entering into "nicer, cleaner, shorter-hour, and thus more 'respectable' jobs"[50] prior to marriage. This was partially due to the studies of the Women's Bureau in the 1920s and 1930s. The Bureau focused on working conditions for women in a variety of industries before turning towards women's employment in war industries during the 1940s.[51] As women began to get more involved in the labor market, "labor economists analyzed female labor supply decisions in the context of the family unit, rather than the individual, and inquired about the influence of husband's income on wife's 'gainful employment.'"[52] Despite the rising numbers of female workers, women were still tied to jobs with little room for advancement, such as secretaries, teachers, nurses, social workers, and librarians.[53] These specific jobs are still stereotypically associated with women 80 years later.

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[46] *Ibid.*

[47] *Op. cit., fn. 37*

[48] *Ibid.*

[49] *Ibid.*

[50] *Ibid.*

[51] *Op. cit., fn. 45*

[52] *Op. cit., fn. 37*

[53] *Ibid.*

One of the biggest factors in promoting more women in the labor market was the amendment of the Equal Pay Act of 1963. The law prohibited discrimination on the basis of sex for all jobs that requires "equal skill, effort, and responsibility, and which are performed under similar working conditions, except where such payment is made pursuant to (i) a seniority system; (ii) a merit system; (iii) a system which measures earnings by quantity or quality of production; or (iv) a differential based on any other factor other than sex."[54] The law was passed to protect men and women who provide the same work in the same establishment from being discriminated on the basis of the sex. The jurisdiction to enforce the new law was passed to the Department of Labor and was protected until Title VII. Another Title VII law protecting women from discrimination was the Pregnancy Discrimination Act of 1978. The act "forbids discrimination based on pregnancy when it comes to any aspect of employment, including hiring, firing, pay, job assignments, promotions, layoff, training, fringe benefits, such as leave and health insurance, and any other term or condition of employment."[55] Under the law, a woman could no longer be fired if she was temporarily incapable of performing her job duties relating to a mechanical condition from childbirth or pregnancy.[56] It was also unlawful to harass a woman due to pregnancy or childbirth, not provide reasonable accommodations, and refuse pregnancy, maternal and parental leave. This law would be further expanded upon under the Family and Medical Leave Act of 1993, where a new parent, including foster and adoptive parents, are eligible to take 12 weeks of leave to take care of the child.[57] In 1978, President Jimmy Carter transferred

[54] *"The Equal Pay Act of 1963." U.S. Equal Employment Opportunity Commission*

[55] *"Pregnancy Discrimination." U.S. Equal Employment Opportunity Commission*

[56] *Ibid.*

[57] *Ibid.*

the responsibility of the Equal Pay Act and the Age Discrimination in Employment Act to be enforced by the EEOC.[58]

As a result of new federal protection, the employment expectations of female youth for girls ages 16 to 21 increased from about 0.3 to 0.85 from 1967 to 1984.[59] By the time the girls reached age 35, their participation rate was about 0.75.[60] During this time, girls began to enroll in more college preparation courses in high school and decreased the gap between boys and girls in math and science courses.[61] Their aptitude scores in math and reading had jumped one-fifth of a standard deviation, placing them slightly behind boys in math and far ahead in reading by 1992.[62] As of 1990, female participation rates, education levels, and marital statuses had leveled for the first time in the last century. The leveling has begged the question of whether there is "some type of 'natural rate' of female labor force participation" that has been reached.[63] As of 2020, women account for 47 percent of the civilian labor force.[64] However, in 2020, women earned 84 percent of what men earned, meaning it would take women and extra 42 days of work to earn as much as their male counterparts did.[65] While sex discrimination is illegal under Title VII, women are more likely than men to face challenges due to their sex. According to a 2017 survey conducted by the Pew Research Center, about 42 percent of women in the United States reported facing discrimination in the

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[58] *"Timeline of Important EEOC Events," U.S. Equal Employment Opportunity Commission*

[59] *Op. cit., fn. 37*

[60] *Ibid.*

[61] *Ibid.*

[62] *Ibid.*

[63] *Ibid.*

[64] *"Civilian Labor Force by Sex." United States Department of Labor*

[65] *Amanda Barroso and Anna Brown, "Gender Pay Gap in U.S. Held Steady in 2020." Pew Research Center, (May 25, 2021).*

workforce due to their gender compared to just 22 percent of men.[66] Additionally, 25 percent of women say they earned less than a man doing the same job, whereas only 5 percent of men say they earned less than a woman doing the same job.[67] A 2016 survey also found that mothers were "nearly twice as likely as fathers to say taking time off had a negative impact on their job or career."[68] Of those that took leave within two years of the birth or adoption of their child, 25 percent of women reported it had led to a negative impact at work, compared to just 13 percent of men.[69] Overall, while federal laws have promoted more equity for women, yet many barriers still exist for women in the workplace.

Implications of Research Findings

Based on the effectiveness of national laws, such as Title VII, the most effective method of inciting change in equal opportunity is political and legal change. Though it is empirically proven that Black workers in the U.S. face more obstacles in the workforce than other races, my research demonstrates that national entities, like the EEOC and the Department of Labor, can respond to discriminatory hiring and workplace practices by passing laws to limit barriers to entry. By passing laws and making legal changes, the unethical chances for unequal opportunity diminish. As seen in the Civil Rights Movement of the 1960s case study, the passing of Title VII limited some of the barriers Black Americans faced entering into the workforce. The rising fight for Black economic rights in America influenced policy makers to create policies to ensure equality.

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[66] *Kim Parker and Cary Funk, "Gender Discrimination Comes in Many Forms for Today's Working Women," Pew Research Center, (December 14, 2017).*
[67] *Ibid.*
[68] *Op. cit., fn. 65*
[69] *Ibid.*

Likewise, the gender rights case study demonstrates the steady growth of minority communities in discriminatory settings. The fight for justified equal opportunity applied pressure toward new policies and a shift in societal norms. National entities need to continue creating laws to prevent discriminatory processes in the American workforce.

On September 30, 2020, Assembly Bill No. 979 was passed in California. The bill required that before the end of the 2021 calendar year, all "publicly held domestic or foreign corporations whose principal executive is located in California" are required to have at least one director from an underrepresented community.[70] This bill followed Senate Bill No. 826, which required all publicly held domestic or foreign corporations whose principal executive is located in California to have at least one female director on its board by the end of the 2019 calendar year.[71] While these bills are examples of steps in the right direction in terms of legal and policy change to uplift marginalized groups, they need to be enacted across all states. There need to be more national requirements for businesses to ensure diversity on their board of directors to see a substantial change in diversification and equal opportunity. Additionally, these requirements should be used to promote more diversity in the overall makeup of the company, rather than just in the executive board. For companies that have thousands of employees, adding the minimum requirement of minority board members will not make a substantial change. Therefore, national policymakers need to focus on requiring more diversity in all positions, including senior level and management positions. Making more spaces for minorities throughout all levels of the company will foster more change in company culture and movement into more equitable workplaces. Promoting equal opportunity throughout

[70] *"Assembly Bill No. 979," California Legislative Information (September 30, 2020).*
[71] *"Senate Bill No. 826," California Legislative Information (September 30, 2018).*

all levels of a company can also work to decrease wage gaps between genders and races.

Because education and experience requirements are a big determinant in job offers, equal access to quality education is a major obstacle for equal opportunity in employment. While attending school is required for children, not all areas provide the same quality of education, especially those in low-income areas compared to those in affluent areas. To combat this inequity, the government should focus on allocating more funds to challenged schools to improve overall education, facilities, programs, and opportunities for students. While some factors increasing wage discrimination can be measured, like lower levels of education or experience, many are related to discrimination. Because minorities are less likely to serve in higher-paying fields, including STEM fields, the wage gap continues to grow. However, if minorities were given the opportunities to move away from certain industries, including the services sector, and into higher-paying industries, such as technology, the potential for the wage and economic gap to close would increase. One practice businesses should consider when hiring is to look at resumes and job applications without names showing to remove any conscious or unconscious biases. Based on these findings, legal proceedings over workplace discrimination is a suitable catalyst for change.

Educational Attainment

Joelle Swarner

Political Science
Global Politics and Cultures
3rd Year

Joelle Swarner is a third-year Political Science major concentrating in Global Politics, and minoring in Spanish and Theatre Arts. She recently interned with Commonwealth Fusion Systems, a clean energy startup developing commercial fusion energy. She is originally from the Bay Area, and enjoys hiking, spending time at the beach, and traveling.

Abstract

As perhaps the most important features of healthy and flourishing democracies, political participation and voter turnout rates have been extensively studied in order to understand and improve engagement. Though numerous factors influence engagement, the impact of educational attainment is crucial in understanding this relationship and working to ensure that all individuals are able to make their voices heard. Though scholars generally agree that higher educated Americans tend to vote at higher rates and participate more frequently in democratic processes, the factors facilitating this relationship are not fully agreed upon. This paper serves as a review of two of the most well studied theories on this topic, and explores the literature supporting each theory.

The relationship between education and political participation has been studied extensively over the years, developing a strong case for the positive relationship between the two.[1] Though scholars generally agree that higher educated Americans have increased rates of voter turnout and are more likely to engage in other forms of political participation, there is disagreement regarding the mechanisms through which this relationship occurs. Current literature is mainly divided into two camps, with differing ideas on the causal link between education and political involvement. The first and most well-documented theory suggests that it is the specific skills and information learned in educational settings which mobilize voters.[2] In the same vein, scholars have explored the effect of strong verbal skills on political participation, which they argue could explain this complex relationship.[3] Standing somewhat in opposition to these theories, some scholars argue that the nature of the social networks and statuses of highly educated individuals encourage voting, rather than an individual's education level itself.[4]

Theory 1: Civic Education and Verbal Skills

One prominent theory seeking to explain the positive correlation between education and political participation suggests that specific skills learned in school encourage and promote political engagement. Scholars such as Meghan Condon, Steven Rosenhansen, and Sunshine

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[1] *Jan E. Leighley, Jonathan Nagler, Who votes now?, (Princeton, NJ: Princeton University Press, 2014).; Alexander K. Mayer, "Does Education Increase Political Participation?", The Journal of Politics 73 (2011): 633-645.*

[2] *Steven Rosenhansen, and John Mark Hansen, Mobilization, Participation, and Democracy in America, (New York: Macmillan, 1993).*

[3] *Meghan Condon, "Voice Lessons: Rethinking the Relationship Between Education and Political Participation." Political Behavior 37 (2015): 819–843.*

[4] *Meredith Rolfe, Voter Turnout: a Social Theory of Political Participation, (Cambridge: Cambridge University Press, 2014).*

Hillygus seek to form a direct causal link between individual education level and participation by providing evidence that specific curriculum and teaching lead to greater verbal aptitude, civic knowledge, confidence in political discussions, and ability to navigate political systems, which increases the likelihood of voting in future elections and participating in other ways.[5]

Scholars in this camp will argue that verbal skills in particular influence voter turnout, as political participation relies heavily on effective communication.[6] In her 2015 article on political participation, Meghan Condon analyzes this theory using research from The National Longitudinal Study of 1988 (NELS), which collected data on students' verbal skills over 12 years, as well as their voting behavior in the 1992 and 1996 elections, and rates of volunteering in 2000.[7] Using this data, Condon reveals a significant positive relationship between high school verbal test scores and voting in elections immediately after high school as well as four years later.[8] This pattern is even more obvious when looking at high school English grades, likely because this measure includes additional skills such as speaking and listening.[9] These findings are consistent with the theory that education teaches students the effectiveness of actions like speaking and writing, which encourages similar types of communication, such as voting.[10] Additionally, increased confidence when engaging in political talk allows

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[5] *Steven Rosenhansen, and John Mark Hansen, Mobilization, Participation, and Democracy in America, (New York: Macmillan, 1993).*

[6] *Meghan Condon, "Voice Lessons: Rethinking the Relationship Between Education and Political Participation." Political Behavior 37 (2015): 819–843.*

[7] *Ibid.*

[8] *Ibid.*

9 *Ibid.*

[10] *Ibid.*

students to be more immersed in the world of politics and better navigate the complexities of political participation.[11] Condon states: When a person speaks at public meetings, discusses issues, writes to officials, and reads news, the content and context are political, but the skills are general. And when verbal skills help individuals discuss politics and acquire information, they may lower the cost and increase the likelihood of behaviors like voting.[12] Using empirical data on verbal aptitude and voter turnout, Condon effectively highlights the importance of these skills in democratic participation in the United States.

Similarly, it can be argued that college students studying social sciences and humanities in particular tend to be more politically active in the future.[13] Looking at research from the NCES Longitudinal Study, which offers extensive data on college curriculum, SAT scores, and political participation, D. Sunshine Hillygus finds a significant positive relationship between the number of social sciences and humanities credits taken in college and the probability of future political engagement.[14] This relationship highlights the importance of specific college curriculums in producing politically active citizens and affecting voter turnout.[15] Using the NCES data on SAT verbal and math scores, Hillygus also provides significant support for the argument that verbal skills are the most important element in determining political participation, regardless of what class they are learned in. Hillygus finds that as verbal SAT scores increase, so does political participation in the future.[16] In contrast, as scores on the math

[11] *Ibid.*

[12] *Ibid., 821.*

[13] *D. Sunshine Hillygus, "The Missing Link: Exploring the Relationship Between Higher Education and Political Engagement." Political Behavior 27 (2005): 25–47.*

[14] *Ibid.*

[15] *Ibid.*

[16] *Ibid.*

section increase, the probability of political participation decreases.[17] This inverse relationship contradicts the idea that general intelligence, as opposed to verbal skill, is a crucial determinant in both educational attainment and political participation.

Scholars supporting this theory generally agree that there is a direct causal link between education level and political participation, which is a result of some combination of increased verbal aptitude, politically relevant coursework, and general proficiency in navigating the complexities of voting. There are others however, who argue that there is an additional variable which best explains why political participation increases with education attainment in the United States.[18]

Theory 2: Social Networks and Norms

Scholars supporting the social networks theory generally believe that the correlation between education and political participation only exists because education level is such a strong determinant of social position.[19] In this view, a person's social context may be a more powerful factor than education alone in political involvement. For example, it can be argued that as educational level increases, individuals find themselves in closer proximity to political power, resulting in greater benefits of voting and participation.[20] When it comes to the nature of highly educated individuals' social position and why it is conducive to political activism and high voter turnout, there are several possible explanations.

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[17] *Ibid.*

[18] *Meredith Rolfe, Voter Turnout: a Social Theory of Political Participation, (Cambridge: Cambridge University Press, 2014).*

[19] *Ibid.*

[20] *Norman H. Nie, Jane Junn, Kenneth Stehlik-Barry, Education and Democratic Citizenship in America, (Chicago, IL: University of Chicago Press, 1996).*

First, some scholars argue that Americans are divided into distinct social groups based on education, and that which group an individual belongs to greatly affects their political activity.[21] One source, authored by Meredith Rolfe, analyzes this theory based on the assumption that all voting is mobilized by an individual's environment in some way.[22] Using data from the General Social Survey (GSS), which contains measures of social network size and characteristics, Rolfe is able to model the social circles of individuals with different levels of education. Her research shows that "higher education is a significant social dividing point in U.S. society".[23] Higher educated individuals tend to have more extensive and more diverse social circles, while less-educated Americans tend to have smaller social circles which consist of mostly other lower educated individuals.[24] These findings support the theory that because the social networks of higher educated Americans are more widespread and therefore are more conducive to cooperation, individuals in these circles will observe the voting behaviors of those around them and behave similarly.[25] This source contradicts the idea that individual skills and characteristics affect their voting behavior and the likelihood of political participation, by highlighting the importance of social circles.

A strong argument can also be made for the importance of social norms within an individual's social network and how they affect political behavior. Hansen and Tyner highlight this idea using data from The American National Election Studies' 2016 Time Series Study, which

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[21] *Meredith Rolfe, Voter Turnout: a Social Theory of Political Participation, (Cambridge: Cambridge University Press, 2014).*

[22] *Ibid.*

[23] *Meredith Rolfe, Voter Turnout: a Social Theory of Political Participation, (Cambridge: Cambridge University Press, 2014), 132.*

[24] *Ibid.*

[25] *Ibid.*

measures whether individuals view voting as a civic duty, and whether they would report that they had voted when they actually had not.[26] The data indicates that higher educated Americans are more likely to both view voting as a civic duty, and to lie about whether they had cast their vote in the 2016 general election.[27] Given this research, the source suggests that higher educated individuals tend to end up in similar social circles, and that because educational institutions deliberately instill voting norms, extensive peer to peer encouragement to vote and participate in politics will be present within those networks.[28] This peer to peer encouragement tends to remain within one's educational cohort, resulting in these consistent differences in rates of voter turnout among higher and lower educated Americans.[29] This approach also emphasizes the importance of social circles in voter turnout and political participation, and provides an alternative explanation for why higher educated individuals vote at higher rates.

In a slightly different vein, others argue that it is not just the size and characteristics of an individual's social network that influences their voting behavior, but their proximity to political power.[30] In their 1996 paper, Norman H. Nie, Jane Junn, and Kenneth Stehlik-Barry posit that highly educated individuals find themselves in social circles with connections to political power, which increases the benefit of their participation in political systems.[31] The effect of education is,,therefore, relative to the society in which someone lives, as their place in the

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[26] *Eric R. Hansen, Andrew Tyner, "Educational Attainment and Social Norms of Voting." Political Behavior (2019).*

[27] *Ibid.*

[28] *Ibid.*

[29] *Ibid.*

[30] *Norman H. Nie, Jane Junn, Kenneth Stehlik-Barry, Education and Democratic Citizenship in America, (Chicago, IL: University of Chicago Press, 1996).*

[31] *Ibid.*

social hierarchy is what affects political participation, rather than their education itself.[32] Using data from the 1972 and 1994 National Election Surveys and General Social Surveys, this study finds evidence that the positive relationship between absolute education level and political participation can often be negated or even overtaken by changes in relative education level.[33] This implies that the attainment of a given level of education is less important than achieving an education level that is higher than many others, which reinforces the theory that an individual's place within society and their relation to politically influential systems and individuals is what causes the positive correlation between education and civic engagement.[34]

The social theory of voter turnout argues that an individual's skills and ability to navigate political systems matter less than the social circles they are a part of. Environmental cues and peer encouragement within these networks instill voting norms and create more of an incentive for individuals to cooperate by participating in politics, specifically through voting.[35] Others highlight the importance of relative education level when it comes to political participation, as that is what determines an individual's position in a social hierarchy and their proximity to political power.[36]

Conclusion

In regard to the complex relationship between educational attainment and political participation, the literature is fairly divided. However, one

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[32] *Ibid.*

[33] *Ibid.*

[34] *Ibid.*

[35]*Eric R. Hansen, Andrew Tyner, "Educational Attainment and Social Norms of Voting." Political Behavior (2019).*

[36] *Norman H. Nie, Jane Junn, Kenneth Stehlik-Barry, Education and Democratic Citizenship in America, (Chicago, IL: University of Chicago Press, 1996).*

thing remains consistent: education is crucial to the proper functioning of a democratic system. Highly educated citizens tend to be the most politically active, whether it be because of their verbal skills and ability to navigate complex systems, their social position, or as a result of a more complex combination of factors. Though the literature on this topic is extensive, there are elements that have not been discussed thoroughly.

First, scholars should place greater emphasis on the effect of the digital world on the relationship between education and political participation. With increased access to news articles, political information, and voter registration resources, it would seem that today political participation should be less divided based on educational attainment. In addition, social networks may become more diverse as communication across socioeconomic and geographical barriers becomes easier. If these variables do not have any effect on political participation, it would be important to explore why that is the case. Though the effect of education on voter turnout and other forms of political participation has consistently been positive, these additional variables should be investigated.

The literature also tends to neglect the normative element of this topic. With significant barriers to educational attainment for many Americans, such as the increasing cost of college, it is important that scholars not only discover why the relationship between education and participation exists, but also focus on how to ensure that all individuals are able to make their voices heard. It would seem that given the enduring relationship between the two variables, there should be a focus on making higher education more accessible to all Americans, or finding other ways to enable and encourage political participation among lower educated individuals.

Sex Education as an Aspect of the Culture War

Madison Ross

Political Science
Pre–Law
3rd Year

Madison Ross plans to attend law school. In terms of campus involvement, she competes on Cal Poly's mock trial team, tutors in the Writing and Learning Center, and sits on the Diversity and Inclusion Committee for Alpha Chi Omega Sorority. She recently completed an internship for the San Luis Obispo County Democratic Party and currently interns at 805 Law group that practices family law, criminal law, and other forms of litigation. Her passion lies with equality and justice, and she hopes one day to make a positive difference in the lives of others through law. In her free time, she enjoys playing volleyball, reading, and spending time with the people she loves!

Abstract

The culture war is a political power struggle between progressives and Christian traditionalists who aim to see their values reflected in government policies. One aspect of this culture war is sex education, which has serious health and societal implications for young people. Because of these implications, the United States has a vested interest in funding appropriate programs that best promote public health outcomes. There are two different approaches to sex education curricula: abstinence only until marriage (AOUM) programs and comprehensive sex education programs. This paper explores the legislative inquiry of which sex education curriculum is best suited for U.S. public schools by analyzing the conflicting arguments from both sides of the culture war, historical funding legislation, and the effectiveness of each program.

For the past several decades there has been a fierce debate about what type of sex education that should be taught in U.S. public schools, shaping local, state, and federal policy. The conversation around the sex education emerged following the spread of HIV as a sexually transmitted infection in the 1980s, taking condoms into the limelight of media and politics (Starkman and Rajani 2004). During this time experts agreed that external condoms are the best way outside of abstinence to avoid HIV (Starkman and Rajani 2004), and this newfound information about contraception sparked controversy regarding the role of public schools in educating young people about sex in health classes. Two different approaches to sex education emerged: abstinence-only-until-marriage (AOUM) programs and comprehensive sex education programs. The AOUM approach to sex education asserts that abstinence is the only moral form of sexual expression and often excludes information about contraception, sexually transmitted diseases, safe sex practices, and LGBTQ identities from its curriculum (Donovan, Patricia, 1998). Conversely, comprehensive sex education discusses contraception, condoms, and other preventative methods to reduce the rates of contracting sexual diseases while including topics such as homosexuality (Starkman and Rajani, 2004). Because teen pregnancy and STD rates in the United States are notably high compared to other developed countries (Stanger-Hall, Hall, 2011), parents, educators, and policymakers have a vested interest in finding programs that will lower these numbers. Through numerous studies and statistical analyses, it is evident that the comprehensive sex education approach is significantly more effective than AOUM programs at curtailing teen pregnancy and STD rates (Jeynes, 2020, Ott, Santelli, 2007), but there continues to be significant pushback against the implementation of these programs. One explanation for the controversy between the two sex education approaches is the religious and partisan conflict over cultural issues

known as the "culture war" (Castle, 2019).

The Culture War

Beginning in the 1960s, the United States experienced a religious and political divide over issues such as abortion and prayer in public schools, earning the name the "culture war" (Castle, 2019). The culture war is a political power struggle between progressives and Christian traditionalists who seek to see their values reflected in government policies (Castle, 2019). As we will explore, traditionalists, who aim to promote Christian values and strengthen the moral fabric of politics, are one of the main forces preventing the implementation of comprehensive sex education programs.

Scholars have associated the discrepancy between sex education programs to the conflicting stances of the American public of whether sex education should be taught on a scientific basis or on a moral basis rooted in religious values (Taylor, 2010, Ott, Santelli, 2007). Cultural progressives advocate for a scientific approach to sex education, with a curriculum that includes information on condoms, birth control, safe sex, homosexuality, and sexually transmitted diseases (Taylor, 2010). Conversely, Christian traditionalists, also known as the "Christian Right," advocate for an approach to sex education that promotes a specific normative vision of what a family should be. They do this by excluding any material from their curricula about safe sex, birth control, and homosexuality, while advocating for teens to abstain from sexual relations until marriage (Taylor, 2010). The moral perspective comes from the "Abstinence-Only Movement," a single-issue group emerging from the 1980s HIV epidemic that teaches that abstinence is linked to the Evangelical Christian right's morality, sexual purity,

and heterosexual marriage (Calterone Williams, 2011). Because this vision is recognizably part of the Christian Right worldview, it can be regarded as a Fundamentalist expression (Taylor, 2010), advocating for strict adherence to biblical values. Although this movement wishes to confound the separation of church and state, it has managed to successfully instill its values in federal and state legislation.

Legislation

By analyzing the reports and writings of many scholars and researchers, it is evident that in the past the U.S. federal government showed a preference for AOUM programs, siding with the traditionalists' moral argument. Under President George W. Bush and previous conservative administrations, the federal government devoted significant resources to AOUM program through a multitude of initiatives, such as the Adolescent Family Life Act (AFLA), Community-Based Abstinence Education (C9BAE), and Title V, Section 510 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (welfare reform), among others (Stanger-Hall, Hall, 2011). These policies allocated millions of dollars to states that promoted abstinence before marriage and subsequently integrated these policies into their curricula, while also providing menial funds to comprehensive sex education programs (Donavan, 1998). This is all in an effort to uphold religious and moral standards in this country with the goal of reducing pregnancy and STD rates. However, many scholars believe this legislation was mostly symbolic and merely aimed to appease the culture traditionalists and gain constituent votes. As health specialist David N. Vegari puts it, AOUM "legislation is often symbolic rather than instrumental; legislators often adopt policy that is not is not necessarily expected to create positive policy outcomes" (Arsenault, 2001). By taking a principled approach rather than a progressive rational

approach, legislators prioritized righteousness and re-election over the safety of the public.

However, the Christian Right's renewed focus on abstinence as a response to a 'sex-saturated society' (Calterone Williams, 2001) comes with sufficient opposition. With the election of President Obama in 2008, the abstinence-only movement lost funding and support from the federal government (Calterone Williams, 2011). The government began to listen to the extensive body of scientific research that exemplifies the importance and the effectiveness of comprehensive sex education. As the Bush administration and his supporters lost power and the country began to swing left in the culture war, Congress began to fund "evidence-based" sex education programs that do not solely rely on a moral justification (Calterone Williams, 2011).

The implementation of progressive legislation under the Obama administration can be linked to a shift in public opinion. According to a 2014 poll conducted by GfK Custom Research, when looking at a representative sample of 1,663 pairs of parents and their children (ages 9-21), over 90% of parents reported that they believe it is important to have sex education in both middle and high school. The parents reported that they believe sex education should include a wide variety of topics, including "birth control, STDs, healthy vs. unhealthy relationships, abstinence, and sexual orientation" (Planned Parenthood, 2014). It is evident that parents value the health of their children over the Christian morality agenda, and federal legislation should justly reflect public opinion. While the U.S. has made great strides regarding the implementation of sex education programs, many students are still not receiving the information they need to protect themselves. 35% of public schools still teach abstinence as the only option outside

of marriage, with the discussion of contraception either prohibited entirely or permitted only to emphasize its shortcomings (Landry, Kaesar, Richards, 2020). This proves that the sex education debate is far from over, and this aspect of the culture war will continue unless we commit to prioritizing the health of young Americans.

Effectiveness

One argument that may continue this debate is that abstinence is the only way to completely prevent STDs and unwanted pregnancies. While theoretically this is true, intentions to abstain from sexual activity often fail. Based on a report released from the National Center for Health Statistics, it is estimated that more than half of U.S. teenagers have had sex by age 18 (CDC, 20178). Despite the efforts of cultural traditionalists, sexual activity is still occurring among teens and schools should provide teens with the resources needed to protect themselves effectively and to navigate sex safely by implementing comprehensive sex education programs in U.S. public schools.

To further suggest that we should abandon AOUM sex education in public schools, a plethora of research substantiates the claim that there exist dangerous repercussions of purging vital information about sex from health curricula. For example, the Journal of Adolescent Health conducted a study in 2002 among never-married heterosexual teens ages 15-19 comparing the sexual health risks of adolescents who received comprehensive sex education to those of adolescents who received no formal sex education. The results were clear: "adolescents who received comprehensive sex education were significantly less likely to report teen pregnancy than those who received no formal sex education, whereas there was no significant effect of abstinence-only education" (Kohler,

Manhart, Lafferty, 2008). Not only did receiving an AOUM education not stop or delay intercourse, but districts and counties that did not properly teach about contraception and other preventative measures had higher levels of teen pregnancy and STD rates (Kohler, Manhart, Lafferty, 2008). Conversely, comprehensive sex education correlates with the lowest teen pregnancy rates in the nation (Stanger-Hall, Hall, 2011). Thus, the conclusive findings of sex education studies stress the integration of comprehensive sex education as the only viable option to address risk-aversion and future planning to lower STD and pregnancy rates.

Conclusion

After considering both sides of the culture war on sex education, it is clear that the cultural progressive argument is more compelling than the culture traditionalist argument. The progressives rely on science, verified data, rationality, and common sense to prove the effectiveness of comprehensive sex education programs, making their argument the most evidence-based option for legislation. Adversely, culture traditionalists rely on faith-based contentions and push their Christian Right, morally contrived agenda on lawmakers but fail to provide scientific evidence that their preferred sex education program works at lowering teen pregnancy or STD rates. Pursuant to the establishment clause of the first amendment, the government shall make no law "respecting an establishment of religion" (U.S. Const.amend. I.). Religion has no business in federal, state, or local legislation, and the abstinence-only movement violates the separation of church and state upon which our democracy relies. The federal government should end this "new front" of the culture war by funding public schools and passing legislation that provides complete, comprehensive sex education curricula about safe sex, contraception, and homosexuality to promote the health of young Americans.

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U.S. Const.amend. I.

New Challenges Posed by the Belt and Road Initiative

Maxwel Blanchard

Political Science,
Pre–Law
4rd Year

Maxwel Blanchard is a fourth-year Political Science major with a concentration in Pre-Law that will be graduating Spring quarter of 2022. He has interned with the San Luis Obispo County Democrats in order to raise awareness on a variety of issues in SLO including homelessness, gerrymandering, and upcoming elections. In his free time, Max enjoys skateboarding, baking and working out.

Abstract

In the 21st century, colonialism that took the form of soldiers and settlers invading and occupying new resource-rich territory is long in the past. It has become far too costly, both in terms of economic and social blowback, for a global superpower to colonialize nations in this way. However, this dynamic has taken the form of neo-colonialism; dominant superpowers take advantage of the power imbalance relative to their neighboring countries in order to entice neighboring governments into deals that may appear beneficial, but which ultimately benefit the wealth of the superpower at the expense of the developing nation. China has recently launched the Belt and Road Initiative, through which the country has been able to secure for itself both the natural resources of their less developed neighbors, as well as control vital infrastructure. This expansion of Chinese influence threatens the United States' dominant position in the global theatre, raising questions as to how the United States should respond.

On January 15th, 2020, The New York Times reported that China was reigniting its Belt and Road Initiative (BRI) and beginning to take a renewed interest in further investment into infrastructure projects of surrounding developing nations.[1] According to the article, China has awarded contracts totaling over 128 billion dollars in 2018 alone, an increase of 41% compared to the year before.[2] China began the Belt and Road Initiative intending to expand its regional influence by offering attractive infrastructure contracts that would allow China to take advantage of regional markets and facilitate trade. These contracts represent a massive investment, sometimes offering up to half a country's total GDP in one contract, and an alternative to the typical aid-based development offered by the US.[3] This alternative style of development can be highly enticing for developing nations. However, many are incredibly skeptical of this new wave of investment. US policy experts have accused China of engaging in predatory lending to make regional neighbors more dependent on China.[4] Officials in the United States and many developing nations have pointed out the insidious nature of these loans. Countries that have accepted contracts for development must return the funds lent to them or face the consequences of defaulting.[5] Other experts have recognized the BRI as "one of the main planks of a bolder Chinese statecraft under Xi" as it has been used to expand the power of the Chinese government and push back against American influence.[6]

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[1] Keith Bradsher, "China Renews Its 'Belt and Road' Push for Global Sway," The New York Times (January 16, 2020)

[2] Ibid.

[3] Ibid.

[4] Congressional Research Service. (2021a, January). China's "One Belt, One Road" Initiative: Economic Issues.

[5] Ibid

[6] "China's Massive Belt and Road Initiative," Council on Foreign Relations (October 13, 2020)

This new wave of investment from China is a dramatic change. China once again shows interest in expanding its regional influence through development contracts and offering an alternative to the US development model. Since the end of the Cold War, the United States has stood alone as a world superpower. The hegemonic power that the United States wields is now being challenged as China offers alternatives to US-sponsored development. The Belt and Road initiative was launched in 2013 by the Chinese leader Xi Jin Ping and now involves more than 68 countries, 65% of the world's population, and 40% of the global GDP as of 2017, according to a report released by the United Nations.[7] However, many of the early projects that the BRI sponsored have made other countries hesitant to accept the Chinese contracts.[8] Recently, Australia backed out of a development contract with China that had been agreed upon in 2019. The Australian government cited concerns that the BRI contract was "not consistent with Australia's national interest" and feared that the project was more concerned with expanding China's influence.[9] Another example of this was , in Sri Lanka, where President Mahadina Rajapaksa repeatedly reached out to the Chinese government about an ambitious project to develop a port in Sri Lanka.[10] Despite two feasibility studies conducted on the port that determined that it would not be economically viable, China approved the project and allowed the Sri Lankan government to incur over a billion dollars in debt. The Sri Lankan government could not afford to pay back debt and was forced to renegotiate the terms of the development contract in exchange

[7] *World Bank Group. (2020, March 20). Belt and Road Initiative. World Bank.*

[8] *"China's Massive Belt and Road Initiative," Council on Foreign Relations (October 13, 2020)*

[9] *Varano, B. J., Laurenceson, J., Faiia, B. G. D., & Biscop, S. (2021, May 5). Tearing Up the Belt and Road Initiative: Australia's Rejection of China's New Silk Road in Victoria. Australian Institute of International Affairs.*

[10] *"How China Got Sri Lanka to Cough up a Port, The New York Times (September 15, 2020)*

for more time to pay off the debt Sri Lanka incurred. China agreed to forgive one billion dollars of the Sri Lankan debt owed to China in exchange for control of the port and 15,000 acres of surrounding land for the next 100 years.[11] Despite the BRIs history of predatory lending practices, the offer posed by the BRI is still enticing as 138 different countries have signed onto the BRI since January of 2020, according to a report released by the OECD.[12]

The implications of this challenge to US hegemony are dire. The United States has used the soft power offered by its international development projects to ensure that countries act in the interests of the US. Without another global superpower interested in foreign development since the collapse of the Soviet Union, the United States has been allowed to dominate international development. The United States has used the controlling position the US has in both the IMF and the World Bank to expand American influence and promote US interests.[13] However, the BRI now offers an alternative for countries that are desperate for development but are unwilling to submit to the soft power of the US. China has begun work to establish its own financial institutions, the Asian Infrastructure Investment Bank and the New Development Bank, as an alternative to the IMF and World Bank, capable of giving loans and sponsoring development.[14] The Chinese government also makes countries a unique offer in the form of massive infrastructure projects. Many developing countries find the Chinese model an attractive alternative to the in-kind aid offered by the United States. An alternative to the

[11] *Ibid*
[12] *OECD. (2020, February). China's Belt and Road Initiative in the Global Trade, Investment and Finance Landscape. United Nations.*
[13] *Congressional Research Service. (2020). The World Bank.*
[14] *Congressional Research Service. (2020a). Multilateral Development Banks: Overview and Issues for Congress.*

US form of development means that the United States will not be able to leverage its offers of international development to promote the United States' interests effectively. As China continues to challenge the United States on international development, the United States stands to progressively lose the massive benefits that it enjoys due to the soft power garnered from these development projects. To understand the impact that the expansion of Chinese international influence will have on global geopolitics leads me to ask the following question: How is the Belt and Road Initiative challenging US-led development projects?

Conventional Wisdom

Many Americans believe that China poses a mounting threat to the controlling position the United States enjoys internationally. For years, politicians on both sides of the aisle have raised concerns over the growing debt that the United States has owed to China, citing it as an example of China's growing challenge to US hegemony.[15] A recent poll conducted by the Pew Research Center asked Americans whether they consider China an ally or a competitor and an enemy. 89% of the Americans who responded to that poll consider China a competitor and a threat to the United States' power.[16] In another poll conducted by Gallup Polls, pollsters found that a record 63% of Americans polled regarded China's economic power as a critical threat to the United States.[17] Both of these polls reveal the rising concern of Americans who believe China to be a significant threat to

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[15] *The White House. (2018, October). Remarks by Vice President Pence on the Administration's Policy Toward China – Foreign Policy.*

[16] *Laura Silver, Kat Devlin, and Christine Huang, "Most Americans Support Tough Stance toward China on Human Rights, Economic Issues," Pew Research Center's Global Attitudes Project (Pew Research Center, May 24, 2021),*

[17] *Mohamed Younis, "New High in Perceptions of China as U.S.'s Greatest Enemy," Gallup.com (Gallup, October 13, 2021),*

the position of global dominance that the United States has maintained. Americans fear the continual challenges that China is making to the US model of international development will cause the United States not to be able to maintain its controlling international position.

While China is increasingly challenging US-led development projects, the conventional wisdom that China is a challenge to US regional power is misleading. China has dramatically expanded its level of regional influence through the aid it has sponsored, but the United States still enjoys a great deal of power and influence even in Eastern Asia.[18] The nations that comprise the Association of Southeast Asian Nations (ASEAN) are collectively the US's 4th largest trading partner. Additionally, trade with ASEAN block countries and the US totaled an estimated $362 billion in 2020 alone.[19] China has only recently begun its investment in foreign development. In contrast, the United States has been funding international development projects using them to successfully increase its power since the end of World War II with the implementation of the Marshall plan.[20] It will take years more of investment and creation of institutions for China to be able to leverage its development projects into the same kind of soft power the United States has. Additionally, China's BRI is very much focused on its own region of influence. In order to begin to challenge the United States' position as the lead global superpower, the scope of the development project would have to be expanded past Africa and Asia. While China is significantly increasing its level of control and influence through the

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[18] *Congressional Research Service. (2021a). U.S.-China Strategic Competition in South and East China Seas: Background and Issues for Congress.*
[19] *Office of the United States Trade Representative. (2021a). Association of Southeast Asian Nations (ASEAN) | United States Trade Representative. Executive Office of the President.*
[20] *Congressional Research Service. (2018). The Marshall Plan: Design, Accomplishments, and Significance.*

BRI and challenging US development, China would still need to grow significantly its power to stand in opposition to the influence of the United States.

Methodology and Evidence

To demonstrate how the Belt and Road Initiative poses a challenge to US development, this paper will use qualitative methodology in the form of comparative case study research. This research paper will focus on three different forms of challenges to US-led development as its units of analysis. The three challenges this paper will analyze as case studies are expanded use of Chinese currency, offers of infrastructure-focused development projects, and the creation of new international financial institutions. This paper will predominantly draw on primary sources, including fact sheets from the US Department of Commerce, reports from the Congressional Research Service, and the development contracts of the Belt and Road Initiative to answer the research question without bias. This paper will also draw upon secondary sources, including scholarly articles published by The New York Times and Forbes, to support its conclusions.

Theoretical Paradigm

The theoretical paradigm that best explains and frames my research question is neo-imperialism. This theory, written by Leo Panich, describes states as the primary drivers of change instead of interest groups or corporations.[21] In contrast to the widely held belief that imperialism no longer affects modern politics, the neo-imperialist theory asserts that imperialism has not faded from the world stage. Instead, this theory proposes that the methods of control that neo-imperialist states use

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[21] *Panich, L. (2000). The New Imperial State. In Globalization (p. 5). New Left Review.*

have grown to be less evident as they increasingly rely on more soft power over direct intervention.[22] The neo-imperialist theory proposes that the rise of American global dominance "entail[ed] a new type of non-territorial imperialism, implanted and maintained not through direct rule."[23] Neo-imperialist theory also asserts that neo-imperialist countries exert control by determining the relation of production between states and themselves. Through this determination, neo-imperialist states can arrange deals that, while still beneficial to the typically less-developed nations they are offered to, heavily favor the more powerful state.

Given these assumptions, neo-imperialist theory will help to explain and frame my findings. The framework provided by this theory suggests that the United States and China engage in neo-imperialist foreign development projects to bolster their soft power. It points out that "when multinational capital penetrates a host social formation, it arrives not merely as abstract foreign investment" but instead acts as a "transformative social force within the country."[24] Both China and the US take advantage of the transformative ability of their foreign capital to negotiate terms of development projects that favor their own interests. This framework proposes that China's increased interest in foreign investment is a method to gain regional influence over its neighbors by taking advantage of its dominant position.

Case Study: Infrastructure-Focused Development Projects

This case study will focus on how China challenges US-led development by offering infrastructure-focused development projects as an

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22 *Ibid.*, 8.
23 *Ibid.*, 9.
24 *Ibid.*

alternative to the model of international development that focuses on the liberalization of economies typically offered by the US. The US model of development offers struggling countries loans based on the conditions that the countries dramatically change the structure of their economy according to fact sheets published by the IMF.[25] These conditions are meant to solve the root causes of the economic strife that forced countries to require foreign assistance in the first place.[26] According to a report released by USAID, the United States encourages international development, not through direct funding of infrastructure projects but instead through the liberalization of struggling economies and integration into the world market.[27] Some examples of implementing these neoliberal policies are the removal of any protective tariffs or other taxes that make interaction with the global market less profitable.[28] The USAID also states that it advises public officials in emerging economies to specialize their economies and abandon producing things that can be imported cheaply from the world market, such as food.[29] These guidelines are meant to aid countries that have accepted investment from the United States in paying back the debt that they owe. The United States model of aid does not focus on the direct funding of infrastructure projects but instead lends money to governments to allow them to liberalize their economy and break down trade barriers.[30] According to the Department of USAID, of the nearly 300 billion dollars that the United States spent on foreign aid between 2013 and 2018, 78% of it was spent on "bilateral economic development programs'' and "military and non-military security assistance".[31] The US model of

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[25] *IMF. (2016, August 2). IMF Conditionality.*

[26] *Ibid.*

[27] *USAID. (2021). Economic Growth and Trade. U.S. Agency for International Development.*

[28] *Ibid.*

[29] *USAID. (2020). Economic Growth Policy. US Agency for International Development.*

[30] *Ibid.*

[31] *USAID. (2021a). Budget | U.S. Agency for International Development.*

international development de-emphasizes foreign direct investment in infrastructure projects and businesses, in favor of bilateral aid that comes with conditions to integrate into the world economy.

However, in recent years, the Belt and Road Initiative has posed a challenge to this dominant form of foreign development. Instead of offering large loans on conditions that countries liberalize their economies, China offers less developed countries investment in large infrastructure projects that must be paid back.[32] China's model has in the past been criticized as "debt-trap diplomacy," as the infrastructure projects offered are collateralized with the control of critical economic hubs such as ports, airports, or roads.[33] Some examples of China's alternative method of development to the United States are the rail lines being constructed using Chinese investment in Belgrade, Serbia.[34] Between 2010 and 2019, China invested 1.9 billion dollars in constructing a new rail line in Serbia, while Chinese infrastructure loans to the Serbian government are estimated to exceed 7.9 billion dollars, according to data released by the Serbian government.[35] This kind of direct investment stands in stark contrast to the type of aid typically made available to developing nations by the United States. Unlike US foreign investment, the project does not require that the Serbian government change its economic structure. Instead, it only requires that the Serbian government repay the debt or hand over control of the rail

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[32] *Congressional Research Service. (2021b, January). China's "One Belt, One Road" Initiative: Economic Issues.*

[33] *Ibid.*

[34] *United Nations Department of Economic and Social Affairs. (2021). Project Report Strengthening National Policy Capacities for Jointly Building the Belt and Road towards the Sustainable Development Goals. United Nations.*

[35] *Public Debt Administration. (2019). Public Debt Administration - Government of the Republic of Serbia. Republic of Serbia Ministry of Finance.*

line if they cannot.[36] While some, including many Serbian citizens, may be concerned about the possibility of debt dependency on China, this form of investment serves as an alternative and a challenge to US-led development.[37] In Colombia, China continues its pattern of challenging the US hegemony and is currently negotiating four different deals for direct investment in Colombian infrastructure. A company owned by the Chinese government won a bid for a Bogota metro contract for 4.5 billion dollars in October 2019, and has also invested another 1 billion dollars in a tram connecting the city's outer limits to the urban hub.[38]

As China spreads its Belt and Road Initiative across the globe, it seems that promises of direct investment threaten the United States' position at the forefront of international development. Unlike the Chinese government, the United States government cannot directly invest in businesses and infrastructure projects, and instead must rely on private companies to directly invest in foreign markets.[39] However, infrastructure projects such as rail lines and roads typically cost billions of dollars over long periods of time, something many private companies in the US cannot afford to sustain. The United States government additionally cannot dictate that private companies make investments to promote the welfare of the state, unlike China which has nationalized many of its major industries and companies.[40] Through the use of these nationalized industries and companies, China can offer less-developed

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[36] *Ibid.*

[37] *Hurley, J., Morris, S., & Portelance, G. (2020). Examining the Debt Implications of the Belt and Road Initiative from a Policy Perspective. Center For Global Development.*

[38] *Lievano, A. B. (2020, March 6). Chinese companies win bid to build Bogotá metro. Dialogo Chino.*

[39] *Sutter, K. M. (2021, December). China's Recent Trade Measures and Countermeasures: Issues for Congress. Congressional Research Service.*

[40] *Ibid.*

nations development and infrastructure projects that the United States government cannot, challenging the United States' chokehold over international development.

Case Study: Creation of New International Financial Institutions

The United States has used its position of power and leadership in the World Bank and the IMF to direct them to act in the interests of the United States through the development projects they offer to developing nations. [41] Since the founding of both of these institutions, they have primarily acted as arms of US control that promote the interests of the United States abroad. While both of these institutions are ostensibly entirely separate from the US government, both of their headquarters are located in Washington DC. The President of the World Bank has always been an American citizen that is nominated by the US.[42] Since the foundation of the World Bank and the IMF in 1944, the World Bank has funded over 12,000 different development projects.[43] These development projects have been a massive boon to the United States, as they have been mainly implemented under the direction of the United States for the purpose of promoting the interests of the United States abroad. For many countries, the World Bank and the IMF stood as the only viable method of receiving large loans for development projects, allowing the United States to set terms favorable to themselves.

However, China's Belt and Road Initiative is starting to challenge these US-led development projects through the creation of their own multilateral development banks (MDB) capable of providing funding for

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[41] *Congressional Research Service. (2020). The World Bank.*

[42] *World Bank. (2021). Organization.*

[43] *IDA. (2020). Financing | International Development Association - World Bank. World Bank.*

development. By offering alternative paths of international development other than investment from the IMF or World Bank, China is directly challenging the United States' virtual monopoly. In the past decade, China has led the foundation of the Asian Infrastructure Investment Bank (AIIB) and the New Development Bank (NDB or BRICS bank), two new multilateral development banks with the focus of supporting public or private projects through loans that are both headquartered in different parts of China.[44] The AIIB was initially founded in 2015 as part of China's BRI with 57 founding members as two of the first major MBD's created in decades.[45] Since then, the AIIB has nearly doubled in size as it now boasts 103 members, nearly rivaling the 119 member countries of the World Bank and the IMF.[46] Since its creation in 2016, the AIIB has lent over $21.5 billion in 26 new development projects. [47] The United States has sought to improve its conditions and promote its own interests through conditions attached to World Bank and other MDB loans.[48] These new financial institutions seek to challenge the influence that the United States has enjoyed through the World Bank by offering viable alternatives for the funding of development.

While there are members of the AIIB other than China, China occupies a similar role in the AIIB to the one that the US does in the World Bank, in that it essentially directs most of the AIIB's activities. China is the largest shareholder in the bank, having contributed $50 billion, half of the subscribed capital in the bank, and has 27% voting power. This is a substantially larger voting power than the second-largest AIIB member,

[44] *Weiss, M. (2017). Asian Infrastructure Investment Bank (AIIB). Congressional Research Service.*
[45] *Congressional Research Service. (2020b). Multilateral Development Banks: Overview and Issues for Congress.*
[46] *Congressional Research Service. (2021a). Asian Infrastructure Investment Bank.*
[47] *Ibid.*
[48] *Ibid.*

India, which only has 8% voting power. [49] Not only does China enjoy a plurality of the voting power of the AIIB, but the AIIB also differs from most MDB's in that it gives significantly more power to its founding member China. The AIIB allows China to veto any operational matter that it does not approve of, which gives China a great deal of control in determining which development projects are approved or denied.[50] While the United States has been invited to join the AIIB, both the Obama and Trump administrations believed that the large amount of control that China had over the AIIB made joining the AIIB against the interest of the United States.[51] Some countries have voiced suspicions about the AIIB because of the history of predatory lending that China has with the funding of its BRI contracts. China quickly distanced the AIIB from the Belt and Road Initiative, fearing that if the AIIB became associated with the predatory lending of the BRI, it would be nearly impossible for it to stand in opposition to the IMF as more developed nations would be hesitant to join. Despite the attempts to distance the AIIB from the BRI, President Xi Jin Ping has admitted that they are "two engines on the same aircraft."[52]

The New Development Bank, or the BRICS bank, is another new financial institution that is posed to further challenge the power of the IMF and the World Bank and thus the United States. The BRICS bank is named after the five member countries of Brazil, Russia, India, China, and South Africa, which together account for 41% of the world population and make up 23.2% of the world's GDP.[53] Even in the very early stages of the

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[49] *Ibid.*

[50] *Ibid.*

[51] *Congressional Research Service. (2021a). Asian Infrastructure Investment Bank.*

[52] *AIIB. (2020). His Excellency Xi Jinping, President of the People's Republic of China to Participate in 2020 AIIB Annual Meeting - News - AIIB.*

[53] *IMF. (2020). Report for Selected Countries and Subjects. International Monetary Fund.*

BRICS bank, it stood as an opposition to the IMF and sought to challenge how it lent and held votes on its lending. In 2010, the BRICS nations offered to boost the lending power of the IMF by pledging 75 billion dollars to help with lending for development projects. However, this boost in the lending power of the IMF was contingent upon reforming voting in the IMF, which was rejected. [54] The BRICS bank was founded only two years later to respond to the Western-dominated IMF and was meant to operate in parallel with the IMF. [55] When the BRICS bank was launched, its member countries were clear about their intent to challenge the hegemony of the IMF and the World Bank through the new financial institution. In a statement made at the launching of the BRICS bank, the BRICS member countries said that "[they] remain disappointed and seriously concerned with the current non-implementation of the 2010 IMF reforms, which negatively impacts the IMF's legitimacy, credibility, and effectiveness."[56] This statement shows the challenge that the foundation of the BRICS bank was supposed to be to the hegemonic control of the IMF and the World Bank that operate primarily under US direction. While China does not enjoy the same controlling vote share and veto powers that it does in the AIIB, China is still the largest contributor, having contributed 41 billion dollars of the 100 billion dollar total.[57]Both the AIIB and the BRICS bank challenge US-led development projects by driving competition between themselves and the IMF for lending on projects. These new financial institutions were meant to stand in opposition to the IMF and offer an alternative to the forms of development that the United States backs.

[54] Bryanski, G. (2012, June 21). Russia says BRICS eye joint anti-crisis fund. Reuters.

[55] Ibid.

[56] Governance must reflect global reality (Financial Times, November 15th, 2010). (2015, August 18). Ministério Das Relações Exteriores.

[57] Sutter, K. M. (2021b, December). China's Recent Trade Measures and Countermeasures: Issues for Congress. Congressional Research Service.

Case Study: Expansion of the Use of Chinese Currency

The pervasiveness of the US dollar in global trade has been one of the factors that have allowed the United States to take its position at the forefront of international trade and development. According to a report released by the Federal Reserve, the dollar is either bought or sold in 88% of international currency exchange transactions.[58] The US dollar is also regarded as one of the safest ways for a country to save money and be confident that it will not drop in value. The confidence in the stability of the dollar has led to 60% of global foreign reserves being composed of the dollar, making it by far the world's dominant reserve currency.[59] The widespread use of the dollar has conferred a great deal of power onto the United States through things like its Federal Reserve policy and its ability to raise money without incurring interest through the sale of US treasury bonds.[60] The Federal Reserve can have a great deal of effect on the debt that developing countries may owe to another country that is borrowed from. A great deal of international debt is held in dollars, with 60% of foreign currency debt being held in dollars.[61] The Federal Reserve can have a direct impact on how easy that loan is to pay back, even if the United States is not one of the lenders or borrowers. By raising the federal funds rate on the dollar, the debt can cost substantially more as the borrowing country must now pay their debt back in dollars that are more expensive than when they were borrowed.[62]

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[58] *Bertaut, C. (2021, June 10). The International Role of the U.S. Dollar. The Federal Reserve.*
[59] *Ibid.*
[60] *Boz, E., C. Casas, G. Georgiadis, G. Gopinath, H. Le Mezo, A. Mehl, and T. Nguyen (2020). "Patterns in Invoicing Currency in Global Trade." IMF Working Paper No. 20-126.*
[61] *Bertaut, C. (2021a, June 10). The International Role of the U.S. Dollar. The Federal Reserve.*
[62] *Siripurapu, A. (2020, September 29). The Dollar: The World's Currency. Council on Foreign Relations.*

China has begun to challenge the global domination of the US dollar through increased attempts to further internationalize its currency, the yuan or renminbi. China seeks to spread the international use of the yuan through the Belt and Road Initiative so that China can use the yuan as a tool of soft power and influence in ways similar to the US use of the dollar. China has only recently begun its efforts to expand the international use of its currency, beginning its efforts to internationalize the renminbi in 2009 when it introduced the idea of Dim Sum bonds.[63] These are bonds that can be issued by either public or private institutions and are denominated in Chinese renminbi that allow foreign investors to circumvent controls China has put in place but still invest in renminbi denominated assets.[64] As investors are required to use renminbi when purchasing these bonds, their introduction and growing popularity has dramatically increased the internationalization of the renminbi. One of the main ways that China is spreading the use of its currency internationally is by allowing trade transactions with China to be paid off using the yuan. This includes loan debts that may have been incurred as a result of development projects offered by the Belt and Road Initiative. In 2015 alone, $1.7 trillion, or about a quarter of China's annual trade volume was paid using the yuan.[65] By allowing the use of the yuan in trade with China, China encourages other countries to use its currency and further raises the amount of debt internationally collateralized by the yuan . As the yuan becomes more and more ubiquitous, China will begin to gain the same ability of the United States to manipulate the value of its currency to make debt repayment of international development

[63] *Li, F. (2011, November 20). 'Dim sum bonds' are fueling China's currency rise. Washington Post.*

[64] *Ibid.*

[65] *Prasad, E. S. (2016). China's Efforts to Expand the International Use of the Renminbi. U.S.-China Economic and Security Review Commission.*

loans easier or harder to benefit China . This is especially distressing as China has been designated by the US Department of Treasury as a currency manipulator.[66] The US government found that China promoted and sustained a "significant undervaluation" of its currency despite indications from other metrics that the value of yuan should have risen.[67] China has in the past interfered with its capital market in order to devalue its own currency to make its exports cheaper and more competitive on the global market.[68] The expansion of the international use of the yuan in place of the dollar will undermine the power the United States has used in order to fund international development projects as well as harm American workers and companies. China has also recently started to allow certain countries to invest in its currency through the implementation of the RMB Qualified Foreign Institutional Investor (RQFII). This agency determines what countries are qualified to invest in China's capital markets and requires that all investment made into these markets must first be converted in renminbi and then used to invest.[69] These investment opportunities originally were limited to a maximum of $80 billion per country by quotas that the RQFII set in order to prevent foreign manipulation of the renminbi. However, China has since removed the quotas for members that have been approved to invest in the renminbi.[70] This is another method that China is using to increase the international use of its currency as well as promote its use as a reserve currency. China is chiefly concerned with the expansion of the use of the renminbi as a reserve currency because

[66] *Treasury Designates China as a Currency Manipulator. (2021, November 4). U.S. Department of the Treasury.*

[67] *Congressional Research Service. (2019a). China's Currency Policy*

[68] *Ibid.*

[69] *Ibid.*

[70] *State Administration of Foreign Exchange. (2020). PBOC & SAFE Remove QFII / RQFII Investment Quotas and Promote Further Opening-up of China's Financial Market_Rules and Regulations Interpretation_State Administration of Foreign Exchange.*

it offers them two benefits that allow for easier expansion of their realm of influence. The expansion of the use of renminbi as a reserve currency would allow the Chinese government and Chinese investors to borrow money from foreign investors at relatively low interest rates with low risk of devaluation of the currency while it is being lent or borrowed. [71] Another benefit offered by the expansion of the use of renminbi as a reserve currency is that it makes foreign owners of renminbi invested in the continued economic success of China. This is a benefit that the United States currently enjoys and it acts as a soft encouragement for foreign countries that have renminbi in reserve to act in the interests of China. The expansion of the use of Chinese currency globally through the Belt and Road Initiative challenges the position of dominance that the United States has maintained over international development.

Implications of Research Findings

The case studies presented by this research paper each represent a unique form of challenge being posed to US-led development projects through China's implementation and expansion of its Belt and Road Initiative. If the United States is to maintain its position of dominance in international development, the US will have to adapt to stay competitive with the alternative forms of development offered by China. China seeks to either directly challenge or weaken the amount of global influence that the United States enjoys through the use of development projects sponsored by the Belt and Road Initiative that bolster China's own regional influence. By analyzing the different challenges being posed to US-led development, politicians and policy experts can learn how to better respond to these challenges and potentially employ the same strategies China is using, in order to bolster the power of the US.

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[71] *Congressional Research Service. (2019a). China's Currency Policy.*

The implications of China's growing challenge to US power are dire both for the US and global geopolitics. The implications of these research findings are especially significant when analyzed in the context of the currently growing tensions between China and the US, particularly in the South China Sea. The United States has recently rejected all of China's claims to territory in the South China Sea and further challenged China's claims by conducting drills with Japan in contested waters.[72] If China continues to undermine the international influence of the US and the United States continues to contest territories claimed by China, the probability of war between China and the United States will only increase. The alternative model of development offered by China has the potential to entirely displace international development offered by the US. If successful, the United States would lose the powerful ability to affect the policy strategies of foreign nations through conditional development projects.

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[72] *Mahadzir, D. (2021b, November 8). U.S. Vinson Carrier Strike Group Drills with Japanese Force in South China Sea. US Naval Institute News.*

When the Legal System Fails: An Analysis of Forced Arbitration in the Financial Sector

When Sarah Hallam is not typing away at her laptop she enjoys rock climbing and practicing Muay Thai! She is an avid coffee drinker and can usually be found at Kraken or Field day.

Sarah Hallam

Computer Science
2rd Year

Abstract

A 2017 Deloitte Survey found that 91% of consumers accept legal terms and conditions without ever reading them.1 Most of what is included in the terms and conditions agreement is legal jargon meant to shield large companies from unwarranted lawsuits. However, buried in most financial institutions' terms and conditions agreement are pre-dispute arbitration clauses. A pre-dispute arbitration clause, commonly referred to as a forced arbitration clause, requires that consumers agree to give up their rights to sue, participate in class-action lawsuits, and appeal the results of arbitration. It is mandatory, binding, and the results are private. While there is a large body of work regarding arbitration in regards to employee contracts, there has been little analysis of cases involving pre-dispute arbitration in the financial sector. This paper serves to fill that gap, examining how pre-dispute arbitration is utilized in the financial sector and the legal cases that have established precedent. This analysis of pre-dispute arbitration in the financial sector is meant

to serve as an entry-point to a larger discussion on the function of arbitration in our legal system.

Spread of Pre-Dispute Arbitration

In the early 20th century, mandatory arbitration agreements were not considered enforceable under common law procedure. Then, in the early 1900's, the New York Chamber of Commerce in partnership, with the American Bar Association's Committee on Commerce, Trade, and Commercial Law, began a strategic fight to make pre-dispute arbitration widespread. This campaign was successful, and the New York Arbitration Act of 1920 was signed into law. Once pre-dispute arbitration was legal in New York, the fight turned federal. Shortly after the campaign began on a federal level, the 1925 Federal Arbitration Act was passed. This law made written arbitration contracts enforceable under common law and serves as the legal foundation of arbitration in our modern-day justice system.[1]

Between 1980 and 1985, the Federal Arbitration Act expanded in size and power. The 1983 case Moses H. Cone Memorial Hospital v. Mercury Construction Corp. decided that courts should enforce pre-dispute arbitration clauses.[2] This case served as a major factor in the expansion of pre-dispute arbitration. Less than a year later in Southland Corp. v. Keating, the Supreme Court ruled that the Federal Arbitration Act applied to state and federal courts provided the dispute involved interstate commerce.[3] This solidified the legality of

[1] Stone, "The Arbitration Epidemic: Mandatory Arbitration Deprives Workers and Consumers of Their Rights."

[2] Justia Law, "Moses H. Cone Memorial Hospital v. Mercury Construction Corp., 460 U.S. 1 (1983)"

[3] Justia Law, "Southland Corp. v. Keating, 465 U.S. 1 (1984)"

pre-dispute arbitration clauses on a state level. Finally, in 1985, in the case Mitsubishi Motors v. Soler Chrysler-Plymouth it was found that,

> *There is no warrant in the Arbitration Act for implying in every contract within its ken a presumption against arbitration of statutory claims. Nor is there any reason to depart from the federal policy favoring arbitration where a party bound by an arbitration agreement raises claims founded on statutory rights.*[4]

Essentially, this means that in cases involving statutory rights, the signing party is bound by the contract regardless of extenuating circumstances. By expanding and solidifying the Federal Arbitration Act of 1925, these three cases serve as the foundation for the widespread use of forced arbitration that we see in our current financial system. While there have been numerous other important cases involving arbitration since the original Federal Arbitration Act passed in 1925, these three remain the most influential cases up to date.

Case Study: Wells Fargo

Historically, arbitration has been used as a way for large corporations to cover abuse. Wells Fargo serves as a great example of just how widespread and harmful this practice can be. Around 2009, Wells Fargo began opening bank accounts and applying for credit cards without customer consent. By the time the abuse was uncovered in 2017, Wells Fargo had created over 3.5 million fraudulent accounts. When customers complained about unapproved charges to their accounts, they were told their only option was to arbitrate. Despite being in the wrong, between 2009 and 2017, Wells Fargo won more money in arbitration

[4] *Justia Law, "Mitsubishi v. Soler Chrysler-Plymouth, 473 U.S. 614 (1985)"*

than it paid out. The average customer who arbitrated against Wells Fargo during this period was forced to pay $11,000.5 Customers who had already been scammed by Wells Fargo were manipulated even further by a system that forced them to pay even more to a company clearly in the wrong.

This case study demonstrates that arbitration is an ineffective way to hold financial institutions accountable. One of the biggest reasons for this is that financial institutions have a history of taking small amounts of money from a large number of people. This type of behavior is best mitigated using class-action lawsuits. In a class-action lawsuit, a large group of people will come together to seek legal recompense as a group. This makes it significantly less expensive for each individual member, and it helps to demonstrate the breadth of the abuse. If customers are forced to individually arbitrate, they are significantly less likely to choose to move forward with their complaint. It's not worth paying hundreds, sometimes thousands, in fees just to reverse a $25 unauthorized account charge. In addition to this, it is much easier for abuse to go under the radar when consumers are forced to handle their complaints individually. Once a consumer finds out that they are going to have to litigate against a bank alone, in the vast majority of cases, they drop their claims entirely. Herein lies the real intention behind including pre-dispute arbitration clauses in contracts, convincing consumers to drop their claims altogether.

Case Study: AT&T

In 2014, Patricia Rowe, who heralds from Greenville South Carolina, began the process of filing a class action lawsuit against AT&T. She claimed that the phone company had charged her $600 for cancelling

5 *Shierholz, Heidi. "Forced Arbitration Is Bad for Consumers."*

her phone service plan. State records show that there were over nine hundred AT&T customers across three states who complained about excessive charges related to cancelling their phone service plan.[6] When Patricia Rowe attempted to file a class action suit on behalf of herself and others who had experienced excessive fees, she discovered that buried in the fine print of a lengthy terms and conditions agreement lied a pre-dispute arbitration clause. This clause read, "You agree that, by entering into this Agreement, you and AT&T are each waiving the right to a trial by jury or to participate in a class action."[7] This line meant that Patricia Rowe had no legal right to file a class action, and so the case was thrown out. When the case was thrown out, Patricia paid the $600 arguing that it would be significantly more expensive to fight AT&T through arbitration.[8] Situations like this are all too common when forced arbitration is at play. Our legal system is failing to protect customers like Patricia. Instead we have a system set up to protect large financial institutions from facing the consequences of their actions. This case serves as another practical example of the malicious intent behind pre-dispute arbitration clauses. Banning class action lawsuits and forcing consumers into a prohibitively expensive arbitration system is not the way to achieve justice.

Real World Impact

Those who advocate for forced arbitration argue that it prevents frivolous lawsuits and clears out the court system for more important cases. However, this argument has no empirical backing. The few financial institutions that have banned arbitration have seen no

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[6] *Silver-greenberg, "Arbitration Everywhere, Stacking the Deck of Justice."*

[7] *AT&T, "AT&T Consumer Service Agreement."*

[8] *Silver-greenberg, "Arbitration Everywhere, Stacking the Deck of Justice."*

statistically significant increase in litigation.[9] Additionally, pre-dispute arbitration clauses do not consider merit as a metric when deciding who does and doesn't deserve their day in court. Instead, it funnels all consumer complaints through a narrow channel with little to no chance of recompense at the end.

Arbitration advocates also argue that arbitration is a simpler, cheaper way for consumers to settle disputes. This claim is disputed by the fact that consumers only obtain relief in 9% of their claims. In contrast, when banks file claims or counterclaims they are granted relief in 93% of cases. On average, consumers are ordered to pay $7,725 to the bank or lender.[10] According to an Economic Policy Institute article, "Consumers recover at least $440,000,000 in class actions, after deducting all attorneys' fees and court costs—compared with a total of $86,216 in arbitration."[11] When we look at trends across the US, it is significantly more effective to join with others in a class-action lawsuit than it is to file an individual arbitration claim. Forced arbitration is common in many sectors, but unlike in other sectors, financial companies have taken few steps to address public concerns regarding the practice. In many states, companies are allowed to force potential employees to sign pre-dispute arbitration clauses as a condition of employment. California recently took steps to ban this practice. On September 15, 2021, the Ninth Circuit upheld Assembly Bill 51[12]. This bill prohibits employers from forcing employees to sign pre-dispute arbitration clauses as a

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[9] Gilles, "Justice Denied: Forced Arbitration and the Erosion of Our Legal System."

[10] Shierholz, "Correcting the Record: Consumers Fare Better under Class Actions than Arbitration."

[11] Shierholz, "Correcting the Record: Consumers Fare Better under Class Actions than Arbitration."

[12] Hornbeck "Divided Ninth Circuit Panel Upholds AB 51, but Strikes Down Enforcement Mechanism."

condition of employment. While this decision was certainly a step in the right direction, it does nothing to protect consumers from abuse in the financial sector. Hopefully, California's decision to ban forced arbitration as a term of employment will lead to a larger national discussion on the demerits of allowing this practice to continue.

Conclusion

In theory, pre-dispute arbitration is a way to clear off court dockets and streamline the legal process for consumers and companies alike. In reality, we see it does just the opposite. It has created an unfair and rigged system where large financial institutions are able to hide behind a screen of legal loopholes. While steps have been taken to protect employees from pre-dispute arbitration clauses, little has been done to protect those in the financial realm, despite rampant abuse of the clause. Our legal system is failing to protect consumers from this abusive practice in the financial sector. Serious steps need to be taken to address this pressing violation of our legal system. Forced arbitration must be banned in its entirety to truly protect consumers and create a just legal system.

The Social Media- Far Right Alliance

Skyler Rodgers

Political Science
Global Politics
4th Year

After graduating, Skylar Rodgers plans to attend graduate school to pursue his interest in social justice-focused public policy. Originally from San Francisco, Skyler takes inspiration from Bay Area's history of grassroots social movements and political protests. In his free time, he enjoys photography, playing guitar, and going to baseball games.

Abstract

The rise of politically right-wing communities online has been notable in the past decade, and has contributed to widespread political disagreement misinformation, and even violence. Although partisan strife is nothing new, the advent of the internet has led to a shift in the recruitment tactics of right-wing groups. From the infamous "Unite The Right" demonstration in Charlottesville, Virginia to the election of President Trump, it's hard to deny that social media has been helpful to right-wing political organizations and tactics. Throughout this paper, I draw on existing research and review different social media platforms to determine the extent to which companies such as Facebook and Google contribute to and facilitate the proliferation of such right-wing communities online.

The Alt-Right, nearly inseparable from former President Trump, have emerged in a time of rapid growth and ever-increasing ubiquity for the internet. This movement has, like most social movements around the world recently, made great use of the internet for organizational and planning purposes. One prominent example of a virtually planned event is the "Unite the Right" rally in Charlottesville, Virginia, which ended in the death of one person and the injury of 19 others. Events and rallies like this, in keeping with the times, have been coordinated online by the alt-right, but does their use of the internet stop there? Perhaps not (Bowman-Grieve 2011). Websites like Facebook have been overflowing with "fake news" since before the 2016 presidential election brought the practice into the national spotlight. Regardless of whether or not clickbait articles and online rumor-mills are directly created and spread by members of the Alt-Right, they certainly serve to benefit the movement (Munn 2020). Online phenomena like fake news on Facebook or dubiously-researched YouTube videos are a theme of the internet, especially in 2021. These phenomena have evolved over time to become more and more ubiquitous With this ubiquity, we must contend with the reality that the alt-right utilizes the existing framework of social media to spread their message far and wide. This begs the question: how exactly is this accomplished? If prospective members no longer fill out a membership form or pay dues to an organization, would the Alt-Right's organizational capacity be compromised? Perhaps the opposite is true. Specifically, how does the Alt-Right use the internet to radicalize and recruit new members?

The Structural Bias of the Internet

The first area which needs to be examined is the Internet. Rather, we need to gain an understanding of how companies like Facebook and Google choose to deliver information to users. Because of the millions of Facebook posts and YouTube videos uploaded daily, these platforms need to somehow choose how to whittle down that vast amount of content to a more easily digestible choice of what users can engage with. The ways they choose to deliver that content to users create an atmosphere more conducive to extremist views (O'Callaghan et al. 2015), as I'll explain later. First, however, I will explain precisely how web content is prioritized by YouTube and Facebook.

YouTube is a video-hosting website where anybody with a Google account can create and post their own videos for anyone to see. Users generally spend a lot of time watching videos, as the site is completely free, unlike Netflix and other streaming services. In fact, over 250 million hours of footage are watched every day by YouTube users (Munn 2020). This is a staggering amount of content, roughly equivalent to 28,000 years. The vehicle that facilitates this is YouTube's secret AI-based recommendation system. This system recommends videos that it thinks the user will click on. Both on the YouTube homepage and in the sidebar next to a currently playing video, there will be a list of videos the recommendation algorithm has placed there. Additionally, the first video on the list will be 'auto played' if the user doesn't think to go out of their way to turn the auto-play feature off while watching a video (Munn 2020). The system is secret in that the public is not allowed to know exactly how it works. We do know, however, that videos are recommended to users based on their watch history, the currently playing video, and their general profile information, including which

demographics YouTube thinks each user belongs to. The effect of this is that users are often shown only content they (or people like them) have already expressed interest in (O'Callaghan et al. 2015).

Most of all, the recommendation system prioritizes video engagement. This is primarily because YouTube wants users to spend as much time on the site as possible to watch advertisements and make money for the company (Munn, 2020). Videos with a lot of engagement will have many comments, likes, dislikes, and views. This, naturally, encourages video creators to make videos many people will engage with, sometimes regardless of the quality of the video itself. When combined with the other ways a video can be recommended to a user, large groups of people with similar interests can be shown a few particular videos. A benign example of this is the popularity of 'top 10 list' videos where creators will rank characters, objects, movies, or video games according to arbitrary but entertaining criteria. Such videos encourage a lot of engagement and are easy to produce. A not-so-benign example are videos which are intentionally divisive. Topics like religion and politics tend to grab the attention of people, especially when the views being presented are controversial. In fact, pleasing "the algorithm" has become an inside joke as well as a goal for many creators on the site. Knowledge of this system has also spread to those who seek to spread deliberate political messages through it (O'Callaghan et al. 2015).

Another platform that shares similar issues to YouTube is Facebook. The feed users see upon logging in features posts from friends, news outlets, and influencers across the platform. Despite Facebook's history as a simple database to connect with friends and family, it's now evolved into a vast place for entertainment and news (Munn, 2020). Just like YouTube, every post the home feed displays is filtered through an

automated system that prioritizes engagement. This likewise leads to the same problem as YouTube has with outrageous content being pushed to the top of many people's feeds due to higher engagement on those kinds of posts. Over time, Facebook has made conscious choices to make their algorithm this way. As Alfano et al. (2018) point out, this limited variety of content is selected by an AI system without direct human involvement. The lack of obvious alternatives to this algorithm-driven system causes users to accept the content of these inflammatory posts as normal discourse. Thus, the environment created by Facebook and YouTube convinces users to believe, or at least not object to, inflammatory posts and videos. But where is the inflammatory, controversial content coming from? Because every YouTube video and Facebook must originate with somebody, the next section will cover the kinds of people who create and post inflammatory content which, intentionally or not, serve to radicalize and compel people to join the Alt-Right.

The Rise of Populism

A populist conservative movement like the Alt-Right is an example of what Parenti (1997) would call "rational fascism." The Alt-Right and other far right groups take irrational notions and ideologies and warp them in a rational way. For example, using the idea of a white ethnostate or authoritarian rule as a sensible solution to the problems the United States is facing today. This tactic is successful because it diagnoses a problem correctly (e.g. the rise of globalism harming American blue collar workers) while offering a solution that would probably result in more problems of even greater magnitude (e.g. electing a right-wing authoritarian president). This rhetoric , on YouTube, is explained not as overt propaganda but as a civil political discussion. With the added

legitimacy YouTube gives this content by recommending it following videos from legitimate sources such as news agencies or elected officials (Alfano et al. 2018), it is easy to mistake for a legitimate opinion itself. This is especially if the particular presenter uses formal, politically correct language and scholarly mannerisms, as many do. The aim of presenting Alt-Right talking points this way is to entice ordinary white people towards having "pro-white racial consciousness (Lorenzo-Dus & Nouri, 2020). Even before the Alt-right's 'official' founding in 2010 with Richard Spencer's Alternative Right website (Lorenzo-Dus & Nouri, 2020), conservative populists have been using rhetoric of "the common people" to defend and justify their policy. These appeals to unity are used as a clever way to talk about race without explicitly mentioning it (Pied, 2019). Far right individuals will understand that a speaker is talking about people of color, for example, when they mention the "problem people" or "inner city crime" (Pied, 2019). Hiding behind these double-meanings is a main way the Alt-Right hides their racism from the public. Alt-Right content creators take this clever approach to propaganda and use it to exploit social media environments for financial, organizational, and most importantly, recruitment purposes (Ganesh & Bright, 2020).

Populism Tailored to Biased Websites

Recognizing how these traditional right-wing propaganda tactics interact with our modern social media environment allows us to understand the true extent to which the Alt-Right is present online. The Alt-Right utilizes the aforementioned framework of Facebook and YouTube to spread their propaganda on those platforms. Essentially, the websites handle the outreach and distribution work for them. All the Alt-Right has to do is create political commentary-style videos and outrage news (Munn,

2020). The basic process goes something like this: first, YouTube's recommendation system recommends a political commentary video to a user because people in the same demographic tend to watch that kind of content. The user's interest is piqued by the video, which may be an interview by the centrist figure Joe Rogan, for example. Immediately after the video is done, YouTube automatically plays another one just like it. After this one, a video by Stephen Crowder (a conservative talk show host) is auto-played. This video, from YouTube's perspective, is almost identical to the more centrist content, but in reality, it's the exact kind of propaganda I discussed in the previous section. Because the user has engaged in Crowder's content, they'll be recommended more and more of it. Of course, the more of it they watch, the more acceptable the content becomes (Munn, 2020). Within a few months of watching videos by Crowder, InfoWars, Jordan Peterson, Sargon of Akkad, or even Ben Shapiro (all of whom are YouTube channels that make conservative video content 'debunking' more leftist views or promoting ideas such as 'race realism' and climate change denial), the hapless user begins to believe that their own thinking aligns with the hateful content they've been consuming (Alfano et al. 2018). This phenomenon is successful when the creators are able to frame issues in hateful ways and then rely on YouTube or Facebook to only show viewers one side of the story, which is often the more polarizing, controversial, Alt-Right content (Alfano et al. 2018, O'Callaghan et al. 2015). The environment on YouTube and Facebook has effectively created what Munn (2020) would call the "Alt-Right pipeline." A conscious choice by web designers to prioritize video engagement (and therefore profit) leads to a captive audience of people watching far-right propaganda videos nonstop without realizing it. The kind of content people like Crowder produce is appealing first because it's not labeled as explicitly right-wing content. Many far- right creators choose to call themselves centrists

or center-right in order to avoid suspicion from new viewers who are still wary of far-right ideas (Lorenzo-Dus & Nouri, 2020). Secondly, this content feels like the viewer is discovering secrets about society they had never thought of before. And of course, learning things in that way can be quite fun (Munn, 2020). The only problem is that viewers are 'learning' about how NASA lies about ice sheets melting, or how immigrants are being brought into the United States to ruin its culture and take our jobs. Thus, an innocent internet user is exposed to far-right propaganda and ultimately radicalized into the Alt-Right through the cutting-edge technology of the YouTube algorithm.

Conclusion

The real-world impacts of this process cannot be overstated. Dylann Roof of the Charleston shooting in 2015, the Boston Marathon bombers, Alex Minassian of the Toronto van attack in 2018, and the Christchurch shooter in New Zealand have all admitted to being self-radicalized online (Alfano et al. 2018, Munn, 2020). Their choice to commit acts of terrorism is a logical conclusion based off of the flawed information they have been immersed in for months or years because of the echo-chamber of online spaces (Bowman-Grieve, 2011, O'Callaghan et al. 2015). Another important takeaway from this is that YouTube and Facebook could do a lot to end the ongoing radicalization of thousands of young people on their platforms by simply shifting their priorities away from profit above all.

Although the radicalization would not be happening without the Alt-Right to create content, that same content would not have as much exposure in a world without YouTube, Facebook, Reddit, or any other similar platform. This too shouldn't be forgotten. After all, large companies have repeatedly been found to side with fascist and far right forces over leftist ones if forced to choose (Parenti, 1997). That topic perhaps exceeds the scope of this paper, however.

The process of Alt-Right recruitment online begins when reactionary content creators like Ben Shapiro or InfoWars make hateful commentary videos or news articles. These materials are subsequently distributed automatically to thousands of people on Facebook, YouTube, and other social media. These media use algorithms that prioritize more outrageous or inflammatory content, which results in certain viewers being shown almost exclusively far right content until such content is normalized and perceived as fact by the viewers who do not suspect that they are falling victim to a well-oiled radicalization machine.

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Faint Hearted Originalism or
Thinly Veiled Bigotry?

Political Science
Pre-Law
3rd Year

Tess Bartlett has been involved over the past three years as a member of the mock trial team as well as the pre-law fraternity Phi Alpha Delta where she been able to take on leadership roles. Tess has also been able to further explore advocacy work through interning for Safer and becoming a founding member of Partners in Health Engage at Cal Poly. Tess enjoys hiking, and exploring the SLO area! After graduation, Tess hope to pursue her interests in law and public policy before deciding on whether to attend graduate school.

Abstract

Proper methods of judicial interpretation have been hotly debated since the early years of constitutional jurisprudence and the judicial branch has yet to come to a consensus on a normative theory to guide judicial decision-making. There have been two distinct approaches to judicial interpretation, first is that of originalism, which argues that judges should be constrained to the original meaning or intent of a statute. The second is the theory of living constitutionalism that takes into account contemporary values and needs of society, advocating for an evolving body of law. Using an analysis of Supreme Court Justice Antonin Scalia's account of originalism, I argue that a living constitution approach better equips judges to address the ever-changing needs of society and safeguard the rights of marginalized groups. Instead of emphasizing the restraint of judges in their decision-making, we must highlight the unique position that the judicial branch holds as a counter-majoritarian force in a country where minorities are easily drowned out.

Originalism, which Supreme Court Justice Antonin Scalia has classified as the "lesser evil" in terms of judicial decision making, has often been used to justify rulings in opposition to minority interests in constitutional jurisprudence. Within the field of constitutional law, there is much debate surrounding the question of how the Constitution should be interpreted and applied to current day constitutional questions. Originalism is a predominant school of thought that argues the semantic meaning of each constitutional provision was fixed at the time of its ratification and that judges should be constrained by this original meaning. This argument raises many objections from those who take a living constitution approach, and there is even disagreement within the originalist faction over whether original intent of the framers/ratifiers or the original public meaning should have the ultimate authority in judicial decision making. Despite the many controversies surrounding the practice of originalism, Justice Antonin Scalia contends that, when compared to non originalism, originalism is a better method by which judges can answer constitutional questions as they are more meaningfully restrained when deciding important constitutional cases. As a conservative justice, Scalia has justified many of his rulings using originalist rhetoric, however many of these decisions have had harmful consequences for oppressed groups in this country. Thus, I contend that originalism is not the lesser of two evils as it can be used to directly infringe on the rights of minorities. Instead, the Supreme Court should adopt the approach of a living constitution so we may more adequately address contemporary constitutional issues in such a way that promotes social justice.

After analyzing the strengths and weaknesses of both originalism and nonoriginalism in Originalism: The Lesser Evil, Justice Scalia promotes originalism as the best method by which to restrain judges from

imposing their own preferences in their decision making. He cites several reasons for this conclusion, emphasizing how originalism is more compatible with the key functions of the Constitution and its guarantees, which is to prevent any fundamental changes in original values that could potentially be harmful. As a democratic society, we do not need constitutional reinforcement of our current day values, but rather the Constitution serves as a protector of our nation's core principles, and original meaning is most effective in limiting judges in the scope of their discretion (244). Additionally, one of the serious inadequacies of nonoriginalism, which cannot be overlooked according to Scalia, is how fractured of an ideology it is. There is no consensus among nonoriginalists as to what alternative should take the place of original meaning, and Scalia argues that the defects of originalism are far less egregious and more acceptable. Lastly, Scalia concludes that originalism is more likely to result in consequences that are palatable to all because it constrains judges to constitutional principles based on a historical standard that is distinct from the personal preferences of the judges (245). He points out how nonoriginalism often operates on the principle that "fundamental values" should be promoted in judicial decision making, but this provides an opportunity for judges to impose their own beliefs onto constitutional decisions (244). Thus, original meaning can most meaningfully limit judges when deciding constitutional questions.

While Scalia's main concern is constraining judges in their abilities to influence constitutional questions, he does not consider whether the original values he hopes to preserve through original meaning are values that we actually want to perpetuate in our current day society. Originalism seeks to maintain values that were held by our ancient ancestors, and ultimately use their perspectives to dictate

how we approach contemporary issues. This "dead hand" opposition is also brought up by Randy Barnett in his critique of Scalia, Scalia's Infidelity: a Critique of 'Faint-Hearted' Originalism, and he questions originalism's proposal that we should defer to an authority that could never conceive of the conditions we are faced with today (247). We should not be governed by original values that were synthesized by men who believed slavery was morally permissable, especially when these values are inconsistent with those that we hold as a society today. Although nonoriginalists provide no consensus as to what should replace original meaning to supplement judicial decision making, I do not necessarily see this as a shortcoming of nonoriginalism, but rather a strength. The complexity of constitutional cases calls for a more individual approach to answering these questions as there is no alternative method that can be best applied to every single case. The nonoriginalist, living constitution approach asks judges to assess these questions independently so that they can use contemporary values we hold as a society to make judgements. Then, judges are able to apply whatever judicial decision making mechanism that will produce the best results based on contemporary needs. Using this strategy, judges can better address constitutional questions within the context of what will most benefit modern society.

Scalia also argues that originalism produces the best or least contested results, but who actually benefits the most from these consequences? It is critical to acknowledge that the original values Scalia proposes we be constrained by were written by white men for white men, and thus they serve to reinforce existing structures of power. Most constitutional provisions were drafted or adopted exclusively with white men's rights in mind. Thus, originalism often does not produce desirable outcomes for demographics that have traditionally been oppressed in this country.

Scalia himself has used original meaning to justify ruling in cases to restrict the rights of minorities. In Planned Parenthood v. Casey (1992), a case concerning the constitutionality of a law restricting access to abortion, Scalia asserted in his dissenting opinion that there is no original meaning contained within the constitution that would support such a right to abortion. Additionally, in Lawrence v. Texas (2003) and Obergefell v. Hodges (2015) Scalia again dissented in both cases, siding with laws discriminated against homosexual people, and again used originalist rhetoric to support his stance. He held that there was no constitutional guarantee protecting the rights of these individuals to engage in private activities. It would seem to me, then, that originalism could not be posited as the "lesser evil" when original meaning is used to place an unfair burden on minorities and further perpetuate an inherently harmful system of power differentials that oppress marginalized groups. Adopting a living constitution approach that considers what is best for a society as a whole, rather than merely being palatable to those who already hold power, is more capable of protecting vulnerable minorities from being discriminated against. We should prioritize advancing social justice and protecting the rights of all people over constraining judicial discretion.

Scalia might still contend that nonoriginalism or a living constitution approach would give judges too much power in their ability to impose their own preferences in decision making. He argues that originalism can establish standards of judicial decision making that are more objective than those proposed by a living constitution approach, making it the lesser evil within the context of judicial restraint. Without taking historical criteria into consideration, judges can much more easily manipulate constitutional questions into supporting their own ideological preferences. Unlike original meaning, a living constitution

can not meaningfully constrain judicial decision making power because it provides no such historical standard that can be clearly distinguished from the personal ideology of the judge. As such, Scalia holds, originalism is more consistent with the principles we champion in a democratic society by deferring to the legislature, which represents a majoritarian force in our political system. Adhering to original meaning, then, is also more consistent with the overarching purpose of the Constitution, which is to preserve certain original values, and a living constitution approach would not adequately defend these values because of the free reign it allows judges in judicial decision making. Scalia would then oppose a living constitution because it cannot meaningfully restrict judges in their decision making abilities, thus producing more contestable results that are inconsistent with our democratic society.

While I concede that originalism does a better job at limiting judicial discretion in constitutional questions, this still does not make originalism a necessarily more desirable "evil" than a living constitution or any other nonoriginalist alternative. Even if originalism did effectively constrain judges (which is arguable because judges can still manipulate original meaning to conform to their preferences), I think that there are other more important considerations in the approach we take to addressing constitutional questions, such as protecting minorities and working towards a more egalitarian society. Original meaning restrains judges from making fundamental changes through their decision making, and thus also restrains them from making changes that could potentially benefit disadvantaged groups that have been oppressed for centuries. Judicial activism has often been demonized within the field of constitutional law, I believe wrongfully so.

When judicial activism is applied through living constitutionalism, it can promote social justice and can begin to reverse historical injustices that originalism seeks to preserve. Take for example the landmark Supreme Court case, Brown v. Board of Education (1954), in which Justices unanimously ruled against the constitutionality of segregated schools, using living constitutionalism to interpret the equal protection clause of the Fourteenth Amendment. In addition, a living constitutionalist approach does not attempt to completely rewrite our Constitution, rather, it promotes principle values of justice and equality to be applied more broadly in judicial decision making. Judicial restraint should not be the ethical standard when considering judicial decision making principles, but rather, we should assess how each approach produces the most beneficial results to society.

When the framers drafted the Constitution back in 1787, they never intended for it to last the 200 years that it has. Yet, Americans today defer to the Constitution as a governing document with the ultimate authority, and I attribute this longevity to the Constitution's ability to be subjectively interpreted and adapted to modern conditions. Originalists, like Scalia, believe however that contemporary constitutional questions can best be answered by the original intent of the framers and ratifiers of the time or the original public meaning, in order to restrict judges in imposing their own values onto these decisions. But are our current day judges not a reflection of the current day values we hold? Our judicial system should not be primarily governed by principles relevant to American society hundreds of years ago. Instead, by adopting living constitutionalism, we can take into account considerations of judicial decision making, such as social justice and protecting individual rights, that are much more important than judicial restraint. Our judicial system plays a very important role in affecting both informal and formal

constitutional changes that are otherwise very difficult to achieve in our current political system. Thus, instead of prioritizing antiquated values we have held in the past, the judicial branch should focus on what will progress us as a society.

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Data Rights in Campaigning

Victoria Lopez

Political Science
Pre-Law
3rd Year

Victoria Lopez has been a member of Cal Poly's Mock Trial Team for the past three years and just finished up her final season, competing at the mock trial national championship. A few of Victoria's interests include intellectual property law and data privacy rights. She will be pursuing my MBA in the upcoming fall, followed by her graduation this June.

Abstract

Data protections have been around for years. We see phrases such as "terms and conditions" and "accept cookies" every time we sign up for a new app or go on a website. However, how much of this data is being collected and stored for personal use? Is this data being used ethically? Most people fail to consider what such phrases actually mean and what their implications are. As a result, people with fewer data rights are more subject to different forms of targeting by campaign groups. With a larger likelihood of targeting, individuals are more likely to vote based on what is targeted to them. This leads them to be easily persuaded in their voting choices. We can observe how campaign managers collect data and use such data to persuade voters' candidate preferences. If consistent, campaign managers will claim that when they collect data regarding certain traits of voters, they are more likely to be targeted through nuanced campaign tactics such as surveilling and microtargeting. These findings are important because they pose a potential threat to democracy and the voting process and can also help users understand what role they play in the sought for stronger data protections.

How can a lack of data privacy rights affect voter persuasion and campaigning? Understanding the connection between these three factors is important for two major reasons: it demonstrates how a lack of data rights can pose a potential threat to democracy and the electoral voting process and it can help social media users understand the role they play in the pursuit towards stronger data protections. A lack of data rights can pose a threat to both democracy and the electoral voting process because when an individual's data rights are breached or sold by third parties, they are more subject to be manipulated through microtargeting. In the next sections, I will first summarize existing literature about data privacy and its effect on voting preferences. Then, I argue that a lack of data privacy rights leads to increased voter persuasion through two major tactics: surveillance and microtargeting. Next, I outline a research design to test how campaign managers persuade voters when specific data is collected about them. Likewise, I analyze how microtargeting affects voters' preferences. Lastly, I conclude that individuals who have more protected data are less susceptible to these manipulation tactics.

Voter Persuasion in the Digital Age

What is Data Privacy?

The "right to privacy" has been a well-established phenomenon over centuries. Dating back to 1890, the Brandeis Right to Privacy Law Review Article, published by the Harvard Law Review, was the first case which defined the term "privacy," using a constitutional lens, under the Fourth Amendment. Brandeis argues that "privacy" is a term encompassing a stronger form of security, one that extends beyond property and the Fourth Amendment (Brandeis 1890). Although not explicitly stated in

the Constitution, the idea that privacy is implied in the Constitution has, since then, become ingrained within American ideology. Implied in the first, third, fourth, fifth, and ninth amendments many legal scholars would argue that they set the foundations for a constitutional "right to privacy." While legal scholars generally apply "privacy" to data rights, the term "data privacy" nor its importance is never clearly defined in federal law.

"Data privacy" is defined as "a branch of data security concerned with the proper handling of data – consent, notice, and regulatory obligations" (Petters 2020). Looking at data privacy, many questions rise to the surface: How much of the data that is collected on users is being collected and stored for personal use? Is this data being used ethically? Data is considered private when it is not used for profit by some party other than the owner. After being sold for economic gain, that data becomes public. It is difficult to protect data privacy because there is little transparency regarding the policies consumers are agreeing to. Privacy policies are extremely wordy and difficult to understand. As a result, consumers are, as (Fou 2019) puts it, "forced" to accept the terms of the policy. With confusing legal jargon, consumers agree to the conditions and cannot sue companies for the data collected on them nor its uses. Data privacy has since been declining with factors such as ambiguous policies and third party sales becoming more prevalent in order to manipulate users and their voting preferences (Fou, 2019, n.p). In order to understand how users are manipulated as a result of poor data protection, we must understand what classifies as "voter persuasion."

What is Voter Persuasion?

Voter persuasion can be defined using two models: general persuasion, in which "evidence presented to each voter depends on the aspects of all voters" and individual persuasion, in which "evidence presented to each voter depends only on her own aspect," aspect being personal traits (Guo, 2018, p. 1113). Both modes of persuasion define how evidence is presented along with the different effects it will have on the voter. While individual persuasion is more personal, general persuasion is intended to approach a larger audience. Under general persuasion, Guo argues that all players are concerned with "the set of state profiles in which all voters receive a recommendation to approve." Thus, someone seeking to achieve general persuasion would choose a party that has highly demanding voters such that they are "made indifferent between approval and rejection whenever the sender attempts to persuade them (Guo, 2018, pp. 1114). On the other hand, individual persuasion is a more "confidential form of information being communicated to a specific regulator and pertaining to a specific project is not observable by all parties'' (Guo, 2018, pp. 1114). Between the two, we can see individual persuasion taking a dominant role in the 21st century.

Historically, voter persuasion has been a fundamental aspect of campaigning processes. During the middle of the 20th century, beginning in the 1950's, voter persuasion occurred through political advertising on television (Arceneaux, 2007, pp.963). With the campaign of Dwight Eisenhower, Eisenhower became the first presidential candidate to persuade voters through television commercials. Eisenhower would use television campaigning in order to answer questions by citizens, increase publicity, and persuade voters through his charisma. Eisenhower made full use of this new form of technology. "By 1960, 88% of American households had televisions." Television had evidently become the tool

of choice for Americans to receive information regardless the form of outlet (e.g. commercials, news, and debates). As a result of its increase, in 1960 Roger Ailes, a Nixon campaign consultant, stated, "Television is no gimmick, and nobody will ever be elected to major office again without presenting themselves well on it" (Kaushik, 2011, para. 1).

With television, individuals were able to gain insight on prospective candidates, while also gaining a massive amount information in a nuanced way at the time. As we shift into the 21st century however, voter persuasion has seen more influence in social media, a trend which poses a threat to individual voting preferences. In an interview, political scientist Donald Green argues that "television ads are not as effective as they once were because "once upon a time, people had to get up to change channels or turn down the volume to avoid ads'(Jaring, 2017, p14). Thus, we can note a difference in which good persuasion becomes manipulative. When persuasion is unavoidable and feels dominating, whether it be on someone's feed consistently or even aggressive, this form of persuasion is intended to do more than spark thought into the voter's mind (Guo, 2018). Similarly, as data privacy is modernized, the distinction between poor and good persuasion can be attributed to whether or not the persuasion was purposely targeted and, in certain cases, targeted as a result of collected data points for the specific purpose of swinging their vote one way or another.

Likewise, Bailey highlights voter persuasion as a major goal of campaigning. Bailey argues that the ability of campaigns to persuade undecided and swing voters began with the mapping of "television markets to swing states during campaign events." By increasing television use and spending in swing states, candidates could much more easily reach a wider audience in order to express their values, goals, and demonstrate

their persona during their election. This allowed stronger candidates to persuade swing states in order to increase their vote count. Similarly, phone calls have had an effect on positive persuasion and outreach. In a study of a Democratic primary election for a New Mexico county commissioner in 2004, Arceneaux (2007) finds that both phone calls and canvassing had similar positive effects on candidate support (Bailey, 2013, pp. 972) Amongst the use of two forms of mass persuasion, Bailey found that both do in fact "induce behavioral responses" (Bailey 2013, pp. 975). In this case, this can be defined as "successful voter persuasion." In this situation, voters are being persuaded but still have some level of individual thought in their final decision. With nuanced campaigning tactics such as microtargeting and surveillancing, this individual thought stemming from voter persuasion is traded for voter manipulation within their preferences.

What are Tactics for Voter Persuasion?

1. *Microtargeting*

According to Bennett, microtargeting entails the use of:

> *ubiquitous personal identifiers (name and address, telephone numbers, email addresses, IP address, cookies, mobile device ID"s, and other unique IDs) to allow campaigns to link and integrate these datasets in order to engage in highly strategic and cost-effective analysis of votes (Bennett, 2016, para. 13). Microtargeting includes direct marketing and datamining techniques that involve predictive market segmentation (ICO 2021) by digging into public petitions, telephone polling, and individual donors (Howard, Kries, 2013, para. 12). As noted by Normann Witzleb (2019) this form of data driven*

targeting persuades voters by subconsciously pressuring them
to vote a certain way. (Witzleb, 2019, pp 12.). This concept
demonstrates how microtargeting results in more voter
persuasion as a result of people not having free will in their
decision making.

2. Surveillancing

Surveillancing is defined as "any collection and processing of
personal data, whether identifiable or not, for the purposes of
influencing or managing those whose data have been garnered"
(Bennett, 2013, para. 7). Similarly, Bennett argues that surveillicing
goes far beyond the use of technology to "spy" on individuals,
surveilling is the key to a new form of power and governance, one
which has the ability to manipulate the way people think within
society (Haggerty and Ericson, 2006, para. 7). In terms of "voter
surveillance" Bennett analyzes the "different practices and issues
that arise in these different contexts as they each play their own
roles." In this case, "voter surveillance" would follow the same
pattern (Bennett, 2013, para.8). Tactics such as surveillancing and
microtargeting have grown over centuries, thus posing a potential
threat to data rights and security in 2021.

> *How have campaigning tactics posted a threat to*
> *data security?*

While a right to privacy has been established in the Constitution and
amongst a variety of legal scholars, modern forms of campaigning have
posed a threat to data security. With the rise of both microtargeting
and surveillancing , users have become more prone to being swayed
in their voter preferences for a number of reasons. Crain analyzes the

scope of political manipulation in campaigns and the role of digital ad systems in such campaigns. While recognizing that digital advertising platforms are designed to facilitate relationships of influence, these platforms have also shown a newer trend known as "fake news." As fake news has been associated with inaccurate news stories that were being shared on socials for clickbait profit or other personal gain, Crain raises the following question:

What Role Does Digital advertising play in political manipulation?

Crain uses the 2016 election as a prime example of political manipulation on social media. "In the election (2016) a Russian organization called the Internet Research Agency (IRA) spent "thousands of U.S. dollars every month" on social media ads and promoted posts in efforts to influence the election" (Crain, 2019, pp.383). The Internet Research Agency is not the first to microtarget individuals; there are major players in this game. Google, Facebook, and a number of other social media platforms are involved in microtargetting. As Google states in its marketing materials: "the best advertising captures people's attention, changes their perception, or prompts them to take action." (Crain, 2019, pp. 375) Similarly, Google's formats for ads vary and they're not always noticeable (Crain, 2019, pp.375).

Microtargeting was able to gain traction during the 21st century due to the short-lived success from Cambridge Analytica. Cambridge Analytica was a private consulting firm that collected over five thousand data points from millions of Americans and sought to develop techniques for predicting and shaping the behavior of American voters during the 2016 election (Witzleb, 2019, pp.11). As a result, Witzleb argues that political

microtargeting became a major factor in modern campaigning because of its potential to influence opinions, mobilize supporters, and get out votes (Witzleb, 2019, pp. 12). For example, in 2016, Cambridge Analytica collected the data points of numerous voters to use towards the Brexit campaign. Cambridge Analytica then used these points to promote Brexit as a "movement," allowing its gradual support to escalate quickly. Ultilizing Facebook, Cambridge Analytica sought to subconsciously influence voters by "pressuring them to vote a certain way and thereby influencing their behavior" (Witzleb, 2019, pp.14). Facebook was able to collect data points by encouraging users to take a personality quiz developed by Aleksandr Kogan. Over 300,000 users downloaded the quiz, granting Facebook the right to their personal information and their "Facebook Friends." "Neither the individuals who completed the quiz nor their Facebook friends were aware that their information was being harvested as well as being politically exploited for personal gain (Witzleb, 2019, pp.14). As a result, microtargeting has demonstrated itself to be, not only a threat to privacy, but a threat to the democratic process, more specifically within voting.

Similarly, many legal scholars have recognized voter surveilling to pose a similar threat to privacy. In his journal, "The politics of privacy and the privacy of politics: Parties, elections and voter surveillance in Western democracies." author Colin Bennet analyzes the various types of voter surveilling to understand the extent to which voter surveillance practices have been observed in the United States as well as their implications for privacy. Bennett recognizes that voter surveillance has increased in a variety of ways over the past decade. As a result, microtargeting has simultaneously risen and has even been easier to conduct due to user surveillance. Bennett looks at the development of voter management databases to explain this phenomenon and its
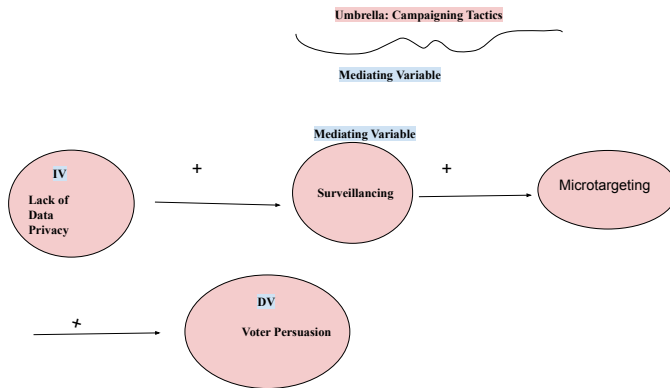
connection to both privacy and voting. "Political parties have, for many years and legally, maintained membership lists. Voter management databases, however, are a more recent phenomenon and designed to profile a far broader range of voters, including those who are not, and may never be, supporters" (Bennett, 2013, para. 10). These databases are used by third parties in order to facilitate campaigns by recognizing which ads are most effective to target voters on a number of platforms. Furthermore, in 2002 Congress passed the Help America Vote Act, which required each state to compile an official state voter database. Using the voter database, third parties have begun to merge this data with publicly available sources in order to "create comprehensive voter files which are then sold to a range of users for campaigning purposes'' (Bennett, 2013, para.12). Within Bennett's analysis, two legal scholars, Howard and Kriess, suggest that as a result of third parties collecting data for personal gain, parties may be able to collect information about voters through telephone polling, public petitions, and donor databases (Howard, Kries, 2013, para. 12).

With the collection of data through user surveillance, microtargeting has increased.

Theory:

A lack of data privacy rights will result in intentionally swayed voter choices through two key mechanisms: Surveillance and Microtargeting. Both of these mechanisms fall under the "umbrella," or concept of campaigning tactics. As noted by Normann Witzleb 2019, pp. 17) this form of data-driven targeting impacts voter choices by subconsciously pressuring them to vote a certain way and influencing their behavior (Witzleb, 2019, pp. 17). As a result, this form of microtargeting will result in voter persuasion, causing voters to not have free will in their decision making.

As Colin Bennett mentions in his journal (2013) voter surveillance techniques have arisen, to address this fundamental shift in partisan allegiances. Social media tactics are a far cheaper way to communicate to a larger audience than more traditional broadcast methods (Bennett, 2013, para. 17). This prevents individuals from having free reign over the decisions they make because they are being subtly influenced by the content they engage with as a result of surveilling. With the inability to make decisions on their own, individuals are easily persuaded in their voting choices and are stripped of their autonomy by the higher emphasis on swaying the voter through nuanced tactics.

Umbrella: Campaigning Tactics

Mediating Variable

Mediating Variable

IV Lack of Data Privacy + **Surveillancing** + Microtargeting

DV Voter Persuasion +

This argument leads to the following hypothesis

H1: If a lack of data privacy increases surveillance, then campaigners will describe an increase in surveillance as when they can collect individuals data regarding party preferences and personality traits about people.

H2: If surveillance affects microtargeting, then campaign managers,

when interviewed will mention that because data from Facebook has become cheaper, they will rely on it more in their ads that are targeted to consumers.

H3: If microtargeting affects voter persuasion, then respondents who saw targeted ads in a treatment group will be more likely to indicate that they vote for that candidate than candidates in the control group.

Empirical Strategy

I will be conducting both a survey experiment and an interview in order to analyze two major factors: how the use of targeted ads affects voter persuasion and where campaign managers collect data from as well as how this data is used to sway voter preferences.

The survey experiment will measure the former and the interview will measure the latter. In my interview, I will be interviewing campaign managers in order to understand if they use microtargeting and surveillance and how they use these mechanisms alongside data. In my survey experiment, I will show an ad and see if it affects voters' behavior and likelihood of voting for a particular candidate. I chose both types of studies because each facet of my experiment could not be conducted in a single type of study. Likewise, I found each specific research type to be best aligned with what I am trying to measure.

My variables for my theory are: Data Privacy (IV), Voter Persuasion (DV), Microtargeting (Mediating Variable) and Surveillancing (Mediating Variable). I will measure data privacy, microtargeting with surveillancing, and voter persuasion through the use of an interview with campaign managers. To measure this variable, I will ask the interviewee the following questions:

1. Tell me a little bit about your background and experience with campaigning?

a. (Interviewee would mention years, campaigns they've worked on, etc.)

2. What tactics do you use to reach out to voters?

a. (Interviewee would mention social media, telephone calls, maybe in person tactics, and television.)

3. What social media platforms do you use to reach out to voters?

a. (Interviewee would mention Facebook and/or Instagram).

4. What tactics do you use on social media in order to reach out to voters?

a. (Interviewee would mention microtargeting (targeted ads), surveillancing, and displaying preferences by collecting data (although this may be said in a more subtle way

5. How do you get data (or information) from voters in order to "reach out" to them?

a. (Interviewee may mention the use of surveys to find personal preferences and personality traits, music personalities, applications designed to harvest data, purchasing from third parties).

6. How many data points a year would you say you collect on voters?

a. Responses will vary.

7. How are users informed that their data might be harvested or collected?

a. Interviewee will mention vague tactics like "terms and conditions"

and *"cookie acceptance" that are known to lack transparency for users reading them.*

8. Have you noticed an increase or decrease in your candidate's votes after using these tactics?
a. Interviewee will say yes.

I will measure voter persuasion and microtargeting through the use of a survey experiment by showing participants a targeted ad. To measure data privacy and surveilling, I will interview campaign managers and ask questions related to how they campaign, what data is important to collect, and what data points are most important for effective campaigning. To measure Voter Persuasion and Microtargeting I will conduct a survey experiment where participants will be shown the following ad:

The targeted ad will demonstrate the likelihood of voters voting for a particular candidate when targeted with a specific ad on social media. If individuals are more likely to vote for this candidate after seeing the

ad, then microtargeting is an effective mechanism for voter persuasion. The treatment group will not be shown an ad but will rather be told the given candidate's party preference and that treatment group will be asked the following:

1. Have you heard of x candidate?
   2. X candidate is (blank) party, would you vote for them?

If the candidate is left-leaning, then left-leaning candidates are more likely to vote for this candidate after hearing their party. If the candidate is right-leaning, then right-leaning voters will be more likely to vote for this candidate.

Conclusion

An individual's data rights must be protected for the sake of minimizing voter manipulation. With the rise of the digital age and modern forms of campaigning, one's data holds more power than ever. Individual data can be used for personal gain and individuals may not even know they signed these rights away.

Through modern campaign tactics such as microtargeting and surveilling, individuals have been swayed digitally with ads meant to change their their prefrences As this problem only continues to increase, we must stop being apathetic with regard to our data and recognize its value in the 21st century.

There are two major implications that came from my project: campaigns can much more easily sway voter preferences when they collect specific user traits and w the rise of nuanced campaigning tactics in the 21st century, individuals are more likely to be subconsciously targeted through various forms of campaigning which will result in a more swayed

voter preference. These implications change our understanding of politics by expanding politics into the realm of data and social media. Because it is so new, we are still trying to understanding the politics behind data and the future ramifications of campaigning through the use of media platforms. Nonetheless, by advocating for increased data literacy, as well as more transparency behind social media platforms, we can hope to prevent a future where digital ad targeting becomes more commonplace.

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Alumni Spotlights

Isaac Schick

Class of 2020

Jorge Gonzalez

Class of 2019

Tim Rollinson

Class of 2014

Cal Poly Model United Nations

Josh Gumacal

Issac Shick

By Josh Gumacal

Isaac Schick graduated from Cal Poly in 2020 with a Political Science degree and a concentration in American Government. He hopes to work in Washington DC as a lobbyist for corporate tax reform, preferably with the Tax Foundation, which is "the nation's leading independent tax policy nonprofit". He first took an interest in corporate tax policy while taking classes on the subject at Cal Poly.

In the Fall of 2021, Isaac spent four months in Washington DC as a political and fundraising intern at the Leadership Institute. The Institute "teaches conservatives of all ages how to succeed in politics, government, and the media". His time in DC taught him how important it is to have coding skills. Coding languages like python allow for the automation of tasks, making this skill incredibly valuable to employers as one employee can do the work of four. The experience he gained there only made him more eager to live in DC. He hopes to settle down in the DC metro area, preferably in the Northern Virginia city of Alexandria.

He spoke to the negative connotation that surrounds lobbyists as having some truth but described their ubiquity in American politics as necessary for specific groups to have their needs met. Lobbying has now become an essential part of the American system as

factions from across the workforce and political spectrum play a role in the creation of public policy. Isaac mentioned that his dream job would be lobbying for Tesla.

Isaac stressed the importance of work experiences outside of class for all college students, especially political science majors. He started at Cal Poly as a Bio Resource and Agriculture Engineering Major but switched to Political Science to pursue his passion for politics. He noticed that political science majors may not have as much schoolwork as an engineering major, but this does not mean that they should spend their free time slacking off. This extra time should be spent interning, volunteering, and gaining skills that cannot be taught in the class. Isaac believes that Political Science provides students with boundless opportunities to gain experience in a multitude of disciplines. In 2018, he managed a team of 12 interns and volunteers during his time with Justin Fareed's campaign for California's 24th Congressional District. He also interned at local Assemblyman Jordan Cunningham's office, working on policy research and administrative work, as well as event organization. He was very grateful for the experience gained while working there.

Issac is currently working toward his master's in public policy at Cal Poly while continuing his tenure as the president of Cal Poly College Republicans, running the club and turning his love of researching interesting topics into presentations for the meetings.

Isaac's political involvement on campus began with a group called "Cal Poly Against Donald Trump". He ran the group in the months following the 2016 election and organized substantial protests

that got covered by the San Luis Obispo Tribune. I was lucky enough to attend a Cal Poly College Republican Meeting after interviewing Isaac. There was a presentation on the weekly topic, which happened to be technology and its impact on humanity. The presentation was solid and did an excellent job prompting thought compelling, Socratic discussion from the club members. I left looking forward to attending another meeting, especially with the members creating such a welcoming environment.

While Isaac currently runs the College Republican club, he also started and ended a chapter of Turning Point USA at Cal Poly. He was president of the chapter from 2017 to 2018 but ended it after realizing that the College Republican club gave him more freedom to explore a wider variety of topics, like Distributism, an economic theory based on Catholic social teaching to move away from the predominating capitalism vs socialism debate. While he appreciates the work that Turning Point does, he also appreciates the autonomy of the College Republicans.

He continues to pursue projects outside of school. Isaac is currently working in the budding NFT space to create Catholic inspired NFTs while finishing up his masters degree.

Jorge Gonzalez

By Josh Gumacal

Jorge Gonzalez graduated Cal Poly in 2019 with a bachelor's degree in Political Science with a concentration in Pre-Law, as well as a minor in Ethnic Studies. Jorge currently works for Univision, a Spanish media company, as their Political, Advocacy, and Government Group Coordinator. His job is centered around outreach of the Latino community through selling of advertising space to advocacy campaigns, and political campaigns from a national to regional level.

Although his work and passions are now centered around the political realm, Jorge started at Cal Poly as a civil engineering major. After one quarter, he realized that his current major wasn't fulfilling, and he eventually lost motivation in school. While exploring other majors to switch into in late 2015, Donald Trump's presidential campaign began. Growing up in an immigrant community and being an immigrant, himself, Jorge found even more motivation to change his major and career path. At the same time, he rediscovered his motivation in advocating for underrepresented groups, and giving back to his community. After taking various classes on the subject, he decided on majoring in political science and eventually minoring in ethnic studies to give him the tools to advocate for his community.

While at Cal Poly Jorge joined, and started, various clubs that anchored toward this passion. Jorge was a founder and president of the Advancement of Undocumented Students (AUS), and participated and worked in the Educational Opportunity Program, and in the lobbying for the construction of Cal Poly's Dream Center. He was also the President of Gamma Zeta Alpha and a member for the Rising Immigrant Scholars for Education. A strong piece of advice Jorge recommends for current students is to get involved as much as possible. Not only will it help students in getting a job or building their resume, but it teaches students how to lead and work with people.

Looking back at his time at Cal Poly, his experience was just as important as the education he received. One of the biggest obstacles he faced was being an immigrant student with a low-income background at a school where it is almost entirely homogeneous and affluent. He notes that, in his experience, the workforce is essentially the same. This experience helped build a foundation for him to feel comfortable and allowed him to be himself in those types of spaces. He also highlighted faculty like Catherine Trujillo, Dr. Williams, Dr. Navarro, and EOP counselors and staff that helped guide him throughout his college career.

Jorge always thought he would go to law school after finishing his undergrad. This changed during his senior year, as he was offered an internship in Washington D.C. to work for Representative Salud Carbajal and the Congressional Hispanic Caucus Institute. Through this internship he realized that he wanted to work in politics, and to specifically focus on the Latino community. This experience is what set him on the path to eventually work for Univision.

At Univision, his political science background has given Jorge an edge in his sales team, and he emphasizes the versatility of his degree and the opportunities it presents. Cal Poly's "Learn by Doing" model gives students the tools to succeed in anything they may pursue, no matter the degree. Explore different opportunities. Find your passion. Go for it, "don't limit yourself to a degree".

Tim Rollinson
By Reece Williams

Tim Rollinson graduated from Cal Poly in 2014 with a bachelor's degree in political science with a concentration in pre-law. Tim is currently working for Google as a senior account manager. Tim, and his team, are essentially "ingrained in different companies' marketing teams". His job entails proposing new ideas for search, youtube, and display advertising campaigns as well as troubleshooting when things go wrong. Tim is originally from the South Bay, and is now living in San Francisco.

Tim started at Cal Poly as a political science major and never had any doubts that this major was for him. Throughout his education at Cal Poly, Tim credits the invaluable skills he learned to classes with Dr. Moore, Dr. Zhang, and a senior seminar with Dr. Leitner. Tim was able to learn how to communicate effectively and developed analytical rigor.

As a political science student with a pre-law concentration, he always thought he would be going to law school right out of college. He mentions a specific moment when someone told him that "if you're passionate about law school, go for it, but remember that there are so many different jobs out there". Upon hearing this advice, he began to branch out and explore other interests he may want to pursue. Tim emphasized to students that "[you] don't have to be defined by what you do". Majoring or concentrating in a given subject isn't going to

define your future. Tim encourages students to start hobbies and to find new interests because it's important to figure out what you like to do, even if it's "just watering a plant".

Upon graduating college, Tim notes that one of the biggest obstacles he faced was realizing how different the "real world" was from school. At Cal Poly quarters are a full-on sprint for ten weeks and a lot is expected of you, but there is an endpoint to that stress. During his transition to work, Tim felt as if he needed to know everything at his job but, in reality, no one is expected to know everything. Overcoming the "mental hurdle" of this transition and remembering that "your first job is not your last job" was a significant lesson that he learned.

Tim's first job out of college was at Oracle Marketing Cloud where he was a marketing cloud consultant focused on software presales. Before he could start work, he was involved in a month-long training program with 200 people across the country. Through this intensive training he learned how to do sales, which he continued to do when he eventually moved to Google. After being in two sales jobs, he realized this wasn't what he wanted to do. He found what he liked in his current position as an account manager. Being able to create relationships, establishing rapport, and understanding what is important for the client is what he values. He says that "establishing a good value base" is important because there will inevitably be times where you'll come to "forks in the road". He notes that building a strong value base now is important to navigating the world beyond college.

During his time as an account manager, Tim and a colleague recognized that a huge chunk of the population was underserved and created a

program to target those people. This program ended up getting this underserved population access to Google services, and it is still used today. He recognizes this as one of the biggest accomplishments so far in his career.

Looking back on his time at Cal Poly, he remembers the lesson he learned, the people he met, and how those factors have impacted him in his success. Embrace all the opportunities you can, learn as much as you can, engage with professors, but most importantly "enjoy it".

By Josh Gumacal

Cal Poly's Model United Nations, or MUN for short, was founded in 2001 by Professor Craig Arcenueax, who continues to run the program to this day. MUN provides a unique opportunity for those who are interested in learning about the United Nations by having students represent a certain country at conferences. These conferences host colleges from across the world to compete in places like San Francisco and New York City. At a traditional conference, each MUN team is tasked with representing a certain country. For example, at the most recent conference, Cal Poly's delegation represented Costa Rica. From there, individual students go on to separate committees where they debate issues on a series of topics as if they were actually that country's UN delegation. These committees cover economic affairs, security affairs, environment, etc. The goal of each committee is to draft a resolution that most, if not all, "countries" can agree on. This is obviously a hard thing to accomplish, and to help students prepare MUN is separated into two classes. The first class students must take is POLS 285 in the fall, and this is where students learn all about the UN as well as run their first conference-like simulations. The second class is POLS 385 in the winter/spring where students focus on preparing to compete in conferences all around the country. At the most recent conference in New York, the Cal Poly delegation won an Honorable Mention and one of the students, Jaxson Silva, won an "Outstanding Delegate Award."

I got the chance to speak with two MUN students about their experiences in the club. Jaxon is a 4th year majoring in Liberal Arts and Engineering Studies. Jaxson emphasized not just the amount of fun he has had while involved with the program, but the valuable skills he has learned along the way. Through the two classes and subsequent conferences, students learn the art of negotiation, public speaking, how to compromise, and the steps to conflict resolution. When asked about how this club has influenced him, he responded that it helped him grow as an individual as well as learn to value different people's perspectives. One of Jaxson's favorite memories from this year was attending the New York conference and meeting students from other delegations (schools).

Kylie White is a 3rd year majoring in Political Science with a concentration in Global Politics. One of the highlights of this year that Kylie mentioned was attending the conferences in Berkeley and New York City where the resolutions she wrote acquired the most votes (they were the most popular!). Kylie emphasized how you're not just learning about the "functioning bodies of government" through books, but actually acting it out and directly participating in it. One of her favorite things about the club is the community of students working together to achieve a common goal. The advice she has for students wanting to get involved with MUN is to simply participate as much as you can. She emphasizes the rare opportunity it is and to get as much out of it as possible. Conferences host a plethora of colleges across the world so it's easy to see that one room could have over a hundred people in it. Kylie mentions that learning to work outside of her comfort zone, especially when giving a speech with that many people in the room, was one aspect where she grew the most.

From the perspective of being an advisor, Professor Arceneaux believes that the most rewarding feeling he experiences is when he sees students "rise to the challenge." He notes that conferences are a lot of work for students as most, if not all, of the work they are tasked with is done independently. This includes familiarizing themselves with various "rules of debate", and intensely studying the positions a specific country has with various issues. However, Jaxson says that after getting done with a conference and seeing all of your hard work come to fruition is a "really good feeling." In addition, Professor Arceneaux states that the "learn by doing" framework the club is based on is perfect for building student's confidence. It's important to note that the club and conferences also provide unique networking opportunities. Some conferences, including the one one in New York, will invite Non-Governmental Organizations (NGOs) or graduate programs for "professional days" so that students can learn more about internship opportunities. Although students must take a sequence of political science classes to participate in MUN, Professor Arceneaux encourages people from any major to join. As he describes, "[MUN] deals with such a diversity of issues" that other majors may be better suited for.

MUN is the embodiment of the "learn by doing" motto that Cal Poly prides itself on. Through talking with Professor Arceneaux, Jaxson, and Kylie, it is easy to see the valuable skills and career opportunities that you are able to receive through this club. Kylie encourages all students to "give it a try" because, as Jaxson states, "it's quite a bit of fun."

Afterword

The opportunity to become Editor in Chief really scared me, and that's part of why I did it.

This trial-by-fire experience of a lifetime would have been much, much scarier without the incredible support system Paideia had. We at Paideia personally thank Dr. Anika Leithner for your guidance, support, and expertise at every step of the way; Jen Jacobsen for being an incredible, helpful, dedicated pillar of Paideia's outreach and for connecting us with faculty and the student body; Dr. Shelley Hurt for your advice, creativity, knowledge, and for always, unwaveringly, staunchly, proudly believing in Paideia's mission; Dr. Cravens, Professor Mulholland, Professor Sahane, Todd Porter, Dr. Arceneaux, Dr. Arrington, Dr. Battle, and so many others who helped publicize, advertise, and encourage Paideia's involvement on campus, allowing for announcements and flyers and Paideia chit-chat to proliferate throughout the year, and for fostering and advising such strong work in your students.

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Thank you to Kylie and Sarah from the Graphic Communication program for coming on board in unfamiliar territory and dedicating yourselves to this project full force—without you, Paideia is just a collection of files. Thank you Clarissa for dedicating your talents not only as an editor and inspiring student but also as our resident photographer. Thank you to Paideia's amazing staff for meeting hard deadlines and making time from your busy, vibrant lives, and for not only bringing your professionalism and intelligence to the publication, but also for assiduously working toward Volume 9's fulfillment—and thank you for the friendship and camaraderie that became of us along the way.

Paideia is especially grateful to the Alumni Advisory board for always believing in and supporting the journal, and for steadfastly connecting Paideia to Cal Poly's central mission to Learn by Doing.

Last but perhaps most important, thank you Joi Sullivan Rogers and Katie Magnus, the founders of Paideia Journal of Political Science. Because of your ingenuity, innovation, foresight, and determination, Paideia continues on year after year, changing and growing and shifting as the world does, all resting upon your enterprising foundation of trailblazing ideas.

Sincerely,
Chloe Bonini, Editor in Chief

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