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Editor Marco Rimanelli, Ph.D.

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FLORIDA POLITICAL SCIENCE ASSOCIATION

OFFICERS 2015-2016

Florida Political Chronicle

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ESSAYS SUBMISSIONS to:

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Past issues of the *Florida Political Chronicle,* like the "2012 Presidential Elections" (v.20, n.1-2, 2009-2012) and on-line Archive of older issues are ***FREE*** for readers by clicking on the Florida Political Science Association's Website either: **http://www.fpsanet.org/chronicle.html**   or   **http://www.fpsanet.org/archive**
Current issue is only accessible via password & FPSA subscription until made free when a new issue is printed!

– ESSAYS SUBMISSIONS REQUIREMENTS –

The *Florida Political Chronicle* is the regional scholarly journal of the Florida Political Science Association, printed on-line twice annually to serve the academic disciplines and professors of Political Science and International Relations in a balanced, apolitical and analytical way. This scholarly journal encourages scholarly submissions from all Political Science disciplines: American Politics, Theories, Comparative Politics, International Affairs and Security, Diplomatic History, International Political Economy, Public Administration, International Law and Organizations.

Please e-mail Editor Marco Rimanelli (*Marco.Rimanelli@saintleo.edu*) all essays for consideration:

1. **Essays** in **Word** not PDF.
2. **Author's Biography** at paper's very end (2-paragraphs, with years of Ph.D. and M.A.).
3. **Abstract** and **Bibliography** required.
4. Do not use the First Person ("I"); instead use the neutral "The author", "The study" or "This work".
5. Standard length varies, with maximum length at 10,000 ca. words and 1-inch margins. Tables in the text or as appendixes must fit a 1-inch margin (**no landscape-size Tables**!).
6. **Footnotes** preferred style (at end of each page) is the Chicago Manual of Style, but accepted are also APA, APSA or others if the author has a finished work for review. Otherwise consult the Editor.
7. All essays are selected based on a "3 Blind Reviews" process (yes, I have 3 blind mice!) and those accepted for publication will incorporate editorial modification and suggested changes by Reviewers.
8. **Book-Reviews** are welcome on any related topic! Submit 2-to-7+ pages-long Book-Reviews in **Word**.

DISCLAIMER: All interpretations, opinions or conclusions printed in the *Florida Political Chronicle* are solely those of the author/s and should not be attributed to or considered to be reflective of an institutional position by either the Florida Political Science Association (FPSA) and its Officers, or by Saint Leo University, its Board of Trustees, officers and staff, or any organization and individuals supporting either the FPSA or Saint Leo University as institutions.

Florida Political Science Association Annual Meeting: Saturday, 1 April 2017 Valencia College-Orlando, Florida

Program Chair: Will Miller
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The 2017 FPSA Annual Meeting will be held at **Valencia College** in **Orlando, Florida.** All information on directions, parking and hotels will be sent in **January**.

Pre-registration before the conference day is **$75** for faculty and **$35** for students. All paper presenters, panel chairs and discussants are asked to pre-register. **Registration at the meeting** is **$85** for faculty and **$40** for students. Registration includes lunch, refreshments and a subscription to the *Florida Political Chronicle.* For pre-registration, please go to ***www.fpsanet.org***

Faculty, talented undergraduates and graduate students are encouraged to submit papers. A $250 award is given to the FPSA Best Graduate Student Paper presented at the conference and a $200 award will be given to the FPSA Best Undergraduate Student Paper. **Please send paper proposals to the following Section Chairs by 27 January 2016. Accepted papers will be notified by 15 February 2017.** All proposals must include: name, institution, rank (faculty, graduate student, undergraduate student, or public), contact information, paper title and an abstract of between 150 and 250 words.

Sections	Section Chair	Contact Information
American National Politics	Gary Boulware University of Florida	gboulware@pky.ufl.edu 352-392-1554, x243
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State & Local Government	Sean Foreman Barry University	sforeman@barry.edu 305-899-4098
International Relations	Giselle Jamison St. Thomas University	Gjamison@stu.edu 305-628-6579
Comparative Politics	Houman Sadri University of Central Florida	houman.sadri@ucf.edu 407-823-6023
Roundtable on Teaching Political Science	Kelly McHugh Florida Southern College	mchugh.kellyann@gmail.com 863-680-4111
Roundtable on Media & Politics	Denis Rey University of Tampa	denis.rey@ut.edu 813-257-1729

Call for Submissions to the *Florida Political Chronicle* journal. Scholarly articles from past FPSA conferences are welcome as well as other papers that have not been previously published. Please contact and submit to Editor Marco Rimanelli at Marco.Rimanelli@saintleo.edu to start the peer review process.

Please see our website for the latest conference information and archives of the *Chronicle* and *Political Scientist*: www.fpsanet.org

President's Farewell Address & FPSA News
by FPSA President Leah H. Blumenfeld, Ph.D., Barry University-Miami

Dear FPSA members and all interested readers:

Welcome to another edition of the *Florida Political Chronicle,* presented under the leadership and direction of Editor, Dr. Marco Rimanelli of Saint Leo University. Since 2012, the *Florida Political Chronicle* has been published on-line and in color, with back issues available free to scholars and other readers. Our Florida Political Science Association's website (www.fpsanet.org) is also a great resource for scholars, members, students and the public interested in research and conferences on domestic and international affairs, as well as in the work of the FPSA board, its by-laws and constitution.

FPSA enjoyed a productive year during 2015-2016 and it has been an honor and a privilege to serve as its President. FPSA continues to grow and move in the right direction. We had a successful conference in April 2016 at Florida Southern College in Lakeland, which could not have been achieved without the diligence and hard work of our Arrangements Chair Dr. Kelly McHugh, Program Chair Dr. Denis Rey and all Section Chairs who contributed. The FPSA conference grew again in 2016—we had more than 25 panels and discussion sessions, with over 120 presenters representing 35 colleges and universities from around Florida, the United States, and as far away as Turkey.

The conference encompassed a broad variety of topics in panels and roundtable discussions, from teaching to presidential politics. We are lucky to count amongst our membership experts in both Florida and national politics, whose work addresses these themes. The rain certainly could not dampen the spirit and lively discussion of the lunchtime roundtable on Florida politics, something of an annual tradition at the conference and a highlight of the day. It is our mission to encourage exactly this kind of thoughtful and stimulating discussion within our academic sphere and beyond.

This year's FPSA conference also included the presentation of the Manning J. Dauer Award, which is given every three years to a faculty member at a Florida institution.   This year's recipient is a long-time member of FPSA: Dr. Jonathan P. West, Chair and Professor of Political Science, as well as Director of the MPA Program at the University of Miami. Dr. West's research interests include human resource management, productivity, local government and public service ethics. Professor West has published nine books and over 140 articles and book chapters, and has presented over 120 scholarly papers. His most recent books are: *Public Service Ethics: Individual and Institutional Responsibilities* (CQ Press, 2015) and *Human Resource Management: Paradoxes, Processes and Problems* (5th ed., Sage, 2016). Professor West has won numerous honors and awards recognizing his research, service and teaching, and was Managing Editor of the journal *Public Integrity* in 1998-2014. He has been involved with, and influenced, many state and local governments in both Florida and across the country. Dr. West is a past President, officer and Board Member of the FPSA, and has served as Section Head for the Public Policy/Public Administration Section of the FPSA annual meeting on numerous occasions.

Congratulations to Dr. West!

Thinking ahead to 2017, the next FPSA annual meeting will take place at Valencia College-Orlando, Florida on 1 April ("Not an April's Fool"). Be on the lookout for the Call for Papers in October 2016. In the meantime, our committees will be reviewing submissions and selecting the winners for the Best Graduate and Undergraduate Paper Awards from the 2016 meeting, to be published in the next edition. I am sure we will all be watching the rest of primary season and conventions as the nomination process for the Presidential candidates does move forward. What role will Florida play in the national election come November 2016?

Finally, I want to wish our incoming President Denis Rey and all FPSA officers a fruitful and rewarding year. I have every confidence that under their leadership our organization will be as strong as ever!

Sincerely,

Leah H. Blumenfeld, Ph.D.
President FPSA
Assistant-Professor of Political Science
Barry University, Miami Shores

Editor's Introduction: Domestic Politics in Focus—a "Thematic" View!

by Marco Rimanelli, Ph.D., Saint Leo University & Fulbright Chair College of Europe-Bruges

Dear FPSA Political Scientists and "Fellow-Travelers",

due to the abundance of good quality materials submitted for publication after our latest two annual FPSA conferences of 2015 and 2016, this new *Florida Political Chronicle* issue (vol.24, n.2, 2015-2016) has been regretfully delayed to allow the presentation to our readers of the journal under a novel (occasional) "thematic" approach only focused on U.S. domestic politics. Likewise, our *Florida Political Chronicle*'s next companion issue is imminent (vol.25, n.1, 2016) and focuses on international issues of relevance.

This new 117-pages-long *Florida Political Chronicle* (vol.24, n.2, 2015-2016) welcomes our readers to a "Farewell Introduction" from our exiting President of the Florida Political Science Association, Dr. Leah H. Blumenfeld of Barry University in Miami Shores, who is being replaced by Dr. Denis Ray of the University of Tampa. This issue showcases nine scholarly essays that were presented at the 2015 FPSA Annual Conference at the University of Central Florida-Orlando and at the 2016 FPSA Annual Conference at Florida Southern College in Lakeland. These essays include for the first time great *Alternate Graduate Finalists* for both our 2014 and 2015 FPSA Best Graduate Paper Awards (the actual awardees have been already published in the *Florida Political Chronicle*'s previous issues: vol.23, n.2 of 2014 and vol.24, n.1 of 2015), plus three Undergraduate research papers from John Cabot University in Rome, Italy, as part of a larger common Team-Project on U.S. American-Indians (see p.70-88).

This issue's first and very timely essay is: "The U.S. Immigration System: Broken, but Can't Fix It! Why any Comprehensive Immigration Reform Law is D.O.A. under the Obama Administration" (p.13-27) by Dr. Giselle D. Jamison, Ph.D., from St. Thomas University in Miami, which explains the controversial issue of legal and illegal immigration to the United States. The author argues that after eight years in office, Democrat President Barak Obama was never able to implement his pledge to pass a new Comprehensive Immigration Reform Bill to fix the "broken" U.S. immigration system (its latest reform dating to 1990 under Republican President George W.H. Bush "Jr."). Despite Obama's stepped-up deportations of thousands of illegals (the President himself was acidly dubbed "Deporter in Chief"—an accusation conveniently forgotten within the Democratic fold in the heat of the 2016 Presidential Campaign when the anti-immigration pledges of several Republican candidates shifted the debate towards more ominous future outcomes), the decades-old political controversy over 11-12 million illegals hiding in plain sight in the U.S. still had not produced any new comprehensive immigration reform to correct the current abuses to this broken system, due to deep political differences between the Republican and Democratic parties. However, Dr. Jamison argues that the battle over U.S. immigration reform was more complex and mirrored the rival contradictory logics of economic Free-Trade vs. nationalist protectionism. Obama could not pass any comprehensive Immigration Reform Law because he could never reconcile these two rival logics, each backed by strong political and economic constituencies. Finally, the extremely charged 2015-2016 race among ideologically-opposite Presidential candidates (both within the Republican Party, and between Republicans and Democrats) brought this issue to a boiling point with the surprise victory of Republican Donald Trump with his high charging open campaign against illegals and refugees.

The second essay blends American State and Local Studies with Political Economy in: "Lessons from the Bankruptcy of Detroit" (p.28-36) by Vice-President Robert W. Robertson, Ph.D., of the University of Phoenix—Central Florida. This paper studies the causes and impact of Detroit's 2013 bankruptcy (at over 18 billion Dollars), as the largest municipal bankruptcy in U.S. history and reminiscent of the 1970s one of New York City. Dr. Robertson's own past practical experience in municipal governance in Canada and his distinguished international career in business management allowed him to critically review public records and chronicle the public management and leadership failures that led to Detroit's bankruptcy, while suggesting insights as to how strategic management must evolve in response to other crises similar to Detroit to ensure that systemic issues are identified and addressed head-on. Like Dr. Robertson stresses, the City of Detroit has a unique opportunity to rejuvenate itself, provided it develops a clear strategic vision and stakeholder support.

The third essay is our _Alternate 2014 Best FPSA Graduate Paper,_ "Different Faces of Criminal Justice: Using Social Diversity to Analyze Stop, Question and Frisk" (p.37-48) by Rolda Darlington, M.A., from the University of Florida in Gainesville. This graduate research paper studies as a new criminal justice technique the "Stop, Question and Frisk" procedures adopted by many U.S. Police Departments (after being pioneered in New York City under then Mayor Rudy Giuliani) to prevent crimes and protect citizens from becoming victims of violence. However, opponents especially in ethnic Minority communities, decry vehemently "Stop, Question and Frisk" as a controversial practice that disproportionately enhances racial-profiling of mostly Blacks and Latinos on the streets of U.S. cities.

The fourth essay is another _Alternate 2015 Best FPSA Graduate Paper,_ "Divided Turnout: the Influence of Divided Government on U.S. Voter Turnout" (p.49-58) by Heidi Beck, M.A., from the University of Central Florida-Orlando. This graduate research paper compares as case-studies both divided governments and voter turnout who have been studied before as individual (not correlated) key areas of political research in American Government Studies. The discipline acknowledges only one major research on the effects of divided government on voter turnout, so this graduate research essays extends the previous work to up-date existing data to the new millennium. The results from the linear regression model used show that divided government fails to have a significant effect on voter turnout.

The fifth essay is the insightful professional commentary: "Introduction to 'A Diamond Hidden in Fry-Bread: Team-Project on Native Americans'" (p.59) by Theodore M. Gibbons, Ph.D., of Saint Leo University, which opens-up the 4-part essays of the _Team-Project_ on Native Americans by Co-Editors Assistant-Dean Andrea Lanzone, Ph.D. and Gabriella Di Benedetto, with B.A. Graduates Gabriele Cotronei, Arianna Pavoncello and Emilia Cianci of the John Cabot University of Rome, Italy. Dr. Gibbons, also an expert on Native Americans who befriended Assistant-Dean Lanzone's group, bemoans in his introduction the parallel slow-motion demise of this hidden population: physically through marginal and poor educational conditions that all Native American face on their Reservations ("Rez"), and culturally by the collective oblivion in the Twenty-First Century U.S. population of the very existence and historical memory of these first American inhabitants, who now hold no connection to current U.S. national events. In his poignant words: "Native Americans have vanished from contemporary textbooks in the wake of the technological frontier."

Thus, the sixth essay is the international collective research work of the Italian _Team-Project_ on Native Americans from John Cabot University of Rome: "A Diamond Hidden in Fry-Bread: Reflections on American-Indian Reservations and Tribal Education" (p.60-69), by Co-Editors Assistant-Dean Andrea Lanzone, Ph.D. and Gabriella Di Benedetto for the _Team-Project_ on Native Americans with B.A. Graduates

Gabriele Cotronei, Arianna Pavoncello and Emilia Cianci. This *Team-Project* (both in this collective work and the students' own three ancillary individual papers on p.70-88) did not originate in the U.S.A., but in Italy where three undergraduate students from John Cabot University analyzed the contemporary social conditions in which the Oglala-Lakota Sioux people have to live, shedding a new light on various unsolved issues which still affect the American-Indian reality in the Pine Ridge Reservation of South Dakota.

In their collective essay, Assistant-Dean Lanzone and his student-team found that Native American children today still live in an environment plagued by alcoholism, drug addiction, physical abuse, unemployment, depression, despair and terminal illness, which Tribal schools remain unable to redress. By analyzing American-Indian education and the current social condition in which Native American children and adolescents live in the Reservations, the Italian *Team-Project* on Native Americans hypothesizes a more effective reformed Tribal school system within the Reservations in the form of a higher educational level that would allow the students to be competitive with average American students, as well as an increase in the teaching of American-Indian traditional subjects such as traditional languages, art, spiritual practices and storytelling to familiarize today's Native American children to their mostly forgotten past to help them better understand why they embody the consequences of that past. In their words: "the average Native American child lives life knowing he or she is unwanted by society and the world, yet never understanding why… Children in Native American Reservations are the ones who suffer most from loneliness and marginalization."

The seventh, eighth and ninth essays of this journal, are related to the above essay of Co-Editor and Assistant-Dean Andrea Lanzone, as the three individual ancillary research presentations by the *Team-Project*'s B.A. graduated students from John Cabot University of Rome in Italy:
- "Contemporary *Kachina* Dolls: Reflections on Native American Reality, Education and Mental Health" (p.70-78) by Gabriele Cotronei, B.A. (2014) in Humanistic Studies & Minor in Psychology, which explores how the American-Indians Tribal education might be reformed and improved;
- "American-Indians and Improving Education System: Teaching Them Will Teach to Us" (p.79-84) by Arianna Pavoncello, B.A. (2015) in English Literature & Minor in Creative Writing, which studies how the re-appropriation of Native American culture and traditional story-telling in American-Indians Tribal education;
- "American-Indians and Improving Education System: the Power of Art" (p.85-88) by Emilia Cianci, B.A. (2015) in Humanistic Studies & Minor in Philosophy, which discusses the therapeutic role of art once introduced in American-Indian Tribal education and culture.

As service for members and readers who did not have the opportunity to attend our annual meeting, this *Florida Political Chronicle* issue reprints in full the: "FPSA Annual Conference Program, 2 April 2016" (p.91-111) at Florida Southern College in Lakeland.

This issue's Book-Review is a timely, comparative analysis by two Florida scholars of the role of the State of Florida in Presidential, national and local elections: "The Dangers of Direct Democracy in Florida: Kathryn DePalo's *The Failure of Term Limits in Florida,* and Editor Seth McKee's *Jigsaw Puzzle Politics in the Sunshine State* (p.112-116) by Director Frank Orlando of the Polling Institute of Saint Leo University. Director Orlando highlights how DePalo's book assesses the early returns from Florida's experiment in limiting the tenure of State legislators, while McKee's work details the redistricting process in Florida. Both books have excellent research to explain to the professionals and also the casual readers the inner-workings of Florida's government in Tallahassee. Both of these great works according to Frank Orlando are not only essential to

understand rowdy legislative years, like 2015, but that they will continue to be indispensable for all aspiring scholars, journalists and interested followers of Florida politics.

As in past years, the Information & Policy Analysis Center (IPAC) of the University of Central Florida-Orlando led by President Houman Sadri, Ph.D. (also previous FPSA President in 2012-2013) has generously funded the FPSA Best Undergraduate Paper Award to a meritorious candidate in 2015, but not in 2016 (the selection committee did not find an equally meritorious candidate). IPAC President Sadri has confirmed that IPAC will continue to sponsor future FPSA Best Undergraduate Paper Awards and the FPSA looks forward to continuing this selection process after the up-coming 2017 FPSA Annual Conference.

Finally, the Back-Cover on p.117 of this *Florida Political Chronicle* issue traditionally highlights the institutional profile of a current FPSA University Member, which in this case showcases Florida Southern College in Lakeland, which graciously hosted the 2016 FPSA Annual Conference on 2 April 2016.

Our Mission: since 1989, the *Florida Political Chronicle* is the regional, scholarly journal of the Florida Political Science Association, serving the academic disciplines and professors of Political Science and International Relations in a balanced, apolitical, analytical, intellectual and non-discriminatory way that fully embodies both our regional association's and U.S. Department of Education's requirements for public policy in universities. The *Florida Political Chronicle* encourages submissions of scholarly academic essays and Book-Reviews from all Political Sciences-related Disciplines: American Government & Politics; Political Theory & Philosophy; Comparative Politics; International Affairs & Security; Diplomatic History; International Political Economy; Public Administration; and International Law & Organizations (submissions requirements on p.5 above). Our FPSA regional scholarly journal supports submissions from both standing and past FPSA members, as well as from domestic and foreign scholars who have either presented their work at any FPSA Annual Conference, or as unaffiliated still support our organization's mission.

Thank you for your enduring trust in the *Florida Political Chronicle,* and best wishes to all for preparing very productive FPSA Annual Conferences both in 2016 at Florida Southern College in Lakeland (full Program reprinted in this issue at p.91-111) and the up-coming 2017 at Valencia College in Orlando (info-sheet at p.6)!
Sincerely,

Marco Rimanelli, Ph.D.

Editor of *Florida Political Chronicle,* FPSA's regional scholarly journal,
Professor of Politics & International Studies at Saint Leo University-Florida, U.S.A. &
2013-2014 Fulbright-Schuman Chair at E.U. graduate College of Europe-Bruges, Belgium.

The U.S. Immigration System: Broken, but Can't Fix It! Why any Comprehensive Immigration Reform Law is D.O.A. under the Obama Administration

by Giselle D. Jamison, Ph.D., St. Thomas University, Miami

> First at all, just substantively, every American should want immigration reform. We've got a system that's broken… and is it not just a Hispanic issue-this is an issue for everybody. This is an American issue that we need to fix…
>
> President Barack Obama[1]

ABSTRACT: President Barak Obama (D) promised to pass a Comprehensive Immigration Reform Bill to fix a "broken" immigration system. However, notwithstanding his promises, Obama could not reform the immigration system. Why not? What impacts U.S. immigration law? A simplistic explanation attributes the lack of reform to political party differences between Democrats and Republicans. However, the reality of immigration reform is more complex. It responds to two contradictory rival logics ("two-logics dilemma"): the logic of economic Free-trade and the logic of nationalist protectionism. Obama could not pass a comprehensive Immigration Reform Law because he was unable to reconcile these two rival logics. But, despite all the promises by the 2016 Presidential Candidates to achieve some immigration reform this will continue to be elusive, while elected Republican President Donald Trump will pursue his twin ideological promises of large-scale deportation of illegals and building an impenetrable "wall" along the Mexican border to deny future infiltrations.

Introduction

Today, over 11 million undocumented immigrants live in the United States, and hundreds of unaccompanied minors cross the U.S.-Mexico border yearly looking for asylum, while companies like Microsoft and Apple lack specialized workers to compete globally and constantly joust to hire high-value foreigners (H-1 VISA waiver). Consequently, Democrats, Republicans and Independents claim the immigration system is "broken" and in dire need of reforming (Krogstad 2015). Yet, no new comprehensive reform law has been passed since the 1980s. Why is it so difficult to change the immigration system in the United States? What impacts the formulation of immigration policy? Why President Obama could not reform the law when he promised to do so during his electoral campaigns?

A simplistic account of immigration politics attributes the absence of an immigration bill to the usual Congressional deadlock stemming from the ideological differences between ruling Democrats and opposition Republicans (Holan 2010; Caldwell 2014). Thus, the Obama Administration blames House Republicans for failing to pass the 2013 Comprehensive Immigration Reform Bill approved by the Senate (Caldwell 2014). At the same time, Republican Senator John McCain reminds Democrats that prior to his 2008 election as U.S. President, it was then junior Senator Barack Obama (D-IL) who undermined efforts to pass reforms during the previous George W. Bush Administration (Holan 2010). Senator Obama voted

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[1] Quote: President Barack Obama's White House press debriefing held on 6 March 2012.

against the "legal temporary worker program", a key component of the failed bi-partisan Comprehensive Immigration Reform Bill in 2007. Democrats also routinely label Republicans as "anti-immigrant xenophobes" who believe migrants are "rapists and criminals" (Fang 2015; Krogstad 2015), a controversial position openly embraced by Republican Presidential candidate Donald Trump in 2015-2016 who also vowed to deport most illegals if elected. Republicans in turn, condemn Democrats as "reckless and irresponsible leftists" who compromise the security of the United States (Tea Party 2015). But, as a majority of the literature on immigration policy suggests, immigration reform is much more complicated and uncomfortably "transcends" party politics (Meyers 2000; Fry 2001; Shanks 2002; Zolberg 2002 & 2006; Zolberg & Russell 2008).

Since Independence in 1783, U.S. immigration law developed in response to economic and nationalistic interests of various sectors of society and government (Zolberg & Russell 2008). As Schain (2012) noticed, pro-immigrant businesspeople from the Republican Party have traditionally aligned with pro-immigrant electoral groups from the Democratic Party and not with their fellow-members to pass legislation to expand the number and type of immigrants, while restrictionist, "nativist" Republicans have aligned with protectionist labor sectors from the Democratic Party to stop or defuse immigration. Immigration reform resulted therefore from attempts to reconcile such clashing economic and nationalist interests or "logics" that cut across the basis and constituencies of both political parties (Zolberg & Russell 2008; Levin 2012; Schain 2012).

Under the logic of economic Free-trade, immigrants are welcome as another component of an open global marketplace (Meyers 2000, Johnson 2007; Zolberg & Russell 2008). For instance, both the agricultural and service sectors depend on immigrants (legal or illegal) to provide cheap labor for the economy.[2] Instead, under the rival logic of labor market protectionism and "nativist" nationalism, immigrants are restricted (both legal and illegal) to shield the "American culture" from foreign influence and ensure that U.S. native workers have jobs (Fry 2001; Zolberg & Russell 2008). While the logic of nationalist protectionism erects barriers to stop all types of immigration, the rival logic of Free-Trade liberalism seeks to remove most barriers to free movements of goods, services and workers (both domestic and foreign immigrants). The dilemma for the U.S. immigration system is how to reconcile these two contrasting logics (Joppke 1999; Zolberg 2002; Zolberg & Russell 2008).

The immigration system includes legislation, policies and institutions that monitor all migratory movements within the United States, and status of all non-citizens and legal foreign ("alien") residents (Meyers 2000). Federal immigration law sets the levels of legal migration and establishes all rules related to legal non-immigrants as temporary residents (tourists, guest-workers, students and refugees), besides dealing with "undocumented" (or illegals) population flows. Federal and state laws also determine benefits for each category of newcomers. These benefits include access to worker visas, driver's licenses, visa privileges to get health care or education, permanent residency ("Green Card") and eventually the most valuable benefit of all: citizenship. Thus, any comprehensive immigration reform law includes changing both the *legal* and the *illegal* aspects of the immigration system.

This paper examines the context, causes and consequences of comprehensive immigration reform to understand current immigration law as applied under the Obama Administration. Regarding context, the history of the U.S. immigration system is contradictory. Contradictions exist because past immigration laws resulted from "unlikely bedfellows" attempting to reconcile the "two-logics dilemma" (Zolberg & Russell 2008). Inconsistencies exist not only in the laws, but also among the American public's

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[2] This paper uses the term *illegal* immigrant as synonym to *undocumented* or *unauthorized* immigrant, based on the definition provided by Title 8 of the U.S. Code, and not in any political sense (Motomura 2008).

contradictory feelings: while Americans take pride in being part of a "nation of immigrants" and many support the regularization of undocumented immigrants, increasingly since 1980 and irrespective of party-affiliation, a large percentage of people support building some sort of "wall" to keep immigrants out (Batley 2015; Goo 2015). Thus, over 50% of citizens "think that immigrants strengthen the country," but 7-in-10 Americans do not want to increase the current level of immigration (Stoltzfoos 2015).

Caught in this morass, President Obama failed to fulfill his electoral promises to reform U.S. immigration law, not because of party differences, but because he was unable to reconcile the "two-logics dilemma". The inability to change the immigration system is not unique to his Presidency, but it is a characteristic of a complex system incapable of integrating the logics of Free-Trade liberalism and protectionist nationalism simultaneously. The tension between the rival "two-logics" produces antagonistic policies that make it nearly impossible to reform comprehensively. Thus, achieving immigration reform will continue to be challenging, regardless of which party is in power.

The History of the Immigration Law under the Rival "Two-Logics Dilemma"

Until the end of the Nineteenth Century, industrializing countries did not have strict immigration policies regulating movements of people across national borders (Koser 2007). Like other nations, the United States sought immigrants to satisfy growing economic demands (Gutierrez). Also, similarly to other advanced countries, the U.S. did not welcome "all" immigrants, but only "certain types" of immigrants: they were welcomed if they could contribute to the economy without threatening the racial and ethnic composition of the nation (Fry 2001). Through various mechanisms, initially justified by Social Darwinism, and with the support of both political parties, the U.S. government excluded so-called "undesirables" since Independence to build a "nation by design": over the years, "undesirables" included Chinese, ex-Black slaves, Irish, Italians, Polish, Latinos, and today's Muslims (Zolberg & Russell 2008; West 2010).

Since its introduction in the early-1920s, one way to exclude immigrants was through quota systems (Joppke 2006; Zolberg 2006). For instance, the 1925 national origin quota system was created to "preserve, as nearly as possible, the racial status quo of the United States… in the hope to guarantee racial homogeneity" (Johnson 1998). Within this system, newcomers received visas based on the percentage of people from their country of origin already residing in the United States at the time of the 1890 census (Joppke 2006). Since not many Jews, Eastern European, Southern European, Asians, Latin Americans, Arabs or Africans lived in the United States in the 1800s (despite unprecedented massive surges in European and Asian immigration in the 1870s-1914), it automatically capped at a lower artificial percentage these new immigrant ethnic waves during the Twentieth Century (U.S. Department of State N.D.). These exclusions applied not only to working immigrants, but also to those requesting asylum. This policy had devastating consequences for later waves of Jews (paradoxically comparing it to their earlier U.S. welcome in the 1890s, due to Russian Czarist pogroms) trying to escape the Nazi régime in the 1930s-1940s (United States Holocaust 2016).

Although widely supported, not everybody agreed with the quota system. President Truman, for example, not only denounced its discriminatory nature but also argued that it impeded getting workers for a growing economy after the Wars (U.S. Department of State N.D.). Despite Truman's objections, however an overwhelming majority in Congress kept quotas when approving the first U.S. comprehensive immigration reform in 1952: the Immigration and Nationality Act (I.N.A.), codified under Title 8 of the U.S. code. With modifications, the I.N.A. is the basis of the current U.S. immigration system (USCIS Policy Manual 2016). At the time of its approval, co-sponsor Senator McCarran (D-NV) used nativist justifications to restrict immigration visas (U.S. Department of State):

"I believe that this nation is the last hope of Western civilization, and if this oasis of the world shall be overrun, perverted, contaminated or destroyed, then the last flickering light of humanity will be extinguished. I take no issue with those who would praise the contributions which have been made to our society by people of many races, of varied creeds and colors…. However, we have in the United States today hard-core, indigestible blocks which have not become integrated into the American way of life, but which, on the contrary, are its deadly enemies. Today, as never before, untold millions are storming our gates for admission and those gates are cracking under the strain. The solution of the problems of Europe and Asia will not come through a transplanting of those problems in mass to the United States. I do not intend to become prophetic, but if the enemies of this legislation succeed in riddling it to pieces, or in amending it beyond recognition, they will have contributed more to promote this nation's downfall than any other group since we achieved our independence as a nation."

Similar nativist arguments have reemerged with a vengeance during the latest extremely divisive 2016 U.S. Presidential Campaign, when Republican-nominee Donald Trump rallied large sections of the electorate with the controversial proposal to deport 11 million "illegals" residing in the country and to build an impenetrable wall along the U.S. border with Mexico to prevent further annual inflows of tens of thousands of illegal migrants. Such highly charged rhetoric also sparked a reaction in the U.S. by having most of the Hispanic community rally to his opponent, Democrat Hillary Clinton, who had reversed her own anti-immigration stance before the election campaign to actively court the Hispanic vote.

The I.N.A. controls immigration through a "pre-admission and admission system" under the Aliens & Nationality Act. This law established "the principles of family reunification, the admission of immigrants with needed skills, the protection of refugees and the diversity of admissions by country of origin" as criteria for immigration visas (Wasem 2012). Family reunification, the cornerstone of the United States immigration system, "is based on the belief that the family is the natural and fundamental unit of society entitled to protection by States" (Okeke & Nafzinger 2006). So both family members of U.S.-born citizens and naturalized citizens routinely receive a majority of available immigration visas.

The country of origins quota, however, played a key role in selecting what desirable "type of family" was admitted (Hing 2004; Zolberg & Rusell 2008). For instance, originally 85% of the approximately 150,000 visas allowed by country of origin went to "white" Northern European immigrants, mainly from Germany, Great Britain and Ireland (Wasem 2012). Although the law lifted restrictions on Asian immigrants who have been singled out for more than a century, it discouraged immigrants from that region by grouping all Asians into one category, regardless of country of origin (Ibid). Furthermore, no separate category existed for immigrants from Latin America, Africa and Middle East (Hing 2004). The I.N.A. did not increase the number of visas for displaced people or refugees either. All these traditional immigration practices did not change until the mid-1980s (Federation 2008).

Labor unions long pressured Congress to incorporate a labor certification program within the I.N.A. to protect American workers (Tichenor 2002). Under the certification process, employable aliens must demonstrate that their job will not compete with native workers, that they possess a legitimate job offer, and that they will get paid the prevailing wage for that job (USCIS Policy Manual 2016). As a result, mainly professional and highly skilled workers receive these H-1 visas. However, the I.N.A. did not establish also a similar process for non-skilled labor, except allowing for a very limited number of H-2 non-immigrant Visas for agricultural and non-agricultural workers.[3] Consequently, illegal immigrants started to come in large numbers attracted by jobs in the agricultural and then service sectors (Gutierrez N.D.).

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[3] Another exception outside the I.N.A. was the Bracero Program, an agricultural labor agreement between Mexico and the United States allowing 5,000,000 laborers from Mexico, Jamaica, Honduras and Bahamas to work in the U.S. from 1942 to 1968. It ended

The Immigration and Naturalization Act of 1965, which passed with ample support from both parties, eliminated some discriminatory aspects of the I.N.A. while continuing to give priority to family reunification and high skilled job needs (Okeke & Nafzinger 2006). Although this immigration reform appeared to be progressive, its primary intention was to benefit family members from Eastern and Southern European countries who had become mainstream "due to their whiteness" (Johnson 1998). This favored mostly Italian and Polish immigrants, while most Eastern Europeans remained still barred behind the 1946-1990 Cold War's ideological Iron Curtain by their pro-Soviet communist dictatorial régimes who denied emigration to their citizens.

When passing the Immigration and Naturalization Act, the late-Progressive Democratic Senator Ted Kennedy (D-MA), hardly considered a nativist, assured Congress that the composition of the country "was not going to be altered" (CIS 1995). In one of the speeches to generate support for the reform, Senator Ted Kennedy said:

> First, our cities will not be *flooded* [emphasis added] with a million immigrants annually. Under the proposed bill, the present level of immigration remains substantially the same. Secondly, the *ethnic mix of this country will not be upset* [emphasis added]. Contrary to the charges in some quarters, the bill will not *inundate* [emphasis added] America with immigrants from any one country or area, or the most populated and deprived nations of Africa and Asia—and in the final analysis, *the ethnic pattern of immigration under the proposed measure is not expected to change* [emphasis added] as sharply as the critics seem to think… It will not cause Americans workers to lose their jobs.

However, the law has "changed the face of America" because it eliminated the quota system and established a cap system with geographical limits by region and by country (*History* 2010). Whereas in the 1950s, more than half of all immigrants were European and just 6% were Asians, by the 1990s, only 16% were Europeans, and 31% were Asian (Ibid). Moreover, no cap was set for immediate family reunification (unmarried children under 21, spouses and parents), while a cap was set for worldwide refugees (Ibid).

Furthermore, the 1965 Immigration and Nationalization Law did not increase the number of non-skilled visas. So, the number of illegal and undocumented immigrants (many overstaying permanently their original 3-months Tourist Visas) increased from 540,000 in the 1960s to six million by 1987, partially in response to the abundant amount of non-skilled jobs (Daniels 2008). As a result, controlling illegal immigration became the cornerstone of the U.S. immigration and the main venue where the logics of economic liberalism and protective nationalism collided. Republican President Ronald Reagan captured the essence of the "two-logics dilemma" in his related 1987 radio address (Ronald Reagan 2015):

> When the Labor Department is forced to relent and let these visitors do this work, it is, of course, all legal. But it makes one wonder about the illegal alien fuss. Are great numbers of our unemployed really victims of the illegal alien invasion or are those illegal tourists actually doing work our own people won't do? One thing is certain in this hungry world; no regulation or law should be allowed if it results in crops rotting in the field for lack of harvesters.

To solve the tension between the rival "two-logics dilemma", President Reagan signed the Immigration Reform and Control Act (IRCA) in 1986 (Joppke 1999). The IRCA was a comprehensive immigration law that resulted from a compromise between different sectors (Laham 2000). The American Federation of Labor-Congress of Industrial Organizations (AFL-CIO) sided with anti-immigration groups to

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amidst serious workers' abuse allegations and complaints from citizens who believed that foreigners were "stealing" their jobs. Despite continuing need for low-skilled rural workers, this program has not been replaced.

support increased border patrol and sanctions against those hiring undocumented workers over concerns about lower wages (Joppke 1999). The U.S. Chamber of Commerce, in need of cheap labor, sided with pro-Latino organizations to support amnesty for illegals (Ibid). Similar to prior reforms, the IRCA attempted to address economic and nationalistic interests simultaneously (Zolberg 2008). But, many of its provisions failed because the law could not completely reconcile these two logics dilemma (Ibid).

The IRCA increased border security, prohibited hiring illegal immigrants, toughened sanctions against businesses who knowingly hired undocumented workforce, cut welfare benefits for undocumented aliens, and provided amnesty for nearly six million illegals and undocumented agricultural workers (Joppke 1999), which delayed one year the processing of legal green card-holders' own conversion to citizenship. However, drafters of the law did not foresee the impact of tighter borders (Ibid). For instance, migrant workers, who returned to Mexico at the end of each agricultural season, now stayed in the United States for fear of being caught at the border (Durand et al. N.D.). Thereafter, many family members also emigrated permanently to the U.S. to join them (Ibid).

New labor laws to check the status of workers were not successful either (Laham 2000). Since the 1990, fresh waves of illegal and undocumented migrants bypassed the new rules by acquiring "fake" documentations. Employers operated around the rules by using contractors to hire workers, hence excusing them from checking employee documentation. Employees hired without proper documentation negatively affected salaries at the lower end of the labor market, while business owners continued to have access to a pool of cheap labor (Duran et al. N.D.). As Joppke (1999) argued, "the odd coalition pressure of Hispanics and employers yielded a toothless sanction scheme." Other administrations only amended partially this law, without stopping the renewed inflow of millions more undocumented and illegal migrants since 1990, reaching by 2010-2016 a new total of 12 million.

The Immigration Act of 1990, signed by Republican President George H.W. Bush. "Jr.", raised the annual cap of immigrant visas to 675,000 (Civic Impulse 2016). A majority of entrance permits went to family members (480,000), high-skilled employees (140,000) and individuals from low-entrance countries (e.g.: 5,000 for Africa and Middle East) (Scaros 2007). The Black Caucus also pressured the U.S. Congress to create a "lottery system" to increase "diversity" from around the world (Civic Impulse 2016). The lottery system excluded immigrants from countries that already send a large number of immigrants, such as Mexico.

The 1990 Act also created a limited category of non-immigrant high-skilled labor; it deleted homosexuals from the categories denied visa, and it created a new category of visas for refugees: the "Temporary Protective Status" (T.P.S.) Visa (Tichenor 2012). This new visa prevents individuals who are in the United States illegally from being deported when they cannot return to their country of origin, due to a national disaster or a war in their country (Ibid). The T.P.S. is also an additional source of cheap labor (Federation 2008).

Parallel to this, the 1990 Act initiated a trend of militarization of the U.S. Mexico border to stop immigration, drugs, arms trafficking and terrorism (Warner 2010), which had been forecasted and denounced since the Reagan years. With support from both political parties, President Bill Clinton signed the 1996 Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) to increase enforcement (Tichenor 2002). The IIRIRA increased security measures, allocated funds to build a border fence or "wall" alongside Mexico, and cut social benefits for undocumented immigrants and legal non-citizens (Scaros 2007). The law stripped the right of judicial review for deportation trials and allowed any I.N.S. official to "unilaterally rule that an alien is inadmissible" (Ibid). Finally, the IIRIRA changed the practice of enforcing immigration law only at the Federal level. Under U.S. Code § 287 (g), states could enter into voluntary agreements with the Federal government to enforce immigration law (Lacayo 2010). Since 2000, more than 16 governors have signed agreements with

the Federal government to "perform the function of an immigration officer in relation to the investigation, apprehension, or detention of aliens in the United States" (Ibid).

In conjunction with these reforms, some states also cut benefits to undocumented aliens. Proposition 187 in California enacted in 1994 (later repealed) and the controversial SB1070 known as the Arizona law enacted in 2010, exemplify this trend (Lacayo 2010). However, while many states and cities passed legislation to prevent the undocumented from accessing jobs or benefits, other cities volunteered to protect them (Ibid). Currently, the U.S. has more than 300 "Sanctuary Cities" that provide either *de jure* or *de facto* protection to illegals (Apsan N.D.). Contradictions even exist between policies and states.

Although no major immigration reform occurred after the "9/11" Terrorist Attacks, significant administrative changes centralized enforcement and visa administration (U.S. Department of State 2004): immigration is now under the Department of Homeland Security (D.H.S.), a department created in 2003 to "unify the Federal government's capacity to deal with terrorist attacks, major disasters, and other emergencies" (Ibid). A new office under D.H.S., the Immigration and Customs Enforcement agency (I.C.E.), was created by merging the I.N.S. (which ceased to exist) with the U.S. Customs Service. The primary goal of I.C.E. is to "enforce Federal laws governing border control, customs, trade and immigration to promote homeland security and public safety" (Ibid).

In 2006, President George W. Bush also attempted to pass a comprehensive immigration bill to address the then estimated 10 million undocumented people living in the country. Senior Senators such as John McCain (R-AZ) and Ted Kennedy (D-MA) drafted a bi-partisan bill (Tichenor 2012), which would have provided "a path to citizenship for workers illegally in the country, increased border security, improved enforcement of employment law, and provided more visas for temporary workers" (Ibid). However, "only 33 Democrats, 12 Republicans and one independent in the Senate voted to advance the bill, while 15 Democrats joined 37 Republicans and one independent to block it" (Holan 2010). One of the opposing Senator was Freshman Barack Obama (D-IL) (Ibid).

Regardless of the political and historical myth of America as a land welcoming to all immigrants, the U.S. immigration system has really been exclusionary since national independence. Over the years since the late-1800s, more restrictive laws enjoyed ample support from both political parties. To achieve reforms, lawmakers assured the American people that immigrants would not threaten U.S. jobs and would not dramatically change the ethnic composition of the American society. However, after the failure of IRCA to deter the increasing number of undocumented workers entering the country filling low-paying needed jobs, any reconciling of the logics of economic liberalism and protective nationalism became virtually impossible. Hence, no comprehensive immigration reform has happened since the 1980s. The inability to solve the immigration "two-logics dilemma" is also a major constraining factor today for the Obama Administration.

The Obama Administration and the Current Immigration Law

During his 2008 political campaign, then Democratic Presidential candidate Barak Obama "guaranteed" that he would sign a comprehensive immigration bill during his first year in office (Hicks 2012). However, despite being reelected and initially having a Democratic majority in both Senate and House, Obama could never fulfill his campaign promise. Moreover, immigration reform was hardly mentioned in any of his State of the Union addresses. Democrats and President Obama blame Republicans for the lack of an Immigration bill, while Republicans blame instead the President, but the inability to achieve any reform was mostly due to the failure to reach a political consensus that could satisfy both the logics of economic liberalism and protective nationalism simultaneously. Obama's conflicted policy position on immigration issues reflects this duality, although by 2015-2016 a dominant third factor

became the political need to sway Hispanic votes into supporting Hillary Clinton's Democratic campaign to become his successor in the White House (Dorsey & Barriga 2007).

As a Senator, Obama nationalistically described the United States' border with Mexico as a "porous border" that needed closure to stop "the flooding that came from Mexico" (Dorsey & Barriga 2007). He confessed that "when I [Obama] see Mexican flags waving at pro-immigration demonstrations, I sometimes feel a flush of patriotic resentment. When I'm forced to use a translator to communicate with the guy fixing my car, I feel a certain frustration" (Obama 2006). In contrast, President Obama has recognized the immigrants' contribution to the U.S. society and economy by praising "the generations of immigrants [that] have made this country into what it is" today and stating that "immigration makes America stronger" (White House 2011). As President, Obama has attempted to reconcile the immigration **"**two-logics dilemma" through a "three pillar" approach: securing the border, enforcing employer accountability and providing a path toward citizenship for the now over 12 million undocumented immigrants living in the country (Ibid).

During the first and the beginning of his second term, Obama followed an "enforcement first" approach (White House 2011). He increased border security, made employers more accountable and deported hundreds of undocumented aliens, following the trend initiated by prior administrations (Tichenor 2012). To secure the border, Obama supported the "George W. Bush Merida Initiative" to militarize the U.S.-Mexico border (Hauger & Musser 2011). He doubled the number of Border Patrol agents to more than 20,700 officers, making the Border Patrol Agency "the highest staffed border patrol office" ever (Warner 2010). He reallocated more I.C.E. employees to the South-Western Border than any other President, and he completed 649 miles of a controversial planned 652 miles border fence between Mexico and the United States (Koulish 2010).

President Obama's efforts to make employers accountable yielded many benefits for his plan too. Since 2009, the administration imposed more than $61 million in penalties on businesses violating immigration laws; it audited more than 3,000 companies; and it arrested around 200 employers (White House 2013). Obama simplified the use of E-Verify, a computer database that allows employers to check employment eligibility using the combined databases of the D.H.S. and Social Security Administration (Ibid). Even though E-verify is not Federally-mandated, it has now become the *de-facto* system to check work eligibility in more than 20 states (Ibid), while becoming mandatory for Federal agencies, state contractors and any institution receiving Federal funds (Ibid).

The Obama administration's effort to increase security yielded a significant number of deportations of criminals and non-criminal illegal migrants (Gonzalez-Barrera & Krogstad 2015). In his first five years in office, President Barack Obama deported more than 2.5 million undocumented immigrants (White House 2011). By comparison, President George W. Bush deported less than 2 million during his eight years in office (Ibid). Because Obama "deported more people per year than any other president in U.S. history," the Hispanic community baptized him "Deporter-in-Chief" (Gonzalez-Barrera & Krogstad 2015). Many states followed the Obama administration with anti-illegal laws (Ibid).

The deportation of so many undocumented immigrants left many sectors of the economy with a labor shortage. As Georgia farmers acknowledged: "when the undocumented workers fled, farmers lost around 40% of their workers and $140 million worth of blueberries, melons, onions and other crops due to the labor shortage" forcing many owners to "scale back production" or "stop planting altogether" (Strupp 2012). If Obama thought this policy would decrease unemployment during the 2008-2012 economic recession, it paradoxically did not: American workers were unwilling to work in the field for the

low wages paid to immigrants (Ibid), while complaints from the Hispanic lobby and the agricultural sectors forced Obama to scale-down some of these policies (Gamboa 2014).

In a memo to the D.H.S. in 2014, President Obama instructed enforcement agents not to separate families when removing "undocumented" individuals (White House 2013). Through a Priority Enforcement Program (P.E.P.), I.C.E. officials notified of an arrest of an illegal immigrant by a state or local Police official, now have the discretion to deport or not based on the severity of the crime involved. As Obama said when changing the policy, his intention was to prioritize the use of limited resources by focusing on "felons, not families, criminals, not children; gang members, not a mom who's working hard to provide for her kids" (Ibid). By late-2015, his administration had deported fewer people than in the prior year (Vaughan 2015).

Obama also halted the deportation of young adults who were brought to this country by their "undocumented" parents when they were children (Gamboa 2014). Through an executive order issued on June 2012, Obama allowed the so-called "Dreamers" to defer deportation and apply for driver's licenses and work permits, as long as they were contributing to society by furthering their education or enlisting in the military (White House 2013). As of 2015, more than 600,000 young immigrants applied and received deferred action through the Deferred Action for Childhood Arrivals rule (DACA) (Ibid).

However, President Obama's new deportation policy had the unintended paradoxical consequence of attracting over 100,000 new migrants from violence-torn Central America, facilitated by criminal gangs escorting them for heavy fees all the way across the U.S. border, by spreading the false rumor that they could come to this country and not be deported (Park 2014). More than 10,000 children a month and another 16,000 adults crossed the U.S.-Mexico border in 2014 (Perez 2015). Because the D.H.S. does not have the facilities or resources to process such a large amount of asylum claims, many have been detained by I.C.E. for more than a year (Carcamo 2015). The detentions have drawn intense criticism from human rights organizations and from the Judiciary, which issued a ruling to force Obama to release the migrants (Ibid). Also, contradictions in U.S. immigration policy add confusion to the process: while a bipartisan statute on human trafficking gives minors from Central America the right to delay deportation and have a legal hearing, children from Mexico are routinely sent home often without hearing (Perez 2015).

The contradictions in asylum policies coincide with the Obama's administration desire to increase the number of Syrian refugees to help reduce this parallel international migration crisis (Camarota 2002; United States Obama 2012). Although the number of Syrian refugees taken by the U.S. is small (from 2,000 admitted in 2015 to the maximum 10,000 allowed in this program by its completion in September 2016) when compared to the number of Muslim Syrian refugees accepted by other advanced countries in the world in 2015-2016 (from the 50,000 admitted by Canada to the over 1 million by Germany), criticism from nativist sectors, as well as concerns from the Hispanic community do abound. As Thomas Saenz, Vice-Chair of the National Hispanic Leadership Agenda (N.H.L.) said:

> These officially-sanctioned home invasions, already legally and morally dubious, become utterly indefensible in the hypocritical context of a glaring double standard for refugees. The Administration's inconsistent stance toward deserving refugees fleeing violence in Syria and those equally deserving women and children fleeing violence in Central America is incomprehensible, except as an ongoing example of entrenched anti-Latino discrimination in our immigration system. Moreover, at this point late in the Obama Administration, instead of a doubling down on bad policy, we should expect a long overdue end to the self-evidently futile politics of right-wing appeasement in the form of overzealous I.C.E. enforcement activity (National Hispanic 2016).

In 2013, a bipartisan comprehensive immigration bill (S.744), known as the Schuman-Rubio Bill, was approved by the U.S. Senate with a vote of 82-to-15 with support from labor unions, Information

Technologies companies, the U.S. Chamber of Commerce and some Hispanic organizations, as well as the Obama administration (American Immigration Council 2013). In an attempt to satisfy the logics of nationalism and security, S.744 conditioned a path to citizenship for undocumented immigrants to investing more heavily in sealing the Southern Border with Mexico. The bill envisioned an initial budget of $46.3 billion for technology to monitor the border with cameras, mobile surveillance devices, unmanned aircraft and radar. The proposal also contemplated doubling the amount of fencing and adding more Border Patrol agents, while further militarizing the U.S.-Mexico border (Ibid).

The bill also proposed an increase of work-related visas to address the economic needs of employers: the law eliminated the cap on H-1B visas for highly skilled workers, expanded the number of student visas and created a "W" category of visas to hire non-skilled workers who could then potentially transition to a permanent resident category, while making E-verify mandatory for all states (American Immigration Council 2013). Finally, the law provided a path to citizenship for those undocumented migrants who would be allowed to apply for legal residency after 10 years of filing tax returns, demonstrating English skills and meeting other requirements (Ibid).

As with prior comprehensive immigration reforms, this bill did not pass the U.S. House of Representatives, where opponents included the Tea Party sector of the Republican Party, some business sectors, agricultural interests, Black and Hispanic organizations (Carmona 2013). On one hand, "Nativist" groups did not want "amnesty" for people who broke the law, while Conservative economists perceived the further militarization of the border as financially unsustainable. On the other hand, Black and Hispanic organizations feared a decrease of jobs for their own respective groups (Ibid). As in the past, supporters of the bill could not reconcile liberal economic and protective nationalistic logics.

Interestingly, there was little opposition to how the new law allocated legal immigrant visas (Carmona 2013). The bill allocated entrance permits using a new point system that emphasized skills and education, while eliminating the Diversity and some categories of Family Visas (Ibid). Based on a 2003 report from the State Department's Office of the Inspector-General (OIG), "the Diversity Visa program contains significant risks to national security from hostile intelligence officers, criminals and terrorists attempting to use the program for entry into the United States as permanent residents" (U.S. Government 2007). Eliminating the Diversity Visa would have reduced the number of immigrants from the Middle East, a category that has increased significantly since 2005. The bill would have also eliminated siblings and married children over 31 as category, indirectly targeting Hispanics who have larger families (Camarota 2002).

Unable to pass the bill, Obama attempted to defer the deportation of another 5 million undocumented immigrants: on 20 November 2014, he signed an executive order called Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) to expand DACA and allow the undocumented parents of U.S. citizens to request a deferred action from deportation (de Vogue 2016). However, at the time of this writing, Obama has not yet implemented this executive order, due to a preliminary injunction stemming from a lawsuit by 26 Republican governors. Even the U.S. Supreme Court failed to rule on the ability of the President to proceed with these immigration actions by June 2016: the earlier death of Conservative Justice Anthonin Scalia and the Republican Senatorial opposition to confirm the Obama Administration's replacement candidate (himself a moderate Conservative Judge) until the 2016 Presidential Elections, left the Supreme Court evenly split between Liberals and Conservative Justices with the consequence that any 50%-50% ruling automatically fails to reverse existing judicial injunctions (American Immigration Council N.D.).

While the Obama administration is currently trying to provide relief from deportation to undocumented immigrants through DAPA and DACA, Jeh C. Johnson, Secretary of Homeland Security,

emphasized that U.S. "borders are not open to illegal migration" (Johnson 2016). On January 2016, Secretary Johnson issued the following warning to illegals: "if you come here illegally, we will send you back consistent with our laws and values... this should come as no surprise. I have said publicly for months that individuals who constitute enforcement priorities, including families and unaccompanied children, will be removed" (Ibid). Consequently, raids and removals increased (National Hispanic 2016). Once again, inconsistent U.S. immigration policies sparked alarm among human rights and Latino organizations, whose stated policy is to prevent any deportation of "undocumented migrants" while pressing for "open borders" (Ibid).

President Obama promised to reform the U.S. immigration system: he first increased enforcement and then provided relief to some categories of undocumented immigrants. However, he always failed to pass a compressive reform bill, despite having a Democratic Congress during his first-term with a bi-partisan bill in the Senate during this second-term. Similar to prior administrations, Obama was unable to reconcile simultaneously the "two-logics dilemma" embedded in the U.S. immigration system: the logic of economic liberalism and the logic of protective nationalism. The conflict between the "two-logics dilemma" transcends party politics and provokes many contradictory policies.

Conclusion

During his first-term in office, President Obama secured the U.S. border and deported thousands of "undocumented" immigrants, earning the nickname of "Deporter-in-Chief". In his second-term, he stopped some removals and provided a path for millions of illegals to stay in the country. Finally, while waiting for the Supreme Court decision on DACA and DAPA, the D.H.S. under the Obama's administration increased the number of deportations once again. Instead of clear and definitive immigration reform, the tension between the "two-logics dilemma" produced inconsistent policies that made changing the laws difficult for Obama to achieve.

But these inconsistencies are not exclusive to the Obama administration. As seen, opposing immigration policies co-existed in the U.S. since its independence. While the United States had an open policy up until the 1920s, this policy applied only to White Europeans, then U.S. immigration policies became increasingly very restrictive, especially from the 1920s to 1960, despite the Bracero Program during that same period that brought in more than 4.5 million Mexicans to work legally. In 1986, Ronald Reagan, a Republican President, gave amnesty to more than 3 million undocumented immigrants, while Obama, a Democratic President, deported more people than any other U.S. President before him. Why these contradictions?

Unlike abortion or gun control, which positions follow party lines, immigration issues transcend party ideology and are influenced by economic, cultural, racial and xenophobic motivations (Zolberg 2008; Levin et al. 2012). Categorizing immigration policy following a Conservative/close/nativist vs. Liberal-Progressist/open/pro-immigrant scale excludes the nuances behind policy implementation and national reform where "unlikely bedfellows" unite to pass legislation or stop change (Zolberg 2008). While exclusionary policies have enjoyed support over the years from different sectors, recent policies to include integrate illegal immigrants have been challenged.

Despite his statements, President Obama has not succeed in reforming U.S. immigration laws, but possible neither will the rival 2016 Presidential Candidates who are promising to do so through either an expansive pro-immigration (Democrat Hillary Clinton), or extremely restrictive anti-illegals policies (Republican Donald Trump). As discussed, immigration reform does not depend on party politics, but it depends on the ability to reconcile the logic of economic nationalism and logic of protective nationalism. These dual logics are intertwined in a *Catch-22* dilemma. Either lawmakers keep illegal immigrants out pressured by interest groups and vocal Conservative sections of the national public who fear that immigrants

will further dilute the shrinking U.S. White population, poison American culture, threaten American security and take Americans' jobs, or lawmakers will embrace legalizing all immigrants and allow undocumented immigrants to stay, pressured by economic interests and equally vocal Liberal and Latino sections of the national public. These conflicting interests cut across both political parties. Any comprehensive reform of this broken immigration system where policies respond to conflicting demands (such as granting amnesty to the undocumented, increasing the number of agricultural visas, changing the process to allocate legal permits or building a border **"wall"**), will be difficult to achieve simultaneously, at least in the short-term. As one Senator recently said, "comprehensive reform, if it means tackling everything at once, I think is unlikely to pass—ever", regardless of who is in power (Herring 2014). A piecemeal approach may be more conducive to long-term reform.

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Lessons from the Bankruptcy of Detroit

by Dr. Robert W. Robertson, Ph.D., University of Phoenix-Central Florida

ABSTRACT:　Detroit declared bankruptcy on 18 July 2013: this was the largest municipal bankruptcy in U.S. history at more than 18 billion Dollars. The purpose of this paper is to outline the causes of the bankruptcy and discuss the impact it has had on the City of Detroit. The research methodology uses public record documents, including journals, magazines articles, blogs and web-pages. In particular, this paper chronicles the management failures that led to bankruptcy and provides insight as to how strategic management must evolve in response to other crises similar to Detroit to ensure that systemic issues are identified and addressed. The City of Detroit has a unique opportunity to rejuvenate itself; however, there will need to be a clear strategic direction and stakeholder support for a new vision to rescue Detroit.

Introduction

The City of Detroit is the most populous city in the State of Michigan and the 18th largest in the United States, as well as the largest on the border between the United States and Canada (Bomey, 2013). In 1950, Detroit had 1.8 million residents and was the "Motor City" of the United States and the world (Free Press, 2013). But by 2014, due to the steep post-1973 decline in industrial manufactures, Detroit's population had dropped to 700,000 and its once robust economy had vanished (Bomey, 2013).

In March 2013, the State of Michigan's Governor declared a financial emergency for the City of Detroit and appointed as Emergency Manager Kevyn Orr (Boney, 2013). Then, on 18 July 2013 the City of Detroit filed the largest municipal bankruptcy case in United States history and on 3 December 2013 U.S. Federal judge Stephen Rhodes declared it officially bankrupt, citing its $18.5 billion debt and declaring negotiations with its thousands of creditors as unfeasible. The City of Detroit provided unsecured tax incentives to lure business, borrowed money on estimated speculative revenue, provided skyrocketing employment benefits, and gifted approximately $1 billion dollars of pension funds to retirees and active city workers. All these decisions, actions and lost opportunities over decades created an unsustainable government and guaranteed the inevitable insolvency of Detroit (Bomey, 2013).

When Detroit filed for bankruptcy, the case was expected to mirror others around the nation: a major legal contention with several years of pitched courtroom battles between city lawyers and creditors' lawyers. What actually happened, in the case of Detroit, is that the two Federal judges overseeing the case refused to be bogged down in a drawn-out legal battle, and pushed instead for aggressive mediation and a quick ruling. Much of the legal action and negotiation to resolve the case has happened within the private chambers of both judges, where they have presided over confidential mediation sessions producing rapid-fire results (Baldas, 2014).

The State of Michigan's appointed Emergency Manager Kevyn Orr had developed and submitted a detailed strategic "plan of adjustment" to illustrate how Detroit would reduce its $18.5 billion debt and eliminate long-term liabilities, while restructuring city government to emerge from bankruptcy. The City of Detroit is also suing two banks for $1.4 billion over a bad pension deal developed by previous Mayor

Kwame Kilpatrick. Many of the City's other pressing fiscal issues were moved closer to resolution, due to the mediation process:

- the City and Detroit retirees have reached a settlement involving cutting health-care benefits (Helms, 2014);
- the Detroit Institute of Arts pledged $100 million;
- the W.K. Kellogg Foundation pledged $40 million;
- the State of Michigan pledged $350 million to a rescue fund to shore-up municipal pensions;
- the City also negotiated a 40 year lease of the wastewater departments to a new regional authority in exchange for $47 million in annual payments (Helms, 2014).

For the City of Detroit to actually move forward it has two basic options to chart its course: either travel down the same road of providing tax incentives to lure companies to Detroit, levy high taxes on residents and business that stay within the City, and make political promises that are not sustainable; or the City of Detroit can make strategic management adjustments in how to enhance and balance the management dimensions of the strategic triangle, political, cooperation and operations (McBain, 2010). Figure 1 below illustrates the inter-relationship required to manage this strategic option.

Figure 1: Strategy Triangle
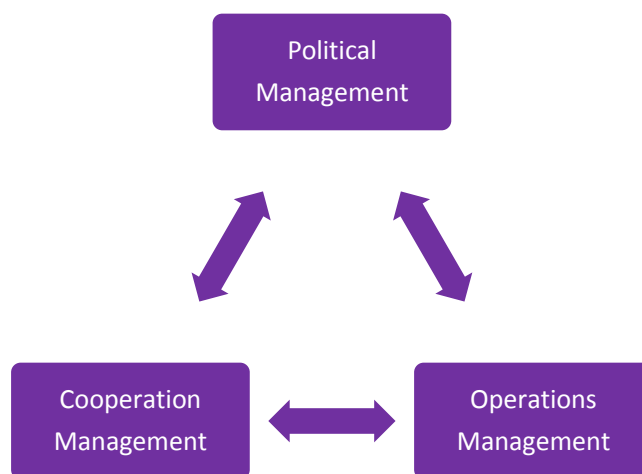
Strategic Management

1. Strategic Management & Leadership

In municipal government there are two prevalent types of management: visionary and managerial. Visionary leaders are elected politicians, primarily future oriented, proactive and risk-takers. These leaders base their decisions and actions on their beliefs and values, and try to share their understanding of a desired vision with constituents and stakeholders. Managerial leaders are professional staff, primarily immersed in the day-to-day actives and operations of the organization and may lack an appropriate long-term vision for growth or change (Robertson, 2014).

The City of Detroit needs a new type of leadership, it needs strategic leadership. Strategic leadership is different than the other two prevalent leadership types, visionary and managerial. Strategic leadership enhances long-term viability through the communication of a clear vision and alignment of business division activities to maintain a satisfactory level of short- and long-term financial stability, while maintaining relatively smooth day-to-day operations (Robertson, 2014).

2.   <u>Internal and External Analysis</u>

The continuing economic decline, outstanding debt and bankruptcy have impacted the available financial and capital resources that the city of Detroit can leverage. More than half of the owners of Detroit's 305,000 properties failed to pay their 2011 tax bills, exacerbating the city's financial crisis, thus the city's 2011 delinquent property tax payments resulted in approximately $246 million dollars in uncollected taxes and fees. The flight of Whites and middle-class to the suburbs and far beyond, high unemployment, derelict buildings, abandoned neighborhoods, high crime rate and the inability to provide basic public service, such as street lighting, has long made Detroit an undesirable destination for families and business (Guillen, 2014).

Today, Detroit is overhauling its property assessment, taxation and collection processes. The City wants to tax residents and business more fairly and stem the persistent decline of its property tax revenues. While Detroit tax payers are expected to receive fairer tax bills, the City property tax revenues are expected to decline by 13% ($10-$15 million) for the 2014-15 fiscal year. This could be a negligible impact as long as the City changes its delinquent tax payment rate (Helms, 2014).

Detroit also has a pronounced demographic imbalance and poverty is an on-going problem in the city. As of the 2010 census, the racial composition of Detroit's population was: 83% African-American, 11% White and 6% other races (Free Press, 2013). From 2000 to 2009 the city's estimated median household income fell from $29,526 to $26,098 (Free Press, 2013), and as of 2010 the mean income of Detroit declined further below the overall U.S. average by several thousand Dollars. In May 2012, the Department of Labor reported Detroit's unemployment rate at 15.8%, which is 7.6 points higher than the national average of 8.2% (Free Press, 2013). The City of Detroit could develop a 21st Century workforce by increasing the capabilities and competencies of the local unemployed and underemployed. A highly skilled, high paid workforce would reinvest in the City, reduce the unemployment burden and start paying income tax.

The City has the capabilities to change these factors: strengths, weakness, opportunities and threat analysis could guide Detroit leadership to identify positives and negatives inside their organization [*S-W*] and outside of it, in the external environment [*O-T*]. A realistic recognition of the weakness and threats that exit is the first step to countering them with robust and creative set of strengths and opportunities identified in the S.W.O.T. analysis in Figure 2 below (Community Tool-Box).

Figure 2: S.W.O.T. Analysis

3. Competitive Advantage

The City of Detroit has an opportunity to develop a competitive advantage over other large cities within the United States and in the global economy. The building blocks of competitive advantage are resources (tangible and intangible), capabilities and distinctive competencies (see Figure 3 below). The resolution of the bankruptcy has cleaned the slate board for the City and is allowing it to have a fresh start; however, there remains a considerable risk to meeting the targets set by the Emergency Manager. The City of Detroit needs to utilize the freed-up financial resources to provide a modern infrastructure, effective public services and a workforce that is superior and distinctive to that being offered by competing cities. The City of Detroit is planning on investing $447 million dollars on major capital improvements such as facilities for Police, fire-services, city recreation and a vehicle fleet. To improve capabilities the City of Detroit is also planning on investing $148 million to replace Detroit's by now antiquated information technology system (Helms, 2014). To assure that Detroit's City government is perceived as being competent and efficient, management practices, rules and regulations, procedures, and training will need to be updated and/or changed. To truly achieve competitive advantage the City of Detroit will also need to shift its focus from just managing resources and capabilities to managing customer responsiveness as the primary source of value creation (Robertson, 2014).

Figure 3: Competitive Advantage Relationship
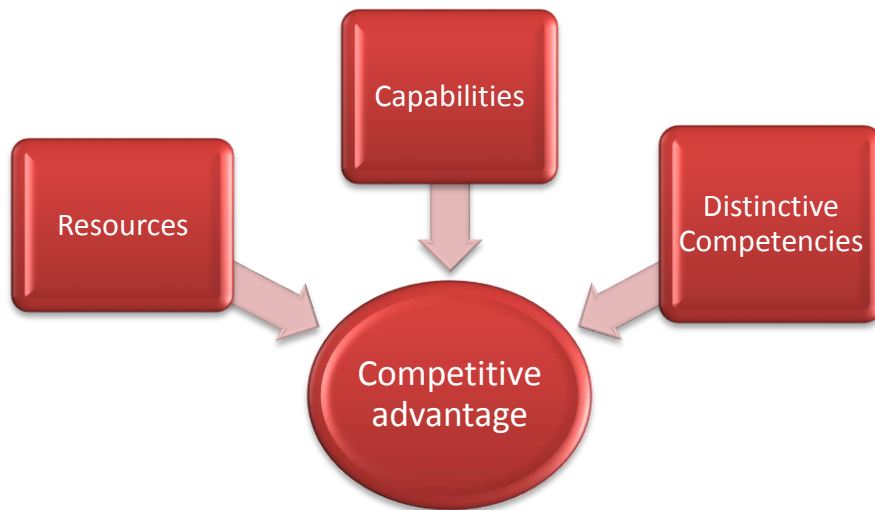
4. Environmental Scanning

To revitalize the City of Detroit intensive environmental scanning needs to be completed (See Figure 3). Impacts to employees and retirees, creditors, lenders and bond agencies, state and Federal politicians, small and large businesses, and not to be forgotten the residents and abutters of Detroit must be determined. Support and alliances need to be nurtured and developed to stop urban decay.

Blight is one of the many factors that contribute to Detroit's extraordinary high violent crime rate and low property values. The City of Detroit has tens of thousands of abandoned homes, apartment buildings and commercial building (Helms, 2014), with some areas so sparsely populated that the City is having difficult providing municipal services such as police, E.M.S. and fire-response within benchmark time-periods (Helms, 2014). To deal with the vacancy issue, the City of Detroit has begun demolishing the derelict building, razing 3,000 in 2010 (Helms, 2014). The City plans to spend $520 million dollars over six

years to remove blight, according to the "plan of adjustment"; and there are plans to demolish 450 abandoned structures a week with an estimated 78,000 unsalvageable structures (Helms, 2014).

In addition, to encourage investment, the City of Detroit and the State of Michigan have developed many programs to developers to gain access to grants and low interest loans to improve the condition of Detroit, such as the:

     1) Brownfield Redevelopment Tax Incentives,
     2) Obsolete Property Rehabilitation Act,
     3) Detroit Economic Growth Corporation, and
     4) converting unused space to agricultural use (Robertson, 2014).

The City of Detroit needs to actively recruit national and international businesses to relocate their operations to Detroit and promote retention of existing business. The City will need to develop a competitive advantage by providing quality infrastructure of public services (transportation, public safety, public health), a skilled and quality workforce, a fair and reasonable tax rate, innovation in meeting the needs of business as well as responsiveness to all the stakeholders, as outlined in Figure 4 below (Robertson, 2014).

The City of Detroit also has a unique opportunity to perform urban planning at a grand scale and restructure a decaying city of the industrial age to a modern city of the knowledge-age that is capable of attracting and retaining new residents and new businesses.

Figure 4: Environmental Scanning
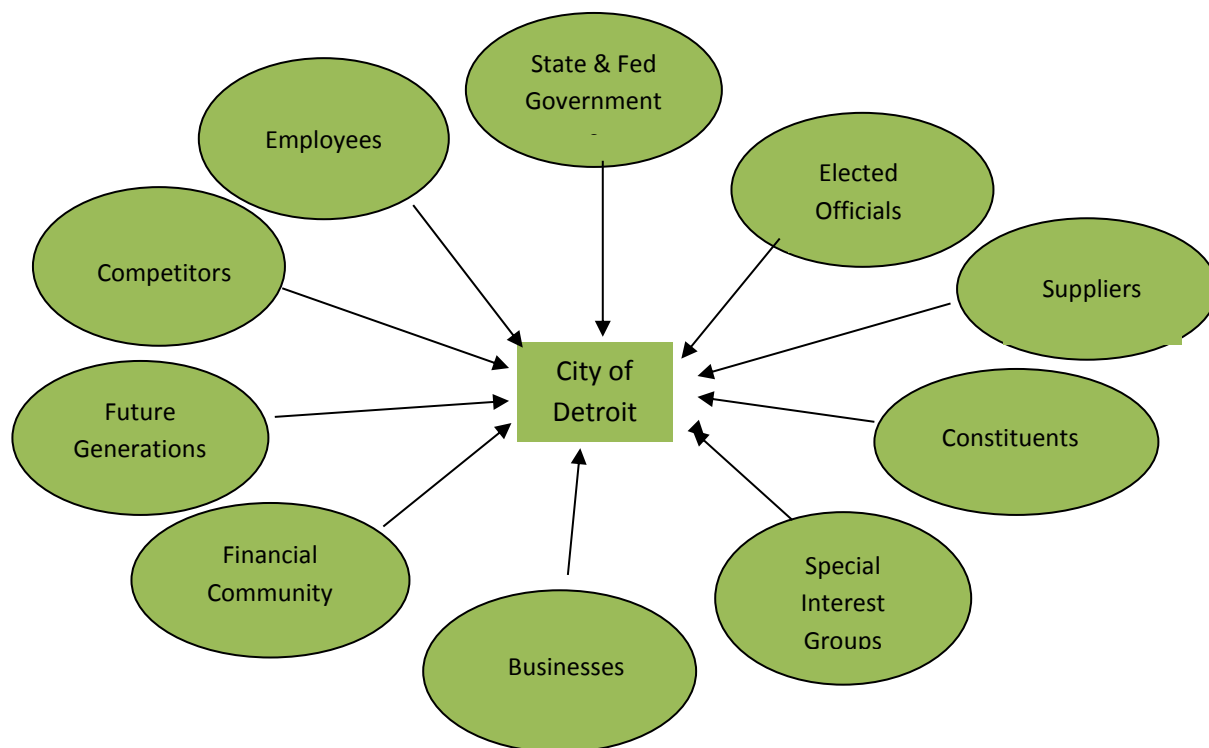
5. Functional Level Strategy

The municipal government of Detroit needs to develop a global competitive advantage over other cities from around the globe. The City of Detroit needs to strive for superior quality with respect to public service operations and offerings. By operating in a continuous improvement model it will be able to finally supply superior service and minimize waste, which will lead to greater support and potential program expansion, and budget allocation. It is vital that Detroit be innovative in creating service delivery and programs if it wants to stay ahead of their competition and maintain public support. Innovation can be achieved through the use of technology. Technology can have great impact on how government communicates with itself, how it communicates with its constituents and stakeholders, and how service delivery is performed.

Achieving reliability is also critical, which can be accomplished by having effective policies, practices, procedures, rules and regulations that focus on creating positive outcomes as well as impact for both stakeholders and customers. There must be a commitment throughout the organization to be the best skilled, always looking to increase knowledge, and willing to fulfill one's duty. Customer responsiveness—customer service is achieved by first knowing what your customer wants and then providing what they want in a timely cost-effective manner. The entire organization must be aligned so it will work cooperatively, cohesively and effectively toward providing constituents what they want and need (Robertson, 2014).

6. Business Level Strategy

As the City of Detroit moves forward there are two distinct visions of excellence that need to be clarified. On one hand, a community vision; on how Detroit will be redeveloped and what type of city it can become. On the other, a government vision; on how much service, what type of service and how much interaction will City government have to chart the course of redevelopment of Detroit. Detroit leadership needs to present these two visions to the stakeholders inside the organization that have been damaged from the financial collapses and stakeholders outside the city that have lost faith in what it can accomplish (Robertson, 2014).

City leadership needs to develop a government mission statement that will drive value creation for the city employees, residents, businesses and other stakeholders to answer the question, "Why do we exist?" To help this organization develop a mission statement there are six questions based on Gast's Law that should be answered (Niven, 2008):

1. What type of "satisfying" service do we provide and constantly seek to improve?
2. How do we increase the quality of life for our customers and stakeholders?
3. How do we provide opportunities for viable economic development and productive employment?
4. How do we create a high-quality work experience for our employees?
5. How do we live up to the obligation to provide a fair compensation package to our employees and taxpayers?
6. How do we fulfill the obligation of providing a return on the financial and human resources we expend?

After the vision and mission have been developed, strategic themes, objectives, and tactic initiatives need to be determined. These objectives should be a mixer of positive short-term outcomes and positive long-term impact. The success of the outcomes and impacts need to be constantly measured, evaluated, and tactically adjusted to stay on mission and create value.

7. Corporate Level Strategy

The corporate level strategy that the City develops will determine the particular types of services and programs needed for success. Linking and aligning the corporate, business, and function level strategies together is fundamental for success (see Figure 5). This success will most likely be measured by how well constituents are serviced verses how much money was spent. There are three models of corporate level strategy: multi-business, horizontal and vertical. Due to the size of Detroit and diversity of public services needed, the multi-business model would work well. It will be important to determine to what extent government gets involved, provides basic services and/or improves social conditions in the City (Robertson, 2014).

Figure 5: Linking of Strategies
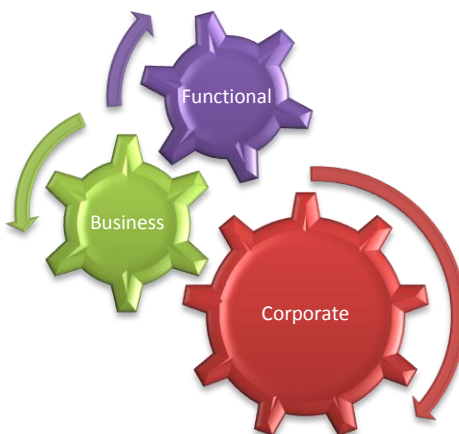
In addition, the City of Detroit could rely on strategic outsourcing and partnership with private business to enhance services and their respective delivery. There are many opportunities to provide public services through privatization. Detroit's Emergency Manager Orr is proposing privatizing residential solid waste and recycling collection, which has been implemented by many other cities throughout the nation (Helm, 2014). Another concept Orr is exploring is privatizing the water and waste water systems into new regional districts. In August 2011, the City of Indianapolis transferred its water and waste water systems to a non-profit charitable trust known as Citizen Energy Group, for more than $1.9 billion dollars (Free Press, 2013). Another option would be to privatize the municipal street light system. In January 2013, the District of Columbia selected Citelum, an international company, to manage and upgrade the city's 71,000 street lights to a state of the art, sustainable system. This concept has been adopted by a number of other large international cities around the globe.

Privatization of prisons is another potential cost savings for the city. The modern private prison business first emerged and established itself publicly in 1984 when the Corrections Corporation of America was awarded a contract to take over a facility in Hamilton County, Tennessee. This marked the first time that any government in the country had contracted out the complete operation of a jail to a private operator. The trend toward privately operated correctional facilities has continued with 85,604 adults (3.7% of the total U.S. prison population) now housed in 107 privately operated prisons as of 2011 (Bomey, 2013). With innovation and technology the possibilities of privatization are endless. Other viable services that should be explored are municipal building facilities management, food services, traffic control and employee human resources (Helms, 2014).

8. Performance Management

        For the City of Detroit to fully recover and transform, incremental changes and program performance will need to be measured. The framework of a balanced scorecard system allows an organization to translate and communicate its vision and strategies by providing clarity of the organization's strategies through a strategy map and measurement to constituents and stakeholders. Metrics for the balanced scorecard are derived from the objectives in the strategy map, which itself serves as a direct and clarifying translation of what is important and the path to achieving the organization's mission. Emphasis of aligning balanced scorecard perspectives themes, strategic objectives and resources throughout the organization will be keys for a successful recovery. Use of the balanced scorecard framework has risen to the performance measurement challenge of the private sector, and is equally well equipped to facilitate a rapid and dramatic transformation of the City of Detroit (Niven, 2008).

Conclusion: Sparking a Phoenix Effect

        The City of Detroit is a metaphor for renewal and rebirth. The "plan of adjustment" submitted by Emergency Manager Kevyn Orr and the "disclosure statement" represent the start of a long process. The "plan of adjustment" focuses on Detroit regaining a strong economic foot hold. It provides a roadmap for all parties to resolve outstanding issues and facilitates the city's efforts to achieve financial stability. The disclosure statement offers additional details on how to restructure city government in an effort to provide an effective, efficient, and viable public services (Helms, 2014).

        The City of Detroit has a unique opportunity while it is tearing down tens of thousands of blighted buildings. It should be contemplating broader philosophical issues such as, whether Detroit's 139 square mile urban footprint should shrink, should the zoning requirements and districts be changed, what services it will supply, and how those services will be delivered.

        Although the City of Detroit filed for bankruptcy in July 2013, its financial troubles started decades before. The population of Detroit peaked with 1.8 million residents in 1950, and since then by 2013 the population has roughly shrunk to half its size to 713,717 residents. Despite the huge exodus of residents and plummeting tax revenue, Detroit's leadership engaged in a billion Dollar borrowing binge and created new taxes and failed to cut expenses, and in 2011 City workers and retirees were gifted with generous bonuses totaling a billion Dollars (Helms, 2014). Leadership failed to control health-care benefits, and regularly borrowed money to maintain cash-flow. The combination of these actions saddled the City with staggering costs that crashed Detroit, and threatened the safety and quality of life of it residents. Decades of mismanagement added to Detroit's own fiscal problems, as well as the bungling of multiple Federal aid programs that overpaid outrageously to incentivize projects, such as the Chrysler Jefferson North plant (Bomey, 2013).

        The current Emergency Manager Kevyn Orr's plan of adjustment has put Detroit on the path for short-term fiscal stability. To achieve stable long-term stability and vitality, questions like whether to redraw the footprint of the city and its taxable base will be left to Detroit's elected leaders and the citizens in the decades ahead (Davey, 2014).

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Different Faces of Criminal Justice: Using Social Diversity to Analyze "Stop, Question and Frisk"

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ABSTRACT: This paper seeks to observe how the "Stop, Question and Frisk" (S.Q.F.) procedures have been adopted by many Police Departments in various parts of the country as a new criminal justice technique. Those who defend the practice of "Stop, Question and Frisk" stress that not only it prevents crimes, but also protects citizens from becoming victims of violence. However, the most controversial practice is the racial and ethnic that a disproportionate number of sub-populations are identified as primary targets of Police units: Blacks and Latinos are stopped, questioned and frisked on the streets of U.S. cities.

Introduction

The procedure of "Stop, Question and Frisk" (S.Q.F.) has been adopted by many Police departments in various parts of the country as a new criminal justice technique. From suburban areas to urban, metropolitan neighborhoods, Police officers and their Precincts have been instructed to carry out this controversial practice in an effort to curb violence and deter criminal acts. Often times, the narrative that surrounds this practice centers on themes like protection, security and preservation. Those who defend the practice offer that "Stop, Question and Frisk" not only prevents crimes but also protects citizens from becoming victims of violence.

Perhaps the most notable aspect of this controversial practice is the racial and ethnic implications associated with it. It is not contested that a disproportionate number of Blacks and Latinos are stopped, questioned and frisked on the streets of U.S. cities. These sub-populations have been identified as primary targets of Police units who employ this particular technique. In fact, when questioned about this statistic, proponents of the practice cite the pervasive nature of crime in minority communities as a rationale for its overwhelming use among minorities. The fact is, that although over 90% of "Stop, Question and Frisk" incidents end in no charge, an increasing number of Police administrations have adopted and utilized the practice and continue to espouse its benefits in the war on crime.

While the race question has been exposed, deconstructed, and theorized about, there remains a series of questions that surround the use of the "Stop, Question and Frisk" technique. The news reports begin to sound quite redundant in regard to which communities are most affected by this practice and how minority groups and civil rights groups, alike, feel about how it is used in cities around the nation. What has yet to be explored, however, is how this policy comes to be chosen as a technique among various police administrations. What factors go into the calculation to adopt and use this rather controversial technique? Better yet, do administrators consider the relative demographics of a community in their calculations? Is there something that can be surmised from which communities are chosen and which not?

Consider the fact that almost every discussion of "Stop, Question and Frisk" with its social implications rests on questions of race and ethnicity. Surely there is much that can be learned from employing the social diversity theoretical framework, as laid out in Rodney Hero's, *Faces of Inequality*.

A deeper investigation of the use of the "Stop, Question and Frisk" technique reveals that while the very same narrative is being used across the country, by policy advocates and Police commissioners, alike, the communities that use this technique predominantly, are vastly different, demographically. These communities range from heterogeneous communities, like that of New York City, to more homogenous communities like the South Side of Chicago. Bifurcated societies, like what is found in parts of California, present in a similar fashion when it comes to the implementation and use of the "Stop, Question and Frisk" technique. Considering the vast differences among these different parts of the country, it begs the question, why is it that "Stop, Question and Frisk" is often times being implemented in a similar fashion? Furthermore, does this similar presentation have anything to do with race and ethnicity? In other words, could better understanding of this phenomenon be found by applying Hero's "Social Diversity" theory? Is Hero's theory even an appropriate tool for such an investigation? If not, what framework can be applied to work out some of these lurking questions?

In an attempt to flesh out some of these questions, I intend on analyzing the use of "Stop, Question and Frisk" in the five Boroughs of New York City (Manhattan, Brooklyn, Queens, Bronx, Staten Island). The relative demographic make-up of these five boroughs, the comparative use of this practice, and the common narratives surrounding the use of this practice in each area will be examined and theory will be applied. It would make sense that since each of these boroughs represent different categories, according to Hero's distinctions, the practice of S.Q.F. should manifest in substantively different ways.

This investigation is designed to determine whether or not a social diversity principle is an appropriate theoretical framework with which to critically examine the way in which "Stop, Question and Frisk" techniques are being implemented, used, and enforced within American cities. The researcher is concerned with determining whether or not there is a more appropriate framework which can or should be employed in an effort to contextualize the social and political issues surrounding "Stop, Question and Frisk", and possibly ameliorate some of the pathologies inherent in the use of these practices.

This researcher is not interested in reifying the racial implications and obvious inequalities of "Stop, Question and Frisk" Literature abounds on how the criminal justice practice of S.Q.F. is inherently racialized and discriminatory, at least in how it manifests on the streets of many U.S. cities. Rather, the researcher is concerned with the process of applying an appropriate and sufficiently critical set of theories to a system of criminal justice that has often times presented as disproportionately disadvantageous to minority segments of the U.S. population.

A brief explanation of "social diversity" theory will be given, as it is presented in Rodney Hero's work. This explanation will be followed by a rather innocuous description of "Stop, Question and Frisk" as a criminal justice technique practiced by a number of Police Precincts in the United States. Then a more detailed description of how the technique is practiced differently in the five Boroughs of New York City will be discussed, as it manifests in rates of occurrence. This will be followed by a critical examination of whether or not "Social Diversity" theory is an appropriate framework for a thick and substantive exploration of criminal justice practices in the contexts explored above. Finally, recommendations will be made for further avenues for theorizing about matters concerning race, diversity, criminal justice and the law, which have led recently during the 2015-16 U.S. Presidential Campaign to loud criticism from minorities and the "Black Lives Matter" group against the practice of S.Q.F. and past anti-crime laws.

"Social Diversity" Theory: a Framework for Analysis

In Rodney Hero's iconic book, *Faces of Inequality*, he presents a framework from which he believes issues pertaining to state and local government should be approached. Working to contrast the work of scholars such as Virginia Gray, and her work in, "The Socio-economic and Political Context of States", Hero

offers that a society's demographic character is an essential component of every political and social construction. The socio-economic character of a state can shape the social/public policies and legislation that might arise, in much the same way we expect racial/ethnic characteristics to shape them (Gray, 1999). Hero acknowledges this consideration, but asserts that the "Social Diversity" perspective may have more to offer when studying politics at the level of the state. Hero draws on Elazar's theory of 'political culture' to construct what he believes is a more substantive perspective from which to research and theorize about state politics.

While he applauds Elazar for his move to incorporate concepts of race and ethnicity in his work, Hero aims to take a step further. In this effort, he offers up "Social Diversity" as a framework, which takes into account the influence of specific races, ethnicities, cultures, histories, traditions, demographic make-up, etc., as additional tools in the quest for deep and thick understanding of the world around us. There are traditional questions that are asked when researching state politics, which often times center around Institutions, policies, policy-effects and political processes. Hero takes these angles, in turn, applying the social diversity perspective to each. He concludes that the use of this perspective has allowed for more room to theorize and construct conceptual frameworks for the study of state politics.

The "Social Diversity" theory therefore, asserts that while socio-economic considerations and other aspects of society are important, the demographic make-up of a community is one of the most influential aspects in the creation of policy and legislation. From this estimation, Hero goes on to detail how the relative demographic character of a community affects how different state policy considerations manifest. He investigates welfare, criminal justice practices, health-care and education policy, among various states and details how each case study essentially presents differently depending on its demographic make-up. From this exploration, Hero is able to develop three categories to which he assigns the many various states he investigates. His three categories (heterogeneous, homogenous and bifurcated) will serve as a theoretical framework upon which the criminal justice practice of "Stop, Question and Frisk" is being critically examined in this study.

In an effort to draw out the significance of his social diversity theory for the study of state and sub-state institutions, Hero goes about applying his framework to a number of commonly studied state institutions. He explores the implications of his perspective on education policy, welfare policy, and healthcare policy. Perhaps one of the most compelling applications and the one most integral to this examination, is his attempt to subject criminal justice institutions and policies to the social diversity perspective. Public policy serves as a suitable access point from which to assess particular elements of state and local governmental issues, including those of criminal justice."

Criminal justice is social policy which pertains to a form of regulatory policies which concern individual behavior and over which states have primary authority and responsibility (Hero, 2000). It is also an arena where social diversity is expected to have an impact; a connection borne from numerous questions about the fairness of the justice system in the United States. Scholars have asserted that the racial disparities in the imposition of prison sentences and the death penalty are the most serious and contentious issue facing the American system of justice (Skogan). Data on criminal justice programs and implementation are collected and analyzed for various purposes. Incarceration rates, for example, are viewed by scholars as a useful indicator of criminal justice policy and procedure effectiveness. According to Hero, minority diversity has a significant positive relationship with overall incarceration rates. In other words, there are higher incarceration rates overall where there are more minorities.

There exists an aspect of state criminal justice policy which focuses on differential outcomes, and is primarily concerned with the relative situation for minorities in that system. Many scholars of criminal

justice policy in the United States contend that one of the greatest challenges to its system of justice is the racial disparities in how the system operates (Hero, 2000). In fact, this concern is one of the underpinnings of critical race theory and a focus of many of its theorists. African-Americans are disproportionately represented at every step in the criminal justice process from arrest to imprisonment (Hero, 2000). Skogan (1996) offers an explanation for some of this by stating that Blacks commit (relatively) more crimes and that Black offenders are more likely to be arrested. Skogan continues by noting that the patterns vary from state to state, with one reason being the differences in the racial composition of the individual states. He also claims that patterns may vary considerably between states similar in their racial/ethnic demographic make-up.

In Hero's study, he found that homogeneous states have lower differential ratios when it comes to rates of incarceration. So do bifurcated states such as South Carolina and Mississippi. Therefore, homogeneity is more often than not related to less equitable patterns overall. Minority diversity has a significant, negative relationship to differential incarceration rates in each of Hero's studies. That greater minority diversity is related to less disparity in incarceration rates is a significant finding.

This conclusion opens up avenues for theorizing on other criminal justice systems and procedures and its potential impact on minorities and minority communities. Researchers have suggested that part of the disproportionate incarceration rates of Blacks and other minorities result from Blacks being jailed for possession and use of illegal drugs. Considering this, Hero also examined data on drug arrests. A pattern of relationships much like that for incarceration rates emerged. Minority diversity is negatively and significantly related to drug arrests for minorities. Following this, Hero found that states with fewer minorities have higher Blacks versus overall drug arrest ratios. "Social diversity" Theory's impact on certain aspects of criminal justice policy seems clear (Hero, 2000). These trends highlight a trend in the relationship between minority diversity and criminal justice practices that can go a long way toward theory building for issues surrounding "Stop, Question and Frisk" practices in U.S. cities.

"Stop, Question and Frisk": One Practice

Every day in New York City, and in cities around the country, police officers stop, question and frequently frisk people as part of their routine patrol duties. Police stops occur in a variety of places. They happen on city sidewalks, outside apartment buildings, and in the subway. Often times, people are stopped on their way to work, coming home from school, on their work-breaks and during normal every day activities (Livingston, 1997; Meeks, 2010; Schwartz, 1967). From the perspective of New York City Police officials, these stops are essential to maintaining public safety. On the other hand, from the perspective of many citizens who are stopped by officers, the experience of being stopped, questioned and frisked are intrusive and unwarranted (Spitzer, 1999). The United States Supreme Court established a legal basis for officers to "stop, question and frisk" citizens in its 1968 decision in the case of *Terry vs. Ohio* (Gelman, Fagan & Kiss, 2007). In the *Terry* case, a Police officer witnessed three men engaging in conduct that he construed as suspicious around a local store. He believed that the young men planned to rob the store. When he approached the men to ask questions, the response from one of them was reported as incoherent. Afraid that the men might be armed, the officer grabbed one of them and "patted" him down. The pat-down revealed that the man was carrying a gun (Fagan, Geller, Davies & West, 2009; Skolnick, 1998).

The *Terry* decision permits Police officers to stop and detain a person based on a "reasonable suspicion" that he might be about to commit a crime or is in the process of committing one. As such, it represents an interpretation of the Fourth Amendment protection against unreasonable searches and seizures (Jones-Brown). Prior to the *Terry* decision, it was required that Police officers have a higher level

of proof and "probable cause," before interfering with the liberty of private citizens (Fagan & Geller, 2010). The broader discretion granted to Police under *Terry* requires that:

1) the Police officer be able to articulate specific facts indicating a person's possible involvement in a specific type of crime;
2) in order to frisk the person, those specific facts must lend themselves to a reasonable belief that the suspect may be armed and dangerous; and
3) the action of frisking be limited to a pat-down of the suspect's outer clothing, for the purpose of revealing a weapon (Jones-Brown, Gill & Trone, 2010).

While *Terry*-stops, a nickname adopted by practitioners of this technique, may be conducted based on far less evidence than what is legally required to justify an arrest, the *Terry* decision makes clear that they may not be conducted based on unwarranted suspicions about specific individuals being involved in crime (Fagan 2009). In New York City, "Stop, Question and Frisk" *incidents* are governed by Criminal Procedure Law (C.P.L.) § 140.50, which became effective on 1 September 1971. The sections of the law concerning stops by Police officers are sections 1 and 3, which are worded as follows:

1. In addition to the authority provided by this article for making an arrest without a warrant, a police officer may stop a person in a public place located within the geographical area of such officer's employment when he reasonably suspects that such person is committing has committed, or is about to commit either (a) a felony, or (b) a misdemeanor defined in the penal law, and may demand of him his name, address and an explanation of his conduct.

3. When upon stopping a person under circumstances prescribed in subdivisions one and two, a police officer... [who] reasonably suspects that he is in danger of physical injury, …may search such person for a deadly weapon or any instrument, article or substance readily capable of causing serious physical injury and of a sort not ordinarily carried in public places by law-abiding persons. If he finds such a weapon or instrument, or any other property possession of which he reasonably believes may constitute the commission of a crime, he may take it and keep it until the completion of the questioning, at which time he shall either return it, if lawfully possessed, or arrest such person.[1]

Exercise of the authority given by CPL 140.50 did not come without controversy. In 1976, the case of *People vs. De Bour* (40 N.Y. 2.d 210) clarified what is legally permissible by establishing four levels of street encounters initiated by the Police (Sack, 1991). These levels specify criteria for each encounter. Level One allows a Police officer to ask for information from an individual and merely requires that the request be supported by an "objective, credible" reason, not necessarily indicative of a criminal act. Level Two, the Common-Law right of inquiry, allows a higher level of intrusion and requires a founded suspicion that criminal activity is underway. Level Three authorizes a Police officer to forcibly stop and detain an individual and requires a reasonable suspicion that the individual was involved in a felony or misdemeanor level crime. Finally on Level Four, which reaches arrest, requires probable cause to believe that the person to be detained has committed an actual crime (Spitzer, 1999, p.25-29).

Each time a Police officer stops a person in New York City, the officer is supposed to fill out a form to record the details of the stop. Officers fill out the forms by hand, and then the forms are entered manually into a database. There are two ways the NYPD reports this "Stop, Question and Frisk" data: a paper report released quarterly and an electronic database released annually (New York Civil Liberties Union, 2013). The

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[1] For the complete text of C.P.L. 140.50, see: http://codes.lp.findlaw.com/nycode/CPL/TWO/H/140/140.50

paper reports, which the New York Civil Liberties Union releases every three months, include data on stops and arrests. The data are broken down by precinct of the stop and race and gender of the person stopped. The paper reports provide a snapshot on "Stop, Question and Frisk" activity by precinct. The electronic database contains all of the data recorded by the officer after a stop and the data include the age of the person stopped, whether or not the person was frisked, if there was a weapon or firearm recovered, if physical force was used and the exact neighborhood/location of the stop within the Precincts. This electronic database allows researchers to look closely at details surrounding what happens during any stop.

"Stop, Question and Frisk": Many Faces

Tackling the question of whether or not "Stop, Question and Frisk" is an effective criminal justice technique in the pursuit of safer city streets is complicated and the results are difficult to prove. Those who engage in the debates, like law enforcement, policy activists, social justice activists, academicians, and regular citizens, tend to approach the pressing questions from different angles. In some cases, there are those who view the implications and consequences from the perspective of the citizens who are directly affected by these practices. In other cases, those engaged in the debate view the same questions from the perspective of the law enforcement officers and Police administrations who implement and carry out "Stop, Question and Frisk" procedures. These divergent points of view have led to a robust and contentious discussion dealing with elements of race, justice, criminality and security.

As narratives surrounding "Stop, Question and Frisk" are unveiled around the country, proponents of the practice tend to coalesce around three rationales. Often times, supporters of the practice offer that "Stop, Question and Frisk" succeeds as a crime prevention technique. These supporters cite the drop in violent crimes in Philadelphia as evidence for this claim, stating that two years after the present mayor promised an increase in the use of "Stop, Question and Frisk", the murder rate dropped by 22%. While this statistic is accurate, in the two years prior to the increased use of this technique, the murder rate in Philadelphia had already dropped by 18%, making the previous claim dubious at best (Lamberth, 2011). The crime prevention narrative has been rather convincing in the struggle to implement and subsequently rationalize the use of the S.Q.F. technique, but the rhetoric does not stop there.

Advocates of the practice also claim that the threat of being stopped, questioned, and frisked serves as a deterrent for violent criminals to carry concealed weapons. This claim is difficult to substantiate or even prove, considering the fact that it cannot be determined which potential criminals felt that they were at risk of being stopped before the incident occurred. Furthermore, resting on this counterfactual hardly makes a suitable argument for the perpetuation of "Stop, Question and Frisk" in cities around the nation. Finally, supporters of "Stop, Question and Frisk" as a criminal justice technique often assert that the ability for law enforcement officers to stop, question and frisk potential offenders, keeps officers safer on the streets (Lamberth, 2011). Again, while this claim is compelling and serves to inject a "safety first" angle into the discussion, this contention is difficult to prove. A recent effort by the New York Civil Liberties Union (NYCLU) has focused on gathering data on "Stop, Question and Frisk" use in the city. The following data goes a long way toward supporting both sides of the "Stop, Question and Frisk" debate. In many cases, it is found that stops do not end with a criminal charge and arrest, or evidence of any criminal act. Still, in some cases, the data highlights how disproportionate the exercise of the practice is in regard to minorities.

An analysis by the NYCLU revealed that innocent New Yorkers have been subjected to police stops and street interrogations more than 4 million times since 2002, and that Black and Latino communities continue to be the overwhelming target of these tactics (NYCLU website). Nearly 9-out-of-10 stopped-and-frisked New Yorkers have been completely innocent, according to the NYPD's own reports. In 2010,

New Yorkers were stopped by the Police 601,285 times. Over 518,000 were totally innocent (86%). Of those stopped, 315,083 were Blacks (54%), 189,326 were Latinos (33%) and 54,810 were Whites (9%). In 2011, New Yorkers were stopped by the Police 685,724 times. Of those, 605,328 were totally innocent (88%), 350,743 were Blacks (53%), 223,740 were Latinos (34%), and 61,805 were Whites (9%). In 2012 New Yorkers were stopped by the Police 532,911 times. More than 473,000 were totally innocent (89%), 284,229 were Blacks (55%), 165,140 were Latinos (32%), and 50,366 were White (10%). Finally, in the first three quarters of 2013, New Yorkers were stopped by the Police 179,063 times. Of those, 159,104 were totally innocent (89%), 98,051 were Blacks (56%), 51,903 were Latinos (29%) and 19,459 were Whites (11%) (see Table 1 below).

TABLE 1:

Incidents of "Stop, Question & Frisk" in New York City by Race & Year

Year	Total SQF Incidents	Blacks	Latinos	Whites
2003	160,851	77,704	44,581	17,623
2004	313,523	155,033	89,937	28,913
2005	398,191	196,570	115,088	40,713
2006	506,491	267,468	147,862	53,500
2007	472,096	243,766	141,868	52,887
2008	540,302	275,588	168,475	57,650
2009	581,168	310,611	180,055	53,601
2010	601,285	315,083	189,326	54,810
2011	685,724	350,743	223,740	61,805
2012	532,911	284,229	165,140	50,366
2013*	179,063	98,051	51,903	19,459

* Information covers the first ¾ of 2013. Source: *Findings and Application: Does Social Diversity Make Sense?* (NYCLU): http://www.nyclu.org/content/stop-and-frisk-data [2]

      In the introductory sections of this study, it was stated that the researcher is not interested in further substantiating the assertion that "Stop, Question and Frisk" presents as a highly racialized, disproportionately administered, criminal justice practice. The racial consequences and implications of this technique, and how it is practiced by law enforcement in cities around the country are not in contention here. Rather, the focus of this examination is to determine whether or not a theoretical framework like social diversity serves as an adequate set of lenses through which to deconstruct and analyze the various aspects of this practice.

      Furthermore, it is the aim of the researcher to identify access points from which "Stop, Question and Frisk" and other criminal justice practices can be examined and recalibrated to be both efficient and egalitarian. The data presented here serves only to highlight discrepancies between the way in which social diversity principles expect criminal justice practices to unfold and how they actually manifest on

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[2] For a complete data set of "Stop, Question and Frisk" incidents by the New York Police Department (NYPD) see, http://www.nyclu.org/content/stop-and-frisk-data. It contains 101 variables and 532,911 observations, each representing a stop by a NYPD officer. Variables are race, gender and age of the person stopped, plus location, time and date of the stop.

the streets of New York City. Drawing on the stylized assumptions about incarceration rates, as they are presented by Hero, expectations for "Stop, Question and Frisk" incidents can be extrapolated.

In 2012, Blacks made up 13.4% of the population in Manhattan. Blacks made up a little more than 53% of the "Stop, Question and Frisk" incidents in the same section of New York City. Manhattan is predominantly inhabited by Whites. They make-up more than 47% of the total population. In Brooklyn a borough made up of 35.6% Whites and 31.8% Blacks, of those who were stopped and frisked, Blacks were 66.1%, while Whites were only 9.1%. In the Bronx a borough which is predominantly Latino/Hispanic (53.4% of the total population), while Latinos/Hispanics made up a large portion of those stopped and frisked in 2012 (45.4%), Blacks still made-up a larger percentage of incidents (50.1%). This trend is further evident in the boroughs of Queens and Staten Island. Both boroughs are predominantly White (26.6% and 63.6% respectively), Blacks still comprised a majority of those stopped and frisked in those areas (43.8% and 40.6% respectively).

It is important now to turn to the process of further analyzing the lasting racial implications of S.Q.F. and other criminal justice practices like it. A social diversity perspective creates a space in which discussions of inequality and injustice can be exposed and explored. There must be a return to the discussion of incarceration rates from a previous section. In his estimation, minority diversity is positively and significantly correlated with incarceration rates for minorities. The more minorities present in a given community, the more incidents of incarceration there will be. This model follows closely in line with the data presented in Tables 2-6. The S.Q.F. puzzle diverges sharply when considering Hero's subsequent assertions, however. In his studies, Hero found that as minority diversity increases, differential incarceration rates decrease. In other words, as the proportion of minorities in a community increases, the difference in incarceration rates between minorities and non-minorities decreases. Conversely, as minority presence decreases, the differential between White incarceration and minority incarceration should increase.

This is not the case in regard to the five New York City boroughs and S.Q.F. incidents. In fact, in Brooklyn, in 2012, Blacks and Hispanics/Latinos made up 64.46% of the total population. Whites made up only 35.6% of the population. In this borough, with a significantly diverse population, an environment which should lead to a lower differential rate of S.Q.F. rates between Whites and minorities, minority S.Q.F. incidents made-up 90.1% of all incidents; S.Q.F. incidents involving Whites made up a mere 9.9%—a nearly 1:9 ratio.

Consider Manhattan where minorities make up 52.7% of the total population, while Whites make-up 47.4%. In this case, given the minorities' smaller proportion of the total population, minority diversity is lower. In Hero's estimation, this should lead to a higher differential. The ratio in Manhattan of SQF incidents involving Whites and those involving a minority is approximately 1:9—a ratio similar to Brooklyn.

In Staten Island, minorities only make up 34.6% of the total population. This data, according to Hero's model, should ensure that comparatively, Staten Island should experience a larger differential rate of SQF incidents between Whites and minorities. In fact, the ratio is about 1:2. Despite the lower level of minority diversity in Staten Island, the differential is significantly lower, as well—a result contradictory to Hero's model.

Perhaps the case of the Bronx is the most glaringly divergent case. In the Bronx, minorities make up about 89% of the total population. This significant minority presence in the case of the Bronx, according to Hero's model, should produce a lower differential between the cases of S.Q.F. involving Whites and those involving minorities. The ratio of S.Q.F. incidents between Whites and minorities in this case is approximately 1:33. In short, for every 34 stops, only one stop involves a White person, while 33 involve a minority. Finally, consider the case of Queens where minorities are 77% of the total population and Whites make-up about 23%: in this borough, minority diversity is particularly high, but the ratio of S.Q.F. incidents involving Whites and those involving minorities is about 1:9.

Table 2:

Population by Race for New York City, 2012

Whites　Blacks　Hispanics　Asians　Others
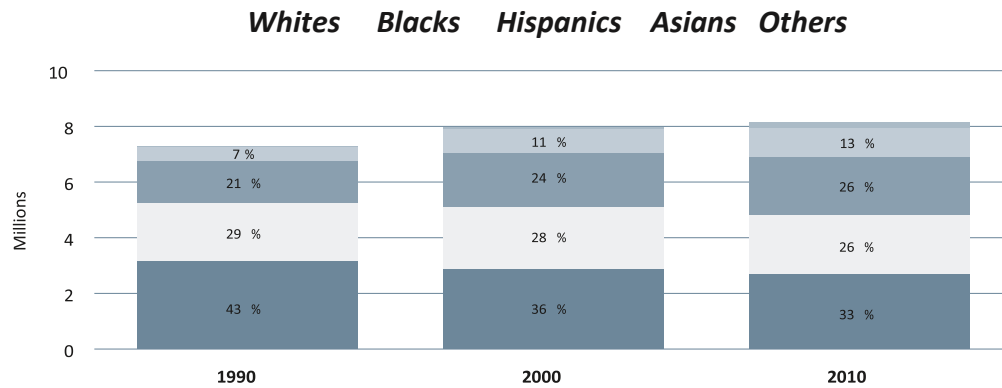
Source: *U.S. Census Bureau, Decennial Census (1990, 2000 & 2010).*

Table 3:

Population by Race for New York City, 2012

	Blacks	*Hispanics/Latinos*	*Whites*	*Others*	*Total*
Manhattan	211,560	417,471	767,347	222,712	1,619,090
Brooklyn	815,158	507,552	914,581	328,344	2,565,635
Bronx	419,771	764,609	149,262	74,831	1,408,473
Queens	394,300	634,077	604,608	639,786	2,272,771
Staten Island	45,093	83,181	297,807	44,647	470,728
Total	1,885,882	2,406,890	2,733,605	1,310,320	8,336,697

Source: *2012 American Community Survey One-Year Estimates*

Table 4:

Population by Race for New York City Boroughs, 2012 (Percentage)

	Blacks	*Hispanics/Latinos*	*Whites*	*Others*
Manhattan	13.1	25.8	47.4	13.8
Brooklyn	31.8	19.8	35.6	12.8
Bronx	29.8	54.3	10.6	5.3
Queens	17.3	27.9	26.6	28.2
Staten Island	9.6	17.7	63.6	9.8

Source: *2012 American Community Survey One-Year Estimates*

Table 5:

S.Q.F. Incidents in New York City Boroughs by Race, 2012

	Blacks	*Hispanics/Latinos*	*Whites*	*Others*	*Total*
Manhattan	57,134	36,274	10,763	2,815	106,986
Bronx	121,730	39,958	18,192	4,316	184,196
Brooklyn	49,559	44,907	3,349	1,163	98,978
Queens	47,590	39,692	10,738	10,631	108,651
Staten Island	8,214	4,307	7,324	389	20,234
Total	284,227	165,138	50,366	19,314	519,045

Source: New York Civil Liberties Union, http://www.nyclu.org/content/stop-and-frisk-data

Table 6:

S.Q.F. Incidents in New York City Boroughs, 20012 (Percentage)

	Blacks	Hispanics/Latinos	Whites	Others
Manhattan	53.4	33.9	10.1	2.6
Brooklyn	66.1	21.7	9.9	2.3
Bronx	50.1	45.4	3.4	1.2
Queens	43.8	36.5	9.9	9.8
Staten Island	40.6	21.3	36.2	1.9

Source: NYCLU: http://www.nyclu.org/content/stop-and-frisk-data

A Better Fit: Alternatives to the "Social Diversity" Model

Why is it the case that only one part of Hero's model comes to fruition in the case of the criminal justice technique of "Stop, Question and Frisk" in New York City? Perhaps there is room for more theorizing regarding how the racialized aspects of this criminal justice technique materializes in the lives and communities of those most affected by the criminal justice system in the United States. Perhaps still, the findings of this study are indicative of a more pervasive problem with institutionalized racism and discrimination. Is it the case that S.Q.F. is inherently a racist technique and that any law enforcement practice which relies on an aesthetic assessment is bound to be plagued by potentially deleterious results to those most affected? Perhaps.

The take-away from this study should be that there is a need for more work in the pursuit of deconstructing and restructuring those institutions that perpetuate inequalities within society. Hero's "social diversity" theory goes a long way toward breaking down the racialized issues that present themselves in institutions of criminal justice. Where it fails, is in its approximation of to what extent institutionalized racism affects citizens of the United States. There is room for further investigation and more robust theorizing to pick-up where Hero left-off in hi analysis.

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Divided Turnout: the Influence of Divided Government on U.S. Voter Turnout

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ABSTRACT: Divided government and voter turnout are two important areas of political research. While copious amounts of research has been done on the two areas separately, only one piece of major research has been published on the effects of divided government on voter turnout. This essay extends the previous research, and update it to include data from the new millennium. Additionally the custom data set addresses concerns about the turnout data used. The results from the linear regression model show that divided government fails to have a significant effect on voter turnout.

Introduction to Divided Government and U.S. Voter Turnout

Divided government is an area of political science that has attracted considerable attention since the 1990s, while U.S. voter turnout is always of particular interest in the field. Franklin and Hirczy de Miño (1998) published an article showing that periods of divided government have a negative effect on voter turnout. Despite their results, no one has attempted to update or replicate their research in its application to elections in the United States. This paper intends to find out if the divided government effect that Franklin and Hirczy de Miño found is still evident and applicable in the 20 years since the period they studied, and what it means if it does.

Research into divided government is quite diverse and a significant amount of research focuses on both of the areas outlined above in separate ways. Some research has focused on whether or not divided government is less effective than a politically unified government (Coleman 1999; Mayhew 2005). Others have looked into why divided government occurs as a political phenomenon and what causes it (Leonard 1991; Fiorina 1992; Shugart 1995; Sigelman, Wahlbeck & Buell 1997; Mulligan 2011). There is even research into potentially positive effects on public perception (Nicholson & Segura 1999; Nicholson, Segura & Woods 2002). Voter turnout research is similar: some argue that turnout has gone down in recent years (Rosenstone & Hansen 1993; Dalton 2013), while others argue it is not turnout that has decreased, but that changes in voter eligibility are the problem (McDonald & Popkin 2001).

The one thing all of this has in common is that none of them have considered whether divided government could have an effect on either decreasing or enhancing people turn out to vote–except in the research by Franklin and Hirczy de Miño (1998). Given the recent tendency toward divided government, and the amount of concern about both divided government and decreased voter turnout as evident in the literature, this effect warrants further study. Ignoring areas of overlap in subfields with internal dispute will not improve scholarly knowledge in the least. In the interest of closing this research gap, the author has extended these original studies, while taking into account the concerns with voter turnout data raised by McDonald and Popkin (2001) to provide a more complete picture of what is happening.

The following section lays out in greater detail the existing substantive research on this topics. This will be followed by an explanation of the hypothesis that years of divided government will continue to have a negative effect on U.S. voter turnout. A detailed section about the custom data set will precede the findings. Finally there will be a discussion of the limitations and implication of this research in the conclusion.

On Divided Government and Voter Turnout

Voter turnout and divided government are areas of Political Science often studied independently of each other. Only one major study by Franklin and Hirczy de Miño (1998) has been done in the U.S. despite their innovative findings: their comprehensive study found that for every year of divided government, actual voter turnout decreased by half a point per each year of the length of such national political division. Although this might not seem like much initially, it is the cumulative effect of such trend that has a deeper impact (Franklin & Hirczy de Miño 1998). The effect was studied when one or both houses were held by parties other than the presidents, and they did not test for how divided the government was (Franklin & Hirczy de Miño 1998). This means that in theory the results should hold if the opposite party holds a majority by two seats or by ten. Given how often divided government can occur in the U.S. political system these findings warrant at least an updating, if not additional research.

Divided government takes place when at least one of the Houses of Congress is held by a different party then the presidency (Fiorina 1992). This is the most basic part of divided government. It is also quite common in the U.S. and even more so in the last 50-to-60 years (Fiorina 1992). Considering how common it is one could almost think of it as an American tradition at this point. Fiorina (1992) does provide reasons for divided government such as: changes in party strength, preference and party polarization. Preference may be tied to a belief that keeping Congress and the Presidency divided will help people keep both in check, so that one party cannot take an absolute advantage by monopolizing all levers of national power (Fiorina 1992; Shugart 1995). Or this could be an attempt to get a more moderate form of government by balancing the two extremes (Shugart 1995). Some suggest that divided government is actually a sign of the weakness of the party system, or at least a weakening of the party-voter bond (Leonard 1991, Fiorina 1992). In other words divided government might be a harbinger of doom for traditional political party strength.

Of course divided government is not always a negative thing. For example Nicholson and Segura (1999) found that whether or not the U.S. government was divided has unexpected consequences on mid-term elections. Specifically they found that divided government makes it harder to place blame on the President's party, so that if the government was divided prior to the mid-term election voters will blame the other side and be more supportive of the president's party (Nicholson & Segura 1999). A unified national government makes it easier to blame the party in power for whatever ails society, however divided government makes it seem like the opposition's fault (Nicholson & Segura 1999). Related to this is later research showing that U.S. Presidents may benefit from divided government because they can share blame for whatever is happening (Nicholson, Segura & Woods 2002).

In fact divided government may actually boost a President's approval rating–even if one House of Congress is controlled by his own party (Nicholson, Segura & Woods 2002). In his classic 2005 book, Mayhew found that divided government is not any less productive than unified government: even when updated through 2002, divided government still was not any less efficient (Mayhew 2005). Congressional investigations are, perhaps, the one area in which divided government is thought to out-perform unified government and even here the difference was in divided government's favor (Mayhew 2005).

Unexpectedly he found unified government launched investigations just as much as divided, despite the fact that doing so is perceived as attacking one's own party (Mayhew 2005). Lest we think the effects of divided government are all positive or even agreed upon, Coleman (1999) found that unified government gets more work done than divided government. Coleman does acknowledge that other research in the field shows divided government still does manage to get some work done, but it

is still lacking in comparison to unified government (Coleman 1999). In other words if it does not work properly, should we be saying it works at all?

One way divided government is thought to occur is by split-ticket voting. In political psychology split-ticket voting is found to be the product of partisan ambivalence: people without strong partisan ties vote a split-ticket because they do not agree with either party and consequently spread out their political preferences (Mulligan 2011).

This also ties back to Fiorina's (1992) suggestion that it could be related to an institutional weakening of political parties in America. One recent finding was state-level research showing voters' preference for divided government may be tied to national economic performance (Calcagno & Lopez 2010). When incomes go down and unemployment goes up voters are more likely to vote in a unified government, compared for a divided government when government spending is too high (Calcagno & Lopez 2010). On the other side Sigelman, Wahlbeck and Buell (1997) previously found split-ticket voting is not the result of a preference for divided government. This result was contrary to their hypothesis that a preference for divided government would be significantly related to split-ticket voting (Sigelman, Wahlbeck & Buell 1997).

In this case divided government is believed to have done something–specifically to have caused an incremental decline in voter turnout. Voter turnout is a favorite area for political scientists to study, and rightfully so. Every two to four years there is a new election, with new turnout numbers, survey data, and potentially new effects to study. Voting is one of the basic and most common, forms of political participation in the U.S. system (Dalton 2013).

Despite this, voter turnout in the U.S. is seldom as high as political scientists would hope or expect. Rosenstone and Hansen (1993) devoted a whole book to the subject of voter participation and mobilization. Specifically they set out to track what was at the time a 30-years decline in electoral participation (Roesenstone & Hansen 1993). Their findings showed multiple reasons for such decline– including the voter registration system, lack of party mobilization effort and level of education, to name a few (Rosenstone & Hansen 1993). McDonald and Popkin (2001) suggest the decline is not as significant, rather it is caused by measurement error. Still there was a decline visible in their research. In other research Franklin (2004) finds evidence that turnout reacts to the character of an election. Examples of the effect on character is closeness of an election and another is margin of victory–in other words the closer and more competitive elections are the higher the turnout (Franklin 2004, Geys 2006).

This project researches where these two well-studied fields do meet. With the importance placed on voter turnout any new or additional information helps fill an information gap in the research. There is no one single answer to the turnout issue in the U.S. It is, as Rosenstone and Hansen (1993) suggest, 5% this issue and 15% that issue. When it comes to divided government researchers approach the subject from many different directions. Several suggest that voters are intentionally trying to keep the government divided. In light of Franklin and Hirczy de Miño's (1998) previous research, this suggests the electorate may very well be voting themselves into lower turnout.

Several Political Scientists have recently tried to find additional explanations for lower voter turnout, but have failed to consider the effects of divided government (Geys 2006; Smets & van Ham 2013). Shugart (1995) actually calls for more research on the consequences of divided government, yet does not consider the possibility that it could affect voter turnout. This study will pick-up where the previous research left-off to see if divided government continues to have an effect on turnout and how it may have changed.

Hypothesis

In the original research project Franklin and Hirczy de Miño (1998) hypothesized that "[d]ivided government, by temporarily increasing the extent to which powers are separated, will reduce the motivations of voters to participate in subsequent elections". They found a negative effect, and evidence that it was cumulative (Franklin & Hirczy de Miño 1998). The author hypothesize that years of divided government will continue to have a negative effect on U.S. voter turnout. The null hypotheses are that divided government has no effect on voter turnout, or the seemingly unlikely result that it has a positive effect on voter turnout. The null result would be the opposite of what was previously found. This would show an interesting new change to study. Like the original authors my data set begins in 1840, but unlike theirs it continues through to 2012.

Data and Methods

The data for this research project comes from a variety of sources–sometimes more than one source per variable. This is because the sources used in the original project have not been updated since then, so the only way to have a full update of the research was to build a brand new data set specifically for this paper. There are some benefits and downsides of doing this. Obviously it takes considerable research and coding time, but it allowed more options for the data and how to code it. Franklin and Hirczy de Miño (1998) were not always clear about how they coded some of the variables, so building the data set for this meant different alternatives could be explored. The goal is to try to stay as close as possible to the original research, yet certain improvements were made–which will be explained below in detail. The methods for this project will also follow what the original authors did, perhaps more faithfully than the data does. Franklin and Hirczy de Miño (1998) used a time-serial model for their data, which unfortunately isn't feasible currently. Specifically the type of data requires linear regression to be used, since much of the data uses percentages.

The independent variable for this project is years of divided government. In Franklin and Hirczy de Miño's (1998) work the variable is operationalized as the number of previous years government was divided, with the maximum being 12 years. This includes the year of the election (Franklin & Hirczy de Miño 1998). *Divided government* will be operationalized the same way in this research. It will essentially be a scale from 0 to 12 years by one year increments. The original research used two year increments because there were not any changes in majority party between elections. More recently there has been the case of the 107th Congress during which party control changed between the two parties repeatedly (U.S. Senate N.D.). The author has chosen to code this as one year of divided government instead of as two years since it switched to unified government more than it switched to divided. Mayhew (2005) mentions having the same problem with the 107th Congress when updating his book and his solution was similar to the author's.

This study ran models with the data coded both ways and there was no real difference, so the models presented in this paper will follow Mayhew's (2005) suggestion. The main source of data comes from an article by Calcagno and Lopez (2010), that contains a table showing whether or not government was divided for every Presidential and Mid-term Election from 1901 to 2010 (Calcagno & Lopez 2010). This provides the data for the largest part of the research: the data from 1840 to 1901 comes from lists maintained by the U.S. House and Senate (N.D.) that shows seat allocation and majority/minority party for every U.S. Congress since 1789 and a table of Presidential election results for 1789-2008 gathered in a book by Cronin and Genovese (2010).

Division data from 2010-2012 comes from the Federal Election Commission's (2013, hereafter F.E.C.) election results data. This data list was built by comparing the majority parties of the two houses

of congress with the party of the President. If either house was controlled by the opposition party it was coded as a one, two, or four depending on how many years the opposition held control during the President's term. Once this data was compiled it was possible to look at each general election and count back twelve years, and then total the number of previously divided years. The result of this process was the complete data set for the divided government variable.

The first control variable is closeness of elections. Franklin and Hirczy de Miño (1998) described it as the difference between the votes for the top two candidates in each election–with the maximum being 18%. In this data set *closeness* comes from the percentage of the popular vote the top two Presidential Candidates received in the general election. The maximum of 18% is no longer being used. This cut-off point resulted in five elections that were over 18% being excluded. The author could not find a valid reason to exclude these elections and feels that including them strengthens the model. Considering the highest percent difference between candidates is 26.4% cutting closeness off at 18% seems like an oddly high point. Additionally the limited number of cases makes excluding any data problematic. The data source for this variable is the same table in the Cronin and Genovese (2010) book that is used for divided government, and the F.E.C. (2013) election results from the 2012 election. The Cronin and Genovese (2010) table includes all general elections through 2008, so this part of the data set does not use as many sources as the others.

The other control variable is *election laws*, which is coded in the same way that Franklin and Hirczy de Miño (1998) did in the original work. The variable is coded as "0" for all elections up to and including, the 1896 election; then has a gain of 0.20 for each election from 1900 to 1916; and then remains at the 1916 level of "1" from that point on (Franklin & Hirczy de Miño 1998). This is the only variable that did not have to be changed or updated, so the author defers to the original authors operationalization for this variable.

Finally the dependent variable is *voter turnout* in the general election. The original research used U.S. voting age population (V.A.P.) data for this variable (Franklin & Hirczy de Miño 1998). A V.A.P. data replication would be possible, but since the publication of the original piece a new type of data has come out that can be used. This new data is voting eligible population (V.E.P.) data originally used by McDonald and Popkin (2001). V.A.P. data includes those who are ineligible to vote, such as felons and non-citizens residing in the U.S., but does not include U.S. residents who are living overseas and still able to vote via absentee ballots (McDonald & Popkin 2001). V.E.P. data takes these differences into account to provide a more accurate picture of voter turnout (McDonald & Popkin 2001). The differences in the two data sets accounts for some of the drop in turnout rates over the last 50 years (McDonald & Popkin 2001). Considering that V.A.P. data could result in artificially low turnout numbers, in this case VEP data will be used to err on the side of caution.

For this project V.E.P. turnout data comes from McDonald (2014), who was a member of the team that created the original data set. His Presidential election data set includes every election from 1789 to 2012, providing more than enough data for this project (McDonald 2014). This variable will be operationalized as the percentage of voter turnout for each year. Due to problems with reliability of early sources of voter turnout data, which McDonald (2014) does mention as a problem with the early election results for his V.E.P., this project will only include elections after 1840. It should be noted that the original research started in 1840 as well, so this should help prevent any problems caused by using unreliable earlier data–any reliability problems in 1840 or after would likely have appeared in Franklin and Hirczy de Miño's (1998) research as well. Since the original authors mentioned no need of additional controls for reliability of sources, the author shall defer to their lead.

Findings

The results are presented in three models. Model 1 is the full model containing all the variables. Models 2 and 3 are partial models showing the results with only one control variable or the other. Initially there was suspicion the election laws variable might be redundant when using V.E.P. data. Additionally, looking at the results of the full model, the slight possibility of multicollinearity was present due to the high R^2 and unexpected low results for one variable (Manheim, Rich & Willnat 2002, chp.16). After comparing the results of Models 1 and 2, however, the author is confident that the election laws variable is necessary, and there is no multicollinearity present. The third model is more the result of academic curiosity. The original authors had mentioned adding the closeness variable had increased unexplained variance in their model (Franklin & Hirczy de Miño 1998). Also, since this study's closeness variable does not exclude cases over 18% like theirs does, the author wished to see the difference in explained variance when it was not present. The discrepancy between Models 1 and 3 is minimal, and the multiple and adjusted Rs^2 are slightly higher when it is included than when it is not (see Table 1 below).

Table 1

Linear Regressions of U.S. Voter Turnout from 1840 to 2012

	MODEL 1	MODEL 2	MODEL 3
INTERCEPT	79.80*** (1.50)	75.22*** (35.01)	78.10*** (1.30)
DIVIDED GOVERNMENT	-0.21 (0.20)	-0.86* (0.46)	-0.07 (0.19)
ELECTION LAWS	-19.44*** (1.39)		-20.51*** (1.34)
CLOSENESS OF ELECTION	-0.19*** (0.09)	-0.65*** (0.20)	
MULTIPLE R²	0.87	0.22	0.85
ADJUSTED R²	0.86	0.18	0.85
N	44	44	44

*** Significant at $p < 0.01$ (two-tailed test), *Significant at $p < 0.05$ (two-tailed test). Standard errors in parenthesis. Table presents coefficients and standard error in round form for readability, though statistical significance is based off the original results.

Now that those questions have been laid to rest an interpretation of the full model can begin. The results were not expected, but still rather interesting. Divided Government is not significant in my model, thus the author fails to reject the null hypothesis. For the future of U.S. voter turnout this is probably a good thing. Divided government actually fails rather spectacularly in this model. The coefficient is only -0.21, and its standard error is 0.20–not only is the coefficient significantly smaller than the one found in Franklin and Hirczy de Miño's (1998) research the standard error is barely lower than theirs. While there was a chance of this happening due to the use of V.E.P. data, the results are

much different than expected. The use of VEP data meant that the coefficient could now be smaller or fail to be significant–but for it to be less than half of the -0.48 which was found in the previous research is almost counterintuitive (Franklin & Hirczy de Miño 1998). Considering how often government has been divided since their research ended, this result is even more unexpected.

The author finds the results for the control variables in Model 1 to be equally surprising–but in a different way. Both the election laws variable and closeness of the election variable are highly significant at 0.01 level or higher. Given the change in the divided government variable the author expected to see more of a difference in these variables. The negative effect of election laws is actually higher than the effect found by the original authors. The effect of election laws is -19.44 in this model, with a standard error of 1.39.

Clearly something is happening that is unaffected by the change to V.E.P. data. Unfortunately the current model does not allow me to speculate about what is happening. The effect of closeness of the election is -0.19 with a standard error of 0.09 in Model 1. This effect has gone down some in this model over the previous authors' model, but not enough to lose what makes it interesting. Some interpretation of this variable should be offered, though this study's findings are basically the same as the original authors, what the closeness variable is showing is a decrease in turnout during Presidential races that are not close (Franklin & Hirczy de Miño 1998). The closer the election the higher turnout will be, the more distant the candidates are the lower turnout will be (see Figure 1 below).

Figure 1

U.S. Voter Turnout, Closeness of Elections and Divided Government, 1840-2012
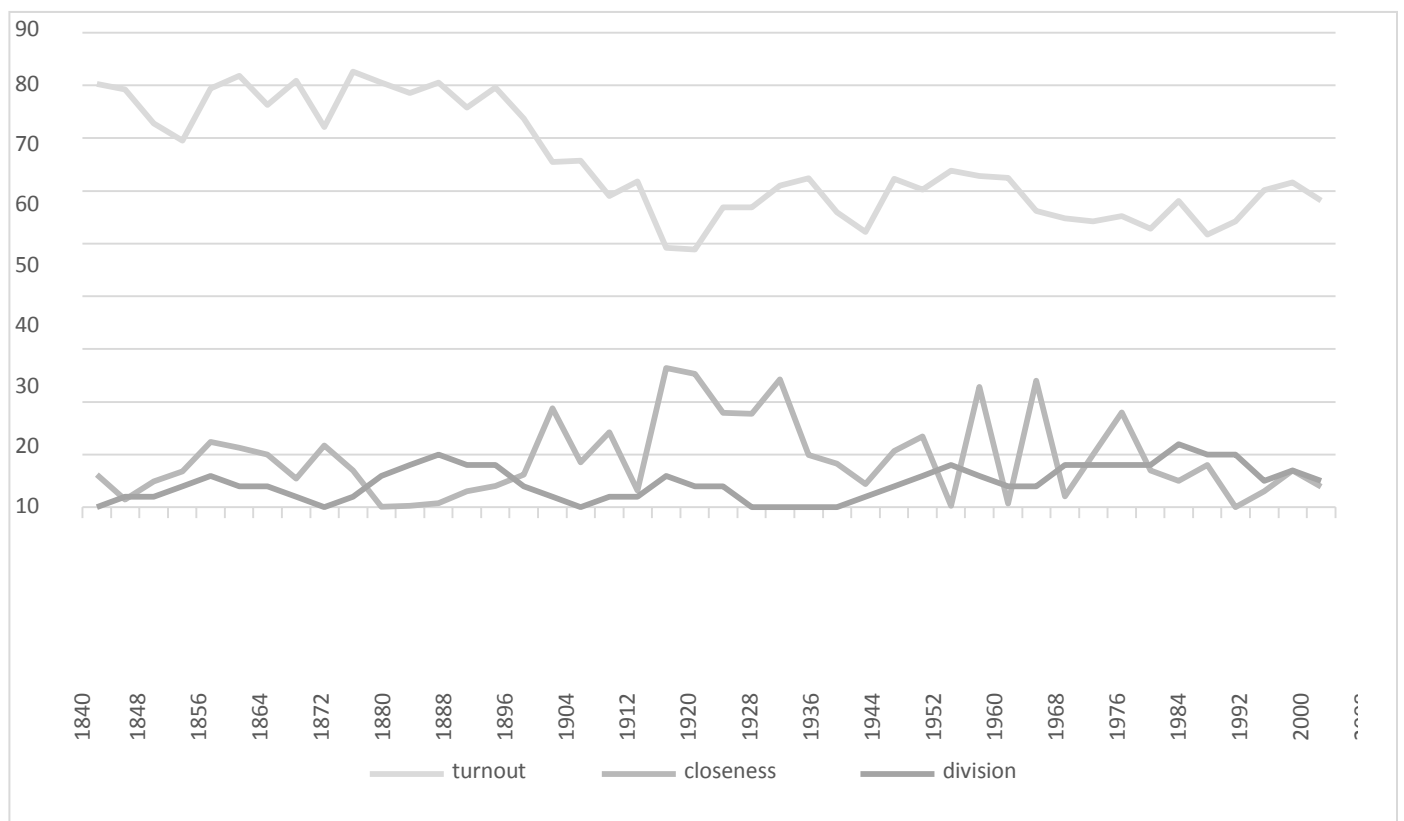
A Little Perspective

The findings were unexpected, but a visual representation of the variables provide a clue as to why the results were different. The graph in Figure 1 shows the changes in voter turnout levels, the closeness of the election, and divided government variable (labeled division here) from 1840 to 2012. It is solely a way to visualize the variables next to each other. Given the large difference in how much the variables actually vary it may be less of a surprise that the effects found here are so small or nonexistent. While this graph is not of incredible scientific use it does provide an idea for at least one new direction to study. Divided government does not vary nearly as much as the others, but the author wonders if that may not be due to the 12 year retrospective coding.

Conclusion

The obvious limitation should be addressed first. By using V.E.P. data instead of V.A.P. data my results are very different than Franklin and Hirczy de Miño's (1998). If the author had updated their research using V.A.P. data the results may have been in line with the original research. Considering their effect was only -0.48% per year, finding a smaller effect was always a risk based solely on the differences in the data sets. At least the effect did not change direction. This does provide an avenue for future research into what caused this difference. Could it be purely the difference in the data sets, or has something changed over the last 20 years that lessened the original effect as well? This is something the author would like to pursue further in the future.

Additionally after looking at the results of Figure 1 the author thinks it may be useful to recode the divided government variable so that it only accounted for division over four or eight years instead of 12. Since most presidents only serve for four to eight years it seems more intuitive to look back across a time frame of either length. Given the results found here adjusting the length probably will not change the results, so future research in this area would be purely to satisfy academic curiosity.

There are a couple of methodological issues that must be mentioned here as a limitation as well. When testing for significance in these models the author used two-tailed significance tests, whereas the original authors used one-tailed significance tests. The reasoning behind this was the desire for greater assurance concerning the accuracy of the results. Considering that the standard error for divided government was almost as much as the coefficient this decision probably did not affect the results much. If the use of one-tailed tests would have resulted in significant findings in this case the findings would have been deceptive. The other methodological issue is the number of cases–this project uses 44 cases and the original research only has 39 (Franklin & Hirczy de Miño 1998). Ideally the research should contain a lot more cases. Due to reliability problems with earlier data this can only be fixed with the passage of time.

The two control variables provide more explanation and more questions. The election laws variable does not seem to be redundant, but it does not provide any detailed information. A more advanced election laws variable that included change in years outside the 16 year period of change that this one includes would be theoretically useful. Breaking out specific major laws to track their effects over time is another option. Given the period it would also be interesting to look at it from a regional perspective, since the effect might be different depending on the area.

Another potential limitation in this research is the closeness of election variable. Closeness is coded in the same way in both papers; however, mine includes the percent for all elections during the time period studied, where Franklin and Hirczy de Miño's (1998) had an upper limit of 18%. Because the new closeness variable has highly significant results this should not be a problem. Whether changing this variable altered the model enough to effect the significance level of the divided government variable is

debatable, but unlikely. This is a variable that could benefit from further study as well. Franklin (2004) has done some further research on the effects of the closeness variable, but the author thinks there may still be room for further research. Specifically it would be interesting to see if élite polarization or negative campaign advertising might be related to closeness of the election and how those variables effect voter turnout.

There are several things this research does not suggest. First it does not affect the results of any previous divided government research. It has no bearing on the split-ticket voting research of Mulligan (2011), plus Sigelman, Wahlbeck and Buell (1997). It does nothing to show whether Mayhew (2005) or Coleman (1999) are right about the work unified and divided governments gets done. It cannot even be counted towards the positive effects found by Nicholson and Segura (1999), plus Nicholson, Segura and Wood (2002). It does suggest that at least in this area divided government is not the harbinger of political doom that Coleman (1999), Fiorina (1992) and Leonard (1991) suggest it could be. Even for turnout research its effects are minimal. It does not provide another puzzle piece for Rosenstone and Hansen (1993), though the results for the electoral laws variable certainly reinforce some of their findings in that area.

It is too early to say if this is a victory for McDonald and Popkin's (2001) argument about the superiority of V.E.P. turnout data over V.A.P. data. Until an updated V.A.P. result can be compared to the results here the change cannot be entirely contributed to the difference in data, however likely that may seem. Ultimately all that can be said is divided government no longer appears to have an effect on voter turnout.

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Introduction to "A Diamond Hidden in Fry-Bread: Team-Project on Native Americans"
by Theodore M. Gibbons, Ph.D., Saint Leo University

This shocking exposé of the educational conditions facing reservation Native American students, reveals a lack of conscience unworthy of the United States of America. Sadly, today's U.S. students, including many children of new immigrants, know little of these forgotten Native American children or their very existence. American students, who are aware of Native Americans from History and Social Studies courses, typically view them as a distinct and separate group with little connection to U.S. national events. Native Americans have vanished from contemporary textbooks in the wake of the technological frontier that is the XXI Century. It is ironic that this collective research paper, "A Diamond in the Fry Bread", by Assistant-Dean Andrea Lanzone and his team of Undergraduate students (Gabriele Cotronei, Arianna Pavoncello and Emilia Cianci) did not originate in the U.S.A., but at the John Cabot University in Rome, Italy, following this academic group's visit to the Oglala Sioux Pine Ridge Indian Reservation in South Dakota to confirm their findings in the American-Indian reality, both within their collective work and in the students' own three ancillary individual papers.

What Dr. Lanzone and his team found in their research were Native American children living in an environment plagued by alcoholism, drug addiction, physical abuse, unemployment and terminal illness. According to the U.S. Census Bureau's 2011 data, the Pine Ridge Reservation has one of the country's largest Native American populations reaching 16,906 people. Furthermore, in 2012 the U.S. Department of Education found that Native Americans made up 15% of South Dakota's total student population. These statistics beckon the words of U.S. Senator Edward "Ted" Kennedy (D-Massachusetts), whose 1969 Senate report states that the "Federal government has a substantial responsibility for Indian children enrolled in public schools as a result of the Johnson O'Malley Act of 1934 empowering the Secretary of the Interior to contract with States and other agencies to provide effective education for Indian children."

Little has changed since the findings of the Kennedy Report were published. Native American drop-out rates of grades K-to-12 are more than twice the national average of White students enrolled in public schools. According to the U.S. Census Bureau's 2012 Community Survey, Native Americans only comprise 1.7% of the total U.S. population of 314 million. U.S. politicians of all stripes have little interest in the plight of Native Americans because their voting power is miniscule compared with other minority groups. Dr. Lanzone's "Diamonds" are the Native American children hidden in the fry bread, which is an unhealthy staple food of the Reservations. Fry bread, metaphorically represents the dysfunctional life these children encounter on their reservation and schools both ill-equipped to meet their educational needs.

Dr. Lanzone's and his team's outcry is aimed at exposing the destruction of Native American children across the United States. His message is a wake-up call to Twenty-First Century Americans to stop ignoring the continuing crisis of American-Indians reservation life. Dr. Lanzone and his pupils challenge Americans to put an end to this national shame and save Native American children from being just ingredients in the fry bread recipe, which in the end is a recipe for failure.

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A DIAMOND HIDDEN IN FRY-BREAD: REFLECTIONS ON AMERICAN-INDIAN RESERVATIONS & TRIBAL EDUCATION

by Team-Project on Native Americans of John Cabot University, Rome, Italy: Co-Editors Assistant-Dean Andrea Lanzone, Ph.D. & Gabriella Di Benedetto with B.A. Graduates Gabriele Cotronei, Arianna Pavoncello & Emilia Cianci

You brothers, who are mine,
Poor people, near and far,
Longing for every star,
Dream of relief from pain,
You, stumbling dumb
At night, as pale stars break,
Lift your thin hands for some
Hope, and suffer, and wake,
Poor muddling commonplace,
You sailors who must live
Unstarred by hopelessness,
We share a single face.
Give me my welcome back.

Hermann Hesse (Translated by James Wright)

ABSTRACT: Analyzing the most recent reports on American-Indian education, as well as the system used in Tribal schools today and the current social condition in which Native American children and adolescents are living within the Reservations, a method of improvement of the American-Indian education will be hypothesized, as an attempt to reform a more effective school system within the reservations. This improvement would be in the form of a higher educational level that would allow the students to be competitive with the average American student, as well as an increase in the teaching of American-Indian traditional subjects such as traditional languages, art, spiritual practices and storytelling. American-Indian children of today might not even know about the history of their people, but it is certain that they are living and they embody the consequences of that past. This is another factor that thickens the coal-black cloud in their minds. One must remember that the average Native American child lives life knowing he or she is unwanted by society and the world, yet never understanding why. Such a heavy burden on the light mind of a child should not exist. Children in Native American Reservations are the ones who suffer most from loneliness and marginalization.

Introduction

Loneliness is a word whose womb contains the word "one" and no one can see it; but that's just a word. What about the person that no one else sees? What about the ghost in flesh and bones that everyone ignores? Children nowadays cry because they do not have the latest I-Pad or ultimate cell phone cover. Yet, what about the child that does not own a marker to colour his life with? What if that child lived in a Western First World country? This phantom child is one that represents an entire nation of people who have been marginalized, abandoned and forgotten: they too live in the United Stated of America, but these people are Native American-Indians.

Loneliness has taken over their lives, their destiny and their entire identity. Its coal-black cloud has obfuscated their minds to a point where everything is lost and nothing is important. Statistics from any medical or sociological text show the skyrocketing levels of alcoholism, drug abuse, physical abuse, obesity, unemployment and terminal illnesses among Native Americans. Yet, all these numbers can be seen as the branches of a tree that stem from a trunk whose roots are so deep it cannot easily be removed. These medical and sociological data all fall back on the trunk of loneliness. Yet, what needs to be done here, is not to cut the tree down, but to remove its stump from the very roots so that it may never grow back again, or linger like an everlasting ghost that comes back to haunt again. Thus, the question is: how can one remove the roots of this rotten tree? How can one extrapolate this "Diamond Hidden in Fry-Bread"?

The very first step can be achieved by digging up the Earth to expose the roots; by clearing the mind of the people overwhelmed by the coal-black cloud of despair. This Cabot University Team-project on Native Americans (Assistant-Dean Andrea Lanzone & Gabriella Di Benedetto with B.A. graduated students Gabriele Cotronei, Arianna Pavoncello and Emilia Cianci) seeks to provide the tools in order to expose the roots and clear the mind: psychotherapy enhancement will work towards opening accepting and fostering a healthier view of the mind; education will enhance the mind; art will allow the expression of the mind, giving it colour and texture. Hand-in-hand these three founding tools can help towards making that child in the crowded room be noticed and nurtured towards allowing the little boy to come home to his parents; towards the creation of a playground; towards having a sign representing a land behind it which is no longer a dry desert; to cure the invisible disease of *loneliness*.

Talking about growing up as American-Indian is arduous. Scholarly and professional research is relatively strenuous and it is hard to talk to people who are beaten down by their own surrounding social environment. Alcohol and drug abuse, violence, homicides, suicides and diseases,[1] stemming from diabetes like pneumonia and tuberculosis all have the effect of furthering traumatic experiences, leading to *hopelessness* and *helplessness.*[2] Yet, when dealing with the initiative of creating psychological approaches aimed at opening the mind of a people whose mind has been shut and obliterated for more than a century of oppression, a crucial question arises: how much *culture* is required for the culturally-competent practice of psychotherapy with those culturally different? In Indian Country efforts of practitioners from different ethnic and professional backgrounds are already improving the current practices of inter-generational (and inter-relational) personal annihilation.

Yet, among Native Americans the problem endures that "many contemporary tribal peoples remain suspicious of the ultimate relevance and utility of conventional psychological interventions

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[1] Grant, Jamie & Brown, Theresa, Eds., *American Indian and Alaska Native Resource Manual* (NAMI, 2003).

[2] Bigfoot, Dolores Subia & Schmidt, Susan R. "Honoring Children, Mending the Circle: Cultural Adaptation of Trauma-Focused Cognitive-Behavioral Therapy for American Indian and Alaska Native Children" in *Journal of Clinical Psychology: In Session*, Vol. 66, n.8 (2010): p. 848.

proffered by Euro-American mental health professionals."[3] It would be like asking two people who speak completely different languages to help each other in solving one of history's most forgotten issues. Although a little could be achieved through various forms of communication that stem away from language, the bigger void would remain ultimately untouched.

It can be said that many innovative theoretical orientations and initiatives are trying to incorporate cultural competency in their work, mainly coming from grass-roots (i.e. the Native American Culturally Integrated Behavioral Health Program). However, it would seem that these initiatives act as the lumberjack who simply cuts down the tree, yet leaving the stump containing the heart of the problem still to live on. Joan Sanders, an elementary school teacher from the Indian Reservations said, "program directors stay there one year and then leave… making a worthy program that was making a difference fall to pieces."[4] Yet, the stump these initiatives left behind are precisely what inspires other people to continue where they left-off in order to start digging up the roots.

Dr. Eduardo Duran has attempted to integrate cultural competency and traditional elements in order to seal with inter-generational and historical trauma.[5] Duran advocates for an understanding of the cultural past, which explains the causes for the destructive behavior of American-Indians. Children of today might not even know about the history of their forefathers and people, but it is certain that they are living in and embody the consequences of that past.

This is another factor that thickens this coal-black cloud in their minds. One must remember that the average Native-American child lives life knowing he or she is unwanted by society and the world, yet never understanding why. Such a heavy burden on the light mind of a child should not exist. Children in Native American Reservations are the ones who suffer most from the branches of loneliness. The integration of psychotherapy and culture could be the starting point towards opening the mind of children and gradually restoring its colour with the integration of Art and Education.

Yet, in order for this tool to work effectively around the stumps left behind, its proponents must take into account all the façades of a culture; from its member's inner most self to the pigment of their skin; from their religion to their social status; from their past to their present. It is not only a matter of second-hand knowledge, but also that of a participatory, first-hand approach. When speaking of the mind, one must understand it before it can be healed.

The skills needed to fulfill cultural competency stem on each and every branch of one's surrounding, both psychological and physical; both social and biological; both political and spiritual. Yet, in the fulfillment of said competency, it is not enough to understand it; one must be able to breathe it, eat it, digest it and speak it, both literally through the use of cross-cultural interpreters and metaphorically through the acceptance of cultural differences, without ignoring the methods and techniques of that given culture.

Lastly, and perhaps most importantly, to gain and exercise cultural competency at its fullest, one must take into account the first lesson taught when learning to deal with an audience: it is not so much *what* is being said that matters, but *how* it is being said. With that in mind, a culturally-competent person must respect any culture's survival merits and acknowledge its forces. One must never think that everything that needed to be learned has already been learned, but remains open to the endlessly evolving paths of knowledge.

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[3] Joseph P. Gone. *"Psychotherapy & Traditional Healing for American Indians: Exploring the Prospects for Therapeutic Integration"* in *Counseling Psychologist,* vol.38 (2010): p.166-235.

[4] Cotronei, Gabriele, *Interview to Joan Sanders* (2014).

[5] Duran, Eduardo, "Injury Where Blood Does Not Flow" in *7thDirection Psychotherapy* (2010), retrieved from http://soulhealing16.com/home.

In other words, one must carry within him the values of *empathy*, *responsibility*, *respect* and *consistency*. Many individuals[6] provide different perspectives of the word *empathy*, each pertinent to their respective fields. Yet, what they all yield is the idea to inhale the world of the *other,* rather than simply observing it; to envelop all the senses in the process of empathy from its touch, to its smell, to its sight, to its sound and to listen to the vibration it causes within both the sender and recipients.

Everything that has been said up to this point can be used as the raw material or grounding foundation towards the creation of an infinite realm for Native American children to regain confidence and purpose in society. Still, more can be done. An individual's most important years lie right in their childhood, especially when they are exposed to the first steps in the world of education. The initiating years should hold creativity and originality as the most important aspects to expand in a child's mind. Only in this way shall that child become a young adult who can fuse creativity and knowledge together in order to go beyond the superficial boundaries of education. Education is a term that is very often used when thinking of the future. It has been referred to as the system through which the present world shapes the leaders of tomorrow.

Yet, even here history plays a fundamental role in the modification of Native American schooling methods; an aspect that inevitably caused a variation of the ripples in the generations of Native Americans. Education has been a powerful weapon used by European settlers to solve the 'Indian problem' since 1568, when the first "mission school was established for Florida Indian".[7]

General Philip Sheridan, a hero of the U.S. Civil War of 1861-65, has been repeatedly named as the creator of the proverb, "The only good Indian is a dead Indian", which was widely used in the United States since the 1860s, about three decades after the first Indian Boarding Schools were created.[8] With the creation of these boarding schools children were forcedly taken away from their families and brought far from their Tribal Reservations, with the aim of depriving them of their 'Indianness' and their nature. As a predictable consequence, most of the children started to show serious trauma, home sickness and depression, which got even worse when in 1950, a large number of Native-Americans were recruited into "urban relocation programs."[9]

The plan for a cultural genocide, at that point, was succeeding. From the Nineteenth Century to the 1920s, Federal laws and governmental policies "transferred primary control on Indian education to the Federal government"; then the four decades afterwards saw Federal laws and policies transferring "from the Federal government to the states and their public schools"; since the 1970s, Native Americans Tribes regain "some control of Indian education from what they have lost by the previous laws and policies."[10]

Although some progress has been made, the educational system for American-Indians still does not involve an acceptable number of children and adolescence: drop-out rates are still significantly high and can be caused by a number of factors, including "poor grades, absenteeism, truancy, school discipline and dislike of school"; low self-esteem often plays a big role in children and adolescents' own school behavior.[11]

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[6] Watson, Jeanne C., Elliot, Robert & Bohart, Arthur C., "Empathy" in *Psychotherapy: Theory, Research, Practice & Training*, Vol 38, n.4 (Winter 2001), Special issue: Empirically Supported Therapy Relationships: Summary Report of the Division 29 Task-Force, p. 380-384.

[7] Chiago, Robert K. "Making Education Work for the American Indian" in *Theory into Practice,* vol.20, n.1, Cultural Pluralism: Can It Work? (1981): p.20-25. *JSTOR*. Web. 8 October 2014.

[8] Mieder, Wolfgang, "'The Only Good Indian Is a Dead Indian': History and Meaning of a Proverbial Stereotype" in *Journal of American Folklore*, vol.106, n.419 (1993): p.38-60; *JSTOR*. Web. 8 October 2014.

[9] Duran, Eduardo & Maria Yellow Horse Brave Heart, "Native Americans and the Trauma of History" in Bonnie Duran, *Studying Native Americans: Problems and Prospects* (Madison: University of Wisconsin, 1998), p.60-76; *Google Books,* Web. 10 October 2014.

[10] McCoy, Melody L., "Indian Education Legal Support Project–'Tribalizing Indian Education'" (2000); Native American Rights Fund, Oct. 2000. Web. Oct. 2014.

[11] Machamer, Ann Marie & Griber, Enid. "Secondary School, Family, and Educational Risk: Comparing American Indian Adolescents and Their Peers" in *Journal of Educational Research,* vol. 91, n.6 (1998): p.357-369. *JSTOR*. Web. 15 Oct. 2014.

Students living and studying in their Tribal Reservation are found to be "more positive about themselves in relation to school-related activities" than students living far from their families.[12] Native American culture gives crucial importance to the extended family: often, the community itself can represent an extended family to the child or adolescent. Therefore, despite the difficult social condition that Pine Ridge Reservation faces, including alcoholism among a large percentage of parents, Native American students still benefit from the support of their family for school-related issues, even if the parents themselves are unable to sustain them.

However, the source of the problem lies elsewhere. Although the Western educational system is proven to be strong and efficient in Western countries, it significantly ignores "education in non-Western countries, either by sheer omission of non-Western perspective, experiences and studies, or by the widespread tendency to separate non-Western realities into special branches such as *ethnicity* and *education*".[13] Native American populations are therefore excluded from the group of people to which this kind of education would benefit in making personal, social and professional life easier.

As the environments of Native American populations do not correspond to the ones reported on schoolbooks as examples of analysis, even though they effectively pertain to the Western world, this forced unfamiliarity leads the educational system to a particularly high failure rate. There is, nevertheless, a system that has demonstrated benefits towards the achievement of a better and more balanced education amongst Native Americans. This system works towards enhancing the mind of Native American children and adolescents in a way that does not exclude their true identity, but which integrates it equally to the Western way in order to feel one with the notions of the world.

Known as Tribal schools, this form of education has introduced for the first time an inter-cultural education in schools for Native Americans, which included American-Indian traditional subjects of study, such as literature, art, language and story-telling parallel to the standard educational system. Research shows that this form of education, the Native American/Euro-American system, noticeably benefits both American-Indian students and non-American-Indian students. Although this system is shown to benefit everyone, still more can be done to improve the educational level of Tribal schools, which is significantly lower than the American educational average. The idea is to create a model in which the educational program would go from Kindergarten to university following a path that would allow students to be able and willing to help their own community when entering the working environment, as well as developing a strong "dual collective identity" in order to be comfortable with their identity as both American-Indians and Americans.[14]

With hard work and dedication, this system could both enhance the educational level, and increase involvement and interest of both children and adolescents in their culture and tradition. As the child advances to higher levels of study, the idea would be for the two systems to merge into one in which students will be obliged as in any high-school, to take classes pertaining to both cultures in a balanced manner. The Tribal University instead, will leave the choice entirely to students, who can choose either one of the paths to specialize in.

The Tribal University would offer several curricula including Economics and Finance, International Affairs, Sociology and Literature, with a developed Department in Native American studies. In this way, their

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[12] Machamer, Ann Marie & Griber, Enid. "Secondary School, Family, and Educational Risk: Comparing American Indian Adolescents and Their Peers" in *Journal of Educational Research,* vol. 91, n.6 (1998): p.357-369. *JSTOR*. Web. 15 Oct. 2014.

[13] Adick, Christel. "Modern Eduction in 'Non-Western' Societies in the Light of the World Systems Approach in Comparative Education" in *International Review of Education/ Internationale Zeitschrift für Erziehungswissenschaft /Révue Internationale de l'Education,* vol.38, n.3 (1992): p.241-255.

[14] Whitesell, Nancy Rumbaugh, Christina M. Mitchell, Carol E. Kaufman, Paul Spicer & Voices of Indian Teens Project-Team, "Developmental Trajectories of Personal and Collective Self-Concept Among American Indian Adolescents" in *Child Development*, vol.77, n.5 (2006): p.1487-1503.

'Indianness' would not be threatened even if a suit covers it. Thus far, this project has shown the possibilities towards opening and enhancing the mind of Native American children through psychoanalysis and education. Yet any mind that is truly free must be allowed to express its innermost thoughts and dreams.

What better way to express the mind of a child if now through art? Any form of art, whether dance, music, or painting, has the ability of putting the performer in contact with an inner religious or spiritual truth that human reason by itself could not come in contact with. This practice extends to the Native-American usage of Sand Paintings as tools of healing. Yet even Art does not limit itself to the spiritual world of healing. It also deals with a wider understanding of what it means to be human. Art is the gateway to another understanding of the environment, objects and human relations that is not tied to the senses.

The artist is he who creates, while in the act of looking,[15] his eyes translating the ordinary perception by listening to the environment, to its "voices of silence."[16] This is what underlines the deep-rooted difference between Science and Art. The first objectifies nature and divides it into particulars and facts followed by rules. The latter is not bound to specific laws and has to do with inner and spiritual realms. It pushes the artist and observer to come up with a creative way of thinking that is not bound to right or wrong answers and that is not bound to specific words or concepts. Therefore, the perceptive eye becomes the eye of a child. Colours, form and content are in dialogue with one another and speak to the observer encouraging him to take a step in the "invisible".

The artwork therefore, is not a mere object that one analyzes, but a subject that literally communicates with the spectator, at first emotionally and ultimately rationally. Art has the power of exposing what normally does not make sense; it becomes a source of light in the night disclosing what does not appear to one's everyday experience of the world. An artwork engages us wholly and pushes us to reinterpret the world; it infuses us with creative energy, which is what pushes one to act freely and with originality, beyond time and space. By interconnecting the importance of Art in the educational system, children will be able to release their burdened mind and go back to being children. They can colour their life and smile, while learning; they can free their deeper thoughts. Adults in-turn, can go back to finding something to believe in; not only a better future for their children, but a better one for themselves. A well-known Native American metaphor tells:

> "One evening an old Cherokee told his grandson
> about a battle that goes on inside people.
> He said, "My son, the battle is between
> two 'wolves' inside us all.
> One is Evil.
> It is anger, envy, jealousy, sorrow, regret, greed,
> arrogance, self-pity, guilt, resentment, inferiority, lies,
> false pride, superiority and ego.
> The other is Good.
> It is joy, peace, love, hope, serenity, humility, kindness, benevolence, empathy,
> generosity, truth, compassion and faith."
> The grandson thought about it for a minute
> and then asked his grandfather:
> "Which wolf wins?"
> The old Cherokee simply replied,
> "The one you feed."

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[15] Robert Bresson, *Note sul cinematografo* (Venice: Marsilio, 2008): p. 116.

[16] Carolyne Quinn, *Perception and Painting in Merleau-Ponty's Thought*, in *Perspectives: International Postgraduate Journal of Philosophy.* http://www.ucd.ie/philosophy/perspectives/resources/Carolyne_Quinn.pdf (Accessed October 2014).

By providing Native Americans with the right tools, the 'wolf of loneliness' is bound to starve until it has nothing else to feed off of, finally giving space to hope, faith and happiness; three virtues that once guided the life of a people who have lost their home and with it, a reason to exist.

PROSPECTS

By associating schools and after-schools with training institutes in child and adolescents psychotherapy, both parties can gain independence, knowledge, experience and health. Other than concepts of empathy, respect, responsibility and consistency, the psychotherapists would also use play therapy, in group and in communal settings. The re-institution of Bi-cultural Education School Projects can help American-Indians regain a sense of identity, their values, their spirituality and their culture. It can integrate the subjects of the "Western World" in order to enable children to act for themselves, providing tools to interact with the "Western society" in terms of titles and education, for those who want it.

The classes on their culture and language could be mainly taught by American-Indians of the Reservations (mainly elders, women and those who cherish their Tribal culture) to create jobs, a perceived sense of utility and participating in the community (which could help foster sense of agency), as well as a sense of responsibility, which might contribute to diminish alcoholism, unemployment, loss of identity and depression. Foster agriculture and shepherding can allow each family at least a partial independence from a financial point of view and from a psychological point of view by increasing a sense of agency and responsibility.

The re-institution of the traditional sense of communal identity, community and extended family, in collaboration with the psychotherapists, can bring forth task-forces of adolescents, which take care of the elders, which, in turn, take care of the young. The creation of Children centers, where children can be brought after-school, would provide a safe environment where they can interact with training psychotherapists and elderly within the community, which would be brought by busses in order to interact with children. These centers could foster their growth and bring into modernity the art and tradition of story-telling, learning traditional customs and values, and learning to use Art to free their mind and give back color to their world which, for too long, has been just black and white.

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Team-Project on Native Americans: created at John Cabot University, Rome, Italy, by Co-Editor and Assistant-Dean **Andrea Lanzone, Ph.D.**, Professor of American Studies with 20 years commitment to Indigenous Peoples Rights, Migrants issues and Social integration. Dr. Lanzone also lived on the Oglala-Lakota Pine Ridge Indian Reservation in South Dakota. This collective work is co-Edited by Gabriella Di Benedetto with the combined research of three co-Authors, Gabriele Cotronei (B.A. 2014), Arianna Pavoncello (B.A. 2015) & Emilia Cianci (B.A. 2015), all graduated students at John Cabot University. Assistant-Dean Lanzone presented this collective inter-disciplinary study both at the 2015 Florida Political Science Association's annual Conference at the University of Central Florida-Orlando and as Guest-Speaker at Saint Leo University, north of Tampa.

CONTEMPORARY *KACHINA* DOLLS: REFLECTIONS ON NATIVE AMERICAN REALITY AND MENTAL HEALTH

by Gabriele Cotronei, B.A., Team-Project on Native Americans, John Cabot University, Rome, Italy

They either died, seriously, died, got drugged or drunkies or dropped-out. [...] I look every time there are graduation pictures in high school, I look for somebody I had, I never saw one. [...] Most of them, a lot of them die, seriously, get drugged or drunk, this is a made up fact, but maybe 1 out of 10 graduate from high school. That's it. Their graduating classes are very small. Or they get kicked out, see, and people try very hard. Teachers and Principals try very hard to keep them. But I can't imagine living down there.
<div align="right">Interview with Joan Sanders, Elementary School teacher in Apache,
Hopi & Navajo Reservations by Gabriele Cotronei, 2014, p.12</div>

Discussing about growing-up as American-Indian is arduous: scholarly and professional research is relatively strenuous and it is hard to retrieve information and data from people who live in such an all-encompassing social environment of hopelessness and helplessness. The data and gathered statements make these human conditions evident, with such strength that looking for a historical cause seems useless in itself.

The perspective of acknowledging the causes and pointing towards a healthier functioning (L.K. Gowen, A. Bandurraga, P. Jivanjee, T. Cross & T.J. Friesen, 2012), as is typical of the Jungian approach in Psychology, seems like the most effective solution. The official data is mainly provided by the National Indian Child Welfare Association (NICWA), Center for Native American Youth (CNAY) and National Alliance on Mental Illness (NAMI), while we have attempted to contribute to this collection of research through the *Biopsychosocial Dictionary of Illnesses*.

The bottom-line question we have to ask is: why are we focusing on the American-Indian reality and specifically on solutions for the children of the Pine Ridge Indian Reservation of South Dakota, land of the Oglala Sioux? To answer this we have to go back to the question of research regarding the health and mental health reality on Indian reservations. "Ironically [...] scholars have produced a huge amount of literature on Native Americans (Sutton, 2000). Despite this, there is a void in the literature in regard to Native American well-being indicators. [...] Most research on Native Americans explores elements of a tribe's particular culture, history, law and so forth" (C. Goodluck & A.A.A. Willet, 2000, p.34). Since mental illness (whether it is due to nature or nurture) follows a ripple effect, the data will also concern American-Indian adults, as well as children. Furthermore, focusing on the children would enhance the probabilities of recovery, reduce the chance of crystallization of neuroses, reduce the painful acting-out of traumas and "try out new solutions to old problems" (A.A.C.A.P., *Facts for Families*). A further element in favour of this point of view is brought-up when reflecting on who helps the child seek help. "Parents are usually the first to recognize that their child has a problem with emotions or behaviour" (A.A.C.A.P., *When to Seek Help for Your Child*), but if the parents are in a situation of complete hopelessness and helplessness, who will care for the children?

Given the life conditions in which Native Americans live in their Reservations, a quasi-Third World country situation, discussing about American-Indians in the context of contemporary social reality is a

natural progression of research on human rights. Amnesty International states that: "Across the world children are denied their human rights, including for example, their right to education. They are recruited into armed forces. They are subjected to the death penalty, are disappeared, are punished by cruel and inhumane methods and suffer many other forms of violence." And "Children routinely face other violence—at school, in institutions meant for their protection, in juvenile detention centres and too often in their own homes. Violence against children happens in all parts of the world" (see: http://www.amnesty.org/en/children).

Methodological Data

You want me to call up
Something so desperate that the thought of it
Wrings my heart before my tongue can speak.
Dante, *Inferno*

Not only are there "violence and victimization […] present in the lives of many Native children in rural, urban and reservation settings. Experience to this sort of life and circumstances make children vulnerable to losing their childhood" (A. Kozol, 1995, C. Goodluck & A.A.A. Willet, 2000), also alcohol and drugs-related problems are rampant from early-adolescence, and contribute to "more than 60% of the morbidity and mortality among Native American people" (E. Rhoades et al., 1987). Violence is incredibly present, especially abuse and neglect on children and a more generalized one on women (K.A. Earle & A. Cross, 2001, p.58). The current yearly average rate is "124 per 1000 [...] almost more than 2.5 times above the national rate" (Bureau of Justice, 2004).

It is extremely important to keep in mind that "At best, only 61%" of violence on children is reported, when considering these statistics (K.A. Earle, 2000). American-Indians and Alaska Natives (AI/AN) also lead the United States in homicide rates (D.S. Bigfoot & S.R. Schmidt, 2010, p.848) and, as Bigfoot and Schmidt do state, "lack of education, unemployment and despair", and "accidents, alcoholism, diabetes, pneumonia, suicide, homicide and tuberculosis" (American-Indian & Alaska Native Resource Manual, 2003, NAMI) have the effect of furthering trauma experiences, leading to "hopelessness and helplessness" and "cumulative trauma" (D.S. Bigfoot & S.R. Schmidt, 2010, p.847-856), while "61% of the children have experienced a traumatic event" and "Native American males ages 15-24 [...] account for 64% of all suicides by AI/AN individuals" (NAMI, *Mental Health Fact Sheet*). High rates of exposure to trauma, in the psychological environment of "cultural, historical, and inter-generational traumas" increase vulnerability and rates of Post-Traumatic Stress Disorder (PTSD) (D.S. Bigfoot & S.R. Schmidt, 2010, p.849).

"Alcoholism is 770% higher and suicide 190% higher than those of their White peers" (J. Grant & T.I. Brown), with 32% of AI/AN fall below poverty standard, unemployment is 2.5 times higher, many live in remote places, 55% rely on Indian Health Services (H.I.S.) as the only source of health-care. The author interviewed Joan Sanders, an Elementary School teacher with a 30-years experience in Indian Country. Her stories are full of pain, will to change and crushing reality; life experiences which have shaped her and her students: "There was depression, but I didn't really notice it because they were so excited to be at school" (G. Cotronei, 2014, p.12). Her words, accepting how life is "down there, on the Rez" (Reservation), convey Carl Jung's words on teachers:

An understanding heart is everything in a teacher, and cannot be esteemed highly enough. One looks back with appreciation to the brilliant teachers, but with gratitude to those who touched our human feeling. The curriculum is so much necessary raw material, but warmth is the vital element for the growing plant and for the soul of the child. Carl G. Jung

I taught fourth grade, and [...] 26 of them on pills, for depression, or whatever, 26 out of the classroom and they'd line up, the nurse would come to the door, [...] and they took them and they could read, and they could be quiet and they did learn. Because they needed them desperately for whatever reason, so it wasn't a negative thing, but I had 26 that took them twice a day.

G. Cotronei, 2014, p.7

Her experiences, the experiences of the children in her class, contribute to our understanding of the current social environment common in Indian Country; "The little world of childhood with its familiar surroundings is a model of the greater world" (C.G. Jung, 1913). Jung's theory corresponds also to the cultural mechanisms of American-Indians: "American-Indian children's sense of belonging is rooted in an understanding of their place and responsibility within the intricate web of kinship relationships. In this community setting, "the value of familial relationships denotes 'belonging' and is paramount to one's identity"(J.G. Red Horse, C. Martinez, P. Day, D. Day, J. Poupart & D. Scharnberg, NICWA, 2000).

Well, you go down there, there's no jobs for them anywhere, their biggest joy in life is being called a cowboy, when they round up horses or cows or whatever. See, that's their cows and horses out there. And, so the biggest joy is, even in the obituary it'll say: 'Andy Cowboy Hunt' and then down below it says 'Andy loved his family (always says that), loved to party, loved to hunt, loved to round up cows' every single thing is child, usually women aren't in there, mostly men. Everything this child liked to do, this man liked to do, was stuff you don't get paid for, that probably you do once or twice a year, rounding up cows you know that kind of thing, so what do they do down there? They drink, they do drugs heavily.   G. Cotronei, p.2

Current Approaches to Mental Health and Illness

"Acceptable forms of culturally competent psychotherapy will necessarily involve a substantive synthesis or integration of local healing traditions and conventional psychotherapeutic practices (as originally suggested by LaFromboise et al., 1990). In the pursuit of such integrative efforts, a crucial question arises: how much "culture" is required for the culturally competent practice of psychotherapy with the culturally different? Presumably, an answer to this question will require sophisticated familiarity with both particular modalities of conventional psychotherapy, as well as the epitomes of 'culturally competent' intervention for any given population, namely, its local forms of traditional healing" (J.P. Gone, 2010, p.166-235).

In Indian Country, although there are many difficulties in facing this challenge, efforts of practitioners from different ethnic and professional backgrounds are improving the current practices and, with hope, this situation of inter-generational personal annihilation. "These experiences—some of which persist to this day—have collectively established and transformed the psychologies of contemporary Tribal peoples, in many instances complicating, compromising and confounding 'mental health' in these communities. [...] Many contemporary Tribal peoples remain suspicious of the ultimate relevance and utility of conventional psychological interventions proffered by Euro-American mental health professionals" (Joseph P. Gone & Carmela Alcantara, 2007).

"Practice with Native Children can be informed by current data on measures of their social, educational and health well-being, which come from the people themselves within their own specific communities. [...] Knowledge, values and skills must be supported by the concepts developed by Tribal wisdom as well as science" (Weaver, 1999, plus Goodluck, Charlotte & A.A.A. Willet, 2000). An incredible step in current practice was made with the *Diagnostic & Statistical Manual of Mental Disorders (DSM-5)*. "[A]ll forms of distress are locally shaped, including the *DSM* disorders" (APA, *DSM-5*, 2013, p.758).

Although the *DSM* has made a step forward in the direction of cultural competency, there still is a problem with the *DSM-5*'s categorization in itself, because "the words 'depressed' and 'anxious' are absent from American-Indian and Alaska Native languages. A culturally-different expression of illness, such as ghost sickness and heartbreak syndrome, do not correspond to *DSM* diagnoses" (National Alliance on Mental Illness/NAMI, American Communities & Alaska Native Communities, *Mental Health Fact Sheet*).

The current practices that are in place in American-Indian mental health are "evidence-based suicide prevention" (S. Woodard, 2012), "behavioural health care" as a medical necessity (C.T. Morris, 2008) and (M. Spero & D.B. Manson, 2004), "family preservation" (J.G. Red Horse, C. Martinez, P. Day, D. Day, J. Poupart, & D. Scharnberg, 2000), "evidence-based practice" (J.P. Gone & C. Alcantara, 2007, and http://swrtc.nmsu.edu/files/2013/10/CulturallyAppropriateServices.PPT2_.pdf), accelerated experiential dynamic psychotherapy (AEDP), trauma informed therapy, dialectical behavioural therapy (DBT), community reinforcement approach (CRA) and motivational interviewing (MI) (see: http://swrtc.nmsu.edu/files/2013/10/CulturallyAppropriateServices.PPT2_.pdf).

But what does such evidence-based mean? "Treatments are considered "well established" if their therapeutic efficacy has been demonstrated to be superior to a placebo (or to be equivalent to an already supported treatment) in two or more randomized, controlled experiments undertaken by two or more research teams" and considered "probably efficacious" if they are superior to a "wait-list" control group, or if one required experiment attests it (J.P. Gone & C. Alcantara, 2007). From this, Gone and Alcantara explain a common mechanism: "credentialed clinicians provide costly services to vulnerable clients".

This goes back to the problems denounced in, *Honoring Children, Mending the Circle*: "the services are lacking, and access can be difficult and costly", and explainable in *Child Abuse and Neglect Among American-Indian/Alaska Native Children*: "Overlapping jurisdictions and requirements [...] not only the cost of the service, but the ability of therapists to provide quality intervention to an already underserved population."

There are many innovative theoretical orientations and initiatives that are trying to incorporate cultural competency in their work. Most of these initiatives are grass-roots initiatives, like *Hope4Alaska*, the *Native American Culturally Integrated Behavioral Health Program*, and *The Native Health Initiative*. Unfortunately, "there's no steadiness in these places" as Sanders reports, with usually Program Directors "stay there one year and then leave", then "the program fell apart, and it was very bad because that program was really making a difference" (Cotronei, p.16). "Up to this point, the psychological paradigm that has been offered is the one of "Historical trauma and inter-generational trauma [...] offered as a paradigm to explain, in part, problems that have plagued Native Americans for many generations" (R. Thornton, 1998).

Jung also created a precedent for this paradigm, in writing "Every Mother contains her daughter in herself and every daughter her mother, and every mother extends backwards into her mother and forwards into her daughter" (C.G. Jung, 1981, p. 188). Eduardo Duran has attempted to integrate cultural competency and traditional elements in a new therapeutic intervention, for dealing with inter-generational and historical trauma. His work, explored in his books, *Buddha in Red-face, Transforming the Soul Wound: a Theoretical/Clinical Approach to American Indian Psychology, Archetypal Consultation, Native American Post-colonial Psychology,* and *Healing the Soul Wound: Counseling with American-Indians and Other Native Peoples*, an interesting perspective on the creation of a paradigm for practice with Native Americans, and using new terminology that is understandable to the patients (or "clients"): the "soul wound" and inter-generational trauma (E. Duran, 2010).

What Duran is creating, is a therapy that does not objectify the American-Indian patient, "By taking the patient through this socio-historical journey the patient is able to objectify the violence and not identify with it. Much of the time in therapeutic circles, Native American patients are diagnosed as violent and left with the impression that this is who they are as defective Native people. Even though the therapy may have passed the test of evidence based treatment, it is obvious that the therapy will only serve to pathologize the Native patient and ensure that the Native patient continues to blame themselves and perpetuate in the cycle of dysfunctional living and suffering" (Duran, 2006). He instead, advocates for an understanding of the cultural past, which explains the causes for the destructive behaviour of contemporary American-Indians. His paradigm, then, integrates fundamental aspects of a shared American-Indian culture, in order to create a "more culturally resonant psychotherapy with Native Americans" (Gone, 2010).

His work is also resonant with Gone's work, who states: "In order to understand the underlying psycho-spiritual factors that interact in historical trauma and effects we must go to the source of the trauma." And "Much of what we do in the field of psychotherapy is done from a very individualistic way of understanding the life-world. Not only is our work individualistic, it is also separated from the natural world itself, thus allowing our psychology to objectify the people and problems that they present with the realm of psychotherapy". According to S. Howard (2010) such process of "othering" is at the basis of abuse of power in mental health practices (to avoid objectifying a person, Buber suggests keeping in mind that souls do not get sick alone (M. Orange, 2009).

In a pre-Cartesian life-world this objectification of the life-world would not have been possible. In reality for the Western Psyche, and there are cultures in the world today that have yet to buy into the notion that there are dualities between themselves/ourselves and the life-world. It is the lack of epistemological duality that presents many Western researchers and clinicians with difficulty and at times it is the research subject or the patient who loses in the exchange. "Another root epistemological belief system is the Native philosophy that we do not exist separately" (Gone, 2010).

We can see the roots of Duran's thought in the works of Robert D. Stolorow, Donna M. Orange and George E. Atwood. The three psycho-therapists have developed the paradigm of inter-subjective psychotherapy: "Inter-subjectivity theory is a post-Cartesian psychoanalytic perspective that takes as its central focus the world of experience of the individual, understood in its own terms and without reference to an external objective reality" (Atwood & Stolorow, 1984). "This world, in addition, is seen in the relational context of interaction with other such worlds" with worlds as experiences of other individuals (Atwood, Orange & Stolorow, 2002).

Current practices could be helped with the implementation of these factors, but also, should be accompanied with a mindset that not only is culturally competent, but also is open to a non-objectifying view of the patient. A framework in which the subject (psychotherapist) views the other as a subject (patient) in his or her phenomenological world of reference, taking into account socio-cultural, financial and personal reality (thus, the PDM Task-Force has devoted an entire chapter, *Child and Adolescent Symptom Patterns: the Subjective Experience*, 2006).

Reflections: Respect, Responsibility & Consistency

Loving and understanding maybe is more difficult,
probably bolder, and surely more meritorious than condemning.
C. Romana, 2007, p.27

Reflecting on cultural competency, the first step is it:

A set of congruent behaviors, attitudes, and policies that come together in a system, agency, or among professionals that enable them to work effectively in cross-cultural situations. Cultural competency is the assessment regarding culture, an attention to the dynamics of difference, the ongoing development of cultural knowledge, and the resources and flexibility within service models to meet the needs of minority populations.

Cross et al., 1989, plus J. Grant & T. Brown, *NAMI Resource Manual*

Furthermore, for Davis (1997) is the "integration and transformation of knowledge, information, and data about individuals and groups of people into specific clinical standards, skills, service, approaches, techniques, and marketing programs that match the individual's culture and increase the quality and appropriateness of health care and outcomes." NAMI's *American Indian and Alaska Native Resource Manual* then define sets of knowledge, skills and attitudes that represent a culturally competent practice:

Knowledge:
- Make efforts to understand self and (if applicable) one's dominant culture position in terms of dynamics of race, ethnicity and power.
- Understand the historical factors which impact the health of American-Indian/Alaska Native (AI/AN) populations, such as racism, dislocation and migration patterns.
- Understand the particular psycho-social stressors relevant to AI/AN patients, which include poverty, war-trauma (historic and present), migration, acculturation stress, disproportionate incarceration and racism.
- Understand historic dismemberment of families, centrality of tribal traditions and inter-generational conceptual framework among AI/AN families.
- Understand indigenous healing practices and the role of spirituality in treating AI/AN peoples with mental illness.
- Understand the cultural beliefs of health and help-seeking patterns of AI/AN peoples with mental illness.
- Understand health service resources for AI/AN peoples, including the Indian Health Service.
- Understand historic and present-day public health policies, with their impact on AI/AN patients and communities.

Skills:
- Ability to discuss mental health issues of AI/AN peoples based on a complex psychological/social/cultural/biological/political/spiritual model.
- Ability to communicate effectively, also with cross-cultural use of interpreters.
- Ability to discuss mental health issues with an understanding of cultural differences in pathology. Awareness of key risks facing AI/AN communities (substance abuse and suicide).
- Ability to appreciate the need for culturally-sensitive treatment that fits the family's concept of health and illness.
- Ability to utilize community resource (church, non-profit Community-based organizations/CBOs and self-help groups).
- Ability to network and draw on other community resources to support the family.

Attitudes:
- Respect the tremendous survival merits of AI/AN families and tribes.
- Respect the importance of cultural forces.

- Respect the holistic view of health and illness.
- Respect the importance of spiritual beliefs.
- Respect the skills and contributions of other professional and para-professional disciplines.
- Own lack of awareness or defensiveness in situations that may require additional education, resources or support.

Through these guidelines, we are able to "engage the community in something other than their own terms and demonstrate acceptance of cultural difference in an open, genuine manner, without condescension." Summarizing these same guidelines, four concepts emerge: empathy, responsibility, respect and consistency. "Empathy, responsibility, respect and consistency, probably those are your three words. But isn't that true everywhere? But it's really needed down there, badly" (Cotronei, p.8). Jeanne C. Watson, Robert Elliot and Arthur C. Bohart use this definition of empathy:

"Following Carl Rogers (1980) we define empathy as follows: … the therapist's sensitive ability and willingness to understand the client's thoughts, feelings and struggles from the client's point of view. [It is] this ability to see completely through the client's eyes, to adopt his frame of reference (p. 85) … It means entering the private perceptual world of the other . . . being sensitive, moment by moment, to the changing felt meanings, which flow in this other person... It means sensing meanings of which he or she is scarcely aware (p. 142)" (Watson, Elliot & Bohart, 2001).

We could further define empathy through the book, *The Abyss of Madness* (Atwood, 2012): "I [...] communicate that I was listening, that I was understanding, at least some part of what is being told to me, and I was prepared to do whatever would be necessary to be of help. I would also always try to express all of this in a language that would be understood in the spirit I intended."

Even Duran's efforts can be summarized in the words empathy, responsibility, respect and consistency within the patient-therapist relation, the student-teacher relationship, the person-to-person relationship, a "reciprocally interacting subjective world" (Atwood & Stolorow, 1984). Supporting this, Atwood's *Abyss of Madness*, states: "In my work as a psychotherapist exploring the far reaches of madness, I have discovered something completely unexpected: myself. Amidst the shattered hearts, the broken minds, the annihilations—it is as if the pattern of my own life and world has been somehow inscribed. [...] the individuals we consider insane are simply human, all too human and the pathways their lives have followed are also our own." Again, an implementation to current practices that might help the effectiveness of therapy is "the dialogic attempt of two people together to understand one person's organization of emotional experience by making sense together of their Inter-subjectively configured experience (Orange, D.M. 1995; Atwood, G.E. 2012). In this inter-subjective experience the therapist recognizes the "symptoms" as necessary reactions to an "ongoing experience" of cumulative trauma, devastation, "desperate cries for help."

For children, this therapeutic framework is surely the best way to approach the setting. It is crucial to remember that "In children and adolescents, playing, drawing, building, and pretending, as well as talking, are important ways of sharing feelings and resolving problems" (AACAP *Facts for Families,* Information Sheet), thus justifying this tripartite effort of confronting problems in Native America (elements also sustained in AACAP, *Youth Voice Tip Sheet*).

Reflections on the reality of American-Indians and on a "culturally competent" psychotherapy, applicable to every culture, are also themes covered by the "Healing Our Spirit Worldwide 2015 Conference" (HOSW, see: http://www.hosw.com).

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AMERICAN-INDIANS & IMPROVING EDUCATION SYSTEM:
TEACHING THEM WILL TEACH TO US

by Arianna Pavoncello, B.A., Team-Project on Native Americans, John Cabot University, Rome, Italy

History: We Learn and We Forget

Education is a term that is very often used when thinking of the future. It has been referred to as the system through which the present world shapes the leaders of tomorrow. At this point, two fundamental questions have to be asked: does the term 'world', in this case, actually represent the entire population of the Earth? And, does the education system shape the disadvantaged, the poor, the ignorant, the lost people of tomorrow, as well as our leaders? In this context, the Native American population has been systematically threatened, mistreated and put down by the Euro-American political power, which several times attempted a physical, as well as cultural, genocide of the American-Indians in their own land. Thus on one hand, since 1568 education has been used as a powerful weapon by European settlers to solve the 'Indian problem', when the first "mission school was established for Florida Indians" (Chiago, p.21). On the other, U.S. General Philip Sheridan has been repeatedly considered the originator of the infamous proverb, "The only good Indian is a dead Indian", widely used in United States since the 1860s, about three decades after the first Indian Boarding Schools were created (Mieder, p.38).

Thus, from the Nineteenth Century to the 1920s American-Indian education was entirely controlled by U.S. Federal laws and policies, which "transferred primary control on Indian education to the Federal government". With the creation of these Indian Boarding Schools, Native children were forcedly taken away from their family and brought far from their reservations, with the aim of depriving them of their *Indianness*, their nature. As a predictable consequence, most of the children started to show serious trauma, home-sickness and depression, which got even worse when in 1950, a large number of Native Americans were recruited into "urban relocation programs" (Duran, et al. p.63-65). At that point, the U.S. plan for a cultural genocide of Indian-American had reached its zenith.

The battle for *survivance*[1] reached a significant degree during the 1970s, a decade that saw revolutionary changes in terms of a political recognition of American-Indian rights, as well as development of distinctive educational methods aimed at Native American children and adolescents. Protests by American-Indian populations from around the Americas gained national attention for the first time in history. The "Red Power" movement[2] gained national visibility by 1969 and "instigated high-profile actions such as the occupation of Wounded Knee and the Trail of Broken Treaties", as well as the occupation of Alcatraz (Steinmann, p.1088). Contemporary to these powerful socio-political actions, the American-Indian Movement focused part of its protest to reform the education programs for American-Indian students, achieving a partial control on Indian education.

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[1] "Survivance is […] a dynamic condition of historical and cultural survival and also political resistance" (Rostkowski, p.XI). Coined by a Native American cultural theorist in the Twentieth Century.

[2] "Red Power" is a militant protest movement born in the 1960s led by the American-Indian Movement organization with numerous additional independent and coordinated efforts (Steinmann, p.1088), in support of rights and political power of American-Indians. Its name also politically relates to the contemporary "Black Power" (*Oxford Dictionaries*).

The four decades since the 1970s saw Federal laws and policies towards American-Indian rights reversed and transferred "from the Federal government to the states and their public schools", while also Indian Tribes now regained "some control of Indian education from what they have lost by the previous laws and policies" (McCoy, p.19). In the last 40 years educational levels, as well as American-Indians' participation in the school-system, increased significantly throughout the U.S., decreasing the school drop-out rates compared with those of the 1970s. In fact, around 40 year ago, around 20% of American-Indians would begin Kindergarten, but only 2% of those would actually arrive to high school. A 2010 report by Civil Rights Project/Proyecto Derechos Civiles at UCLA estimates that graduation rates of Native American and Alaskan Natives ranged from 30.4% to 63.8%. However, despite these achievements, the educational system for American-Indians still does not achieve full participation of an acceptable number of children and adolescence. In fact, if the statistics are compared with the graduation rates of non-Native American or Alaskan Natives, they range from 54% to 79.3%, and such disparity is alarmingly significant. Moreover, in terms of educational level, tribal or public schools attended by Native Americans are very often at a lower level than the average U.S. level, which makes even more difficult for these children to emerge from their multiple conditions of marginality.

Today: a Focus on Education for American-Indians

Analyzing the most recent reports on American-Indian education, as well as the system applied today in tribal schools with the current social condition in which Native American children and adolescents are living within their reservations, this essay hypothesizes a method to improve American-Indian education and reform the Tribal Reservations' school system.

This improvement would be in the form of a higher educational level that would allow the students to be competitive with the average American student, as well as an increase in the teaching of American-Indian cultural subjects, such as traditional languages, art, spiritual practices and story-telling. The Oglala Sioux Pine Ridge Indian Reservation in South Dakota is used as case-study as it is the second largest one in the U.S., as well as the poorest.

The Pine Ridge Reservation covers an area the size of Connecticut (or 3.468,85 square miles) and according to the 2010 US. Census Bureau has 35.451 inhabitants, of which 51.3% are between 0 and 24 years old (South Dakota Department of Tribal Relations). The unemployment rate is estimated at 70%, two-third of the adult population is alcoholic, while diabetes and tuberculosis are serious health issues in the Reservation, which lacks funding, appropriate health assistance and health infrastructure (Kristoff, p.9-11). Moreover, teenage suicide is estimated to be three times higher than the national average (McGreal, p.46). The effects of these issues on education are obvious, as confirmed by the statistics by the 2010 report by Civil Rights Project/Proyecto Derechos Civiles at UCLA, which classifies South Dakota as having the lowest graduate rate at 30.4% of American-Indian and Alaskan Natives in the United States.

Therefore, high school drop-out rates are still a consistent problem among American-Indian youth, especially in the Pine Ridge area, as statistics have shown. The drop-out rates can be caused by a number of factors, including "poor grades, absenteeism, truancy, school discipline and dislike of school"; low self-esteem often plays a big role in children's and adolescents' school behavior (Machamer & Gruber, p.358). Another important element in the school for Native American students is family relations.

In fact, "educational attitudes and behaviors indicate that family variables have an important influence on Native education": students living and studying on the reservation are found to be "more positive about themselves in relation to school-related activities" than students living far from their families (Machamer & Gruber, p.359). It is important to underline that the concept of family in Native American culture is different from the Euro-American idea of family. In fact, it gives crucial importance to the extended family, which has as

much responsibility for the children as their parents have. Often, the Native Indian community itself can represent an extended family to the child or adolescent, in which the elders are considered sources of wisdom. Therefore, despite the difficult social condition that Pine Ridge Reservation faces, including alcohol for a large percentage of parents, students still benefit from the support of the family for school-related issues, even if the parents themselves are not able to sustain them.

It is important to clarify exactly what kind of education is being looked at. As it was discussed, in the past centuries the European colonists used education as a tool to deprive American-Indians of their *Indianness*. The kind of education that was practiced in those boarding schools is the one that Western countries still teach in schools and university. It is the educational system that was invented, as the educator Ken Robinson states, "to meet the needs of industrialism" of the developing urban Western countries (Robinson, *How Schools Kill Creativity)*. Robinson also talks about the interesting hierarchy of this particular educational system, based on two ideas: first, at the top there are "the most useful subjects for work" in a specific society; second, "academic ability, which has already come to dominate our view of intelligence" (Robinson, *How Schools Kill Creativity)*. Native American populations are therefore excluded from the group of people to which this kid of education would benefit in making easier personal, social and professional life.

As Native populations' environments do not correspond to the ones reported on schoolbooks as examples of analysis, this unfamiliarity leads the educational system to a particularly high failure rate. The main problem with this educational system, which is thought as being the most effective system, is that it largely ignores education in non-Western countries, either by sheer omission of non-Western perspective, experiences and studies or by the widespread tendency to separate non-Western realities into special branches such as "ethnicity and education" (Adick, p.241).

This underestimation and discrimination of non-European educational methods brings the discussion to another level: "'Traditional education' in non-European countries is mainly the concern of Cultural Anthropology. The intrusion of formalized, so-called 'Western-type' school-system into non-European regions in the historical context of the European expansion belongs to the discourse on 'Education and Colonialism'" (Adick, p.246). Dramatically, the theme of colonialism, and therefore of 'reforming' boarding schools in this context, is brought to light again in the TwentyFirst Century, five decades after the attempted cultural genocide of the American-Indians started. This does not mean that anything changed, but it underlines that some key aspects of the colonization era are still consistently present in American-Indian education.

The Importance of Tribal Schools

The turning point is definitely represented by the introduction of tribal schools and colleges, whose control is partially in the hands of Indian tribes that reintroduced a hope in the heart of the world, a hope that Native American culture and traditions were not going to be lost forever.

After the 1970s the American-Indian education had more control of its own children's and adolescents' education. Obviously, the European educational system was not giving positive outcomes for Native children, as the absence of an American-Indian prospective on the history, literature and sociology studied (with a clear focus on White Western population) resulted in low self-esteem, sense of inferiority and eventually depression. Tribal schools introduced for the first time an inter-cultural education in schools for Native Americans, which consisted in the addition of American-Indian traditional subject of study, such as literature, art, language and story-telling, within the standard European educational system.

Broad studies on tribal schools and colleges, as well as specific case-studies, have shown that the blend of Native American and Euro-American inter-cultural education incredibly benefits American-Indian

students, as well as non-American-Indian ones. "The power of the place-based intercultural-education approach is that K-5 students can acquire cultural knowledge, break stereotypes, and develop new appreciation for, and interest in, diverse peoples and issues by directly experiencing the local context in which diversity resides." (Koehn, 597)

This consequentially leads American-Indian students to feel better understood, and it unburdens them of part of the heavy psychological pressure under which they are submitted. An important element in which the success of the tribal schools depends is that they should be community-based and place-based. When the schools are community-based, they give "colonized people the opportunity to express and *operationalize* self-determination", which is considered crucial for the individual success of American-Indians considering their past as oppressed and enslaved people (Manuelito, p.74). Understandably, American-Indians felt and still feel disempowered and oppressed, considering their bloody past and deteriorating present.

Self-determination is the key word of the community based tribal schools, which provides the means for the students to become "active participants in shaping their own future through education" (Manuelito, p.74). Place-based education, on the other hand, is useful to students as it focuses on developing skills in various subjects "through contextualized and experiential learning in and about the place where students reside" (Koehn, p.598). Place-based education allows students to feel part of the class, recognizing contexts and imagery in school texts as familiar, consistently reducing the sense of incompetence and inferiority compared to his or her classmates.

A New School

According to the Bureau of Indian Education's 2011 report by the U.S. Department of Interior, today there are 189 Tribal schools (from elementary to high school) and 32 fully accredited tribal colleges in United States. The children and adolescents of the Pine Ridge Indian Reservation, according to the same report, have 18 available (between K-to-8 and K-to-12 schools), but not all of them are on the reservation. Although many of these schools and universities include in their curriculum American-Indian traditional subjects with the involvement of the community, as the Little Wound School in Pine Ridge Reservation that promotes "the active involvement of parents and other community residents in education planning, evaluation, social, recreational and community development activities", the hypostasized K-to-12 school and university that will be evaluated here differ from any educational program for American-Indians (Little Wound School).

The goal of these two tribal schools would be to improve the average educational level of tribal schools, which is significantly lower than the U.S. average, as well as increasing the involvement and interest of the children and adolescents in their own culture and tradition, consequentially strengthening their personal and collective self-concept. This model is based on the idea that the educational program would go from Kindergarten to university following a path that would allow the student to be able and willing to help their own community when entering in the working environment, as well as developing a strong "dual collective identity" in order to be comfortable with their identity as American-Indians and as Americans (Whitesell, et al. p.1488).

The school's Kindergarten, which usually adopts an educational method based on activities such as singing, drawing and playing, will keep this method including elements of the American-Indian traditions in each of these activities. The elders will be a fundamental element of this educational method, as they not only represent pure wisdom within the community, but are also the last people who still remember and maybe practice the cultural ceremonies and speak the traditional language, which in the Pine Ridge Reservation are, for the Lakota, Dakota and Nakota related Indian Tribes. This would allow the

future American-Indian student to establish a positive connection with their own tribal origins, traditions and community at a very young age, reinforcing their collective-concept as American-Indians. The proposed new tribal elementary and middle school, will be based on a two-part curriculum, of which one will be dedicated to Euro-American methods of education and the other dedicated to American-Indian culture and traditions. The first part of such new curriculum will be taught during the morning in a classroom-setting as conceived by Euro-American system.

This is meant to help the children and adolescents in acquiring basic U.S. schooling methods in terms of time and space, so that they would not be unprepared if willing or obligated to move to another school, which adopts the 'classic' educational method. The subjects taught will be exactly the same ones taught in any other U.S. elementary and middle schools. However, there will be a focus on arts in the avoid schools, not to "kill creativity" (Robinson*, How Schools Kill Creativity)*. Expression through arts will be an extremely important aspect of the school, as it not only stimulates the creative side of the brain, but it also helps the students to communicate emotions as an expression of their psychological state. Going towards high school, the two programs will gradually merge into one single educational program, made of Euro-American and Native American subjects inter-connecting. Tribal students will have to take classes from both programs, as the knowledge in both cultures and societies will help them relate to the external world, weather it is a Native American Reservation or the publishing house of the *New York Times*.

The proposed Tribal University will offer several curricula, among which Economics, Finance, International Affairs, Sociology, Literature, etc. with a particularly big department of Native American Studies. At this point, students will not be obligated to take courses regarding Native American Studies, and they will be free to choose their own path. In fact, the aim to create this educational journey is to make children absorb the tradition and spirituality of their own culture, creating adolescents who are aware of their tribe's own traditions, understand the importance of it and feel part of it. When personal and collective self-concepts work well within the adult coming out of this journey, the path that they chose has great importance, as their knowledge and self-esteem made them suit to any kind of environment. Their *Indianness* would no longer be threatened even if a suit covers it.

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AMERICAN-INDIANS & IMPROVING EDUCATION SYSTEM: THE POWER OF ART

by Emilia Cianci, B.A., Team-Project on Native Americans, John Cabot University, Rome, Italy

The Europeans took our land, our lives, and our children like the winter snow takes the grass. The loss is painful but the seed lives in spite of the snow. In the fall of the year, the grass dies and drops its seeds to lie hidden under the snow. Perhaps the snow thinks the seed has vanished, but it lives on hidden, or blowing in the wind, or clinging to the plant's leg of progress. How does the acorn unfold into an oak? Deep inside itself it knows--and we are not different. We know deep inside ourselves the patterns of life.

Battiste

The indigenous seed endures within the heart of the Native American people. Their knowledge, heritage and languages are still alive—although it might not be visible to the naked eye. There seems to be a hindering veil that does not allow for Native American creativity and knowledge to emerge from the depths of the "snow". Respect and love for their traditions accompanied by innovative thinking, have to rise in order for the "acorn [to] unfold into an oak". The indigenous children—who embody the hidden seed ready to blossom—have to develop a new perception of the world that tends towards unification rather than division; that is inclined towards a feeling of being part of the world and not towards isolation. As Erich Fromm affirms "man is the only animal for whom his own existence is a problem which he has to solve". The statement inevitably leads to pondering on where and how is the solution to be found?[1]

And, in this precise case, how can Native American children deal with the existential burden that affect their communities and individual lives? In this essay, the author will attempt at revealing how "Art" may be considered as deep help when on the path towards finding solutions to the difficulties that—as Fromm states—by "Nature" haunt man.

A Brief Introduction

Aristotle in 300 B.C. wrote that "the aim of art is not to represent the outward appearance of things, but their inward significance".[2] It thus seems that the Ancient Greek *nous* had already understood the power that "Art" had of revealing hidden messages that are not visible to the naked eye. Aristotle, as a matter of fact, was also the first who utilized the word "*catharsis*" to describe the effect art had on the observer. Although the latter was talking about theatrical performances we can, nevertheless, apply it also to painting and sculpture and agree with Aristotle in affirming that art has the ability to "purify" the observer by "purging [him] or cleaning [him] of emotions especially pity or fear".[3] Moreover, we should not forget that prior to the start of any aesthetic appreciation and theorizing in regards to art, the use of any artistic practice was "connected with religious rites" (Dewey).[4] Thus, whether through dance, music or the painting of mandalas, what they all had in common was the potentiality of putting the artist or

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[1] Fromm Erich, *Man for Himself: an Enquiry into the Psychology of Ethics* (Owl Books. New York, 1990).

[2] "Aristotle Quotes" in *Quotes.net*. STANDS4 LLC, 2014, see http://www.quotes.net/quote/38222

[3] Catharsis, (n.d.) *Collins English Dictionary–Complete and Unabridged* (1991, 1994, 1998, 2000 & 2003), see http://www.thefreedictionary.com/catharsis

[4] Leddy, Tom, "Dewey's Aesthetics" in Edward N. Zalta ed., *The Stanford Encyclopedia of Philosophy* (Spring 2013), see http://plato.stanford.edu/archives/spr2013/entries/dewey-aesthetics/

performer in contact with some inner, religious or spiritual truth that human reason by itself could not reach. This very same practice can also be observed in Native American usage of Sand Paintings as tools of healing. Nonetheless, it is not only in ritualistic forms of creation that art is able to reveal invisible meanings; in our very Western traditions the same may be said.

Although the meanings or the symbolism may not be religious anymore—and consequently more open to interpretation—they are, nevertheless, existential meaning they have to do with a wider understanding of what it means to be human. Moreover, through the process of purification—whether via a religious symbolism or a profane one—tends towards the simple, yet extremely complex, aim of making man happier and at peace. What is central to comprehend is, however, why has art always been considered as possessing exceptional characteristics that go beyond a basic understanding of reality.

Beyond the Ordinary Perception

In contrast to spoken language and discursive reasoning, art utilizes different "words" to describe reality. Language has the ability of associating concepts to objects that are far from resembling the object itself; however, art seems to go beyond language because it creatively generates its own "dictionary" that is then made flesh utilizing mediums such as colour, forms and light, which trigger the observer to expand his/her perception. If the eye is our gateway to the world, the eye of the artist is one which is able to perceive what is around him not as a flat surface composed of objects but, on the other hand, lives the environment—or the object, or the person—and makes it become alive by either reconstructing it or conceptualizing it. A transformative energy is, thus, to be defined as the very basic principle of any artwork; a metamorphosis of experience that as the phenomenologist Merleau-Ponty writes "reveal[s] or disclose[s] new significations" meaning that "in the work of art we are to find the origins of new non-cognitive meaning, summoning the viewer away from the already constituted reason in which 'cultured men' are content to shut themselves". What Merleau-Ponty seems to be pointing at is the idea that there are different 'levels' or 'modes' of perceiving reality and art offers an alternative one to the ordinary. Art points at that reality, which is neither sensual nor rational but, perhaps, both put together.[5]

Art is the gateway to another understanding of the environment, of objects and of human relations that is not tied to the senses—and, therefore, deceptive—nor only to reason—and, therefore, completely abstract. The artist is the one who creates, while in the act of looking[6]—his eye translates our ordinary perception and listens to the environment, to its "voices of silence"[7]—as Merleau-Ponty writes. What is meant is that an artwork speaks a "language" that is prior to any factual or scientific perception of reality; it is as if the artwork expresses the hidden unconscious and pre-reflexive experiences of reality—that which in modern psychology has been defined as vitality effect.[8]

The artist is him who perceives in every object, flower, face what Heidegger would have called *Dasein*[9] meaning "Being" and "Being there"—in between the subjective and the objective. The artist becomes the unifier of the imaginary and the real, of what is visible and what is invisible and what the artwork presents are worlds that are not familiar to our eyes, as for example Vincent Van Gogh's "Starry

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[5] Carolyne Quinn, "Perception and Painting in Merleau-Ponty's Thought" in *Perspectives: International Postgraduate Journal of Philosophy* (2014?), see http://www.ucd.ie/philosophy/perspectives/resources/Carolyne_Quinn.pdf

[6] Robert Bresson, *Note sul cinematografo* (Venice: Marsilio, 2008), p.116.

[7] Carolyne Quinn, "Perception and Painting in Merleau-Ponty's Thought" in *Perspectives: International Postgraduate Journal of Philosophy* (2014?), see http://www.ucd.ie/philosophy/perspectives/resources/Carolyne_Quinn.pdf

[8] Stern Daniel, *The Interpersonal World of the Infant* (New York: Basic Books, 1985).

[9] Heidegger, Martin, "The Ontological Priority of the Question of Being" in *Being and Time*, translated by John Macquarrie & Edward Robinson (London: S.C.M., 1962).

Night". Here our eye is not looking at any representation or *mimesis* of nature but rather Van Gogh presents us with a flowing nature, where the stars, Moon and sky become part of, and reflect on the mountains and village below; where nothing is really separated but all part of a continuum.

Clearly we will think of Van Gogh's nature as closer to oneiric images than reality as such; but this is merely because it is a reality we do not recognize. But here lies exactly the difference between science and art—the former objectifies nature and divides it into particulars and facts followed by rules, art on the other hand, unites, is not bound to specific laws and has to do with inner and the spiritual realms.

It pushes the artist and the observer to come-up with a creative way of thinking that is—as John Dewey explains—in "ecstatic communion"[10] with nature. Art opens up a new perception of the world that is not bound to right or wrong answers and that is not bound to specific words or concepts.

Beyond Oppositions

What the eye of the artist—metaphorically speaking—ultimately does is come up with a solution to the pathetic nature of the world. As a matter of fact, if in ordinary thinking and reasoning we are brought to divide the world in opposites art unites these opposites and sees them as one. When we look at one of the flowers painted by Georgia O'Keeffe, we cannot approach it with our usual thinking and perception because we will inevitably fail in understanding or finding objects to recognize. Although we know that the painting "Black Iris", for example, is representing a black iris, an incredible amount of insights open up and the art work is subjected to interpretation. Therefore, just as the artist opens up to new and free understandings of reality, we too, as observers must develop this "new sight"—where no right answer really exists. We have to go beyond the linguistic concept of a black iris and we will come in contact with a completely new experience. Moreover, the very grief derived from the binary separation of reality between experience and reason or right and wrong, is healed.

As John Dewey explains the artwork translates an experience in which "action, feeling and meaning are one"[11]—it goes beyond any division and *a priorism* and tends towards harmony. By so we also have to understand that harmony as well is beyond positive and negative. For example Picasso's painting are all but harmonious one might argue.

As a matter of fact, he destroys the human figure many times. Nonetheless, the intention was still that of showing a reality that is not visible to the human eye. Man is seen as a machine, heartless, but, after all, Picasso lived during the two world wars, how could have he presented man? *Catharsis* does not occur by seeing what is beautiful but also what is evil and full of *pathos* so to transcend the division—Aristotle in fact believed tragedy was the best way of attaining purification. As John Dewey writes, moreover, "life overcomes and transforms factors of opposition to achieve higher significance. Harmony and equilibrium are the results not of mechanical processes but of rhythmic resolution of tension".[12] Art then deals with tension and release of tension and only when there is a pathos can there be a reestablishment of an equilibrium. The meaning in a work of art is, therefore, both immanent and transcendent. The signification is present in the content and form of the work of art, but at the same time through the emotional and rational experience of a work of art the observer is able to enter in dialogue with it and transcend the meaning of it; this is the very power that art holds and that gives anyone the possibility to purify himself and evolve in his personal life.

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[10] Leddy, Tom, "Dewey's Aesthetics" in Edward N. Zalta ed., *The Stanford Encyclopedia of Philosophy* (Spring 2013), see http://plato.stanford.edu/archives/spr2013/entries/dewey-aesthetics/

[11] Ibid.

[12] Ibid.

Prospects

An artwork, thus, contains both the psychic and also the spiritual conflicts of man and encourages him to find solutions to these problems. Creativity, in fact, means actively coming up with original ideas to cope with reality. The act of perception is no longer merely tied to the physical act of looking but--as Merleau-Ponty writes--"in order to see the world and grasp it as paradoxical, we must break with our familiar acceptance of it"[13] and open to what we are and are not, in the present moment; opening up our Being to the "visible and the invisible."[14]

The perceptive eye becomes, therefore, the eye of a child who is curious and not bound to any particular signification and that doesn't describe reality--thus dividing the experience- but lives it in its wholeness. The colors, the form and the content are in dialogue with one another and speak to the observer encouraging him to take a step in the "invisible". The artwork, therefore, is not a mere object that we analyze but a subject that literally communicates with us at first emotionally and then ultimately rationally. As Merleau-Ponty writes "painting scrambles all our categories, spreading out before us its *oneiric* universe of ... actualized resemblances, mute meanings.[15]" Art makes carnal—meaning gives a body—to what normally we think is not visible and only part of our imaginative realm. It reveals the hidden pattern of the visible and destroys all confines and divisions. Art has the power of making sense of what normally does not make sense, it becomes a source of light in the night disclosing what does not appear to our split everyday experience of the world. An artwork engages us wholly and pushes us to reinterpret the world; it infuses us with creative energy which is what pushes us to act freely and originally, beyond time and space.

Art has the power of "melting the snow" who believes that the seed beneath has died but that in reality is full of creative potentiality. Art has the power of revealing a space of existence that is beyond, or hidden behind, our everyday rational understanding of reality. Art brings joy to the heart and loosens the stiffness that at times is bound with our thinking. Art paints the world in such a way that it enables us to lets space for the "acorn to unfold into [all the beauty] of an oak".

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[13] Merleau-Ponty, *Maurice, Phenomenology of Perception* (1945), see: http://www.egs.edu/library/maurice-merleau-ponty/quotes/ (accessed October 2014)

[14] Ibid.

[15] Merleau-Ponty, M., "Eye and mind" in *The Primacy of Perception* (1964): p.159–190.

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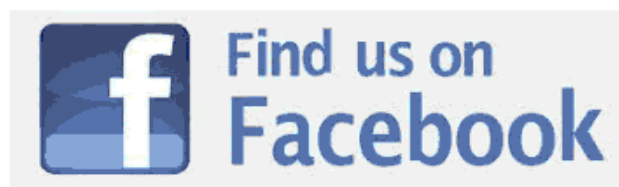
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Roundtable on Teaching Political Science	Kelly McHugh Florida Southern College	mchugh.kellyann@gmail.com 727-593-4442

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Registration	8:00 AM to 4:00 PM
Session 1	8:30 AM to 10:00 AM
Break	10:00 AM to 10:15 AM
Session 2	10:15 AM to 11:45 AM
Lunch/Meeting	11:45 AM to 1:45 PM
Session 3	1:45 PM to 3:15 PM
Break	3:15 PM to 3:30 PM
Session 4	3:30 PM to 5:00 PM
Reception	5:15 pm to 6:15 PM

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Once in Bartow, follow the signs for Highway 98 North. Watch for Grove
Park Shopping Plaza on your left. Just past the shopping center, turn left onto North
Crystal Lake Drive. Continue on Crystal Lake Drive until it ends. Turn right on Lake
Hollingsworth Drive and follow around the perimeter of the lake. Turn right on Johnson Avenue, then
turn right on Frank Lloyd Right Way. Drive one block, and park in the open lot on your right. (VBB Lot,
across from Park Hill Road).

Lodging:

Hampton Inn & Suites Lakeland-South Polk Parkway, 3630 Lakeside Village Blvd, Lakeland, FL 33803 (863) 603-7600 **Conference Hotel: Mention 'FPSA' to receive a discounted room rate**.

The Terrace Hotel, 329 E Main St, Lakeland, FL 33801 (863) 688-0800 (Close to FSC Campus)

Hyatt Place Lakeland Center, 25 West Orange Street, Lakeland, FL 33801 (863) 413-1122 (Close to FSC Campus)

Residence Inn by Marriott Lakeland, 3701 Harden Blvd., Lakeland, FL 33803 (863) 680-2323

Holiday Inn Express & Suites Lakeland North I-4, Lakeland Park Drive, Lakeland, FL 33809 (863) 595-4500

Days Inn & Suites Lakeland, 4502 N Socrum Loop Rd, I-4 Exit 33, Lakeland, FL 33809 (863) 683-5095

Nearby Restaurants:

Harry's Seafood Bar and Grille (near campus) 101 N Kentucky Ave, Lakeland, FL 33801 (863) 686-2228

Black 'n Brew Coffee House & Bistro (near campus) 205 E Main St, Lakeland, FL 33801 (863) 682-1210

Café Zuppina (near campus) 4417 S Florida Ave, Lakeland, FL 33813 (863) 644-5144

Grillsmith (near conference hotel) 1569 Town Center Dr, Lakeland, FL 33803 (863) 688-8844

Burger 21 (near conference hotel) 1601 Town Center Dr, Lakeland, FL 33803 (863) 937-8002

Abuelo's (near conference hotel) 3700 Lakeside Village Blvd, Lakeland, FL 33803 (863) 686-7500

A variety of fast food restaurants, including Panera, Chipotle, Subway and McDonalds are located along South Florida Avenue, near the campus. A light breakfast, sponsored by Florida Southern College, will be provided on the morning of the conference.

Roundtable on Teaching Political Science: Ordway 119
Facilitating Globally Oriented Learning - Panelists will explore innovative ways of teaching political science and address such topics as student preparation for university study, strategies for global learning and statutory changes in developmental education in Florida.

Moderator: Kelly McHugh, Florida Southern College, kmchugh@flsouthern.edu

Panelists: Aubrey Jewett, University of Central Florida, Aubrey.Jewett@ucf.edu
Denis Rey, University of Tampa, denis.rey@ut.edu
Francis Orlando, Saint Leo University, francis.orlando@saintleo.edu
Judithanne Scourfield McLauchlan, University of South Florida-St. Petersburg, jsm2@stpt.usf.edu
Brian Kupfer, Tallahassee Community College, kupferb@tcc.fl.edu
Kendra A. Hinton, Valdosta State University, kahinton@valdosta.edu
James Maggio, St. Johns River State College, jamesMaggio@sjrstate.edu

International Relations: *The Indo-Pacific Region and the Changing Nature of Security in the 21st Century*, Ordway 121

Chair: Zenel Garcia, Florida International University, zgarc001@fiu.edu
Discussant: Bibek Chand, Florida International University, bchan016@fiu.edu

The Role of the South Korean Military in Enhancing its Energy Security Capacity
      Daniela Campos, Florida International University, dcamp084@fiu.edu

India's Engagement with its Peripheral States: Modi's Policy Towards Nepal, Sri Lanka, and the Maldives
      Bibek Chand, Florida International University, bchan016@fiu.edu

Asia-Pacific Security and the Changing Nature of Strategic Stability in the 21st Century
      Zenel Garcia, Florida International University, zgarc001@fiu.edu

China's Hydropower Production and Regional Water Security
      Phillip J. Guerreiro, Florida International University, pguer011@fiu.edu

International Relations: *Terrorism, Nuclear Threat* and Global Security Ordway 103

Chair & Discussant: Yara M. Asi, University of Central Florida, yara.asi@knights.ucf.edu

Global Trends in the Modern Era of International Terrorism
      Michelle Evans, University of South Florida, michelle56@mail.usf.edu

Prophylactic: How Chess Can Help Explain Nuclear Strategy
      Kevin Modlin, Florida International University, kmodl002@fiu.edu

Democratic People's Republic of Korea: Continual Nuclear War Threat
    Kristin Truong, University of South Florida, truongk@mail.usf.edu

The Effects of International Economic Sanctions on Iran's Nuclear Program and Economy (2000-2014)
    Hassan Vaezi, Florida International University, hvaez001@fiu.edu

Anatomy of Failure in Regulating Global Affairs: The US, Hegemony and Perils of Armed Intervention
    Stephen Magu, Hampton University, Stephen.magu@hamptonu.edu

Is the Deep South Irreverent to the Democratic Party?
    Tim Welsh, Florida Southern College, twel83@yahoo.com

American National Politics: *American Politics and Culture*, Ordway 101

Chair & Discussant: Sean Foreman, Barry University, sforeman@barry.edu

Legislative Gridlock, Partisanship, and Trust in Government
    Jennifer Hudson, University of Central Florida, j.hudson@knights.ucf.edu

Voter Identification: Partisanship and Party Identification
    Taylor Haywood, University of Central Florida, thaywood@knights.ucf.edu

Introducing Context to the Determinants of Individual Legislative effectiveness
    Kimberly Napoline, New College of Florida, kimberly.napoline14@ncf.edu

Lois Long: A Look at the New Yorker's "Miss Jazz Age"
    Kathryn DePalo, Florida International University, depalok@fiu.edu

Comparative Politics: Modern Comparative Topics, Ordway 140

Chair & Discussant: Gary Boulware, University of Florida, boulware@mail.ufl.edu

Fleeing the Rainbow Nation
    Jessie-Leigh Seago, University of Florida, jessieleight@ufl.edu

The Struggle to Combat Human Trafficking in Costa Rica
    Adam Golob, University of South Florida, golob@mail.usf.edu

Citizen Participation in Sustainable Human Development: The Case of Medellin, Colombia and the Compromiso Ciudadano
    Maria Gonzalez, University of South Florida, mariag1@mail.usf.edu
    Eric Fiske, University of South Florida, efiske@mail.usf.edu

Comparative Politics: Revolutionary & Evolutionary Politics, Ordway 105

Chair & Discussant: Jaroslaw Jarzabek, Visiting Fulbright Scholar, Information & Policy Analysis Center (IPAC), jaroslaw_jarzabek@op.pl

Revolution or Retaliation: Contested Meanings in the Syrian Uprising
    Nazek Jawad, University of South Florida, nazek@mail.usf.edu

Vote Buying, Constituents, and Democracy: A Comparative Analysis of Turkey and Argentina
    Dilara Hekimci-Adak, Bahcesehir, University, Istanbul, dilarahekimci@gmail.com

Generational Changes and Foreign Policy in Post-Revolutionary States: A Comparative Study on Iran & Cuba
> Vahid Abedini, Florida International University, vabed003@fiu.edu

A Comparative Study of Iranian Citizenship Before and After the 1979 Revolution
> Ehsan Kashfi, University of South Florida, Kashfi@mail.usf.edu

Perfect Storm: A Country with Conditions for Another Civil War? Tajikistan
> Rebecca Kaiser, IPAC Resident Scholar, rebeccakaiser@knights.ucf.edu
> (This panel is sponsor by the IPAC Foundation for FPSA 2016)

SESSION 2: 10:15 AM to 11:45 AM
Public Administration: *Determinants of Public Policy*, Ordway 119

Chair & Discussant: Richard Brumback, University of Miami, rplankbrum@aol.com

A Bridge to Nowhere? Assessing the Divide Between Political Science and Policy-Makers
> Zachary Karazsia, Florida International University, zkara002@fiu.edu

Issues in Cybersecurity Spending
> David Franklin, University of West Florida, djf24@students.uwf.edu

Individual-Level Antecedents of Beliefs Regarding Ethics and Corruption in Public Administrators: A Cross-Country Comparative Analysis
> Ronnie Grant, Florida International University, ronnie.grant@outlook.com

International Relations: *World Issues*, Ordway 121

Chair & Discussant: Mark Grzegorzewski, Joint Special Operations Command University, esrucdesrever@yahoo.com

Citizenship and Identity in the Israeli-Palestinian Conflict: The Impact on Social and Political Behaviors
> *Yara M. Asi, University of Central Florida*, yara.asi@knights.ucf.edu

The Artic Ocean, Artic Seas, and Artic Nations: Territorial Claims, Economic Opportunities and Threats, Environmental Security, and Security Issues
> Kern Craig, Troy University, kcraig38002@troy.edu

Erratic Ally: Turkey's Shifting Security Posture Between Atlanticism and Neo-Ottomanist Dreams, 1940s-2016
> Marco Rimanelli, Saint Leo University, Marco.Rimanelli@saintleo.edu

European Acquiescence to American Empire: Converging Elite Interests and the Threat to Social Democracy
> Douglas Rivero, Saint Petersburg College, rivero.douglas@spcollege.edu
> Manuel DeLeon, Bethune-Cookman University, deleonm@cookman.edu

Saudi Arabia and its Ideology: A Frankenstein's Monster of Foreign Policy
> David Schwam-Baird, University of North Florida, dschwam@unf.edu

American National Politics: *Immigration, Minorities, and Trafficking*, Ordway 103

Chair & Discussant: Jill Miller, Flagler College , jmiller@flagler.edu

Does the Number of Immigrants Have a Direct Impact on the Crime Rate in Major US Cities?
John Powell, Barry University, john.powell@mymail.barry.edu

Racial Heterogeneity and Social Influence in Political Discussion Networks
Raina Senae Nelson, New College of Florida, raina.nelson12@ncf.edu

Millennial Awareness of Human Trafficking
Montana Macreae, Florida International University, mmacr002@fiu.edu

A Nation of Immigrants, An Electorate of Nativists? Immigration Policy in the 2016 Presidential Nomination Process
Sean Foreman, Barry University, sforeman@barry.edu

American National Politics: Southern Politics, Ordway 101

Chair & Discussant: Dan Baracskay, Valdosta State University, dbaracskay@valdosta.edu

Florida's Hispanic Vote and the Political Ramifications of Immigration
Zack Huffstickler, Florida Southern College, zhuffstickler@gmail.com
Pedro Cuervo, Florida Southern College, ppc95@live.com

The Development of Evangelism in Politics, 1980-Present
Tyler Hillier, Florida Southern College, hilliertyler@yahoo.com
Nathan Willin, Florida Southern College, nwillin@yahoo.com
Michel Ntangungira, Florida Southern College, mgatera95@gmail.com

Comparative Politics: Comparative Issues & Analysis, Ordway 140

Chair & Discussant: Denis Rey, University of Tampa, denis.rey@ut.edu

Development as Politics: The Iranian Construction Jihad (1979-2013)
Eric Lob, Florida International University, elob@fiu.edu
Hatim Bukhari, Florida International University,

The Rise of the Sweden Democrats and the Demise of Old Block Party Politics in Sweden
Alexander Wathen, University of Houston Downtown, wathena@uhd.edu

Oil Wealth, Risk Aversion, and Political Instability, 1950-2010
Jonathan Powell, University of Central Florida, Jonathan.Powell@ucf.edu
Rebecca Schiel, University of Central Florida,

Symbolic Political Speech (Political Art) in the Czech Republic
Gary Boulware, University of Florida, boulware@mail.ufl.edu

Comparative Politics: New Developments around the World, Ordway 105

Chair & Discussant: Houman Sadri, Information & Policy Analysis Center (IPAC) & University of Central Florida, IPAC President, sadrihouman@hotmail.com

The Eurozone Crisis: A Comparative Analysis of Germany, France, and the UK
    Caitlyn Myerson, University of Central Florida, caitlynmyerson@Knights.ucf.edu

American Agribusiness and Biotechnology: A New Era of Farming
    Nicole Ryan, University of Central Florida, nryan@knights.ucf.edu

Women's Rights in Kazakhstan & Tajikistan: Domestic Abuse, Sex Trafficking, & the State
    Megan Ginn, University of Central Florida, Ginn.megan@knights.ucf.edu

Kazakhstan: From the Leftovers of a Dissolved Empire to Regional Power
    Taraleigh Davis, University of Central Florida, taraleighdavis@knights.ucf.edu

War on Drugs: The Connection Between Narcotics & Terrorism
    Lucy Clement La Rosa, University of Central Florida, lucy.larosa@Knights.ucf.edu

(This panel is sponsor by the IPAC Foundation for FPSA 2016)

Lunch, Business Meeting and Roundtable on Florida Politics,

Eleanor Searle Drawing Room: 11:45 AM to 1:45 PM

(Student guides will direct participants after the conclusion of Session 2 panels.)

FPSA Business Meeting

Leah Blumenfeld, President
Barry University
lblumenfeld@barry.edu

Roundtable on Florida Politics (12:30 – 1:30)

The roundtable will examine the state of Florida politics and upcoming election and political battles.

Moderator: Susan MacManus, University of South Florida, samacmanus@aol.com

Panelists: Mary Anderson, University of Tampa, mranderson@ut.edu
R. Bruce Anderson, Florida Southern College, bruceanderson001@gmail.com
Sean Foreman, Barry University, sforeman@barry.edu
Aubrey Jewett, UCF, aubrey.jewett@ucf.edu
Kathryn DePalo, Florida International University, depalk@fiu.edu

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SESSION 3: 1:45 PM to 3:15 PM

State and Local Government: *The Florida View*, Ordway 119

Chair & Discussant: Robert W. Robertson, University of Phoenix, robert.robertson@phoenix.edu

The Florida Constitution
Aubrey Jewett, University of Central Florida, aubrey.jewett@ucf.edu

Politics of Climate Change
David Twigg, Florida International University, twiggd@bellsouth.net

Median Household Income and Graduation Rates in Florida
Laura Gagliardi, Barry University, laura.gagliardi@mymail.barry.edu

International Relations: *Conflict and Security*, Ordway 121

Chair & Discussant: Marco Rimanelli, Saint Leo University, Marco.Rimanelli@saintleo.edu

Oil-Smuggling and State-Building in the Middle East
Onur Erpul, Florida International University, oerpu001@fiu.edu

Buying Peace
Christopher Faulkner, University of Central Florida, topherfaulkner54@gmail.com

An Unfulfilled Promise: The Genocide Convention and the Obligation of Prevention
Zachary A. Karazsia, Florida International University, zkara002@fiu.edu

Climate, Class and Conflict: Exploring the Link Between Climate Change, Inequality and Violent Conflict
Monica Mayer, University of Central Florida, monica.mayer@knights.ucf.edu

International Relations: *Neoliberalism, Identity Globalization and a Critique to Modernization*, Ordway 103

Chair & Discussant: Douglas Rivero, Saint Petersburg College, rivero.douglas@spcollege.edu

Cultural Foundations: A Critique of Modernization
> Linea Cutter, Florida International University, lcutt002@fiu.edu

Whose Religion is it Anyway? Islam and Identity in Kurdish Politics
> Niamh Farrell, Florida International University, nfarr011@fiu.edu

Nationalism in the Era of McWorld: The Case of Yugoslavia
> Danijela Felendes, Florida International University, dfele001@fiu.edu

Neoliberalism and the Soviet Union: Transition of Hegemonies
> Michael Wartenbe, Florida International University, mwart001@fiu.edu

American National Politics: *Terror and Cyber Security in a Domestic Context*, Ordway 101

Chair & Discussant: Will Miller, wmiller@ut.edu

What Terrorist Tactics Elicit the Strongest Counter-Terrorism Responses?
> Theresa Konitsky, University of Tampa, theresa.konitsky@spartans.ut.edu

Homegrown Terrorism in the United States: A Comparative Study of Jihadist and Right-Wing Attackers
> Gunes Murat Tezcur, University of Central Florida, tezcur@ucf.edu
> Christopher Edgerton, University of Central Florida, chrisedgerton@knights.ucf.edu

Exploring Agenda-Setting Via Social Media: The Impact of Political Agendas on Students at Daytona State College
> Danjha Leon, Daytona State College, dmurielleonm@gmail.com

Roundtable on the Road to the White House 2016: Ordway 140

Panelists in this roundtable discussion will be a selection of the undergraduate students enrolled in the class: "The Road to the White House 2016". Students in the course traveled to New Hampshire and worked on the first-in-the-nation primary as a part of the course requirements. 23 students worked on seven presidential campaigns in New Hampshire (Democrats Clinton, Sanders, O'Malley and Republicans Bush, Cruz, Rubio, and Trump). Selected panelists will discuss what they learned about the presidential nominating process as a result of their internship experience (and their research papers). The discussion will be moderated by their professor, Dr. Judithanne Scourfield McLauchlan, a former-White House staffer and veteran of several presidential campaigns who has extensive political experience.

Moderator: Judithanne Scourfield McLauchlan, University of South Florida-St. Petersburg, jsm2@stpt.usf.edu

Panel: Randi Doan (Hillary Clinton), University of South Florida St. Petersburg, rdoan@mail.usf.edu
Nick Encinas (Ted Cruz), University of South Florida St. Petersburg, encinas@mail.usf.edu

Samantha Kendall (Bernie Sanders), University of South Florida St. Petersburg, skendall@mail.usf.edu
Victor Sims (Hillary Clinton), University of South Florida St. Petersburg, vsims1@mail.usf.edu
Emily Thatcher (Bernie Sanders), University of South Florida St. Petersburg, emilymay@mail.usf.edu
Terran Winegeart (Donald Trump), University of South Florida St. Petersburg, winegeartt@mail.usf.edu
Jack Zygadlo (Bernie Sanders), University of South Florida St. Petersburg, zygadlo@mail.usf.edu
Yaite Ruiz (Ted Cruz), University of South Florida St. Petersburg, ruiznovoa@mail.usf.edu

Comparative Politics: Comparative Political Conflicts, Ordway 105

Chair & Discussant: Jonathan Powell, University of Central Florida, Jonathan.Powell@ucf.edu

The Psychology of Violent Repression Against Predominantly Non-Violent Protests: Peering Into the Minds of World Leaders
Dexter Wilborn, University of Central Florida, DexterWilborn@knights.ucf.edu

American Exceptionalism vs. Russian Messianism: A Comparative Analysis
Ksenia Kulakova, University of South Florida, kulakova@usf.edu

The Imagery of Political Extremism
Thomas Just, Florida International University, tjust004@fiu.edu

Comparative Politics: More New Developments around the World, Ordway 107

Chair & Discussant: Laliya Yakhyaeva, Florida Gulf Coast University, lyakhyaeva@fgcu.edu

Taiwanese Exceptionalism Among the Asian Tigers
Jeshow Yang, University of Florida, sinjahs@ufl.edu

Iran-Saudi Policies: A Comparative Analysis of Two Muslim States
Natalie Ikerd, University of Central Florida, natalieikerd@knights.ucf.edu

The United Nations: The Syrian Conflict
Zahra Syed, University of Central Florida, zahra.syed@knights.ucf.edu

A Comparative Analysis of Kurdish Nationalist Movements
Grayson Lanza, University of Central Florida, Lanzagrayson@knights.ucf.edu

Indian, Pakistani, and Native Kashmiri Perspectives on the Kashmir Conflict
Shreya Labh, University of Florida, slabh12@ufl.edu

SESSION 4: 3:30 PM to 5:00 PM

State and Local Government: *The National View*, Ordway 119

Chair & Discussant: Sean Foreman, Barry University, sforeman@barry.edu

Examining of Concepts of Rotation in Office and Term Limits: Exploring Philosophical Antecedents versus Contemporary Trends
   Daniel Baracskay, Valdosta State University, dbaracskay@valdosta.edu

Local Officials Respond to State-Level Policy: A Case Study in Eastern Washington
   Leah H. Blumenfeld, Barry University, lblumenfeld@barry.edu

Economic Development Efforts of Cities to Attract and Develop Talent
   Robert W. Robertson, University of Phoenix, robert.robertson@phoenix.edu

International Relations: *Issues in Latin America and the Caribbean*, Ordway 121

Chair & Discussant: Giselle D. Jamison, Saint Thomas University, gjamison@stu.edu

Goodbye Protectionism! Explaining Peru's Participation in the Trans-Pacific Partnership Agreement
   Nicolas Beckmann, Florida International University, nbeck010@fiu.edu

Comparing Truth: A Comparative Analysis of the Structure of Chile's Two Truth Commissions
   Christine Bianco, Florida International University, cbian005@fiu.edu

The Republic of Cuba: An American's Perspective of a Nation in Transition
   Benjamin White, University of Tampa, benjamin.white@spartand.ut.edu

Development and the "Socialism of the 21st Century"
   Diego Zambrano, Florida International University, dzamb019@fiu.edu

International Relations: *Foreign Policy and International Relations Theories*, Ordway 103

Chair & Discussant: Kern Craig, Troy University, kcraig38002@troy.edu

The Evolution of the Power Transition Theory
   Deniss Kaskurs, Florida International University, dkask002@fiu.edu

The Egyptian Government and US Foreign Policy
   Anisha Koilpillai, Florida Southern College, anishakoilpillai@yahoo.com

Notable Shifts in International Relations and How it Relates on US Influence
   Katherine Taveras, Technological University of Santiago, Santo Domingo, ktaveras25@gmail.com

Iran's Penetration into Latin America and its Potential Threat to the United States
   Taylor Wantje, University of West Florida, tmw34@students.uwf.edu

The Effects of United States President's Psychology on the Management of International Crises
   Dexter Wilborn, University of Central Florida, dexterwilborn@knights.ucf.edu

American National Politics: *Candidates and Elected Office*, Ordway 101

Chair: Judithanne Scourfield McLauchlan, University of South Florida-St. Petersburg, jsm2@stpt.usf.edu
Discussant: R. Bruce Anderson, Florida Southern College, bruceanderson001@gmail.com

What You Can Do for Your Country: Presidential Politics, Minority Groups, and the Politics of Altruism
>   Heather Parker, Saint Leo University, heather.parker02@saintleo.edu

Political Ambition and Elected Officials
>   Jonathan Klos, University of Oklahoma, jonathan.klos@ou.edu
>   Matthew Geras, University of Oklahoma, mgeras@ou.edu
>   Lucianne Nelson, University of Oklahoma, lnelson@ou.edu

Comparing Candidate Quality and Competition in Congressional Elections
>   Matthew Geras, University of Oklahoma, mgeras@ou.edu

The Effects of Party Identification on Voters' Rating of the Federal Government of the United States of America
>   Dave Wilson, University of North Florida, david.wilson@unf.edu

Comparative Politics: Comparative Topics Here & There, Ordway 140

Chair & Discussant: Robert Miller, IPAC Resident Scholar, The_Zormaster@msn.com

Post-Soviet Central Asia: Ethnic Genocide and Politics of Revenge in South Kyrgyzstan
>   Laliya Yakhyaeva, Florida Gulf Coast University, lyakhyaeva@fgcu.edu

Comparative Study of Islamic Revolutionary Guard Corps and Saudi Arabian National Guard
>   Jaroslaw Jarzabek, Visiting Fulbright Scholar, IPAC, jaroslaw_jarzabek@op.pl

Energy Factor in Iran-Turkey Relations
>   Omid Shokri Kalehsar, Yalova University, Turkey, ushukrik@gmail.edu

Kazakh Foreign Relations in a Comparative Perspective
>   Houman Sadri, University of Central Florida, houman.sadri@ucf.edu
>   (This panel is sponsor by the IPAC Foundation for FPSA 2016)

Comparative Politics: Local-Global Politics, Ordway 105

Chair & Discussant: Greg McDowall, Resident Scholar, legalos4@yahoo.com

Kazakhstan: The Gift & the Curse
>   Danny Krikorian, University of Central Florida, dkrikorian@knights.ucf.edu

The Role of Women in Nonviolent Campaigns: The Arab Spring
>   Bailey Robb, University of Central Florida, brobb@Knights.ucf.edu

Developmental Challenges & Opportunities of Brazil in the 21st Century
>   Henrique Ribeiro, University of Central Florida, Henrique.Ribeiro@knights.ucf.edu

Global Conception Program & Their Potential Impact on the Teen Birth Rate: the Case of Iran
    Anna Eskamani, University of Central Florida, anna.v.eskamani@gmail.com

A Comparative View: Arab Spring in Tunisia, Egypt, and Libya
    Robert Fuhrer, Eastern Florida College, robfurher@gmail.com
        (This panel is sponsor by the IPAC Foundation for FPSA 2016)

Political Theory: Issues in Political Theory, Ordway 107

Chair: Brian Kupfer, Tallahassee Community College, bkupfer@tcc.fl.edu
Discussant: Ted Duggan, Tallahassee Community College, tduggan@tcc.fl.edu

Overcoming the Death of Humanity in the Age of Anomie: The Politics of Human Creation and Individual Expression
    Lucas Veneroso Miranda, Florida International University, lmira031@fiu.edu

Elizabeth Cady Stanton's Impact on American Political Theory
    Maria Gabryszewska, Florida International University, mgabrysz@fiu.edu

The Politics of Objects - The Political Implications of Speculative Realism
    James Maggio, St. Johns River State College, JamesMaggio@sjrstate.edu

The Strong State and Neo-liberalism: Governing Through Crime in the United States
    Richard W. Coughlin, Florida Gulf Coast University, rcoughli@fgcu.edu

Cocktail Reception

The FPSA will host a cocktail reception following the conclusion of the conference. The reception will be held at the conference hotel: Hampton Inn & Suites Lakeland-South Polk Parkway, 3630 Lakeside Village Blvd, Lakeland, FL 33803

Institutions and Organizations Participating in the 2016 FPSA Program

Barry University
Bethune-Cookman University
Eastern Florida College
Flagler College
Florida Gulf Coast University
Florida International University
Florida Southern College
Florida State University
Hampton University
Joint Special Operations Command University
Information & Policy Analysis Center
New College of Florida
Saint Leo University
St. Johns River State College
St. Petersburg College
St. Thomas University
Stetson University
Tallahassee Community College
Technological University of Santiago, Santo Domingo
Troy University
University of Central Florida
University of Florida
University of Houston Downtown
University of Istanbul
University of Miami
University of North Florida
University of Oklahoma
University of Phoenix – Central Florida Campus
University of South Florida
University of Tampa
University of Victoria
University of West Florida
Valdosta State University
Valencia College
Yalova University, Turkey

FPSA Awards

- Manning J. Dauer Award
- Best Graduate Paper Award
- **Best** Undergraduate Paper Award

Manning J. Dauer Award

Manning J. Dauer was a distinguished professor in the Department of Political Science at the University of Florida for over half a century. When he passed away in 1986, he left a legacy that is unparalleled in the State of Florida. He had served as both a formal and an informal advisor to scores of governors, the state legislature, mayors, county commissioners, and city councilpersons. Indeed, it is said that he left his imprint on many public policies at both the state and local level. He is perhaps best known for leading a team of scholars and public officials that devised a reapportionment scheme for the State in the aftermath of the famous *Baker* v. *Carr* and *Reynolds* v. *Sims* cases. As an academic, he wrote numerous articles and books on state and local government and politics, and his work was frequently cited by other scholars. He also edited a well-received book on government and politics in Florida in 1980. Upon his death, Professor Robert J. Huckshorn (Florida Atlantic University) carried the book into two additional editions. The book is now edited by Professor J. Edwin Benton (University of South Florida). Moreover, Professor Dauer was a well-known figure within the political science and public administration communities and served in numerous capacities in national and regional associations of both disciplines. But, his heart and loyalty were perhaps tied closest to the organization that he helped to co-found—the Florida Political Science Association (FPSA).

In the late 1990s, the FPSA decided that it was time to establish a lasting and fitting tribute to the person who had breathed life into our Association and devoted so much of his time and energy to the FPSA and the state he loved. To that end, the Association's officers, Executive Council and membership in 2000 created the Manning J. Dauer Award that would be given every three years to a faculty member at a Florida institution. The purpose of the award was to honor a scholar, like Professor Dauer, who had unequivocally distinguished herself/himself nationally and internationally in both basic and applied research. Like Professor Dauer, this person would be someone whose research would be read by not only other scholars but also would have practical value to public officials and the public at-large in the quest to encourage and facilitate informed decision-making. Furthermore, it was expected that the recipient would possess an exemplary record in research pertinent to Florida government and politics and, as a result, be recognized as a foremost authority and quoted source in this area. Since its inception, the award has been bestowed on **Thomas R. Dye** (Florida State University), **Susan A. MacManus** (University of South Florida), **Joan Carver** (Jacksonville University), **J. Edwin Benton** (University of South Florida) and **Richard C. Feiock** (Florida State University).

Best Graduate Paper Award &
Best Undergraduate Paper Award

The FPSA recognizes the Best Graduate Paper presented at the annual meeting. The recipient of the award is recognized at the following meeting with a plaque and a $250 check from the association. In addition, the paper (plus its alternate) is considered for inclusion in the next volume of the association's journal the *Florida Political Chronicle*.

The FPSA also recognizes the Best Undergraduate Paper presented at the annual meeting. The recipient of the award is recognized at the following meeting with a plaque and a $200 check from the Information & Policy analysis Center (IPAC). In addition, the paper is considered for inclusion in the next volume of the association's journal the *Florida Political Chronicle*.

Graduate students who present a paper at the FPSA annual meeting are encouraged to **submit their paper for the Best Graduate Student Paper Award by May 1st.** Please email your paper as an attachment (MS Word or PDF) to the Chair of the Best Graduate Student Paper Award Selection Committee: Sean Foreman, sforeman@barry.edu

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BOOK-REVIEW

The Dangers of Direct Democracy in Florida

- **Kathryn A. DePalo, *The Failure of Term Limits in Florida* (Gainesville: University Press of Florida, 2015), p.240, ISBN 978-0813060484**

- **Seth C. McKee, Editor, *Jigsaw Puzzle Politics in the Sunshine State* (Gainesville: University Press of Florida, 2015), p.345, 978-0813060712**

by Francis Orlando, Director Polling Institute, Saint Leo University
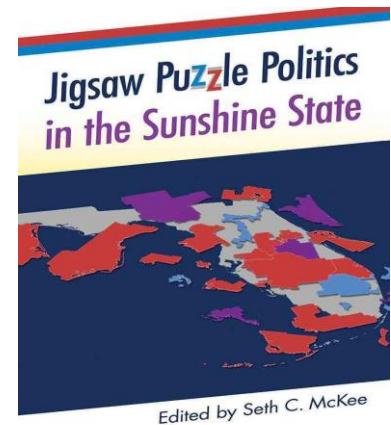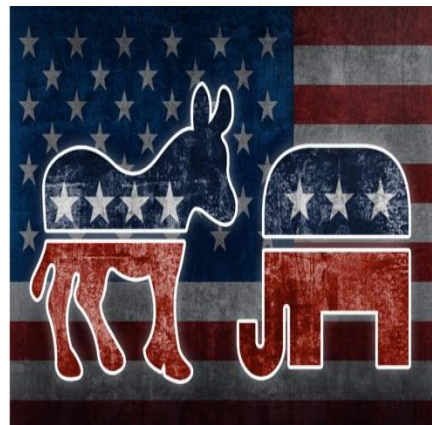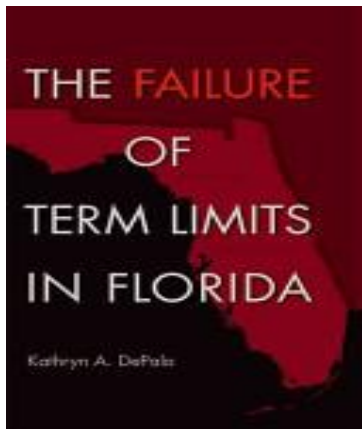
In Tallahassee's State Capitol Complex, 2015 was one of the most tumultuous years in recent memory. The legislative session ended early after the House went home three days ahead of schedule in protest over a budget dispute with the Senate. Failure to compromise on the budget deal meant that the two chambers needed to reconvene for a three weeks-long special session that finally resulted in a $78.2 billion budget signed into law by Florida's Republican Governor Rick Scott. While the devolution of the standard legislative session was chaotic, it was far from the end of the story. Just a few weeks after the arduous process of reaching a compromise on the budget, on 9 July 2015 the Florida Supreme Court ordered that the legislature had 100 days to call a new session to wade back into the redistricting process and redraw the electoral maps that had been used in the previous two redistricting cycles. The struggle to create new electoral maps that would please the State courts dominated the rest of 2015. As with the budget crisis, the legislature also failed to agree on a revised map during the session, and the responsibility for selecting an acceptable map fell to Florida's 2nd Circuit Judge George Reynolds III.

Eventually, the Florida judicial system was responsible for new lines affecting both the State's Congressional delegation and State Senators. It is important to note that the unprecedented turmoil experienced last year occurred while Republicans comfortably held both chambers of the Florida legislature (FL H 81-39, FL S 26-14) and occupied the Governor's mansion. With so much talk about the gridlock that a divided government brings to the Federal level, what can explain the lack of agreement in what is for all intents and purposes a one-party government at the State level?

In a much more positive development, 2015 also saw the publication of two extremely important works on Florida politics, and they both became more and more relevant as the year dragged on and legislative failures continued to mount. Kathryn DePalo's book, *The Failure of Term Limits in Florida* (240 pages), assesses the early returns from Florida's experiment in limiting the tenure of State legislators.[1]

Another new related book is the one edited by Seth McKee, *Jigsaw Puzzle Politics in the Sunshine State* (345 pages), details the redistricting process in Florida.[2] Both books served as helpful hints for those searching for answers concerning just what was going on up in Florida's government in Tallahassee. The excellent research presented in both of these works ensures that they were not only essential to understanding the rowdy 2015 legislative year, but that they will continue to be indispensable for aspiring scholars, journalists and interested followers of Florida politics.

While both of these works do an exemplary job of illuminating important aspects of Florida's contemporary political context, they are also bound together by an important thread. They both deal with the consequences, sometimes unintentional, of institutional reform put in place by the public. While there is no Constitutional process for the American public to change Federal institutions on their own, citizens of other countries have the opportunity to make important decisions at a national level. Switzerland, for example, as the first Confederal country regularly allows voters to use referenda to approve or not new national laws dealing with everything from whether to join the European Union (E.U.) Schengen Agreement to the ability to build Minarets in Islamic centers. Although Americans are unable to make similar changes at the Federal level, many of the 50 U.S. States offer the opportunity for residents to recall politicians, launch initiatives and vote on referenda. Floridians recently voted in favor of providing funding for the Land Acquisition Trust Fund at the same time they voted against allowing people to use marijuana for medicinal purposes.

These two books on Florida politics are motivated by the consequences of such initiatives. While in 1992 Amendment 9 instituted the current term limits system that is the basis for Kathryn DePalo's research, 2010's Amendments 5 and 6 motivated the work done by the many distinguished contributors to Seth McKee's *Jigsaw Politics*. Both books do an exemplary job of providing historical context for the ballot initiatives and strategies used to secure the passage of these measures. The similarities between these election fights are immediately apparent: both initiatives were advocated by groups supporting the out party. Given the inability of the minority to reach their desired outcomes in the legislature, this should not be surprising. However, the similarity of the appeals to good governance made by advocates is striking given that Democrat-aligned groups similar arguments that Republican-aligned groups had used 20 years earlier. The message to voters is simple, timeless and effective: the system is rigged by entrenched interests that are conspiring to keep themselves in office and diminish your ability to effect change.

All of the researchers involved in the creation of these two works demonstrate that this message was a winning one not only in Florida, but in most places where these questions hit the ballot across the country. When term limits and redistricting initiatives make it to the ballot, they often succeed. The greater part of both of these two books, however deal with what happens after the initiatives are passed. Have these citizen approved institutional changes accomplished what their supporters hoped? Have they led to a better government in Tallahassee? The answers to these questions beg another important question: should the public be trusted with the important task of changing the rules of the game?

It may be important to examine the historical context of the ballot process at the state level in the U.S. to understand where we are today. For over one hundred years, there were few traces of direct democracy present at the national and state levels. This all changed at the turn of the Twentieth Century. Across the country, but particularly in the West, populist sentiments were fomenting around many issues. Increasingly, citizens felt that more power should be placed into the hands of the voters. South Dakota became the first state to adopt initiative and referendum in 1898, thanks to the efforts of Socialist newspaperman Walter Kidd. The Swiss Confederal model of initiative and reform was used as a model for these pioneering Western states looking to wrest power away from corporate interests and toward progressive causes. Today, just over half of the 50 States in the Union contain some level of direct

democracy. Florida, which gives voters the chance to pass constitutional amendments, is one of the few Southern States that empowers citizens in this way.

Since the dawn of the direct democracy era in the United States, hundreds of initiatives, referenda and Constitutional amendments have been passed at the State-level: several States used direct democracy to ban local sale of alcohol well before the 1920s Federal prohibition nation-wide; as late as 2008 Californians used the same process to pass amendment banning gay marriage; abortion access continues to be limited across the board, while the expansion of casino gambling and marijuana use have continued to gain acceptance at the ballot box. Voters have moved towards the political right in some of these instances, and have lurched to the political left on other ones. On some issues, they have been vindicated by history, while on others they have been made to look foolish. There is little of the deliberation that the Founding Fathers felt as necessary for democratic governance. There is (by definition) a lack of respect for the desires of the minority in ballot initiatives. Moreover, battles over initiatives, reforms and constitutional amendments have become increasingly contentious, as well as expensive. Organized interests have professionalized the process from signature collection to contesting the validity of signatures collected by opposing forces. To find success, ballot initiatives must count on the support of major political interests, or millionaire benefactors. While voters ultimately decide the fate of these initiatives at the polls, the process little resembles the direct democracy panacea that those early reformers envisioned.

The title of Kathryn DePalo's book, *The Failure of Term Limits in Florida,* does little to hide the argument that the author makes throughout the manuscript. This is a well-researched work that presents a glut of information to this important question. The author takes the perspective that Term Limits in Florida have not realized their goals and have caused unintended problems. The sheer amount of data brought to bear on the issue is impressive and illuminating. It is clear that Dr. DePalo spent a great deal of time examining the issue from a variety of perspectives and it is essential reading for those that wish to learn more about what makes Tallahassee tick.

The work is very effective at conveying the thesis that term limits have failed than other parts. The chief struggle that Kathryn DePalo faces is in the ability to parse out the effects of term limits from other theories that could explain the legislative breakdown witnessed in Florida. The lack of multivariate analysis hampers its ability to identify the unique contribution of term limits on issues like the expansion of the candidate pool and money from other plausible explanations, such as redistricting and polarization.

The strength of the book is clearly in the amount of data that it brings to bear, but DePalo also undertakes an effective theoretical treatment of the issue. Chapter 4 in particular does a good job exploring the strategic context of lawmakers and offers theories that answer important questions in the post-term limits institutional setting. DePalo offers explanations for how have term limits changed the decision-making process of office-seekers, as well as how it has affected the evolving ambitions of current and prospective lawmakers. The theorizing becomes even stronger as the book turns focus toward institutional lawmaking.

Still, despite the protestations of aggrieved legislators, there is no silver bullet metric that hammers home the case that the legislature is becoming less effective because of term limits and term limits alone. DePalo explores the number of bills filed and the number of those bills that are eventually passed, but there are still many other measures that could add more evidence of a faltering legislature. Has the legislature passed essential legislation? Have they met required deadlines or have they needed special sessions?

Dr. DePalo supplements the statistics that are there with a treasure trove of personal anecdotes that paints a vivid picture of the absurd races for leadership that are determined before voters can even re-elect their representative. On one hand, the interviews are one of the biggest strengths of the book. The

access that the author worked to achieve gives insight into the process of legislating that is extremely valuable. There is no substitute from the insight that this type of research can provide. On the other hand, it is not unexpected to hear about the negative effects of term limits from the group of people that would be most adversely affected by term limits, office holders. That being said, there are many legislators that seem to like the way term limits are working and they echo the possibility that recent problems in the legislature can be attributed to changes in the political climate. Perhaps the quality of State legislator in Tallahassee is declining. After all, Florida legislators earn less than $30,000 a year in a job that has become part-time in name only and this is compounded by the fact that the State capitol is located hours away from the center of population. The great balance of evidence, both quantitative and anecdotal, seems to endorse the idea that term limits have had a deleterious effect on legislative performance, but there is not enough here to definitively reject alternate theories.

The marvelous book edited by Seth McKee, *Jigsaw Puzzle Politics in the Sunshine State*, is a marvelous collection of articles on redistricting in Florida. Among its contributors, Jeffrey Ladewig delves into the often overlooked process of apportionment and provides insight into the scheme that awarded Florida 27 Congressional Districts. Aubrey Jewett explains the new institutional context that constrained electoral mapmakers' behavior in the 2012 redistricting cycle, while Mark Mackenzie discusses the increase role that the courts could play owing to the changed rules. Eagleton and Smith outline the political and legal battle involved in passing Amendments 5 and 6, while a team of researchers led by Susan McManus study the role that citizens input played in influencing the process. Altman and McDonald attempt to adjudicate between the plans submitted based on a variety of metrics. The final section analyzes the immediate consequences of the new process from several different perspectives, including candidate emergence (Maestas & Braidwood), voter participation (Hayes et al.), and election outcomes in the State legislature (Winburn) and Congressional level (Bullock). Most voices seemed pleased with the early returns from Florida's new redistricting process.

While both of these works shine a much needed light on political institutions in Florida, there are some questions remaining about the ability of Floridians to make decisions for how those institutions run. The electorate's knowledge of policy issues is historically poor. Indeed, political theorists have often fretted over the role of the public in making policy-decisions from Plato to Nietzsche. Even those that played a role in creating democratic institutions were careful to separate the public from the day to day operation of the government. In addition to the difficulties of administering a country as large as the new United States with an Athenian-style pure democracy, James Madison argued that there were other issues that disqualified direct democracy from consideration for the new republic in *Federalist* #10: "A common passion or interest will, in almost every case, be felt by a majority of the whole; a communication and concert result from the form of government itself; and there is nothing to check the inducements to sacrifice the weaker party or an obnoxious individual. Hence it is that such [pure] democracies have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property; and have in general been as short in their lives as they have been violent in their deaths."   This reasoning underlines the apprehension on the part of the Founding Fathers to empower the public to respect the rights of the minority and carefully deliberate on issues.[3]

While it may be O.K. for voters to make missteps on specific policy issues, taking the decision-making process out of the hands of legislators on questions of institutional reform can be dangerous. It is difficult for even experienced politicians to foresee how changes in institutions will influence the entire political system. For example, the adoption of the seniority norm in Congress did achieve its proximate goal of limiting the power of the majority party leadership, but it also enabled Southern members of Congress to control committees and block civil rights legislation.

The Supreme Court mandate to create as many majority-minority districts as possible has certainly led to increased minority representation in Congress, but it has also led to fewer Democrats being elected to Congress. Institutional change often leads to unintended consequences. If voters are ill-equipped to understand the implications of policy decisions, they should be even less apt at making institutional ones. In cases like these, citizens will be even more at the mercy of "common sense" initiatives sponsored by interests with ulterior motives.

How have these institutional changes worked in Florida? Are we actually better off than we were before these important changes? Kathryn DePalo produces a wealth of research that demonstrates the unintended consequences of term limits. While the amendment was sold to constituents as a way to increase responsiveness in representation, Republican sponsors were hoping to eliminate long-standing Democratic politicians and usher in a Republican majority. While the goal of term limit sponsors was met, it is at the best unclear that voters are experiencing more efficient representation.

Redistricting reform was sold to Floridians as a way to keep legislators honest in the decennial process. It is no secret that some of the support for the amendments originates from groups that would also like to undermine the newfound Republican domination of the State legislature and Congressional delegation. According to the research presented, the early results of institutional change seemed satisfactory. In this review, we have the advantage of using a longer time period to assess the consequences of reform in the redistricting process. The long battle to redraw lines has led to reformed districts that seem rather more fair than their predecessors. While the short-term goal of reducing Republican majorities in the state legislature and Congressional delegation will be achieved, what will the long-term effects be? Will candidates have to wait on the sidelines as courts debate the legality of lines every few years? Will voters be shuttled in and out of districts and be robbed of the continuity of the electoral connection?

While direct democracy provides an outlet for citizens to circumvent the legislative process, it is by no means riskless. Critics are right to examine the authenticity of these "grassroots" efforts, but the works discussed here show that voters might not always get what they want in the long-run.

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