



Democracy & Society

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Intolerance and Political Repression in the United States: A Half-Century after McCarthyism

BY JAMES L. GIBSON



Over the course of American history, the willingness of the state to “put up with” political dissidents has waxed and waned. During some eras, quite robust political debate has been tolerated, but during other periods, political orthodoxy has prevailed. The range of beliefs safe to express in the United States has varied considerably over time (see, for example, Stone 2004).

Fifty years ago, Americans witnessed a major outbreak of political intolerance and repression. During this infamous period named after its leader, the Republican Senator from Wisconsin, only the most centrist political differences were tolerated. To many, McCarthyism stands as one of the most shameful episodes of intolerance in modern American history. [Continued, Page 13]

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Post-9/11 America: Conventional Wisdom Versus Popular Pragmatism

BY RICHARD MATTHEW, BRYAN McDONALD, AND GEORGE SHAMBAUGH

The conventional view of the impact of terrorism on democracy in America since 9/11 is bleak. Pundits in the mass media, candidates on the campaign trail, and scholarly experts portray the United States as a fearful nation whose people are worried about the next terrorist attack and are willing to sacrifice civil liberties at home and support costly

and aggressive policies abroad (Ackerman 2007; Dershowitz 2002; Mueller 2006; Chandler and Gunaratna 2007; Robb 2007; Stout 2007). Recent news polls suggest widespread concern and very little confidence that the U.S. is making progress reducing this threat (Polling Report.com 2008).

Using data from a nationwide panel survey funded by the National Science Foundation, we analyze psychological and political variables to identify and assess the ways in which Americans are interpreting terrorism and how their interpretations are affecting their behavior and support for government policy.¹ In this article we examine three assertions about [Continued, Page 20]



From the Director
BARAK HOFFMAN

Civil Liberties, Human Rights, and Terrorism

This spring has been a busy one for CDACS. Most prominently, we have held two major conferences and will hold one more. The first, which we co-hosted with the Institute for the Study of Diplomacy, the Mortara Center, and the Security Studies program, examined failed states. Experts including Carlos Pascual of the Brookings Institution, Rick Barton of the Center for Strategic and International Studies, and James Dobbins of the RAND Corporation gathered to discuss the causes of failed states, the consequences of them, and the implications for the next U.S. presidential administration.

Our second conference examined the current state of democracy in the United States. We co-hosted it with the Forum for the Study of Democracy and Autocracy, the student organization of our MA in Democracy and Governance program. Thomas O. Melia, Deputy Executive Director of Freedom House, provided the conference's focal point by highlighting the findings from Freedom House's recent publication, *Today's American: How Free*. Melia suggested that the political climate in the United States is freer today than during past wars.

In May, we are very pleased to be co-hosting a conference on Political Oppositions in the Arab World in Cairo, Egypt, along with the United States Institute of Peace, the Al-Ahram Center for Strategic and Political Studies, and Georgetown University's Berkley Center for Religion, Peace, and World Affairs. In addition to our conferences, we have also hosted talks by Carl Gershman, President of the National Endowment for Democracy; Arch Puddington, Director of Research at Freedom House and lead editor of its flagship publication *Freedom in the World*; Patrick Bond, Director of South Africa's Center for Civil Society at the University of KwaZulu-Natal; and Ricky

Goldstein, Research Director for the Middle East at Human Rights Watch.

Finally, we are very proud that we will be graduating our first class of MA in Democracy and Governance students in May. We hope they will all move from success to success.

This issue of *Democracy and Society* examines how nations are reassessing the balance between protecting individual freedom and ensuring national security in an age of global terrorism. Two of our five articles examine this topic with survey data from the United States and present relatively optimistic findings. James L. Gibson, Sidney W. Souers Professor of Government at Washington University in St. Louis, finds that Americans actually perceive *less* political freedom today than they did during the McCarthy era, but that Americans today are also more tolerant of specific groups, such as Radical Muslims and Communists. Similarly, Richard Matthew and Bryan McDonald of the University of California, Irvine, and George Shambaugh of Georgetown University reveal that citizens in the United States are more optimistic and pragmatic about the terrorist threat, and fear it less, than many academics, journalists, and politicians suggest. Linda Merola of George Mason University complements this analysis by examining stories on civil liberties appearing in the *The New York Times* and *The NBC Nightly News* between 1998 and 2004. She finds that after September 11, 2001, reports on civil liberties became more emotional, which may influence the public's support for robust civil liberties.

Our other two articles examine the issues of civil liberties and human rights in the age of terrorism from a legal perspective. David Schultz of Hamline University and the University of Minnesota analyzes the memoranda of John Yoo, former deputy assistant attorney general and legal advisor to President Bush, that outline the administration's assertion of presidential power to fight terrorism. Schultz finds no legal basis for the administration's claims that combating terrorism allows the executive branch to disregard constitutional protections and international treaties. Patrick Bond of the University of KwaZulu-Natal in Durban, South Africa discusses the unexplained actions of the U.S. government to label South African scholar Adam Habib a terrorist, and revoke his visa to the U.S. and those of his family.

We complement our thematic focus in this issue by reviewing five recent books on civil liberties, human rights, and terrorism. John Yoo [Continued, Page 12]

Defending American Presidential Authority in a Post-9/11 World: Examining the Justice Department Memoranda

BY DAVID SCHULTZ

This article was originally presented as a paper at a conference on criminal law and terrorism at Oxford University, England, March 26–31, 2006, and at the 2007 Annual Meeting of the American Political Science Association, August 30–September 2, 2007, and is excerpted from a forthcoming piece in the Golden Gate Law Review (2008).

After the events of 9/11, President Bush had a choice: he could either respond to the terrorist attacks as criminal acts or as acts of war. Were he to have chosen the former, his options could have included using international law in the United Nations, the International Court of Justice, and perhaps even the International Criminal Court to deal with terrorism and al-Qaeda. In these forums, terrorists could have been prosecuted or held responsible for various crimes, including crimes against humanity (Duffy 2005, 76-93). Bush chose war in two ways. First, in a speech on September 20, 2001, President Bush coined the phrase “war on terror” to describe his response to the events of 9/11 as well as his efforts to combat terrorism around the world, and then on October 7, 2001, when he announced the commencement of military strikes against al-Qaeda in Afghanistan. But the response did not end there.

A Congressional joint resolution (authorization to use military force (AUMF)) of September 14, 2001 appeared to give the president special authority to respond to terrorism. It stated that the president should “use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, . . . in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons.”

However, beyond congressional or legislative authorization via AUMF, four Justice Department memoranda also asserted inherent presidential power to respond to terrorism. The first and most important memorandum is the September 25, 2001 John Yoo memorandum describing presidential war making powers (“Yoo Memorandum”). As an assistant attorney general and legal advisor to the president, Yoo’s memorandum formed the legal basis for nearly all of the Bush administration’s arguments to Congress and to the courts for why the president had the legal authority

to conduct the war on terrorism. This memorandum’s arguments, more forcefully developed into John Yoo’s book, *The Powers of War and Peace: The Constitution and Foreign Affairs after 9/11* (2005), are also repeated in a second legal opinion of January 22, 2002, addressing the treatment of al-Qaeda and Taliban detainees. The third memorandum is from August 1, 2002, and reviews the classification and treatment of al-Qaeda detainees held outside the United States, while the fourth is a January 19, 2006 Department of Justice memorandum supporting Bush’s decision to order the warrantless wiretapping of telephone conversations by the National Security Agency. These four memoranda, taken together, frame the Bush administration’s arguments for its foreign policy and national security authority after 9/11. It is these four memoranda that have provided the legal justification for President Bush to claim that he can disregard international law and treaties when it comes to the treatment and questioning of suspected terrorists, or domestic constitutional and statutory when it comes to protecting national security.

This article describes the legal assertion of presidential power articulated in these four memoranda. To do this, the article focuses primarily upon the original Yoo Memorandum which provides the essential framework and arguments that are repeated in the subsequent three memoranda. Overall, the claim will be that these memoranda offer a vision of presidential power inconsistent with that of the American political tradition committed to constitutionalism and individual rights. This dual commitment places limits on presidential power by way of a respect for checks and balances, separation of powers, and respect for individual rights, especially when one is accused of a crime (Pennock 1979; Roland and Chapman 1983, De Ruggiero 1959; Dyzenhaus 2006). Hence, there are no extra-constitutional powers, even for the president. It is within this context that the Yoo memoranda must be read (Henkin 1990).

THE LEGAL CASE FOR PRESIDENTIAL AUTHORITY

Four legal memoranda produced by the Office of Legal Counsel frame the constitutional arguments for President Bush’s claims of executive authority in response to the war on terror. These four memoranda share similar claims and assertions, and all of them rest upon ideas first articulated by John Yoo in an initial September 25, 2001 opinion.

SEPTEMBER 25, 2001 MEMORANDUM

The John C. Yoo Memorandum argues the president has extensive inherent authority to use force against terrorists. To substantiate this claim, Yoo relies upon the structure of the Constitution, judicial and executive construction of the Constitution, recent practice and tradition, and finally congressional enactments authorizing use of force (Yoo Memorandum, 1). First, in terms of the structure of the Constitution, Yoo draws heavily upon the Founders' constitutional intent, especially as discussed by Alexander Hamilton in the *Federalist Papers*. (Yoo Memorandum, 2) For example, Yoo argues that:

The text, structure and history of the Constitution establish that the Founders entrusted the President with the primary responsibility, and therefore the power, to use military force in situations of emergency. Article II, Section 2 states that the "President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States." U.S. Const. art. II, § 2, cl. 1. He is further vested with all of "the executive Power" and the duty to execute the laws. U.S. Const. art. II, § 1. These powers give the President broad constitutional authority to use military force in response to threats to the national security and foreign policy of the United States. During the period leading up to the Constitution's ratification, the power to initiate hostilities and to control the escalation of conflict had been long understood to rest in the hands of the executive branch (Yoo Memorandum, 3).

For Yoo, the text of the Constitution, vests "full control" of military powers in the president to direct military operations, even absent congressional declarations of war. The basis for this claim rests upon a specific view of the presidency, again attributed to Hamilton, that asserts that the constitutional text creates a unified executive power or presidency (Yoo Memorandum, 2-3). It is this unified conception of the presidency, along with the conveyance of executive power in the president, and a historical viewing of war powers and foreign policy activity as an executive function, that gives this office the *exclusive* power that it has in national security and defense issues (Yoo Memorandum, 3-4).

Second, judicial and executive construction, according to the Yoo Memorandum, also endorses a strong view of presidential power in national security issues. In terms of executive construction, part II of the Memorandum outlines numerous occasions where the Attorney General or the Justice Department has supported presidential supremacy if not exclusivity in this policy area. For example, Yoo cites opinions of Attorneys General William Barr, Frank Murphy, and Thomas Gregory as arguing the president had the inherent constitutional authority to commit troops overseas, or to take military action without congressional approval, in anticipation of events that would eventually lead to

World Wars I and II (Yoo Memorandum, 6). Furthermore, Yoo contends that the courts have endorsed these executive readings of the Constitution (Yoo Memorandum, 8). For example, in *Mitchell v. Laird*, a federal court of appeals, in declining to rule on a suit brought by members of Congress to contest the constitutionality of the Vietnam War, stated that "there are some types of war which without Congressional approval, the President may begin to wage: for example, he may respond immediately without such approval to a belligerent attack" (613). Thus, Yoo cites this dicta as proof that not all forms of presidential action in foreign affairs or defense matters require congressional approval.

Appeal to practice and tradition is a third argument offered to support presidential exclusivity in national security matters. Specifically, Yoo cites to what he claims are at least 125 instances in American history during which troops have been committed overseas by the president without congressional approval (Yoo Memorandum, 10). This deference to presidential authority is a reflection, for Yoo, of the practical needs of the Constitution to afford flexibility in assigning responsibility in the area of national security. Finally, Yoo points both to the War Powers Resolution and the September 18, 2001 congressional resolution as also demonstrating "Congress's acceptance of the President's unilateral war powers in an emergency situation like that created by the September 11 incidents" (Yoo Memorandum, 15). Invoking Justice Jackson's famous concurrence in *Youngstown Sheet & Tube Co.*, Yoo argues that presidential power in foreign affairs is at its maximum when given legislative support by Congress (Yoo Memorandum, 15). These two acts of Congress, Yoo states, clearly endorse the idea that the president has broad if not exclusive and unlimited power to acts in foreign affairs and national security matters.

What are the overall implications of the Yoo Memorandum? First, Yoo argues that the president has "plenary constitutional power" to take military action, as he deems appropriate, to respond to terrorist attacks (Yoo Memorandum at 17). This power is inherent, regardless of what Congress authorized in either the War Powers or September 18 resolutions. As subsequently articulated in his book 2005 book—*The Powers of War and Peace*—the president has total control over foreign and military powers, with Congress confined merely to either terminating funding or authorization for the military to act in a specific capacity if it disapproves of what the executive branch does (Yoo 2005, 40). Third, Yoo's memorandum sketches out a theory of a unified executive that leaves no room for Congress or the courts in the field of national security. Fourth, in the conclusion of the memorandum, Yoo also states that the president can deploy troops not just to retaliate but to prevent future attacks (Yoo Memorandum, 17), thereby providing the rationale for the Bush administration's claim of "anticipatory self-defense" for the invasions of Afghanistan and Iraq. Finally, the memorandum suggests and actually does state that there appears

to be no limit to presidential power in the field of national security, thereby setting the stage for expansion of chief executive authority to make claims for expanded capacity to act beyond the text of the Constitution.

The presidential powers described in the Yoo Memorandum are invoked in three subsequent memoranda. Reclassification of captured al-Qaeda and Taliban as “enemy combatants” is justified by giving the president inherent power to interpret and suspend treaties, including the Geneva III. The same logic allows the president to interpret what constitutes torture under the Convention Against Torture. Finally, the authority of the president to order wiretapping of telephones without warrants and apparently outside the requirements of the Foreign Intelligence Surveillance Act (FISA) rests upon the September 18 congressional resolution augmenting and authorizing him to use his inherent power to act in the name of national security.

Overall, the above four memoranda rest upon a concept of presidential power that appears to place the office beyond congressional or judicial limits or control when it comes to national defense or security. It gives the president near unlimited authority to interpret treaties, deploy troops, or take any other action to protect national security. As a result of this ascription of presidential power, it sets the stage not simply for a war on terrorism, but one on democracy, constitutionalism, and international law.

ASSESSING PRESIDENTIAL POWER IN A POST-9/11 WORLD

How accurate is this sketch of presidential power? In general, Yoo’s arguments, especially as they are developed more fully in his book, have generally been rejected by the legal and scholarly community. Berkeley law professor Gordon Silverstein contends that Yoo’s “propositions stand against the weight of prevailing scholarly opinion” (Silverstein 2006, 1451). Noted presidential scholar Louis Fischer is sharply critical of Yoo’s claims about the Framers, the Constitution, and the unitary theory of presidential power, stating that:

There are two major problems [with Yoo’s arguments]: one of theory, the other of practice. On the first point, the framers did not trust in a unitary, rational actor. They distrusted human nature and feared the concentration of power, especially over war. For that reason they developed a system of separation of powers, checks and balances, and an independent judiciary. As to practice, take a look at the last three major wars—Korea, Vietnam, and the second Iraq war—and one does not see the hand of a unitary, rational actor (Fischer 2006, 1240).

Other scholars have similarly criticized Yoo’s arguments as undemocratic, as ignoring the concept of checks and balances, or as resting upon theories of historical or constitutional interpretation that are incorrect (Holmes 2006; Thompson 2006). As University of Chicago Law Professor

Cass Sunstein concluded: “Yoo has offered an inventive and provocative set of arguments about fundamental questions, and he presents his arguments with unmistakable determination and all the skill of a good lawyer. And that is the problem. Much of this cheerfully one-sided book reads like a lawyer’s brief, trying to justify a particular set of pre-determined conclusions. Counterarguments are rarely given in their strongest form. Sometimes they are not given at all” (Sunstein 2006, 23).

There is no question that Yoo offers a wooden theory of the presidency that emphasizes a strict separation of powers model of government. It is a model that rejects the American legal commitment to constitutionalism and limited government. Yoo’s arguments also draw questionable conclusions based upon silence in the constitutional text or by the courts. For example, he asserts: “If we think of the allocation of war powers among the British and colonial governments as the background on which state constitutions were drawn, state silence suggests an acceptance of the British approach” (Yoo 2005, 62). Inferring from silence is always a precarious move, and too much of Yoo’s reasoning does this.

Another problem is the effort to freeze and unfreeze the meaning of the Constitutional text at the same time. Yoo starts with questionable discussions of how Hamilton (who barely attended the Constitutional Convention and whose views on presidential power were not taken seriously even by the framers) viewed the Constitution. He then moves to how the ratifiers viewed foreign affairs and national security. He argues that he will not rely as much on subsequent case law (which does not consistently support him) to show how foreign policy power must be vested in plenary fashion in the president while decision-making remains open to contemporary demands. Each of these steps contains questionable history and dubious logic.

In addition, one is left asking two questions: is the Constitution’s meaning on national security issues fixed or open, and, if open, why does it seem to consistently favor the presidency over Congress? In supporting his view of presidential power, Yoo relies upon self-interested assertions of authority, especially 1978 and the passage of FISA, with such articulations bearing little weight in law or objectivity. Moreover, no thought is given either to how American conceptions of constitutionalism differed from British views by 1787, or how the Constitution of 1787 and its augmentation of power was rebalanced by the subsequent adoption of the Bill of Rights in 1791 and future amendments. Overall, as aptly stated by Justices Scalia and Stevens in dissent in *Hamdi v. Rumsfeld* (where the Court rejected many of the president’s claims to having authority to detain without hearing an American citizen suspected of being a terrorist), after reviewing the historical efforts in England to limit monarchical power and in the American

colonies to address the abuses of King George III: “A view of the Constitution that gives the Executive authority to use military force rather than the force of law. . . flies in the face of the mistrust that engendered these provisions” (*Hamdi v. Rumsfeld*, 569). In effect, what both of these Justices are saying is that if the very purpose of the Constitution was to address a lack of trust in unlimited power, Bush’s assertions of extra-Constitutional authority would make no sense to the Framers.

CONCLUSION

The four memoranda of the Bush administration to defend its post-9/11 authority mythologize presidential authority. They rest on an image of executive power in conflict with democratic, liberal, and constitutional values that support limited government, rule of law, and respect for individual rights. Ultimately, whether President Bush may or may not convince the American public of his authority is one question, but the issue of whether the memoranda stand up to legal and historical scrutiny is a separate matter.

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Emotion and Deliberation in the Post-9/11 Media Coverage of Civil Liberties

BY LINDA M. MEROLA

In the immediate aftermath of the September 11 attacks, Americans consumed media coverage of the terror crisis in record numbers (Althaus 2002). Although this extraordinary and unprecedented level of focus was not (and could not be) sustained, the post-9/11 period has been characterized by a continuing and pervasive public debate related to terrorism policy and prevention (Davis and Silver 2004a). Some of the most fundamental questions within this public discourse have concerned the proper scope of civil liberties in the face of terrorism. Prior to 9/11, researchers studied public support for robust civil liberties as questions of political tolerance, or the willingness of the citizenry to allow individuals whose ideas may seem illogical, noxious, or even threatening to be guaranteed the same rights as individuals with more mainstream views. Political tolerance scholarship has suggested that the information environment has the capacity to significantly influence the public's willingness or lack thereof to support expansive civil liberties (Marcus, et al. 1995).

Prior political tolerance research has hypothesized a relationship between threat and increased attention to the information environment. Once a threat is detected, an individual experiences increased anxiety, producing an affective response and signaling to the individual the necessity to pay greater attention to incoming or "contemporary" information (Marcus et al. 1995, 47). Through this mechanism, exposure to threat can result in the departure from habit and socialization, and, ultimately, in changes to broad-based commitments to civil liberties (Marcus and MacKuen 2001; Marcus et al. 1995; Davis and Silver 2004b). Although much of the previous research contemplated threat unrelated to terrorism, this scholarship provides a strong theoretical foundation for an inquiry into the impact of information during the post-9/11 period. In such a crisis environment, individuals are likely to frequently encounter information that they perceive as exceedingly threatening (Merola 2007). Indeed, previous research exploring the frequency of threat communicated to the American public during the post-9/11 period has suggested that the aver-

age rights-related news item broadcast from 2002 to 2004 contained more than twice as much threatening language as did the average item from a sample of similar pre-9/11 broadcast news (Merola 2007).

Since Americans have frequently encountered threatening information since 9/11, the information environment likely has influenced the public's commitment to civil liberties in the face of the terror threat. An analysis of the content of news may provide clues as to the influence of the news and enhance our understanding of how post-9/11 political tolerance is evolving. This study utilizes a computerized content analysis to analyze a large sample of post-9/11 media coverage related to civil liberties issues in order to examine claims that our public discourse has become more emotive in its discussion of these questions following the tragedies of 9/11. In the end, the results of the study indicate that media sources have altered their coverage of these questions significantly at crucial moments of the post-9/11 period.

EMOTION, COGNITION, AND CIVIL LIBERTIES

Survey-experimental research conducted prior to 9/11 has demonstrated the importance of contemporary information to decisions regarding the propriety of robust civil liberties when individuals feel threatened (Marcus et al. 1995). Political tolerance scholars have frequently examined the impact of one such form of contemporary information, content suggestive of affective (emotional) versus cognitive (thought-based) modes of information processing (Marcus et al. 1995, 10). These investigations are premised upon the hypothesis that deliberation or a "sober second thought" will result in increased tolerance of those we dislike, while the resort to affective or emotional consideration of the members of disliked groups will produce decreased willingness to support full extensions of civil liberties to these individuals. In this manner, the mode of processing utilized by an individual may result in significant alterations in overall decision making. While the survey-experimental research related to the impact of affective processing on tolerance has resulted in some contradictory findings, the bulk of prior scholarship has supported the hypothesis that information suggestive of emotional processing leads to significant decreases in respondents' political tolerance (Marcus et al. 1995, 80).

METHODOLOGY AND DATA COLLECTION

In order to investigate the information-processing suggestions communicated to the U.S. public during the post-9/11 era, a random sample of pre- and post-9/11 news articles and broadcast transcripts related to civil liberties issues was analyzed (n=238). Within this sample of media coverage, articles are split roughly evenly between print media (*The New York Times*) and broadcast media (*The NBC Nightly News*). Many scholars have noted the similarity in

content amongst the evening newscasts of the three major networks; there is no reason to assume a variation in this finding if the transcripts analyzed here were derived from another network (Altheide 1982; Nacos and Torres-Reyna 2003). Nightly broadcast news was selected for the sample due to the size of the collective audience for this programming. The inclusion of *The New York Times* allows comparison to print media and, more specifically, to a source with an elite readership. In many ways, then, the sample of news from *The New York Times* provides the most rigorous test of whether or not discussions of civil liberties have become more emotional and less thought-based following 9/11.

The articles originating from *The New York Times* represent a random sample of coverage, while the broadcast transcripts in the data set very nearly correspond to the universe of all items aired on *The NBC Nightly News*. With respect to total number of news items, coverage is routinely more limited in the broadcast medium. In order to be included in the data set, post-9/11 articles needed to discuss terrorism and civil liberties both explicitly and substantively. The post-9/11 news items were originally broadcast or printed between 2001 (post-9/11) and 2006. For comparison purposes, a corpus of pre-9/11 articles and transcripts was also included in the database. These news items were selected randomly from the years 1998 to 2001 and relate substantively to civil liberties topics prior to discussions of terrorism.

The entire corpus of articles, both pre- and post-9/11, was analyzed via a computerized linguistic content analysis using the program DICTION. DICTION is a dictionary-based program that uses comprehensive word lists to analyze large batches of texts for the frequency of words that are representative of key concepts (Hart 2000, 245). Computerized linguistic analysis allows the researcher to discern content which might be too diffuse or too subtle (such as the relative frequency of cognitive information-processing suggestions) for human coders to rate reliably in a traditional content analysis. In addition, the computerized linguistic analysis allows for elimination of the subjectivity inherent in the categorizing process of traditional content analysis. For the purposes of linguistic comparisons across articles of varying lengths, measurements resulting from this analysis have been standardized so that results are reported per 500-word segment. Following completion of analysis by the DICTION program, results were subjected to statistical analysis using ANOVA in order to detect differences among means.¹

RESULTS

To investigate possible alterations in our discourse related to civil liberties after 9/11, the DICTION program was utilized to detect the frequency with which language suggestive of cognitive information processing has been communicated to the American public in news stories related to civil liberties. The DICTION program defines cognitive language as

“[w]ords referring to cerebral processes, both functional and imaginative (Hart 2000, 248).” An examination of the presence of cognitive language within the articles in the sample reveals that its usage has decreased significantly in both media sources (Sig. .041). Prior to 9/11, the media coverage in the sample contained a mean of 9.01 occurrences of cognitive language per 500 words; following 9/11, this mean decreased to 6.86 occurrences per 500 words. If one examines this sample of news segmented by year, the articles containing the lowest mean cognitive language are those from the year 2001 (mean of 6.36). Although the media coverage from 2002 and 2003 does not differ significantly from the 2001 sample in terms of the presence of cognitive language, the years 2004 through 2006 reveal that the media again incorporated this type of language into its coverage of rights with increased frequency. In fact, the media items from the year 2006 (mean of 8.67) contain nearly as much cognitive language as the pre-9/11 sample.

Surprisingly, no significant differences exist between the two types of media in this sample (broadcast and print), either in the overall amount of cognitive language per 500 words or in the magnitude of the decrease in this language in the articles and transcripts in the years immediately following 9/11. Despite this, it is important to note that the average article in *The New York Times* is longer than the average news item on *The NBC Nightly News*, rendering the print articles more cognitive on a per article basis. Further, although the use of cognitive language had very nearly returned to pre-9/11 levels by 2006, it is important to note that the stark decreases reported above persisted in the sample for a prolonged period of several years before stabilizing.

The finding that both types of coverage reduced reliance upon cognitive language when discussing civil liberties in the years following 9/11 is troubling given the results reported by much of the experimental literature in the field of political tolerance. Over time and across a large number of articles, it seems as if our public discourse regarding rights became less deliberative in nature or less suggestive of a “sober second thought.” To the extent that this alteration might produce decreased support for civil liberties amongst members of the public, it may partially explain the process by which the often-noted tendency of societies to become more restrictive of rights during periods of anxiety and crisis occurs. Yet, the analysis of cognitive language explains only part of what occurred in the media coverage following 9/11.

An examination of the mean level of emotional language present in the sample of media articles and transcripts reveals an unexpected result. A reasonable hypothesis for the post-9/11 era certainly would be that, as threat increased and cognition decreased, our public discourse became more emotional, particularly in response to the tragedy of the attacks. Rather, the frequency of emotional language utilized to discuss civil liberties seems to have remained largely con-

stant (from 2.38 to 2.31 usages per 500 words) in the sample following 9/11 (Sig. .818). Given the outpouring of emotion that accompanied 9/11, it is surprising not to find evidence of an increase in emotion in the sample of media coverage.

Further segmentation and examination of this sample reveals even more surprises. Within the news transcripts from *The NBC Nightly News*, the mean occurrences of emotional language actually decreased from 3.25 to 2.31 usages per 500 words (Sig. .042). In comparison, the articles in *The New York Times* actually became more emotional in the post-9/11 period, utilizing this type of language 2.31 times per 500 words (up from 1.66 occurrences prior to 9/11) (Sig. .024). These differences explain the perplexing lack of change in the overall sample of articles from both sources (reported above). However, the perception of *The New York Times* as a more elite source of news would have lead most researchers to hypothesize that, if differences existed in the approaches of these two sources, emotion would have decreased in the print media rather than in the broadcast media.

So, what explains the differences between the print media and the broadcast media? A look at the content of the articles contained in the sample reveals a striking disparity in the pre-9/11 coverage from each source. First, on the whole, civil liberties topics were covered much more frequently in *The New York Times*. From January to September 2001 (prior to 9/11), *The New York Times* included hundreds of stories related civil liberties topics³, as compared to only 15 items on the *Nightly News*. Prior scholars have frequently noted that the time constraints of a nightly news broadcast often result in very different substantive coverage than is found in the print media (Fang 1972; Manoff and Schudson 1986; Abel 1981). It is likely that *The NBC Nightly News* covers civil liberties issues only when they are of the greatest salience.

Indeed, a perusal of the pre-9/11 articles finds that the NBC news items are focused upon civil liberties issues at their most controversial and traumatic. For example, stories related to police framing of criminal suspects and alleged beatings of those imprisoned or arrested typify coverage in the visual medium. Further, the NBC transcripts are largely more episodic (or “event-oriented”) (Iyengar 1990, 21) and personal in nature, often profiling abuses to a particular individual. Prior studies of television news have also provided evidence that the visual medium tends toward episodic coverage (Gitlin 1980). These findings are consistent with the pre-9/11 linguistic analysis results which suggest that NBC’s pre-9/11 coverage of civil liberties contained more emotional language, an average of 3.25 usages per 500 words, as compared to the print average of only 1.66 usages. Prior to 9/11, in a practical sense, the coverage of civil liberties was nearly twice as emotional on television as in print.

However, by necessity, the news with respect to civil liberties changed fundamentally following 9/11. First, given

the many civil liberties questions prompted by terrorism, NBC’s coverage of civil liberties increased in total. Indeed, between January 1 and September 10, 2002 (a similar nine-month period to that discussed above), *The NBC Nightly News* contained 59 items related to civil liberties. Even assuming that program time constraints resulted in coverage of only the most salient stories on *The Nightly News*, this post-9/11 content is quite different from that contained in NBC’s prior coverage. For example, *The Nightly News* has covered a myriad of policy issues related to rights since 9/11, such as the National Security Agency’s (NSA’s) wiretapping, the scope and procedure of trying detainees, the acceptability of detaining American citizens as enemy combatants, questions regarding numerous provisions of the PATRIOT Act, and the use of physical coercion in interrogations of suspected terrorists, to name but a few.

In addition to increases in coverage and a greater policy-oriented focus, stories related to rights have been largely unable to integrate the same type of personal and emotional coverage as was the case prior to 9/11. For long periods of the post-9/11 era, it has simply not been possible to determine the names of individuals affected by curtailments of rights. For example, we remain unaware of those who have been wiretapped as a result of the NSA program. For the first several years following 9/11, the government also refused to release the names of individuals detained or deported, asserting that such a disclosure would provide terror groups with information about the progress of terrorism investigations. With respect to the PATRIOT Act, several provisions of the legislation bar those served with requests for records from disclosing the names of those affected.

As a practical matter, then, it has more often than not been impossible to tell these stories in a personal, emotional or even, at times, episodic manner.⁴ In some ways, then, the dearth of information available to be utilized by the media in personal stories of those who have been hurt by the contraction of civil liberties has fundamentally altered the coverage of civil liberties topics on television. Such a change may also alter the way in which media consumers view questions of rights. In fact, the hypothesis that differences in opinions may result from episodic (as opposed to thematic) reporting is consistent with prior literature (Iyengar 1990).

These points are also supported by the fact that, on average, the post-9/11 coverage in both *The New York Times* and *The NBC Nightly News* (when analyzed separately) contain an identical mean of 2.31 usages of emotional language. In this manner, highly disparate sources of coverage became quite similar in terms of emotional intensity in the period following 9/11 as part of a nationally more emotive public discourse. *The New York Times* increased emotion in its cognitive, thematic news coverage in response to the threat of terrorism. However, NBC —already so infused with emotion—actually decreased [Continued, Page 31]

Shutting the Door on Academic Exchange: The Exclusion of South African Scholar Adam Habib from the United States

BY PATRICK BOND

In 2006, the United States Department of State branded University of Johannesburg Professor Adam Habib a terrorist and revoked his visa. The article below, by Habib, details the circumstances of Professor Habib's exclusion from the U.S. and his attempts to challenge it through the courts.

Professor Habib founded the Centre for Civil Society at the University of KwaZulu-Natal in Durban, South Africa in 2001. Subsequently, he was the Executive Director of the Democracy and Governance Program at the Government of South Africa's Human Sciences Research Council and has also served on the board of directors of the International Society for Third Sector Research. He is among South Africa's best-known and respected public intellectuals, and has authored dozens of scholarly reports and edited several book collections.

A prolific scholar and tireless advocate, Professor Habib is in high demand to speak at conferences and seminars on economic development and political reform across the globe. His work, now as the University of Johannesburg's deputy vice chancellor for research, demands extensive interaction with academics and policymakers across the world's borders. Professor Habib excels at cultivating these relationships. In my opinion, there is no more active, entrepreneurial, and generous an organizer of intellectual activity in South Africa than Habib.

In November 2006, the United States Department of State banned Professor Habib from entering the United States upon his arrival at New York's John F. Kennedy Airport. Habib was coming to the United States to attend meetings at the National Institutes for Health, the Centers for Disease Control and Prevention, the World Bank, Columbia University, and the Gates Foundation. For reasons they have not disclosed, the State Department has labeled Habib a terrorist, and he remains indefinitely barred from visiting the United States. The State Department has subsequently extended the ban to Habib's wife and his 7- and 11- year old

sons. The former was prohibited from attending a meeting of the Junior Ambassadors Program of People to People, an organization founded by President Eisenhower to foster peace between nations through encouraging "mutual respect among individuals."

The American Civil Liberties Union (ACLU) has filed a case challenging Professor Habib's exclusion. The ACLU is arguing that the government's unsubstantiated accusation that Habib is banned because he engaged in terrorist activity violates the First Amendment rights of U.S. organizations that have invited Habib to speak to U.S. audiences. The danger, according to the ACLU, is that the courts may allow arbitrary security decisions to stand—as they did, for example, in the long-standing CIA/State Department determination that Nelson Mandela was a terrorist, which the State Department did not overturn until 2003. If the exclusion of an intellectual as highly regarded as Professor Habib is not overturned, it may foreshadow even further violations of the right to free speech and intellectual inquiry within the United States.

PATRICK BOND is the current director of the University of KwaZulu-Natal's Centre for Civil Society. Read more about the case at <http://www.ukzn.ac.za/ccs/default.asp?2,40,5,1508>.

Banned: Why a South African is Going to Court in the U.S.

BY ADAM HABIB

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Sometime in November 2006, while my wife, Fatima, drove back from work in Pretoria to our home in Johannesburg, South Africa, she received a call from John Webster, an official at the American consulate in Johannesburg. John very apologetically notified Fatima that her visa had been revoked, as had the visas of my children, Irfan, 12, and Zidaan, 9. Irfan had been invited to the U.S. as part of the People to People Ambassador Program for young leaders established by President Dwight Eisenhower to promote understanding among peoples of the world. I had not made up my mind yet about whether to send Irfan. Scared that he might be harassed at U.S. airports, I was conflicted. But now that decision was already made, and by somebody else. The "sins" of the father had been visited upon the sons.

Our saga began a month earlier when I arrived in New York on October 21, 2006. Having lived there before while earning my Ph.D. from the City University of New York, and having traveled there multiple times thereafter, I expected to be irritated, but nothing more. Even when I was sent to

the Homeland Security waiting room in JFK airport, I was not overly concerned. But after five hours, I began to realize that this went beyond the normal harassment. By the time I called the South African Consulate and some U.S. and South African officials, it was too late—the decision had already been made to revoke my visa and “deport” me. Soon I was escorted under armed guard to a plane bound for South Africa. But I never lost my cool. Partly, I think, because it was nearing the end of Ramadan, a period in which you are not only supposed to fast, but also to control your temper when daily challenges arise.

The U.S. furnished no reason for the revocation of my visa. Despite repeated inquiries and protests by me, South African officials, and U.S. organizations, to this day the U.S. has never explained itself. There were, however, several guesses. Some suggested that it was racial profiling. But when my wife and children’s visas were also revoked, this theory no longer seemed credible. Others, including some high-ranking public officials in South Africa, believe that it had to do with my involvement in anti-Iraq war demonstrations in 2003. Some suggested that photographs were taken of me addressing a rally in South Africa and downloaded into some kind of U.S. database. But there was never any confirmation of this theory from any official or department in the U.S.

Am I critic of the U.S. government? Absolutely. In addition to my active participation in anti-war demonstrations, I have been very critical both in my speeches and in my writing about American foreign policy in Africa and the Middle East. But I have also been equally critical of other governments—including my own. Is that a rationale for excluding me? I would hope not. Can you imagine if suddenly American academics and citizens were deported from South Africa because they criticized the government’s policies on HIV/AIDS? If our governments get in the habit of excluding academics, intellectuals, journalists, and citizens of other countries for ideological reasons, then we are on a slippery slope to the abrogation of all kinds of freedoms. Having lived in apartheid South Africa, I know what this means.

While I remain excluded from the U.S. without explanation, I continue to receive invitations to speak in the United States. Together with lawyers from the American Civil Liberties Union, I decided to re-apply for a visa. I was meant to speak at the American Sociological Association Conference in New York in August 2007, but was notified at the very last minute that my application would not be processed in time. To date I still have not heard anything about my visa application. As a result, with the help of the ACLU, U.S. organizations that have invited me to speak in the U.S.—the American Sociological Association, the American Association of University Professors, the American-Arab Anti-Discrimination Committee, and the Boston Coalition for

Palestinian Rights—filed a lawsuit today in federal district court to force the U.S. government to act on my visa and end its effort to block a free exchange of ideas.

Why do I fight to get into a country where its government obviously does not want me? My answer has always been threefold. First, I have said my relationship with the U.S. extends beyond its government. It is established through my relationships with American citizens. It is also constructed by my fond personal memories. My son, Irfan, was conceived there. When I came to defend my dissertation at the City University of New York two years later, I remember feeding ducks in Central Park with him. I remember Irfan’s love for riding the subway, which would lull him to sleep. I remember snow fights with Zidaan and Irfan in the middle of Manhattan a few years later. And all of us remember visiting Disney World in 2003. This is a country where we have memories and friends. It is part of our world and that should not be taken away by an arbitrary action of a public official.

Second, in my new job as the Deputy Vice-Chancellor of Research, Innovation, and Advancement at the University of Johannesburg, it would obviously be inconvenient for me to be barred from the U.S. It is where we have relationships with scholars, institutions, and donors. I routinely collaborate with U.S.-based scholars on academic projects. While my exclusion from the U.S. may not be debilitating, why should I be subjected to these inconveniences without any explanation from the U.S. government?

Finally, and perhaps even more importantly, this case symbolizes a broader struggle in our world. I am concerned, as many others are, at the rise of what I would call “chauvinistic identities” across the globe. We see these identities in nations like the U.S. and South Africa, where some define being American and South African in narrow racial and cultural terms. We see it in religious communities where some interpret being Muslim as having to hate a Jew and Christian, where to be Hindu must involve hating Christian and Muslim. We see it in linguistic divides where to speak French means to oppress one who speaks Dutch, where to speak Arabic means to reject Farsi. This has also led to increasing conflict between peoples and nations. It leads to bombing, and counter-bombing, wars and counter-wars, each feeding off each other in an ever-vicious cycle. All of this has occurred at a time when structural developments like globalization require collaboration on an unprecedented scale.

And this is what this case represents for me. It was filed on my behalf, a South African, by the ACLU and other U.S. organizations. The lawyers are American, the plaintiffs are Americans. The cause is the right of these Americans to hear and speak with a South African. We are not all of one

ideological persuasion. Many of those who have stood up on my behalf, I don't even know. What unites us is that we stand for principle.

And this is the fight of the future. The coming struggles for freedom will be played on the global plane and they would require progressives to build bridges and human solidarity across national, religious and ideological boundaries. Assisting in this struggle is what we can bequeath to our children. Fatima and I can leave Irfan and Zidaan assets, but these can always disappear. Principles will always be with them. At least when they think back in years to come, they can say that their old man and old lady stood up instead of folding, built bridges instead of dividing, stuck to principle instead of capitulating. They can say we were on the right side of their struggle for freedom.

HOFFMAN, *Continued from Page 2*

contends that the president possesses an authority to fight terrorism that allows for a temporary abrogation of civil liberties. Stephen Holmes maintains that the September 11 attacks were a successful attempt to provoke the United States into lashing out furiously against perceived terrorists. Robert Art, Louise Richardson, and Dan Byman offer detailed policy prescriptions for fighting terrorism. Art and Richardson (eds.) suggest that the keys to fighting terrorism successfully are good intelligence, coordination among security forces, and judicious use of force, while Byman posits that the most promising approach is an adaptive, patient, and comprehensive one. Finally, Darius Rejali debunks conventional wisdom that democracies do not engage in torture by presenting substantial evidence to the contrary.

CALL FOR SUBMISSIONS

“Democracy & Society” Volume 6, Issue 1

FRAGILE STATES,
U.S. FOREIGN
POLICY, AND THE NEXT
ADMINISTRATION

We are seeking well-written, interesting submissions of 800-2,000 words on the themes below. **Submissions for the issue are due Friday, September 5, 2008.**

From Africa, to the Middle East, to Asia, problems of state fragility have become an increasing focus of U.S. foreign policy. Fragile states can become the sources and sanctuaries for terrorists. These states are also vulnerable to civil conflicts which typically cause death, displacement, and destruction of national assets. Such conflicts often spread to neighboring countries, creating regional security and humanitarian crises.

Thus far, the response to state fragility and failure has been through post-conflict stabilization and “nation building” efforts on the part of foreign governments and international organizations to reconstitute the institutions of the state, usually beginning with democratic elections. The U.S. government, in particular, has begun to organize itself to engage more systematically in nation building with the creation of offices and programs in the Department of State, the Department of Defense, and, to a lesser extent, the Agency for International Development. The perceived failure of U.S. attempts at nation building in Iraq and Afghanistan, however, has made the concept controversial. At the same time, many of these countries are strategically important to the U.S. because they possess natural resources (e.g., Nigeria), hold nuclear weapons (e.g., Pakistan), and/or are located in regions that are strategically important to the U.S. (e.g., Lebanon). Consequently, the important question for the next administration is not whether to engage these countries but which ones and how.

This issue of Democracy and Society will analyze U.S. policy options in addressing the challenges of state fragility. We are interested in examining these subjects from the point of view of the U.S. and its allies as well as from the perspective of fragile states. We also welcome submissions that explore how international governmental organizations can influence these policies. Further, we are interested in writings that examine the mistakes and successes of previous attempts by the U.S. and other countries to strengthen failed states.

Please email submissions (MS Word preferred) to cdats06@gmail.com. APSA-formatted endnotes preferred. Please include your name, department or organization, title, and contact information.

For additional information, please visit <http://cdacs.georgetown.edu/newsletter.htm> or contact us at cdats06@gmail.com.

GIBSON, *Continued from Page 1*

The McCarthy period is notable as well because it stimulated social scientists to launch important studies of the intolerance of ordinary people. No such study is more renowned than that conducted by Samuel Stouffer (1955). Stouffer's research, based on interviews with representative national samples, focused on the degree to which ordinary people would put up with threatening political ideas. His results shocked many: of 4,933 respondents interviewed, only 113 people—a paltry 2.3%—would not restrict the activities and rights of an admitted Communist in some way. Local community leaders, on the other hand, expressed considerably less appetite for intolerance. Out of Stouffer's research emerged highly influential "elitist" theories of democracy (e.g., Bachrach 1967), as well as an intellectual concern that has persisted for 50 years about the causes and consequences of the intolerance of ordinary citizens.

The United States in the post-9/11 era is said by some observers to have entered a new period of McCarthyism. Critics point, for example, to such legislation as the Patriot Act as evidence that the spirit of the Republican Senator still casts a long shadow over the land (e.g., Baker and Kavanagh 2005). On its face, this claim seems unlikely to be true: Loyalty oaths are not today commonplace, no investigations have been launched into subversive influences

within powerful institutions such as Hollywood or the U.S. Army, and the number of people losing their jobs owing to their political views is not large (although nor is it zero). A reasonable view of public policy in the current period is that freedom has been restricted—especially for those without the protection of American citizenship—but that widespread political repression has not yet materialized. Nonetheless, an appreciable threat exists that more draconian restraints on political freedom will be put in place in the future, especially if there is another direct attack on American soil.

Social scientists have been slow to contribute to the debate over intolerance and repression in the contemporary United States (but see Davis 2007; see also Davis and Silver 2004 and Rasinski et al. 2002). How does the current period compare to the McCarthy past? How intolerant are Americans today? Is more or less freedom available to citizens than during the McCarthy era? To what degree is intolerance concentrated on particular groups or ideologies; is the contemporary period an example of what happens when intolerance becomes *focused* rather than *pluralistic* (e.g., Sullivan, Piereson, and Marcus 1982)? In short, how much freedom has been lost to 9/11, and whose freedom is being sacrificed today? The purpose of this article is to provide answers to these questions based primarily on nationally representative surveys conducted in 2005 and 1954 (Stouffer (1955)). In addition, since many of the same questions were put to a nationally representative sample in 1987 (e.g., Gibson 1992a), comparison is also made to that period of American politics.

The theory tested in considering these questions is that of pluralistic intolerance. This theory, developed by Sullivan, Piereson, and Marcus (1982; see also Gibson 1986, 1998), asserts that the likelihood that intolerance will be benign rises if it is unfocused (pluralistic). In the 1950s, intolerance was sharply focused on left-wing dissenters. Today, some suspect that intolerance is concentrated on Muslim extremists. To the extent that the enemies of the system are clearly defined—whomever that may be at any given moment in history—intolerance becomes concentrated and is likely to have pernicious consequences, such as the limitation of individual political freedom. Thus, this research, unlike most



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studies in the subfield, focuses upon the consequences of political intolerance for political freedom in a democratic political system.

The empirical portion of this analysis begins with an examination of the degree of political freedom existing today in comparison to Stouffer’s 1954 survey. Do Americans today perceive less freedom as being available to them, compared to the McCarthy era? The freedom assessed here is individual perceptions of liberty—the degree to which people feel that they can express their political views with relative impunity.... Although Communists no longer represent the threat that the Americans perceived in the early 1950s, the data provide some ability to compare contemporary levels of political intolerance with that of the 1950s. Throughout most of this analysis, interracial differences are hypothesized (and in fact discovered)....

POLITICAL FREEDOM, THEN AND NOW

... There are many ways in which levels of political freedom might be measured, as, for instance, in studies of the degree of freedom proclaimed by statutes and constitutions. Following Stouffer and others (e.g., Gibson 1992a), my approach here is to conceptualize freedom as an individual-level perception. From this viewpoint, the appropriate way to measure freedom is to ask individuals about the constraints they perceive on their ability to express their political views without repercussions from those around them or from the state.

Table 1 • Perceptions of Political Freedom, 1954–2005

	Year of Survey		
	1954	1987	2005
Which of these three views is closest to your own?			
All people feel as free to say what they think as they used to.	55.6	52.6	42.6
Some people do not feel as free to say what they think as they used to.	30.7	39.4	45.7
Hardly anybody feels as free to say what he thinks as he used to.	9.9	7.4	9.9
Don't Know	3.8	.5	1.8
Total	100%	100%	100%
N	4933	1218	995
What about you personally? Do you or don't you feel as free to speak your mind as you used to?			
Yes, as free	84.7	78.9	75.6
No, less free	13.4	20.5	24.1
Don't Know	1.9	.5	.3
Total	100%	100%	100%
N	4929	1219	993

Stouffer began his inquiry into perceived liberty in 1954 by asking the respondents to estimate the degree to which others enjoyed political freedom. The Stouffer items were

repeated on a national, face-to-face survey conducted in 1987 (see, for example, Gibson 1992a¹). A comparison of those two earlier surveys with the contemporary data is reported in Table 1.²

The data in this table provide some evidence that freedom, or least the perception of freedom, has actually *declined* in the United States since the McCarthy era. The percentage of respondents asserting that all people feel free was 55.6 in 1954, about the same in 1987, but 13 percentage points lower in 2005. The change from 1954 to 2005 is statistically and substantively significant.... By this accounting, freedom in the United States has clearly declined, even if not necessarily across-the-board, for all citizens.

Table 2 • Perceptions of Available Freedom, Specific Activities, 1987–2005

Action/Year	Percentages*					
	Not Allow	Uncertain	Allow	Mean**	Std. Dev.	N
Critical speech						
1987	33.8	1.7	64.5	3.43	1.31	1218
2005	30.8	.3	68.9	3.54	1.28	995
Public meetings						
1987	42.7	2.5	54.8	3.15	1.33	1218
2005	40.2	.9	58.9	3.25	1.34	995
Protest marches						
1987	38.2	2.7	59.1	3.24	1.31	1218
2005	32.5	.8	66.7	3.48	1.27	993

* Item percentages total to 100% (except for rounding error) across the three columns.

** The responses to these questions were collected on a five-point response set. The means reported here are based on the uncollapsed distributions.

Note: The questions read as follows:

Critical speech: Do you think the government would allow you to make a speech in public criticizing the actions of the government?

Public meetings: Do you think the government would allow you to organize public meetings to oppose the government?

Protest marches: Do you think the government would allow you to organize protest marches and demonstrations to oppose the actions of the government?

The respondents were also asked about whether they themselves feel free to speak their mind on political matters. The results are reported in the lower portion of Table 1. These data also support the conclusion that political freedom has diminished in the United States, although it must be noted that this is within the context of three-fourths of the American people claiming to feel free. Moreover, these data are perhaps most interesting for what they reveal about the McCarthy era: At the height of the Red Scare, nearly 85% of the American people asserted that they enjoyed freedom of speech. Thus, the repression of that era seems to have been sharply focused on (or at least felt by) a relatively small political minority, and perhaps had relatively limited consequences for the larger body politic. Today, the percentage feeling generally free is about 10 percentage points lower than in 1954....

Of course, a simple dichotomy responding to a single question constitutes a poor measure of the extent of political freedom in the United States. We therefore asked several additional questions in 2005 about perceived constraints on individual freedom (questions that were also used in the 1987 survey but not in 1954). The replies to these queries are reported in Table 2.

In 2005, substantial majorities of the American people believe that they would be allowed to engage in various types of political protest. Perhaps what is most surprising about these data, however, is the size of the minority believing the government restricts their political expression. Roughly four in 10 Americans, for instance, believe their government would not allow them to organize a public meeting to oppose the government. Only 52.0% of the respondents judge themselves free to engage in all three [types of political activities mentioned in the survey] (data not shown). This strikes me as a remarkably small percentage for an established democracy like the United States, especially in that the activities about which people were questioned are quite innocuous.

Some perspective can be gotten by comparing these data to the comparable survey conducted in 1987 (see also Table 2). The data reveal remarkable similarity across the two periods, with a slight tendency for Americans in 2005 to perceive more freedom available to them than in 1987. For example, in 1987, 38.2% of the American people felt that they would *not* be allowed to organize a protest march; by 2005, this figure declined by 5 to 6 percentage points to 32.5%. Perhaps the small amount of change the data reveal is located, however, in a particular subsegment of the overall population.

Table 3 • Perceived Political Freedom, Black and White Mass Publics

Action	Percentage Believing the Government Would Not Allow Them to	
	1987	2005
Organize public meetings		
Blacks	63.7	49.5
Whites	39.5	39.0
Organize protest marches/demonstrations		
Blacks	54.5	42.2
Whites	35.3	30.4
Make speech criticizing government actions		
Blacks	55.6	47.3
Whites	29.6	27.9

Source: 1987 data: Gibson 1992a, Table 2, p. 342.

An analysis of the 1987 survey (Gibson 1992a) revealed enormous racial differences in perceptions of freedom. So as to be able to compare the 2005 and 1987 findings, Table

3 reports the data from the contemporary period broken down by the race of the respondent.

The first observation to be made on the basis of Table 3 is that substantial racial differences still exist in perceived freedom in 2005. In each instance, African Americans perceive less freedom than whites, and the differences in percentages range roughly from 10 to 20%. The interracial contrasts are not as stark as they were in 1987, but they are still substantial.

On all three activities, black Americans perceive more political freedom today than they did in 1987. For instance, on whether they think they would be allowed to organize public meetings, 63.7% said they would not in 1987; only 49.5% believe they could not in 2005. This finding of increasing freedom among blacks stands in contrast to whites, who generally changed remarkably little in perceptions of freedom from 1987 until 2005.

SUMMARY

Overall, this portion of the analysis supports the following conclusions:

- A substantial proportion of the American people today perceive political freedom to be available to them.
- However, this proportion has *declined* since the days of McCarthy, and a nontrivial proportion of the population perceives significant constraints on their individual freedom.
- As in earlier findings from the 1980s, political freedom is strongly related to the race of the individual, with African Americans perceiving considerably less freedom than whites. The gap between blacks and whites has narrowed since 1987, but is still substantial. A remarkable percentage of African Americans do not feel free to express their political views in the contemporary United States.

POLITICAL INTOLERANCE: 1954-2005

Stouffer found that in 1954 virtually all Americans supported depriving admitted Communists of at least some of their political and civil liberties. From this vantage point, intolerance today could not be more widespread than it was in the days of McCarthy. Nonetheless, it is essential to try to measure and assess contemporary levels of intolerance in the United States.

How tolerant are the American people today? Unfortunately, answering this question is considerably more difficult in 2005 than it was in 1954. During the McCarthy era, the threat most Americans perceived came from the Left in

general and from Communists in particular. The Americans had just concluded a war with the Communists in North Korea; the Cold War with the Soviet Union was heating up (with the very real possibility of nuclear confrontation); and the elites in the United States focused their intolerance on Communists and their “fellow travelers” (e.g., Gibson 1988). To be sure, a wide variety of left-leaning non-Communists were scooped up in the indiscriminate allegations made by McCarthy and his allies (including, of course, Ronald Reagan and the Screen Actor’s Guild), but a consensus existed that the dominant threat to the American way of life was from Communists, domestic and international.

Politics is more complicated today, and therefore rather than asking people their views of preselected groups, it is prudent to allow the respondents to tell us which groups and ideas, if any, they find objectionable. The standard technology for accomplishing this is the “least liked” measurement strategy. Developed by Sullivan, Piereson, and Marcus (1982), this approach allows all respondents to identify groups/ideas they dislike. Tolerance and threat questions are then asked about these groups. Thus, although the nominal group about which the questions are framed varies for each respondent, the questions are “content controlled” in the sense that all individuals are queried about groups they find highly objectionable. The least liked approach to measuring intolerance has been used widely in tolerance research throughout the world (e.g., Gibson and Gouws 2003; Peffley and Rohrschneider 2003).

This approach to measuring intolerance therefore begins by asking the respondents to rate a variety of preselected groups in terms of how much they like or dislike the group. These affect questions were used in part as a means of getting the respondents to think broadly about groups, including those that might be considered by some to be on the fringes of American politics. The respondents were then told they could supplement this list with any other group they disliked a great deal. Next, they were asked to indicate which three groups from the supplemented list they disliked the most. The selected groups are shown in Table 4, as are the affect ratings (on a 1 through 11 scale) for each of the groups.

The most commonly disliked group in America today is the Ku Klux Klan, with slightly less than half of the respondents naming the Klan as most disliked, and almost three-fourths putting the KKK on the list of the three most disliked groups. Nazis were also widely named as among the most disliked groups, although they were considerably less likely to be identified as most disliked. Apart from the KKK and Nazis, no other group is targeted by a majority of Americans. Perhaps the single greatest surprise is that atheists (those who are against all religion and churches) would attract the ire of one in five Americans, a figure about equivalent to that for Communists and for those who would do away with elections and let the military run the country.

Is this distribution of groups “pluralistic”? From the frequencies of the most disliked groups alone, one might conclude that it is, since no single group captures the enmity of a majority of the American people. On the other hand, considering groups rated as among the *three most disliked* groups, a significant majority of Americans rate Klansmen and Nazis as among their three most disliked groups. Beyond these two groups, considerable dissensus emerges: only slightly more than one-third of the Americans rate Radical Muslims as among their most disliked groups (and Radical Muslims are disliked to the same degree that the Americans dislike atheists). After Muslims, not even one-fourth of the respondents are in agreement about their antipathy toward the groups. Given that the Ku Klux Klan and Nazi groups are hardly salient in contemporary American politics, one might conclude from these data that the distribution of group antipathy is pluralistic, with little agreement as to who the extremists are, except in the extreme.

The 2005 survey only asked the respondents to name their three most disliked groups. This does not mean, however, that other groups are not equally disliked. To investigate the breadth of groups highly disliked by the American people requires a few additional analytical steps.

Table 4 • Distribution of Highly Disliked Groups

Group	Group Affect*		Group Rankings			
	Mean	Std. Dev.	Most Disliked	2nd Most Disliked	3rd Most Disliked	Among 3 Most Disliked
Ku Klux Klan	1.71	1.36	43.7	17.6	12.2	71.3
Nazis	1.74	1.35	12.3	35.4	18.2	63.1
Radical Muslims	2.94	2.12	12.9	11.4	15.7	37.4
Atheists	2.95	2.17	6.4	7.4	8.7	21.4
Militarists	2.50	2.07	6.3	5.7	10.2	20.5
Communists	3.49	2.16	4.1	6.5	10.6	19.6
Gay Rights Activists	4.63	2.83	3.6	5.2	8.0	15.5
Proponents of Abortion	4.79	2.76	2.7	3.1	4.9	9.8
Opponents of Abortion	4.73	2.74	1.8	2.5	2.6	6.4
Christian Fundamentalists	5.46	2.36	1.4	1.9	2.0	5.0
Total			100.0	100.0	100.0	
N			949	929	809	

* The affect scale varies from 1 to 11, with high scores indicating greater positive affect. For the group affect ratings, the minimum number of valid respondents is 976.

Table 5 • Political Intolerance, 2005

Group/Activity	Percentages*			Mean**	Std. Dev.	N
	Tolerant	Uncertain	Intolerant			
Most Disliked Group						
Speak	35.8	6.6	57.5	3.45	1.28	971
Run for office	29.5	8.9	61.6	3.56	1.29	972
Demonstrate	29.2	11.1	59.7	3.56	1.20	972
Tolerance Index***	–	–	–	3.52	1.08	972
Another Highly Disliked Group						
Speak	41.3	7.3	51.4	3.26	1.23	960
Run for office	37.2	8.4	54.4	3.32	1.26	960
Demonstrate	33.2	9.3	57.4	1.18	3.42	962
Tolerance Index***	–	–	–	3.33	1.03	972

* Item percentages total to 100% (except for rounding error) across the three columns.

** The responses to these questions were collected on a five-point response set. The means reported here are based on the uncollapsed distributions.

*** This index is the mean of the responses to the three tolerance items for each of the two groups.

1. For each respondent, the maximum positive affect for any group within the three most disliked groups was identified.
2. Affect scores toward the other groups on the list (including any supplementary group nominated by the respondent) were compared to the maximum positive affect found among the three most disliked groups.
3. In counting the number of additional groups with affect scores equal to those of the three most liked disliked group, affect scores indicating neutrality or positive affect (which characterizes only nine respondents) have not been counted. In these instances, the number of tied groups was set equal to zero.

The result of this methodology is an indicator of the number of groups with affect scores as low or lower than the “most liked” group of the three most disliked groups. The distribution of this variable is as follows. Only 15.3% of the respondents did not rate a group outside the three-most disliked with an equally low level of affect. Thus, in some sense the three most disliked groups are distinctive. A total of 23.1% named *five or more* additional groups. The median number of groups named is 3 (with a mean of 2.9). Thus, by any accounting, the three most disliked groups people identify are far from unique. The three most disliked groups are generally highly disliked, but so too are *many other groups* active in American politics. Group antipathy in the United States is broadly distributed, a consequential finding to which I will return shortly.

Tolerance questions were asked with reference to two groups—the most disliked group and “another highly disliked group.” The latter is the third most disliked group if the respondent named one (71.2% of the respondents). If no third group was named, then the second most disliked group was used in the questions (23.1%). As will be dem-

onstrated in the analysis below, not much difference exists for most respondents between their perceptions and judgments of the two groups about which we asked.

The respondents were asked three tolerance questions about the most disliked group and what I refer to as another highly disliked group. Following theories of liberal democracy (e.g., Dahl 1971), and extant research on political intolerance (e.g., Gibson and Gouws 2003), the queries concerned whether these groups should be allowed to speak, demonstrate, and run as candidates for office. The results are reported in Table 5.

The data in this table document widespread political intolerance in the United States today. For each of the six questions, more than one-half of the respondents gave an intolerant reply to our query. Only something on the order of one-third of the respondents expressed a tolerant viewpoint. Little variation exists across the various activities, and surprisingly small differences can be found between the judgments of the most disliked group and another highly disliked group. Indeed, more than one-half of the sample (54.1%) gave no tolerant replies to the questions about the most disliked group; only a somewhat smaller percentage (44.5%) would tolerate none of these activities by the other highly disliked group (data not shown). By any accounting, intolerance appears to be fairly common in the United States.

As Table 4 revealed, Communists are not widely liked in the United States; only 5.2% of the respondents expressed any degree of positive affect toward Communists, although 21.5% held neutral views (data not shown). For 73.4% of the American people, Communists are disliked. As Table 4 also shows, however, only 19.6% of the Americans named Communists as among their three most disliked groups. From these data, direct comparison to the McCarthy era therefore does not seem feasible.

Table 6 • Political Tolerance, Fixed Groups, 2005

Group	Percentages*			Mean**	Std. Dev.	N
	Support Ban	Uncertain	Oppose Ban			
Radical Muslims	56.8	4.3	38.9	2.64	1.33	984
Atheists***	46.9	4.0	49.1	2.93	1.36	983
U.S. Communists	53.6	5.4	41.0	2.72	1.32	990
Religious Fundamentalists	39.1	8.3	52.6	3.11	1.22	984

Note: The question referred to a group that “wanted to hold public rallies and demonstrations in your community to advance their cause, but that the authorities decided to prohibit it,” and asked how the respondent would “react to such a ban by the authorities of a public demonstration” by the group.

* These percentages are based on collapsing strong support with ordinary support and strong opposition with ordinary opposition. The percentages total to 100 percent across the rows (except for rounding errors).

** High scores indicate greater degrees of tolerance. The means reported here are based on the uncollapsed distributions.

*** “Atheists” is the commonly used shorthand for the actual stimulus, which was “someone who is against all religion and churches.”

However, the 2005 survey also asked all respondents tolerance questions referring to four preselected groups. Table 6 reports the degree to which the American people are willing to tolerate demonstrations by these four groups. The question specifically asked about how the respondent would react to a decision by local authorities to ban a public demonstration by these various groups. The groups were selected to represent a variety of ideological points of view, with two groups (Communists and atheists) drawn from the leftward portion of the ideological continuum, and two groups (Radical Muslims and religious fundamentalists) representing the right. These groups vary in the degree to which the American people dislike them, with 79.6% expressing some antipathy toward atheists, 78.5% toward Radical Muslims, and 73.4% toward Communists, but only 39.1% disliking fundamentalists. These questions represent difficult tests of tolerance, since they explicitly posit that the authorities had decided not to allow the demonstration (although the questions do not indicate why). Therefore, a tolerant reply requires that the respondent go against that decision.

Table 6 reveals that about one-half of the American people would today support banning a demonstration by Communists. Their views toward Communists seem not to be unique, inasmuch as a roughly similar percentage would approve of a ban on demonstrations by Radical Muslims and even atheists (those who are against all religion and churches). Of the groups about which we asked, only religious fundamentalists are tolerated by a majority of the American people, although it should be strongly reiterated that these figures for each group include respondents who are actually sympathetic toward the group/idea (and therefore these questions are not a fair test of political tolerance). Only 28.9% of the American people would tolerate a demonstration by each of these four groups; 33.9% would tolerate none of the groups (data not shown).

SUMMARY

How common is intolerance in the United States today compared to the McCarthy era? In response to a question in 1954 about whether a Communist should be allowed to

give a speech, 68% of the American people replied “no.” In 2005, 54% would ban a Communist demonstration, and a roughly similar proportion would not allow a speech by their most disliked group or by another highly disliked group. Thus, the most appropriate conclusion is that intolerance is less widespread in 2005 than it was in 1954, although the level of intolerance of the American people today is still remarkably high.

THE CONNECTIONS BETWEEN FREEDOM AND INTOLERANCE IN THE UNITED STATES TODAY

...It is worthwhile to consider the types of Americans who perceive freedom and who are intolerant. Such an inquiry provides valuable evidence on whether “pluralistic intolerance” has any political consequences. This analysis focuses on the group sympathies of individuals and the degree to which they are associated with perceived freedom and political tolerance. For instance, one might hypothesize that those who express favorable views toward Radical Muslims perceive less freedom as being available to them, given the high level of antipathy toward Muslims in the United States.

...The group most unfree in the United States today is those holding sympathetic views toward Radical Muslims. Sympathizers with militarists and Communists are not far behind in perceiving constraints on their freedom. What is perhaps more interesting, however, is the relatively common constraints on freedom perceived by Christian Fundamentalists and by those who oppose abortion rights. More than one-half of these mainstream groups believe they cannot exercise full political freedom in the United States today. It is also noteworthy that the respondents *least likely* to perceive repression are those sympathetic toward Gay Rights Activists and atheists, groups that are fairly widely disliked in American politics. Certainly there is nothing in these data that suggests a dominant relationship between the degree to which radical views are espoused and perceptions of constraints on political freedom.

Perhaps the most unexpected of these findings is that so many Christian Fundamentalists perceive limits to their

political freedom. Explaining why requires some speculation. As Christian Fundamentalists have flexed their political muscles in recent times, they may have become disappointed at the degree to which government stands as an impediment to achieving their goals. From prayers in schools and at football games to the display of religious symbols on state-owned property, fundamentalists are often thwarted today by the government. Perhaps the relationship reported here can be understood as a function of the degree of demand made on the public space. As groups demand more—as expectations rise—they are more likely to see government as unresponsive...

...Only a minority of the American people would support banning a demonstration by Christian Fundamentalists, yet supporters of Christian Fundamentalists perceive substantial constraints on their freedom. I take this as evidence that for the pernicious consequences of intolerance to materialize it is *not* necessary that a majority of the people be intolerant (as is implicitly assumed by the subtheory of pluralistic intolerance). Where significant pockets of intolerance exist, many citizens become fearful that even minority intolerance can be consequential, and they fear for their political freedom...

It is noteworthy that at both the micro—and macrolevels, a strong relationship exists between the perception that one's liberty is restricted and political intolerance. Although based on only 10 groups (but confirmed as well at the microlevel), the correlation between group sympathizers' intolerance and perceptions of restraints on their freedom is .65: those who feel more unfree are likely to be more intolerant. The nature of the causal relationship between these two attitudes cannot be dissected—perhaps because they perceive themselves as not having freedom, it is easier to justify denying freedom to others—but a close connection exists between perceptions that the government *should deny* civil liberties to disliked groups and that it *does deny* civil liberties to groups to which one is favorably predisposed...

CONCLUSION

The subtheory of pluralistic intolerance is undoubtedly too simplistic to be able to account for the mobilization of intolerance into repression; many other factors are surely involved. Majority opposition to an idea or a group seems not to be necessary for dissidents to fear for their individual freedom. Perhaps from a policy-making viewpoint, whether the majority supports repression is important. But from the perspective of cultural constraints on freedom, it seems to matter much less whether a majority, or just a significant number of people, would not tolerate political activity by a group. Is the United States embarking on a new era of rampant intolerance and political repression, mimicking McCarthyism? Perhaps not. But even in the absence of widespread, focused intolerance, the unwillingness to

allow minority viewpoints to be expressed and advocated appears to be pernicious.

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ENDNOTES

- 1 The Freedom and Tolerance Survey (Study # 9454) is available from ICPSR.
- 2 This research is based on a nationally representative sample interviewed face-to-face during the summer of 2005.... A total of 1,001 interviews was completed, with a response rate of 40.03%.... Samples such as this have a margin of error of approximately $\pm 3.08\%$.

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American beliefs and three assertions about American responses to terrorism that reflect "conventional wisdom" as frequently cited by politicians, journalists and scholars. We find that since the terrorist attacks of September 11, 2001, Americans are remarkably more pragmatic, resilient and optimistic than conventional wisdom might lead one to believe. Our findings have important implications for understanding how and why democratic states and the people within them interpret and respond to terrorism and other transnational threats.

BELIEFS AND PERCEPTIONS

A common assertion is that, insofar as national and personal security is concerned, 9/11 changed everything in the United States. It immediately displaced the confidence and optimism that was notable during the 1990s as the Cold War ended, and created in its place an atmosphere of fear, much pessimism about the future, and a pervasive rally around the flag effect of reliance on and trust in government to determine and carry out whatever was needed to restore the nation's security. This sea change in America's sense of its own security may have been predominant in the weeks and months after 9/11, but the characteristics outlined above continue to be reflected only in a very small portion of the population (3-6%). This population is, not surprisingly, over-represented by those directly involved in, or closely connected to people directly involved in, the attacks. Now that six years have passed, our data suggest that it is more accurate to claim that the 9/11 attacks did not change everything for the vast majority of Americans. Indeed, as of December 2006, approximately 94% of the American public had gone on with their lives and were reporting little or no physical or psychological impacts related to 9/11. This finding challenges a number of more specific—and very common—assertions.

"Americans live in fear of the next attack"

The American public recognizes that the threat of terrorism is real, but on the whole it is not afraid. Instead, our survey shows that Americans are realistic in assessing the risk posed by terrorism, but at the same time they appreciate that the likelihood that a future attack will impact their families and communities directly is small. With men and women responding in similar ways, 82% of Americans believe that the threat of terrorism against the United States is either medium or high, and 31% believe that there is a better than 50/50 chance the U.S. will be attacked in the next two years. Thus, the threat to the nation is widely recognized. But the threat of terrorism has not triggered a general fear—less than 2% of Americans report be-

ing scared, or have recently felt a sense of terror. Women, younger people, and poor people tend to be slightly more fearful than others, but overall more than half (57%) of Americans believe that there is less than a 10% chance that someone close to them will be hurt by terrorism in the next two years. This effect is independent of political party affiliation, perceptions of the president or his actions, religion, or education.

“Americans are pessimistic about the future”

Americans acknowledge uncertainty and recognize many reasons to be cautious, but they also tend to be optimistic and to have a positive outlook on the future. The majority of Americans (57%) believe that neither their personal security (57%) nor national security (45%) is likely to improve in the next decade. Nonetheless, the vast majority of people have very positive self-assessments (97% of people believe they have a wide range of positive personal attributes). Moreover, they tend to believe that others are basically good (66%) and helpful (65%) and that the world is a good place (59%). These effects are independent of gender, and though Republicans, older and more educated people are slightly more optimistic relative to others, the results are broad-based. Most importantly, perhaps, Americans’ personal economic outlook is also positive, and Americans believe they can make the future better. Indeed, 54% of the population believes that if people took preventive actions, most misfortune could be avoided.

“We trust in government to protect us”

In a recent editorial, Zbigniew Brzezinski makes the following argument about the War on Terror that the government has conducted since 2001: “Constant reference to a ‘war on terror’ did accomplish one major objective: it stimulated the emergence of a culture of fear. Fear obscures reason, intensifies emotions, and makes it easier for demagogic politicians to mobilize the public on behalf of the policies they want to pursue. The war of choice in Iraq could never have gained the congressional support it got without the psychological linkage between the shock of 9/11 and the postulated existence of Iraqi weapons of mass destruction The sense of a pervasive but otherwise imprecise danger was thus channeled in a politically expedient direction by the mobilizing appeal of being ‘at war’” (2007). This interpretation is echoed by scholars such as John Mueller (2006) and journalists such as Naomi Klein (2007). But while electoral results in 2002, 2004, and 2006 may suggest that the American public has given the government a broad mandate enabling an aggressive approach to intelligence gathering at home and abroad, and to the conduct of foreign and security policy, our research shows very little support of this government policy.

In fact, the American public gives the national government very poor marks for most of its response to 9/11, as well as for its preparedness for future terrorist and for environmental and other disasters. Partisanship is strong here, with 48% of Democrats and 22% of Republicans reporting little or no satisfaction in the national government’s actions abroad in response to terrorism since 9/11. Americans are also distrustful of the information the government provides and the motives driving political actions in response to crises. Fully 64% of the respondents distrust information about 9/11 provided by their democratically elected government, and 49% believe that national politicians have exploited information about 9/11 for political or partisan advantage.

People are also very pragmatic about the dangers of terrorism. 55% of the respondents give the U.S. a less than 10% chance to win the global war on terror in the next two years. It would appear that this administration-defining phrase, the “war on terror,” is increasingly at odds with public perceptions. When one considers how vague the phrase is, and the widely studied reluctance to go to war that is hallmark of liberal democracies (Doyle 1983), it is not surprising that public support of a war against an ill-defined enemy representing a transnational and perennial threat would prove hard to sustain. Americans are simultaneously becoming aware of the costs of the military campaigns in Afghanistan, Iraq, and elsewhere, and creating an empirically-grounded context in which to situate the threat of terrorism. Our data suggest a nation that sees terrorism as a real but elusive threat, a threat that must be addressed but that does not pose the sort of personal or national security risk that justifies a protracted war.

Further evidence of the eroding support for government policy is that, according to our survey, only 30% of Americans believe that U.S. actions abroad have decreased the threat of terrorism since 9/11. The nation is a little bit more optimistic about national preparedness, although still only 44% believe the U.S. is better able to defend itself or respond in the event of a terrorist attack than it was before 9/11. People are also very realistic or demanding in their assessment of the government’s response to Hurricane Katrina. Even fewer Americans believe that the country is now better able to defend itself against the next environmental disaster (20%) or respond to it after the fact (28%) than it is to a terrorist attack.

These measures find support in other polls conducted in 2007 that show a majority of Americans believe that the nation is in danger of another major attack, but generally feel that the Bush administration has not addressed this threat effectively and, in particular, that the war in Iraq has backfired, creating more terrorists likely to target the United States (Polling Report. com, 2008).

BEHAVIORAL CHANGES

Many experts have argued that 9/11 exposed the way in which American democracy is particularly vulnerable to terrorists and other nefarious actors who can use political and economic openness against us (Kessler 2007). This observation has generated a heated debate over the extent to which Americans are prepared to reduce freedom for a higher level of security at home and their support for aggressive, unilateral actions abroad.

“Security trumps liberty”

One of the most intense political debates around the war on terrorism concerns identifying the proper balance between security and freedom. People appreciate that security may be bolstered by intrusive actions such as intelligence gathering, but that the value of this is virtually impossible for the public to assess. They also know that information obtained secretly can be used for other purposes including ones that benefit or harm particular interests. A key issue, of course, is who decides and on what basis: the president, Congress, the courts, or the upper echelons of our security apparatus? Although this debate has flourished since 9/11 (Posner and Vermeule, 2007), our survey suggests that terrorism may not have introduced a new area of concern likely to change people’s earlier positions. This is because most people believe that the threat of terrorism is not extraordinary; in fact, 87% of Americans say they do not feel a need for heightened vigilance after 9/11.

Today, less than half (42%) of respondents are willing to support a policy that requires them to trade off civil liberties even if it has the potential to improve security against terrorism. The willingness to make such a sacrifice is strongly biased towards Republicans and people who feel positive about the president and his policies — 55% of Republicans and 33% of Democrats would be willing to sacrifice civil liberties. It appears, then, that the initial outpouring of support for policies that support more aggressive intelligence gathering has not been sustained, and on this issue the country is back to where it was before — pragmatic but divided on where to strike the balance between liberty and security.

An interesting related finding is that Americans today attach a great value to self-reliance. Half of the American public (50%) believes that if people take preventive actions, most misfortune could be avoided. In the age of large-scale terrorism and natural disaster, Americans continue to see the actions they take themselves — in their homes and in their communities — as vital to the nation’s security.

“Use force and act alone if necessary”

While Americans appreciate the value of diplomacy they are not afraid to use force. Almost half of the American public (42%) was satisfied with the U.S. military response to 9/11, yet the same proportion of Americans argues that the U.S. government used too little diplomacy. Americans are much less comfortable acting alone. Sixty-four percent of people agree that the U.S. benefits from acting in cooperation with others, and only 11% of respondents agree with the statement that the U.S. benefits from acting alone in response to security threats.

These issues are driven by partisanship. The majority of Republicans (55%) believe that the United States used too much diplomacy and the majority of Democrats (58%) think it used too little. Similarly, over half of Republicans felt that the U.S. used about the right amount of force (54%), while only one-third of Democrats posit the same (33%). Finally, two-thirds of Republicans (66%) thought the amount of domestic counter-terrorist activity was about right, less than half of Democrats (45%) felt the same. Although most men and women thought that the domestic response was about right (49% and 59% respectively), more men than women thought too much was done (26% and 15%, respectively).

“But, once in a fight, Americans lack stamina and are unwilling to bear the costs necessary to get the job done”

The American public has mixed views of the economic, human, and long-duration costs of fighting in Iraq, but it is more willing to bear these costs than is generally expected. About one-third of the American public expresses indifference when asked whether U.S. policy in Iraq should be altered due to rising financial costs (33%), casualties (30%), or duration (30%). Overall, only 29% agree that Iraq policy should be changed to rising financial costs. And, when asked about specific numbers, only 2% of Republicans and 4% of Democrats support the withdrawal of troops even when financial costs of the war to the taxpayers exceed \$500 billion. Slightly more people agree that U.S. policy should be altered due to rising numbers of casualties (41%) or extended duration of the conflict (40%), but a sizable number of people disagree. More than a quarter of the public (26% and 28%, respectively) say that policy should not be altered due to rising casualties or the extended duration of the conflict. Furthermore, when asked about specific numbers, less than 3% of Republicans and 3% of Democrats support altering policy when more than 10,000 Americans have been killed. Political support for U.S. policy objectives split along party lines, with 63% of Republicans and only 36% of Democrats supporting the goal of staying in Iraq until stability has been restored and only 7% of Republicans and 13% of Democrats argue that U.S. troops should

be withdrawn after five years. Yet, contrary to much campaign rhetoric, many Americans (47%) are willing to keep the troops in place until U.S. goals are achieved.

CONCLUSION

Osama Bin Laden (2004) asserts, “We are continuing this policy in bleeding America to the point of bankruptcy... al-Qaida spent \$500,000 on the event, while America, in the incident and its aftermath, lost—according to the lowest estimate—more than \$500 billion.”

Rudolph Giuliani (2007) warns, “We have to remind ourselves that we are facing an enemy that is planning all over this world, and it turns out it is planning inside our country, to come here and kill us.”

Fareed Zakaria (2007) argues that, “At the heart of this behavior is fear. Americans have become scared of the new world that is emerging around them.”

Our survey results reveals a sharp disconnect between assertions like these and the views of the American people. On the whole, Americans are not afraid of terrorism. The policy responses crafted in the aftermath of the 9/11 attacks are no longer in synch with the perceptions and beliefs of Americans today. Indeed, policies implemented during the crisis period immediately following the 9/11 attacks are being carefully interrogated by the American public. Both the legality and efficacy of many post-9/11 policies are now being carefully—and critically—evaluated, and it is unsurprising that a desire for “change” is dominating the current campaign for presidential nominees. Typical of the citizens of a democracy, Americans want to make sure that investments in counter-terrorism and homeland security provide a good security return on investment, and do not crowd out needed investments in education, healthcare, and Social Security. Americans, like the citizens of other democracies, can be mobilized in the face of external threats and do not shy away from a just fight because of high human, financial, or duration costs. But there is much less support for policies that call for sacrificing basic civil liberties in order to provide better security.² And, six years after 9/11, Americans express great optimism about themselves and the world, continue to attach great value to the use of diplomacy, and generally recognize the benefits of working with others to counter external threats.

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FOOTNOTES

- 1 Richard Matthew, George Shambaugh and Roxanne Silver are co-principal investigators on this NSF-funded project entitled "Societal Implications of Individual Differences in Response to Turbulence: The Case of Terrorism." The research team includes Scott Blum, Paloma Gonzalez, Bryan McDonald, and Michael Poulin. Our team collected data on a nationally representative sample of U.S. adults (N=1613, 73.5% response rate) during a 3-week period (December 28, 2006 - January 18, 2007) using an anonymous Web-based survey methodology. The survey participants were adult members of a nationally representative, Web-enabled research panel established by Knowledge Networks, Inc. (KN), who were randomly selected from those individuals who had been on the panel for less than six months and invited to participate in our research.
- 2 For further discussion, see Matthew and Shambaugh (2005).

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Democracy & Society

Book Reviews

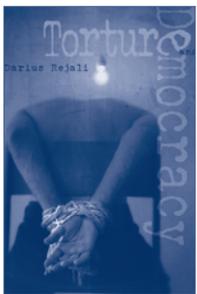
Democracy & Society



- *Torture and Democracy* by Darius Rejali
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■ *Torture and Democracy* by Darius Rejali

REVIEW BY SHANA TABAK, JD student at Georgetown University Law School



Throughout America's courtrooms, a witness is asked to raise her right hand and to swear an oath in court. This image is as emblematic as any of democratic society and of due process in a court of law. The origin of this practice, however, stems from a less dignified past. In early America, torture was used as a civic marker. A letter, branded into one's right palm,

indicated the crime a disgraced citizen had committed so that when he raised his hand in the courtroom, all would know whether he was a blasphemer (B), slave stealer (S) or malefactor (M). An oath of honesty in a court of law traces its origins to the scarring of the body—a form of torture that reflects just one of the many linkages between torture and democracy Darius Rejali explores in his timely book, *Torture and Democracy*.

The concept of torture may initially seem incongruous with basic values of democracy. Yet the central thesis of Rejali's book, contrary to what we might expect, is that democratic

pressures have had a huge influence on the development of torture. He argues that the pressure of international monitoring mechanisms, generated by human rights and civil society groups in democracies, was the impetus for torturers' shift from techniques that leave scars to techniques that are "clean."

Today's academic, legal, and policy circles are rife with debate on torture. Rejali claims, however, that, "analysts cannot study torture when clean historical data are absent, and those that do often generate misleading and unreliable explanations. They rely too much on national memories and over-generalize from single cases, muddying the waters" (Rejali, p. 264). Rejali's consolidation of the available data on torture is certainly an admirable and relevant task. What is especially provocative and essential about Rejali's scholarship is that he forces readers to retreat from the minutiae of political debates surrounding torture and asks us to examine the larger contextual picture. He offers a compelling argument that in forgetting that democracies promoted the development of clean torture techniques, democracies may have also forgotten some other very salient facts about torture.

Much of the book is dedicated to correcting the historical fallacy that most torture originated in Nazi Germany or Russia, and then, to examining the evolution of every torture

method imaginable. Rejali demonstrates, for example, that long before the rise of the Nazis, the French were honing torture techniques throughout their colonial empire. French techniques utilized in combating Algerian resistance in 1950 did not imitate Nazi torture techniques, yet mimicked those used by the French in 1930's Vietnam. These methods include such "clean" techniques as electro-torture and water torture. The Gestapo typically used neither of these methods (except for Gestapo agents in France), as the Nazis were apparently not concerned with international monitors or with the post-torture condition of their victims.

The implications of Rejali's thesis reach far beyond whether a victim of torture has physical scars to show for his suffering. Torture that leaves no marks makes pursuing accountability all the more difficult. When there are no visible scars, a victim's word may remain perpetually dubious. And torturers and human rights advocates alike agree that torture without marks is no less damaging to a victim; torture is most influential when it reaches beyond the body and touches the mind.

Another implication of the connection between democracy and torture is the existence of a cultural amnesia surrounding torture. The history of global torture that Rejali provides raises a profound question: if democracies have managed to either forget or willfully ignore the interplay between torture and democracy, what else about torture might our society be forgetting or willfully ignoring?

Rejali offers a number of disturbing answers to this question, derived from his meticulous research on the topic, that are relevant to contemporary debates about the utility of torture. Too easily, we forget the effect of pain on the body, and that it can diminish a person's capacity to reliably recall information. Or that for decades guerilla groups have trained members to withstand torture for twenty-four hours, the length of time after which all relevant information is changed. This practice implies a need for speedy torture, which contradicts one of the principles all expert torturers know: good torture hinges on fear, generated over stretches of time. We also forget that torture may forfeit as many lives as it may save, if the information elicited is inaccurate. Rejali calls to mind the 2003 invasion of Iraq, justified using information that Saddam Hussein was training Al-Qaeda in the use of biological and chemical weapons. This information, ultimately proven false, was elicited by CIA coercion as recently confirmed by the Pentagon.

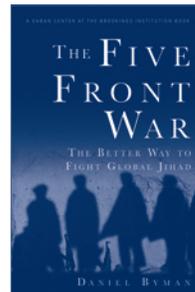
Readers will gravitate to this book for a multitude of purposes. Some will be fascinated by the gory details of the techniques, others will benefit from the political analysis offered—the last five chapters are particularly relevant—but many will lack the stomach for chapters entitled "Water, Sleep and Spice," or "Singing the World Electric." With chapters organized by torture technique, the book occa-

sionally feels repetitive and disjointed; it may even elicit in readers a macabre sensation of torture-tourism. The bulk of his data may not interest all readers, and oddly, the book lacks statistical analysis or other methodology that might buttress Rejali's claims.

These shortcomings do not undermine the book's important message that democracies across the world would do well to question some basic assumptions about torture. Most importantly, it calls into question the most dangerous of these assumptions: the misperception that torture necessarily saves lives. Rejali's book is a valuable contribution toward understanding the relevance of an ancient practice that has continued to flourish in modern society. He offers a mammoth amount of historical data on torture, a debunking of the notion that democracies share none of the blame for its proliferation, and a damning analysis of torture's implications for democratic society.

■ *The Five Front War: The Better Way to Fight Global Jihad* by Daniel Byman

REVIEW BY MATTHEW SCHMIDT, Ph.D. candidate in Government at Georgetown University



The Five Front War lays out both a prescriptive and proscriptive narrative of the global terrorist threat, arguing that anything less than an adaptive, patient, and holistic response is counterproductive. The first two fronts of the war are the military role in combating terror networks and what Byman calls the "war of ideas," which he argues should seek to "go negative" on the jihadists themselves by stressing the brutality of their methods within the broader Muslim world rather than try fruitlessly to convince skeptics of the benevolence of American policy. The last three fronts are gathering actionable intelligence on terrorist cells, managing and bolstering homeland defense in the U.S., and reassessing American support for democracy-building in the Middle East.

Byman's discussion of this last front offers an excellent example of his approach throughout the book. Byman does not reflexively call for a retreat from the U.S. policy of democracy promotion. "We should rethink—but not abandon—the goal of spreading democracy," he says, but we also must "recognize the limits of reform." He argues that America should "bolster [democracy] where it is *already* occurring," but heed the possibility that nascent democratic institutions may just as likely vote into power the very same thugocracies and terrorist-regimes the institution of democratic vehicles was intended to undermine (p. 4, emphasis mine).

The book's strongest parts are the middle sections, where Byman steps away from his role as policy advisor and instead takes the reader into the world of counterterrorism as it is actually conducted. His description of the difficulty of tracking Bin Ladin, and of the ethics of targeted assassination, is as riveting as it is heartbreaking. But his discussion of the mostly mundane aspects of the war on terror is the book's best lesson. Byman's reminder that human longings to be with one's family are the same among terrorists as among the rest of us is valuable in two ways. First, it humanizes the enemy and adds strength to his earlier arguments for not overplaying the direct use of U.S. military power in the war. Second, it is an inherent part of his analysis of how effective counterintelligence and counterterrorism works. Simply put, the daily grind of life as a jihadist gets lonely, and, over time, one of the most successful tools in finding and arresting or killing the enemy is exploiting the moments when they break operational code to contact loved ones. Byman notes that Britain's MI-5 service tries to turn suspected terrorists at key points in their lives such as at marriage or the birth of children. Indeed, rationalizing with a suspect about informing on a cell in exchange for the opportunity to stay out of prison and watch their children grow, for example, is one of the most effective interrogation techniques used. This analysis should give pause to those who argue for more punitive methods.

Indeed, one of the best anecdotes Byman brings to the reader is the story of the terrorist "prom" held by the group Black September, which was responsible for the 1972 Munich Olympic attacks. As much credit has been given to the role played by the Mossad's campaign to hunt down the responsible parties, Byman is more convinced by Bruce Hoffman's argument that key figures in the larger Fatah movement wanted to disband the operations wing of the party and seek a political approach. They did this by arranging a soiree in Beirut between the young-buck militants and a group of star-struck Palestinian beauties who saw them as heroes. By marrying them off, and even providing a bonus payment for couples who bore children quickly, the core leadership of the terrorist organization adopted the same kind of approach to achieving their internal aim as the British pursued from without in order to achieve theirs. Both simply relied on the mundane truth that the supposed romance of the jihadi life would quickly fade.

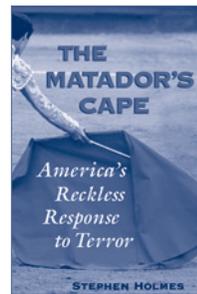
Finally, there is Byman's chapter on what this all means for the war in Iraq. The answer he gives is plain, stark, and unforgiving: "in 2003, almost none of the Iraqis shooting at U.S. soldiers had jihadist beliefs. . . . Over time, however. . . the invasion has made Bin Ladin and the broader movement stronger" (p. 227). The prescriptive part, to wage a carefully balanced, five-front war that relies heavily on the use of allies and indirect force, is the mark of a writer honest enough to say that there are no easy answers to the

problem of Iraq. It is clear that in a perfect world Byman would like to see U.S. forces withdrawn and the war ended, but he knows that withdrawal brings with it a set of dangers equal to staying. Chief among those dangers is the threat of instability in Iraq spreading elsewhere through refugee flows into neighboring states.

The Five Front War may not offer a one-off answer to the problem of global jihad, but there is none, and by making a strong and clear case for a tempered and multifaceted approach Byman reminds us that the Hippocratic Oath should be well heeded by policymakers too: first, do no harm.

■ *The Matador's Cape: America's Reckless Response to Terror* by Stephen Holmes

REVIEW BY RYAN WINGER, MPP Student at Georgetown Public Policy Institute



Shedding new light on seminal events in modern history about which volumes have already been written is no easy task—particularly when these events are etched deeply and divisively in the public mind. Such is the challenge Stephen Holmes confronts in his collection of essays, published together for the first time in *The Matador's Cape: America's Reckless Response to Terror*. Spanning from the time before the attacks of 9/11 to the current chaos in Iraq, Holmes dissects the motives, tactics, and messages employed by both sides in the "War on Terror," providing a deeply psychological look at the struggle. In the process, he avoids both platitudes and partisan moralizing and presents perhaps one of the most objective, nuanced, and thoughtful assessments of America's post-9/11 foreign policy.

The book's metaphorical title, based on Holmes' assertion that the 9/11 attack was meant as a lure—like the cape used by a matador—to prod America into lashing out furiously and irrationally at her perceived provocateur, provides the basis upon which he builds his argument. Holmes explains how this happened in the four sections of his book: "The Terrorist Enigma," which focuses on the motivations behind terrorism; "Show of Force," which details how U.S. military preeminence greatly determined the response to the attacks; "False Templates," which examines the misuse and repackaging of outdated Cold-War philosophical systems; and "Waiving the Rules," which looks at the assault on legal principles after 9/11.

One of Holmes' greatest strengths is that he avoids overgeneralizations and conspiracy theories. He rejects the simplis-

tic explanation that the Iraq War was planned and executed behind closed doors by an exclusive group of empire-building, “revolutionary utopians” affiliated with the Project for a New American Century. He suggests instead that a confluence of “disjoined ends” motivated American leaders to go to war. At a minimum, these ends included the desire to intimidate rogue regimes with military superiority, to “finish the job” that began with Operation Desert Storm, to reenergize traumatized voters after 9/11, to increase Executive and Office of the Secretary of Defense power, to weaken OPEC and increase oil output, to battle moral relativism at home by fighting “evil” abroad, and to surreptitiously relocate troops stationed in Saudi Arabia to a new regional base. According to Holmes, this “ad-hoc coalition” of supporters of the invasion, trumpeting only a “cacophony of aims,” was incapable of reaching agreement on much else besides their myopic vision of military dominance.

Although he demonstrates remarkably clear-headed reasoning and dispassionate analysis, Holmes does not mince words about the Bush administration’s incompetence. He cites Secretaries of State Rice and Powell’s “pedestrian minds and perhaps deferential personalities,” President Bush’s “visceral craving for blood revenge” and desire to be a “warrior president,” and the general “self-stultifying loss of knowledge” caused by “blocking out doubt, dissent, and complexity.” He does not limit scathing criticism to political leaders, but extends it to several of his peers. He chides Samuel Huntington for advocating “xenophobic tribalism” in promoting his “clash of civilizations,” and scolds Robert Kagan for his wrongheaded, “emotionally-charged mythology” about European weakness versus American power. Nevertheless, one gets the impression upon reading his essays that Holmes’ objections are not mere personal attacks or intellectual posturing—they are rooted in his rejection of the tendency to simplify a multidimensional, contingent political universe.

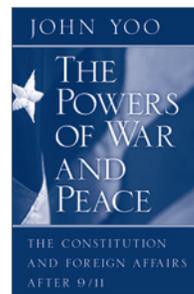
Holmes digs deep into intellectual currents, weaving arguments out of Hume, Hobbes, Camus, Simmel, Nietzsche, Aristotle, Conrad, Tocqueville, and others. While impressive intellectually, the book is hindered by its structure and format. Because all of the chapters have been previously published in different journals, they form a mosaic that leaves certain subjects well-explored and others lacking clarity. Furthermore, in many chapters Holmes is reviewing his peers’ recent works. Thus, we get Holmes’ reading of James Mann or Geoffrey Stone, but we miss out on purely original thought.

Looking through Holmes’ lens, one sees a complex, realistic, and, above all, *believable* picture of the confluence of massive miscalculation, unhealthy illusions, incoherent policy, and disastrous policy feedbacks that bring us where we are today. Holmes strives to avoid the pitfalls of over-simplification and grand narrative building. In doing so he succeeds in get-

ting beyond right and left, into the very real human threads out of which this decade’s seminal events have been spun.

■ *The Powers of War and Peace: The Constitution and Foreign Affairs After 9/11* by John Yoo

BY PETER HAWORTH, Ph.D. student in Government at Georgetown University



In *The Powers of War and Peace*, John Yoo aggressively engages the constitutional issues of War Powers, Treaty Powers, and international agreements related to domestic lawmaking. Yoo argues that the “practice” of presidents wielding significant control over war and treaty-making is well supported by the “original understanding” of the Constitution (pp. 7-11). This thesis appears

questionable, however, when one considers how his conclusions about war powers and the relation of treaty-making to federalism are undermined by the “original understanding” criteria that he accepts and employs in his analysis.

According to Yoo, the Framers of the Constitution sought to emulate the British system, which placed traditional executive powers like those concerning warfare, treaties, and other foreign affairs “in the hands of the king” (pp. 18-19; see also pp. 11-21, 30-54, 89, 143-172, and 183-198). Furthermore, in arguing that presidential control over war-making (checked only by congressional control over military funding) is the original understanding of the Constitution (Article II, Section 1), Yoo ultimately relies on the Virginia ratifying convention (pp. 140-141). He argues that Virginia approved the Constitution in response to the arguments of James Madison and George Nicholas, which did *not* rely on Congress’ Article I, Section 8 power to “Declare War.” This reasoning suggests that Congress’ “Declare War” power was not necessary for authorizing the president to engage in warfare activities (pp. 138-141).

Yoo’s conclusions about war powers give undue weight to the Virginia convention. Even after accounting for Yoo’s observations about the importance of Virginia (its central geography, its provision of important statesman, the impressive Federalist victory over the Antifederalists) (pp. 107 and 131-132, and 140-141), this state was still just one of thirteen possible (and equally-weighted) votes for ratification and only one of the nine possible votes necessary for enacting the Constitution. Yoo believes that examining the state “ratifying conventions” is important for ascertaining the Constitution’s original meaning as they gave the Constitution “its life” (p. 107). Consequently, how each one could affect ratification of the Constitution should deter-

mine the degree to which that state's convention is relevant for ascertaining original understanding. As each state had an equal vote for enacting the Constitution, each one thus seems relevant for this inquiry. Even if we grant that Virginia had a more significant impact on ratification than some of the other states, it seems implausible to assume (as Yoo appears to do) that one can ascertain the Constitution's original meaning from an analysis of this state's convention alone. Once we recognize this reality, it becomes difficult to discard evidence from other states conventions that demonstrate intent to delegate war powers to Congress. Article I, Section 8 was understood to mean that Congress and not the president is primarily responsible for deciding whether to initiate war. This alternative thesis, which contradicts Yoo's own, is supported by Federalists comments like those of James Wilson during the Pennsylvania convention: "This system will not hurry us into war...It will not be in the power of a single man...for the important power of declaring war is vested in the legislature at large..." (p. 120).

Furthermore, Yoo's treatment of treaty powers seems even more problematic in light of the original understanding jurisprudence. Although he is keen to argue that significant presidential control over developing, interpreting, and terminating treaties does not threaten separation of powers, he fully embraces treaty-making as a means for overcoming federalism and the limitations set on national power by the Tenth Amendment, which mandates that "[t]he powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people" (Kutler p. 751 and Yoo p. 227). In doing so, Yoo accepts the very dubious Supreme Court precedent set by Justice Holmes' opinion in *Missouri v. Holland* (1920) where he argued that Treaty Power effectively trumps the Tenth Amendment's protection of the states' "reserved" powers (p. 278). What is notable about Justice Holmes' opinion is his criteria that constitutionally-protected state powers only include those that do not interfere with "a national interest of very nearly the first magnitude" (e.g., the protection of birds in Missouri provided for by the Migratory Bird Treaty Act of 1918) (Sullivan and Gunther pp. 238-239). If protecting migratory birds is a sufficient "national interest" that justifies removing relevant state powers from the umbrella-protection provided by the Tenth Amendment, then it may be immensely difficult to identify any meaningful state powers that are so protected. Conceivably there exist countless other such national interests that could be advanced through the Treaty Power. Such a standard renders Tenth Amendment protection vacuous and, hence, makes it utterly at odds with the original understanding of its role in ensuring that national governmental powers do not exceed their purely delegated and very limited nature (Charles Cooper, "Reserve Powers of the States," In Meese, et al., pp. 371-374). Since Yoo relies on

this questionable standard in *Missouri*, his analysis seems to contradict his own acceptance of original understanding.

Even with the above criticisms in mind, readers should regard John Yoo's *The Powers of War and Peace* as an impressive presentation of Constitutional theory. Although the book's conclusions may falter due to Yoo's mistaken ascertainment of the Constitution's original understanding, many readers will still find it sufficiently educational and worthy of their time.

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■ *Democracy and Counterterrorism: Lessons from the Past* edited by Robert J. Art and Louise Richardson

REVIEW BY REGINA MARTINEZ, *Masters of Economics and Public Policy* candidate at Georgetown University



Democracy and Counterterrorism is an analysis of how democratic states have fought terrorism in the past and the lessons that can be derived to confront terrorism today. The landscape of terrorism has changed significantly in the last 10 years, and the current threats faced by the United States and its allies have altered our lives in many ways. The main contribution of *Democracy and Counterterrorism* is the comprehensive approach with which terrorism is assessed; it undertakes a rigorous comparative study of counterterrorism, both cross-national and cross-temporal, from which realistic conclusions are drawn.

Robert J. Art and Louise Richardson have brought together an impressive cast of academics and policy analysts to analyze the successes and failures in counterterrorism. The 14 case studies cover 13 democratic states and 16 major groups that have used terror tactics against these states during the last 40 years. The editors did not include authoritarian regimes among the cases because democracies face more constraints in their ability to deploy military force domestically. As for the terrorist group selection, the edi-

tors include the largest and longest-lasting terrorist organizations, which comprise revolutionary, ethno nationalist, and religious groups. The Fuerzas Armadas Revolucionarias de Colombia (FARC) against Colombia, the Partido Comunista del Peru (“Sendero Luminoso”) against Peru, the Kurdistan Workers’ Party (PKK) against Turkey, the Irish Republican Army (IRA) against the United Kingdom, and the Groupe Islamique Arme (GIA) against France are some examples. The case studies include countries from Europe, Latin America, and Asia, some of which succeeded in bringing terrorism to an end, such as the IRA in the UK, the FALN in Venezuela, and the GIA in France, and some of which failed, like the Chechen rebels in Russia, Hizbullah in Israel, and the FARC in Colombia.

The book highlights a number of considerations in each of the cases that suggest how countries might design future counterterrorism policies. The respective expert for each case describes and assesses the different measures used by the governments, which include political, legislative and judicial, and security ones. Not all of the 13 countries employed every of the tactics defined in the book, and each government had its own particular way of utilizing the ones they chose. Also, the experts demonstrate that there is no direct causality between the measure employed and the outcome because terrorism is a complex issue that requires a multifaceted response.

However, the central tenet of the book is that governments confronting terrorism today have the opportunity to learn from the successes and failures of others. The editors believe that governments should learn from the past because, given the possibility for terrorists to use more destructive weapons, the stakes today are higher. The first lesson emerging from the cases is that the use of good intelligence services is necessary to know your enemy. The recent trends in terrorist techniques demand a deep coordination of international intelligence as a crucial ingredient for any successful counterterrorist strategy. Second, the coordination of actions of various national security forces is important and necessary. In Colombia, for example, a weak state was unable to coordinate its forces, resulting in freewheeling paramilitary groups—often with only tenuous relations to the government—leading their own counterterrorism campaigns. In contrast, the successful coordination of government action across law enforcement, intelligence, and the judiciary was the action most conducive to French success against the GIA. Third, the discriminating use of force, as the brutal and unrestrained Turkish military campaign against the PKK illustrates, is not recommended because it usually has the opposite effects to those intended; it makes martyrs of terrorists, increases the number of casualties, rallies the flow of recruits to the terrorist organization and reduces the citizen’s confidence in the government. Finally, the cases demonstrate how valuable international coopera-

tion at both the political and military levels can be. Foreign governments frequently complicate the task of a state dealing with its terrorist threat—Syria and Iran’s support of Hizbullah, for example, increased the terrorist movement’s strength against Israel, while Pakistan and France were safe havens for Kashmiri and ETA separatists, respectively—and such behavior from neighbor countries could be prevented with an effective international cooperation.

The last section in the book is devoted to America’s current terrorist challenge and to applying the lessons drawn from these experiences to help the U.S. combat current threats from al Qaeda and its affiliates. The authors believe in the positive application of these lessons to the U.S., despite the unique characteristics of jihadist terrorism, which combines international reach, extensive financial support, and technological sophistication with the will to inflict large numbers of non-combatant casualties. They consider, though, that the measures employed in previous cases can be adjusted to the new situation because al Qaeda and its affiliates, like other terrorist groups, need to operate under enormous uncertainty, recruit committed volunteers, execute successful attacks, and retain passive supporters among the population in the regions they operate in order to ensure its organizational survival, financially, and militarily. Thus, al Qaeda cells are susceptible to the counterterrorism techniques other governments have previously used, but these techniques should be adapted to the specific characteristics of the international jihadist network.

What is missing from the book, though, is an analysis of the extent to which these measures have already been applied by the U.S. government, an assessment of the results, and a proposal on how to modify them to make these measures more effective. Nonetheless, the book leaves the reader with a profound understanding of the counterterrorist policies applied in the most recent cases of terrorism and with a hope that a solution to terrorism and preserving democratic freedoms is possible. The way is long and hard, but with the use of coordinated and forward-looking policies, the security of our society can improved.

MEROLA, *Continued from Page 9*

its overall usage of emotion, as it was forced by events to substantively alter the nature of its coverage.

On the whole, though, the visual medium's coverage of civil liberties issues has retained its essential character as a primarily emotive discourse. Indeed, there is no suggestion here that the stories featured on NBC contained so little emotion that they resembled pre-9/11 newspaper discourse. There is also no suggestion that either medium has asked information consumers to take a "sober second thought" through their news coverage. As mentioned earlier in this section, both sources significantly decreased their use of language suggestive of cognitive processing in the years directly following 9/11. Further, *The New York Times*—long thought to be one of the most elite sources of news in the nation—has risen to meet the visual medium in the amount of emotion communicated to those who read it.

CONCLUSION

The post-9/11 period has brought with it significant changes in our public discourse related to the propriety of maintaining our national commitment to robust civil liberties. Given the evidence presented by prior survey-experimental work in the field of political tolerance, subtle yet influential changes in the information processing suggestions encountered by the U.S. public with respect to civil liberties may profoundly effect public support for political tolerance, a core component of our political culture and a necessity within a heterogeneous democratic society. Both samples of print and broadcast media display evidence of such changes which may decrease public support for expansive civil liberties. A more specific understanding of the content of information communicated to the American public in the years following 9/11 may aid scholars in understanding the changes that have occurred and in assessing the long-term impact of the terror threat. Further, research related to the content of terror and threat information may also aid our understanding of the mechanisms by which terror and crisis impact public support for civil liberties, a goal particularly important as we continue to confront the dismaying possibility of future attacks.

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NOTES

- 1 Post-hoc contrast tests were conducted utilizing the Bonferroni procedure in order to adjust significance levels for the fact that multiple comparisons are being made.
- 2 Cognitive terms in the diction program include "modes of discovery (learn, deliberate, consider, compare) and domains of study (biology, psychology, logic, economics). The dictionary includes mental challenges (question, forget, re-examine, paradoxes), institutional learning practices (graduation, teaching, classrooms), as well as three forms of intellection: intuitional (invent, perceive, speculate, interpret), rationalistic (estimate, examine, reasonable, strategies), and calculative (diagnose, analyze, software, fact-finding) (Hart 2000, 248)."
- 3 A limited internet search displays over 300 articles on civil liberties topics within *The New York Times* during this time period. It is very likely that an exhaustive search would reveal many more.
- 4 Some previous studies have demonstrated that coverage of terrorist events on television is primarily episodic in nature (Altheide, 1987). However, an essential element of such episodic coverage (a personal focus) has been largely impossible in the post-9/11 world. Further, the majority of the post-9/11 coverage in the U.S. (after the time period directly following the attacks) has dealt with the threat of terrorism, rather than the reporting about a specific terrorist event.



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