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ACKNOWLEDGEMENT

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MISSION STATEMENT

The University of Washington Journal of Political Science is an undergraduate, student-led journal established in 2024. The mission of the UWJPS is to give students a place and opportunity to showcase their exceptional work. It is also the goal of the UWJPS to cultivate conversation and engagement with a variety of significant events and topics in the field of political science and beyond.

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Letter From the Editor

Dear reader,

We are excited to present the third and final issue of Volume I of the University of Washington Journal of Political Science (UWJPS). The UWJPS is a student-run publication featuring exemplary scholarly research by undergraduate students in the field of Political Science. Our mission is to provide a platform for students to share their work with the student body, general public, and the broader political science community. In founding this journal, our goal was to foster dialogue, critical thought, and engagement on a wide range of political issues.

We are living in an era of uncertainty, shaped by complex political, social, and global challenges. Now more than ever, it is essential to engage in meaningful conversations, exchange ideas, and seek a deeper understanding through research and discussion. UWJPS exists to facilitate this engagement, providing a platform where students can contribute to important debates and challenge prevailing narratives with thoughtful, rigorous analysis.

This issue reflects that vision, showcasing a diverse range of research on key political themes. From the balance of power in the U.S. judicial system and global geopolitical competition to pressing domestic concerns like maternal health, our authors explore some of the most urgent issues of our time. The intersection of politics, media, and culture is also examined, with a focus on the role of social media and pop culture in shaping public discourse. Additionally, this issue delves into the topic of authoritarianism and shifting political ideologies, offering valuable insights into both U.S. and international political dynamics. We are deeply grateful to our brilliant authors for trusting us with their exceptional work.

As my term as Editor-in-Chief of UWJPS comes to a close, I find myself reflecting on an incredible year of growth, challenges, and accomplishments. What started as a little idea, has grown into something truly remarkable. I am immensely proud of our team, the work we have done, and the excellent undergraduate research we have published in Volume I. This year, we not only strengthened the foundations of UWJPS but also expanded our team, welcoming new staff who will carry this publication forward. I am grateful for each and every person who has contributed to this journey, from those who were with us at the beginning to those who have recently joined.

I would also like to extend my deepest gratitude to Professor Rachel Cichowski, Professor and Chair of the Political Science Department, and Professor James D. Long, Professor and Associate Chair of the Political Science Department for their invaluable guidance and support throughout this process. Additionally, I want to thank our Departmental Advisor, Daniel Ayala Robles, for his unwavering encouragement and advocacy since the beginning of this project. His support gave me the confidence to turn this idea into a reality.

Founding and leading UWJPS has truly been an honor, and I am excited to see the continued impact this publication will have. To my team—thank you for your dedication, resilience, and belief in this project. The future of UWJPS is bright because of all of you.

On that note, we are thrilled to present Volume I, Issue 3. We hope you find the research thought-provoking and engaging, and we thank our authors and editors for their hard work in bringing this issue to life.

Sincerely,



Zoe Stylianides
Founder and Editor-in-Chief

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Long Form Student Research

Non-Enforcement as a Check on the Judicial Branch of the United States

By Luke VanHouten

Abstract

The executive branch of the United States is vested with the power to enforce judicial rulings through the Department of Justice (DOJ). They likewise have the power to refuse to enforce judicial rulings, which serves as a powerful check on the judiciary's power due to a lack of many other rigid checks. In this paper, I identify numerous instances where the non-enforcement of legal rulings was either used or threatened by the executive, such as by Presidents Jefferson, Jackson, Lincoln, F.D. Roosevelt, and Trump; as well as by state and local executives (along with how the federal executive branch responded to these). Non-enforcement is rare; it requires for the branches to be in conflict, for the judiciary to not practice restraint to avoid this conflict, for the executive to not use other checks on the judiciary, and in some cases for there to be some indication that higher courts will later overrule the non-enforced precedent in question.

Introduction

In the first few weeks of his second term, President Donald Trump announced a freeze on federal aid spending for open grants as one of his first actions of his second term (Hurley 2025). United States District Judge Loren AliKhan promptly issued a temporary restraining order on Trump's Office of Management and Budget (OMB) memorandum on the issue, stating that time was needed for the judiciary to identify whether the action was unconstitutional (Schonfeld 2025). The OMB then rescinded the memo, but the freeze on grants continued without any of the promised funds being released following the injunction (Raymond 2025; Barnes 2025). The DOJ defended this move by stating that the rescission of the memo made AliKhan's decision moot, even though the intention of her ruling was to limit any funding freezes from the executive, which has since continued. This non-enforcement of AliKhan's injunction serves as a check on her authority and the judicial supremacy of the court system, even if Trump is overreaching by freezing the funding. AliKhan promptly extended the injunction, but once again could not force the Trump administration to enforce it, and some of the funds have remained frozen. By March, the Supreme Court ruled against Trump's blockage of foreign aid, but they have not yet touched upon the issue of domestic spending (*Department of State v. AIDS Vaccine Advocacy Coalition* 2025, 1).

The independence of the judiciary in the

United States of America is key to the separation of powers between the branches of the federal government, and its relationship with the other branches stands out as unique. Unlike with the judiciary, the checks and balances between the executive and the legislature are well-defined through veto power, advice and consent, and other clauses. The necessity of their separation is not necessarily a requirement for a healthy democracy, as evidenced by the success of Westminster systems of parliament throughout the world where the two branches are mixed, such as in the United Kingdom or Canada. Meanwhile, the judiciary does not share such rigid checks and balances with the other branches, outside of amendments to the Constitution, which are extremely difficult to pass (Shesol 2010, 154-155). The notion of an independent judiciary is best supported by judicial review and the norm of judicial supremacy, which are implied by the Constitution but not delineated explicitly (Levinson and Balkin 2003, 262, 270n39; Klarman 2001, 1116). Historically, this has led to a great deal of controversy with regards to how the judiciary's power can be curbed when it appears to overreach, or when in disagreement with the other branches.

I argue that a significant check on the judiciary's power has been non-enforcement of its rulings by the executive. The executive's command of the DOJ and its Federal Marshals –the enforcers of judicial decisions– provides the institutional support for this check. For non-enforcement to occur, the ideological goals and the political strategy of the

executive and the judiciary cannot be aligned, which has shown to be relatively uncommon throughout American history. The judiciary will often use restraint with respect to non-enforcement to avoid conflict with the executive in order to ensure its own self-preservation; this, too, makes non-enforcement rare (Snyder 2022, 612). The practice of non-enforcement is often labeled by the public as the key marker of a constitutional crisis, but the practice has been at times used without the sanctity of the Constitution being harmed (Swan 2017; Schlesinger 1945, 89-98; Finkelman 2006, 12). This paper will provide a comprehensive overview of the political landscape that allows for such an ill-defined check to exist, as well as numerous cases where it has been attempted to be used, with varying success.

The Rarity of Non-Enforcement

Despite non-enforcement being a viable check on the judiciary, it is rarely used explicitly by the executive. Prior to Trump's second inauguration, Chief Justice John Roberts warned the president against using the strategy (Fritze 2024). This warning was warranted as executive non-enforcement can be used to consolidate executive power, or at the very least to enforce a politician's own personal views (as is often the case with President Trump). But non-enforcement is not always so malicious. When it comes to upholding liberal democracy, the greatest incentive for the check is when the judiciary makes a ruling that is morally objectionable, such as those that infringe on civil rights and liberties. The Constitution itself takes great strides to protect these rights through its amendments, so a court decision that would warrant this righteous non-enforcement would also be a poor decision on legal grounds. But cases that are objectionable (such as those a part of the Court's anticanon, which is limited to only a few cases) or not legally sound are rare. The Library of Congress lists only two hundred thirty six Supreme Court cases that overruled a previous case from the Court, while the Court has issued nearly thirty thousand decisions since 1791 (Library of Congress 2024; Washington University 2024). This makes the rate of overruling a previous decision approximately 0.8%. Hence, non-enforcement of objectionable decisions is rare because there are simply too few

objectionable decisions that would lead to a refusal to enforce the decision. Non-enforcement is also rare because it is uncommon for the executive and the judiciary to be misaligned. Most of the division comes from the volatility between the executive and the legislature, while the Supreme Court has only shifted on party lines five or six times since 1789. While the Senate has the responsibility of advice and consent, the President bears most of the responsibility for determining the composition of the Supreme Court by who they nominate. A president would thus be unlikely to refuse to enforce a ruling from a justice or court makeup they helped develop. It is to be expected that the branch that has the most power to shape the Court will be more aligned with it politically. The two branches have only been divided 37% of the time since 1789 (at the per month level). States can also refuse to enforce the judiciary as well, but tracking the partisan breakdowns between all facets of state governments and the entire judiciary is much more difficult than simply comparing the president and the Court.

Outside of a lack of partisan division, the self-preservation of both the judiciary and the executive, along with their political gamesmanship, contribute to the rarity of executive non-enforcement. As will be shown in the subsequent case studies, many conflicts involving the Court where non-enforcement was a possibility were resolved through either a decision ceding power to the opposing executive or by the Court simply refusing to enforce the ruling by their own volition. As members of a countermajoritarian institution made up of a select number of individuals with far more political power proportional to other members of the federal government, Supreme Court justices are incentivized to ensure their survivability by any means through this power, such as how they rule on issues and how they intend for the executive to enforce those rulings (Shesol 2010, 53; Graber 1993, 70-72). Likewise, the executive seeks to preserve its legitimacy by respecting the Court's *norm* of judicial supremacy, which gives the judiciary the sole power to interpret the Constitution, a power maintained by their own self-preservation (Haines [1914] 1959, 27-28). For example, Woodrow Wilson made regulating child labor a goal preceding his 1916 reelection campaign, but the Court struck down the resulting legislation in *Hammer v. Dagenhart* two years later because of its

reliance on the Interstate Commerce Clause (Trattner 1970, 125, 130-131, 136). A subsequent bill based on the executive's war powers was also ruled unconstitutional, and Wilson failed to end child labor (Trattner 1970, 138-142). He did not obstruct the ruling, despite it being morally objectionable, in large part to the norm of judicial supremacy. Had he directed his lame duck executive to enforce the planned regulation in spite of the Court's remanding, the resulting norm violation would have surely resulted in political embarrassment for the rapidly redeveloping Democratic Party of the early 20th century. Still, norms such as judicial supremacy can be ignored when the executive does in fact have the political capital to exert this non-enforcement successfully.

The Weakness of Judicial Supremacy

The ability for non-enforcement to be a cohesive check on the judiciary rests on the weakness of judicial review and the norm of judicial supremacy that it entails. An early interpretation of judicial review is that it is an implied power vested to the judiciary by Article III of the United States Constitution, which states that "judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution" (US Constitution, art. 3, sec. 2). The practice entered into Supreme Court use in 1803 with *Marbury v. Madison*, where Chief Justice John Marshall opined that the Republican James Madison refusing to deliver a commission of judgeship to Federalist William Marbury – issued by Marshall himself – was illegal, and that the Constitution's expressed jurisdiction of the judiciary had been violated by parts of the Judiciary Act of 1789 (Levinson and Balkin 2003, 256-259, 278). Even before *Marbury*, judicial review had existed in lower courts leading up to and following the ratification of the Constitution, and the practice was even debated at length during the Constitutional Convention (Klarman 2001, 1113-1115). Invalidations of state laws by the judiciary were commonly met with legislative opposition, such as threats of impeachment of judges, as the norm of judicial supremacy was not as established prior to the Constitution (Klarman 2001, 1113-1115; Haines [1914] 1959, 88-121). *Marbury* was likewise born out of Marshall's fear of being impeached by Jefferson if he were to order Marbury's judgeship

commission be delivered (Levinson and Balkin 2003, 259). The Chief Justice's political gamesmanship enabled for the Court to properly rebut against the other branches, but did not qualify judicial review as a novel idea, nor one that could be enforced in totality (Klarman 2001, 1116-1123, 1158-1159). Indeed, Marbury never received his commission, because Marshall did not require Madison to follow out his original orders, knowing that they would surely be ignored (Klarman 2001, 1123). While Marshall prevented Jefferson from ignoring any order of commission, *Marbury* did not permanently protect the judiciary as a whole from non-enforcement, as evidenced by its later use. Following *Marbury*, the Marshall Court continued to practice restraint as Jefferson's camp continued their crusades against Federalist judgeships and potential non-enforcement (Klarman 2001, 1124, 1151-1152). The Court waited until 1810 to overturn a state law for the first time in *Fletcher v. Peck*, and the subsequent case overturning federal law was not until 1857 in the notorious *Dred Scott v. Sandford*, which overturned the Missouri Compromise (Klarman 2001, 1125, 1125n63, 1125n64; Finkelman 2006, 12, 47). I will now look at a variety of case studies regarding different views and actions taken on non-enforcement by both federal and state executives.

Presidential Case Studies

Andrew Jackson

President Andrew Jackson was one of the earliest proponents of non-enforcement, often illustrated by the apocryphal quote "John Marshall has made his decision; now let him enforce it!" Andrew Jackson's non-enforcement of Supreme Court decisions rests less with *Worcester v. Georgia* than the exclamation lets on (Warren 1922, 219, 219n1; Miles 1973, 519). The facts of the case embodied the attack on Native American rights that prevailed throughout Jacksonian democracy, and concerned whether states could regulate the ability for non-Natives to live on Native lands (Warren 1922 189-191, 213; Miles 1973, 536; Klarman 2001, 1175-1176). Missionaries Samuel Worcester and Dr. Elizur Butler wished to live on Cherokee lands for proselytizing purposes, but were barred from doing so by Georgia state law because they refused to

obtain the proper licensing. Worcester protested, arguing that the law prevented the Cherokee tribe from having sovereignty over their own territory, but he was arrested anyway (Miles 1973, 521-523). The case made it to the Supreme Court, and Marshall ruled that the relationship between the U.S. government and the Native tribes was exclusive, that the state law Worcester was challenging was thus unconstitutional, and that Worcester and his compatriots should be freed from prison (Warren 1922, 215-216). The case was remanded to the Georgia state courts for reversal on these grounds (Miles 1973, 527). Jackson, meanwhile, had been moving against Cherokee sovereignty through his Indian Removal Acts, and wrote subsequent to the ruling that the Court lacked the power to force Georgia to comply (Miles 1973, 520, 528; Klarman 2001, 1175-1176). Justice Joseph Story predicted that the president would not enforce the decision unless pressured by the northern states (Warren 1922, 216-217). Associate Justice John McLean invited a delegation of Cherokee leadership to his home in Washington, D.C. to explain to them that the ruling would not immediately help with their sovereignty, so long as the Georgia legislature continued their stance (Miles 1973, 530). The Court and Marshall, continuing the same restraint of the Jefferson-era decisions, did not compel Jackson to enforce the decision (Warren 1922, 219). Georgia Governor Wilson Lumpkin refused to enforce the ruling, and would only grant a pardon to the missionaries if they admitted they had broken the law, which they would not do because the Court had ruled it unconstitutional; they instead decided to appeal to the Court once more (Miles 1973, 520, 531-532, 535). In the aftermath of the Nullification Crisis, a political conflict involving South Carolina and Georgia over the enforcement of Jackson's tariffs, Worcester and Butler thought the continued fight would lead to the degradation of the union (Miles 1973, 538, 542-543). They dropped their appeal over the non-enforcement, and were freed by Lumpkin in exchange (Miles 1973, 541). Marshall's political strategy of not forcing Jackson's hand to explicitly refuse to enforce the ruling demonstrates why non-enforcement is so rare, as the trade-off between a large battle over the judiciary as opposed to simply letting things play out is more beneficial than not to the judiciary.

The Bank War that developed immediately

following *Worcester* did exemplify the executive explicitly refusing to enforce the words of the judiciary (Warren 1922, 221-222). In *McCulloch v. Maryland* (1819), Marshall affirmed the constitutionality of Congress establishing the Second Bank of the United States through the Necessary and Proper clause (Klarman 2001, 1129). When Congress passed the rechartering of the bank in 1832 (despite it expiring in 1836), Jackson vetoed the bill (Schlesinger 1945, 86-92). His opposition to the bank embodied the entirety of the populism of Jacksonian democracy that led to his power (Schlesinger 1945, 77-79). To Jackson and his supporters, the bank represented the corruption of the establishment, while the common farmer and laborer suffered economically in the meantime. The legacy of *McCulloch* had superseded simply the bank issue, as it greatly emboldened Congress with other powers relating to the Necessary and Proper clause, while Marshall's words still maintained the constitutionality of the bank (Klarman 2001, 1126, 1129-1130). Jackson, in line with his populism, viewed the Court and Congress as institutions that should not supersede public will and that the executive could be independent from them (Schlesinger 1945, 485n3-486n3). Any defense of the Second Bank, or an attack on Jackson's ability to remove it, should then be ignored in this view, because the "authority of the Supreme Court must not, therefore, be permitted to control the Congress or the Executive when acting in their legislative capacities" (Warren 1922, 221-222). *McCulloch* was not necessarily a case of judicial activism as Jackson describes, because the constitutionality of the bank was uncontroversial in 1819, but his reason for non-enforcement clearly served as a check on the judiciary (Klarman 2001, 1129, 1137; Schlesinger 1945, 81). To the Jacksonian populists that hated the bank, the president's non-enforcement of the judiciary through his veto was morally justifiable because *McCulloch* was such an objectionable decision to them.

Abraham Lincoln

John Locke famously argued that an executive could surely result in exceptional acts of power in times of crises, such as war, because the branches were simply too slow to act (Schlesinger [1973] 2004, 8). The Civil War provided President

Lincoln with a situation where this overreach was necessary to end the war and maintain the integrity of the union (Schlesinger [1973] 2004, 60-61). Immediately following the Confederate attack on Fort Sumter, Lincoln moved to suspend writs of habeas corpus in the areas surrounding the District of Columbia, which allowed for those suspected of Confederate sympathies to be arrested and held without due process (which the writs normally help guarantee) (Donald 1995, 298-299). Chief Justice Roger Taney himself issued such a writ following this suspension to John Merryman, who had been arrested for being a secessionist in Maryland. Following the issuance, Taney authored *Ex parte Merryman* to repudiate Lincoln's ability to suspend habeas (Donald 1995, 299, 304). The Constitution establishes a right to suspend habeas in Article I (which is concerned with the legislature), but does not specifically state who specifically can perform this action (US Constitution, art. 1, sec. 9; Donald 1995, 303-304). Taney did not believe that Lincoln had this power, and Congress was unwilling to suspend habeas by their own accord (Donald 1995, 305). But Lincoln was not concerned with constitutionality when it came to preserving the integrity of the union (and thus quelling the secessionists), so he ignored Taney. The suspensions of habeas continued in greater number and scope well into the Civil War, culminating in a nationwide suspension (Donald 1995, 304). Lincoln's non-enforcement of the Court greatly hurt the Confederacy as thousands of secessionists were arrested in the absence of habeas; Lincoln viewed Taney's opposition to this objectionable, hence why he was ignored.

Taney's decision in *Dred Scott v. Sandford* also served as a catalyst for non-enforcement on Lincoln's part. *Dred Scott* was the preeminent institutional support of slavery leading up to and during the war (Donald 1995, 199-202, Finkelman 2006, 4). Abolitionist Senator Charles Sumner claimed Jackson's non-enforcement of the judiciary during the Bank War as justification for *Dred Scott* to be ignored, because it was a morally objectionable decision (Schlesinger 1945, 485-486). Yet the decision was issued prior to Lincoln's presidency, and the facts of the case itself became most pertinent to his 1858 senate campaign as well as his first presidential campaign (Donald

1995, 205-210, 232-233). The Emancipation Proclamation was Lincoln's wartime answer to slavery and *Dred Scott*, preceding the Thirteenth Amendment by two years (Finkelman 2006, 12; Donald 1995, 374-377, 405-408). Amendments are the most obvious check on Court power, but their rarity makes them a pragmatic impossibility; the relevant amendment was only signed by the southern states when their defeat was an inevitability (Shesol 2010, 154; Donald 1995, 554-563). The Proclamation directed the government to refuse to enforce the institution of slavery, and thus *Dred Scott*, by freeing those enslaved. It was served in a military context by Lincoln, enabling non-enforcement of *Dred Scott* under the Lockean view. (Schlesinger [1973] 2004, 60, 63). While he considered the Proclamation itself to be unconstitutional, he understood the role of Commander in Chief as allowing him to exceed typical executive power in times of war, such as with non-enforcement and generous interpretations of the Constitution (Schlesinger [1973] 2004, 62-63).

While freeing the slaves was the morally righteous choice, Lincoln had been more preoccupied with the issue of slavery continuing the degradation of the union, so issuing the Proclamation would thus do the opposite (Finkelman 2006, 46-47). Yet, the war did not sufficiently provide Lincoln with other opportunities to refuse to enforce the Taney Court (Schlesinger [1973] 2004, 64). Outside of *Dred Scott*, the Court under Lincoln operated similarly as it had under Marshall, hoping to avoid political conflict. Lincoln's initial blockade of Confederate forces in 1861 was upheld by the Court in *Prize Cases*, even with Taney dissenting (Schlesinger [1973] 2004, 64-65). The Court did not rule on the unconstitutionality of his actions until 1866's *Ex parte Milligan* (concerning Lincoln's suspension of the writ of habeas corpus and whether those who had been arrested as a result), well after Lincoln's assassination and the end of the war (Schlesinger [1973] 2004, 69-70, 378). Johnson, given his opposition to Reconstruction, would not be one to refuse to enforce Taney's rebuttal of Lincoln, and the prisoner in question was freed (Shesol 2010, 58; Schlesinger [1973] 2004, 69).

Franklin D. Roosevelt

President Franklin D. Roosevelt's relationship with the judiciary transformed greatly throughout his long presidency. By the time of his death, seven of the justices on the Supreme Court had been appointed by Roosevelt, alongside having elevated Harlan Fiske Stone to the chief justice seat (Shesol 2010, 519). But none of these had come in the first four-and-a-half years of his presidency, and as he attempted to institute his New Deal policy to curb the Great Depression throughout his first term, he was consistently met with opposition by the Court (Shesol 2010, 2-3, 519). The last hurrah of the Republican-entrenched Court following Reconstruction, the conservative judiciary struck down federal and state cases alike to limit the Roosevelt coalition's power to promote labor reforms and to pass legislation regulating interstate commerce (Shesol 2010, 88-92, 149). Roosevelt sought to curb the Court's power and to eliminate the *Lochner* era judicial activism promoting rugged economic liberty (that was antithetical to the needed reforms of the New Deal), so non-enforcement of the judiciary was on the cards at different times throughout the battle (Shesol 2010, 29-31, 99, 205). Leading up to the Gold Clause Cases of early 1935, a series of decisions concerning Roosevelt's ability to stringently regulate the gold standard (which had in part caused the Depression), the president publicly stated that if the Court were to rule against his orders, he could outright defy the ruling and institute the federal regulations anyways (Shesol 2010, 93-100). The Court narrowly upheld the regulations, and Roosevelt backed off, although the media still likened the situation to Jackson's fabled stand (Shesol 2010, 100-105). The issue of non-enforcement arose again following *United States v. Butler* in early 1936, which ruled Roosevelt's federal subsidizing of agriculture unconstitutional because this, in accordance with *Lochner* era jurisprudence, was solely a state matter (Shesol 2010, 184-185, 203). Roosevelt refusing to enforce the Court's decisions could be seen as a righteous effort, as the Court attack against the New Deal was oftentimes objectionable and unpopular (Shesol 2010, 3). Non-enforcement of decisions such as this would be difficult, because there were simply so many striking down Roosevelt's New Deal policies; more robust regulation would be

needed. Amendments were infeasible due to the difficulty in passing them as well as their unpopularity following the bungled prohibition era, so the president focused his attention on statutes to regulate the judiciary (Shesol 2010, 205). Roosevelt advisor Harold Ickes cautioned the president that the Court could simply rule any statute limiting their power as unconstitutional because of judicial supremacy, to which Roosevelt replied that he would defer to Congress on whether he should ignore such a ruling. Roosevelt had recently made a speech comparing himself to Jackson, and Ickes felt that leveraging this connection (given Jackson's history of non-enforcement) could make it a feasible strategy for dealing with the Court in this scenario (Shesol 2010, 189-190, 205-206). But the prospect of non-enforcement dwindled as soon after Attorney General Homer Cummings began steering Roosevelt towards regulating the justices themselves rather than their interpretation of the Constitution, and the court-packing plan to increase the number of seats on the Court was born (Shesol 2010, 206-208). There would be no need for non-enforcement if there were enough liberal justices to support Roosevelt's New Deal policies. The Court helped defeat the plan through self-restraint, just as they had done when faced with non-enforcement in the past (Shesol 2010 431-434). The swing vote of Justice Owen Roberts in 1937's *West Coast Hotel Co. v. Parrish* supporting New Deal-era minimum wage laws, the retirement of Justice Willis Van Devanter, and the death of court-packing advocate Senate Majority Leader Joseph Robinson led to the death of the court-packing plan, as well as the possibility of non-enforcement (Shesol 2010, 219-223, 403-409, 446-451, 489, 497). Roberts' vote meant that the Court could now be trusted to uphold the New Deal, Van Devanter's retirement meant that Roosevelt no longer needed as many extra seats, and Robinson's death dealt a major blow to congressional support for the bill.

Dwight Eisenhower

Under the Eisenhower Administration, the issue of non-enforcement reared its head at the state level. The issue of non-enforcement is complicated by state law. When the judiciary rules on federal law,

only the president stands in the way of enforcing the ruling. But when it concerns the states, there must be an added layer of division between the state governments, the judiciary, and the federal executive. This leads to multiple situations where non-enforcement can arise, such as if the judiciary is opposed to both the federal and state governments, or if the judiciary and the federal government are opposed to a state government. The former occurred in Roosevelt's situation, but non-enforcement was not used (Shesol 2010, 205-206). The latter was clearly shown in President Eisenhower's administration concerning the issue of desegregation (Bell 1980, 528-529). The moderately conservative Eisenhower did not clash with the liberal Court, and he aided in bringing about *Brown v. Board of Education* as an end to segregation despite personal reservations (Graber 1993, 63). The southern states, however, were not receptive to the morally righteous *Brown* decision, and desegregation did not sufficiently occur (Bell 1980, 527-528). This was the case in Little Rock, Arkansas, where African-American students had been barred from registering in previously all-white schools until 1957, three years after *Brown*, and following intervention from the NAACP (Snyder 2022, 635-636; Bell 1980, 529). Governor Orval Faubus moved to prevent this integration at Little Rock Central High School, where the NAACP had registered nine black students. The non-enforcement of *Brown* by the Arkansas state government emboldened racist white Arkansans to protest the integration, which bordered on rioting. Eisenhower, who had previously done little to enforce *Brown* (a second *Brown* followed in 1955 instructing the states to desegregate with further haste), made the decision to then federalize the Arkansas national guard to enforce the ruling and ensure the integration of the black students into the high school (Snyder 2022, 596-599, 604-609, 636-637). Faubus' non-enforcement of *Brown* thus failed, and similar non-enforcement in other southern states would subsequently end as well. For example, President Kennedy used the federal marshals to enforce *Brown* so that civil rights activist James Meredith could enroll at the University of Mississippi in 1962 after he had been blocked from doing so (Elliott 2012). These states' failure to refuse to enforce *Brown* highlights that non-enforcement fails at the state level if the federal executive sides with the judiciary. Refusing to enforce *Brown* was also sure to fail as a

check on the judiciary by the states because of the righteousness of the decision and its popularity among federal politicians (Graber 1993, 66).

Barack Obama

During President Obama's administration, non-enforcement from lower levels of government occurred with regards to *Obergefell v. Hodges*, which legalized gay marriage. Kim Davis, a county clerk in Kentucky, refused to issue marriage licenses to gay couples following the ruling in 2015, and was promptly held in contempt of court by a district judge (Ortiz et al. 2015). Her appeals to the Supreme Court were denied, and she was jailed by federal marshals soon thereafter. While President Obama himself did not need to take action throughout the controversy, his executive put an end to non-enforcement of the Court's ruling by Davis. Her attempt at a "check" on the judiciary (done not because *Obergefell* was an incorrect ruling, but because of her own personal views) failed because she lacked the political capital to oppose the ruling, once again demonstrating that non-enforcement by lower parts of the government can only be successful if the federal executive also disagrees with the judiciary.

Donald Trump

President Trump's relationship with the judiciary has proven complex throughout his tenure. No president since Nixon succeeded in getting three or more new Supreme Court justices confirmed, with the Court now being completely entrenched with the conservatism of the Republican party that elected Trump. But even when the judiciary did oppose him during his first term, Trump avoided non-enforcement. For example, early conflict between the branches arose concerning his executive order banning travel from certain nations (mostly Muslim-majority ones), which was not upheld by the judiciary until its third iteration (*Trump v. Hawaii* 2017, 1-6). While there was some limited non-enforcement when the lower courts blocked its first iteration, a bigger concern for the executive was simply that the temporary orders were not long enough for its legal challenges to make it to more favorable courts (Swan 2017;

Trump v. Hawaii 2017, 2-3). Trump correctly predicted that the Court would uphold the ruling in *Trump v. Hawaii*, which is why he kept rewriting the order. In fact, the case originally concerned the second iteration, and was able to be replaced by the third one after it had expired; the Court had not heard the first case, *Washington v. Trump*, for the same reason (*Trump v. Hawaii* 2017, 7 (Sotomayor, dissenting)). Even though the Ninth Circuit had ruled against Trump in both cases, non-enforcement of these would be unnecessary if Trump trusted the Court to support his agenda (*Trump v. Hawaii* 2017, 1, 7-8). This relationship continued for most of the duration of his first term and only broke down surrounding the 2020 election (de Vogue 2020; Liptak 2020). After his loss to Biden, Trump utilized a plethora of legal avenues to challenge the results, and both state courts and lower federal courts systematically refused to hear out Trump's arguments; *Texas v. Pennsylvania* was the most notable because it fell under the Supreme Court's original jurisdiction (Liptak 2020). The Court outright refused to hear the case, souring their relationship with Trump. This will be tested even further as his first hundred days goes on.

Trump has had retribution on his mind since he returned to presidency in 2025. In the first hundred days of his second term, he has delivered on many of the incendiary promises from his 2024 campaign, including mass deportations, significantly cutting government funding and foreign aid, and replacing federal workers with loyalists with a great deal of help from Elon Musk (Chiwaya et al. 2025). The judiciary's response has been similar to that of how they addressed the travel ban from his first term: temporary injunctions meant to stave off the initial damage of his executive orders while they progress through the legal system (Hurley 2025). Yet, unlike as in his first term, the DOJ has immediately started to refuse to enforce these challenges, as evidenced by how they treated the AliKhan injunction against the funding freeze (Schonfeld 2025). It was not until mid-March when the Supreme Court upheld one such injunction (Department of State v. AIDS Vaccine Advocacy Coalition 2025, 1). Notably, Trump appointee Amy Coney Barrett was one of the justices in the majority to vote to uphold the injunction. Trump understands that the Supreme Court—one entrenched by Trump,

but not by the vengeful Trump in office today—may not come to his rescue with these cases as they had done with the travel ban or with the border wall, hence why non-enforcement is now in the cards for the president (Raymond 2025). This has already been tested by the Court with regards to foreign aid. He may also be skeptical of the judicial system due to his convictions related to his actions surrounding the 2020 election (Durkee 2025). If the Court does begin to sufficiently side with Trump and upholds his agenda, he may back down from this non-enforcement; this restraint would be well in line with how the Court has avoided the issue of non-enforcement in the past. But it may also be the case where the conservative Court is still supportive of his broad policy, and only ruled against him following the 2020 election as a result of his attack on the nation's democratic institutions (although his goal of dismantling entire executive branch departments could still be interpreted by them as a similar threat). Trump's usage of non-enforcement is solely to consolidate power, as the judiciary has not made a truly objectionable ruling that would warrant non-enforcement in the same vein as Lincoln or even Roosevelt considered it.

Non-Enforcement Presupposing Imminent Precedent Change

Outside of the federal executive, lower levels of government have at times refused to enforce rulings with the hope or expectation that a new case overturning the previous precedent will be imminently decided. A preeminent example of this can be seen with the anti-abortion legislation passed in the late 2010s and early 2020s preceding *Dobbs v. Jackson*, which allowed for state abortion bans previously not allowed under the precedent of *Roe v. Wade* (Center for Reproductive Rights 2021). Many conservative states continuously inched closer to near-total abortion bans during this time, such as the Mississippi's Gestational Age Act (the centerpiece of *Dobbs*). The Mississippi law was specifically designed as a test case to overturn *Roe*. It clearly served as non-enforcement of *Roe* by the state of Mississippi, and was immediately held up in lower courts for that reason (Center for Reproductive Rights 2021). State governments such as Mississippi represent much tighter constituencies (mostly

conservatives against abortion in this case), while the federal executive (as well as the Supreme Court) has to answer to a much broader population, meaning that non-enforcement on the grounds of objectionability for highly divisive issues such as abortion is more likely to occur at the state level. There was also nothing for the federal executive to refuse to enforce with *Dobbs*, as abortion had not been federally protected following *Roe* due to numerous political factors in Congress (Roubein 2022). With the challenges to *Roe* surrounding *Dobbs*, Biden was in a similar situation to Wilson's inability to regulate child labor, but for a completely different reason, as the issue here was political failure as opposed to upholding the norm of judicial supremacy. In contrast, following further legal challenges to abortion rights, Representative Alexandria Ocasio-Cortez pressured Biden to ignore an injunction blocking the FDA approval of mifepristone, an abortion medication. Non-enforcement in this scenario ended after the Supreme Court overruled the injunction, once again showing their restraint (Levine 2023; *FDA v. Alliance for Hippocratic Medicine* 2024).

Another example of non-enforcement coming from presupposition of precedent change came from debate over homelessness issues in local politics, specifically in the Pacific Northwest (Cohen 2024). In 2018's *Martin v. Boise*, the Ninth Circuit ruled that prohibiting homeless people from camping on public land amounted to cruel and unusual punishment under the 8th Amendment. The Supreme Court refused to hear the case, while another case, *Grants Pass v. Johnson*, was soon filed due to non-enforcement of *Martin* (Letona 2019). While *Grants Pass* moved through the legal system, adverse economic conditions caused by the COVID-19 pandemic and other issues exacerbated the homelessness crisis in other parts of the Ninth Circuit, and the issue of public camping remained throughout local level politics there (Cohen 2024). In the City of Burien, Washington, the debate reached its peak in early 2024, and a city ordinance prohibiting public camping soon followed that March, with the city thus refusing to enforce *Martin* (Patrick 2024). *Grants Pass* had already been granted cert by the Court earlier in the year, so it is extremely unlikely that the Burien city council had

been unaware that a challenge to *Martin* was brewing before the Supreme Court (Ince 2024; Cohen 2024). The fact that the Court had refused to hear *Martin* but was now hearing a similar case signaled that the precedent the city found objectionable would likely be overturned, which is exactly what happened three months later (Letona 2019; Cohen 2024). The city of Burien utilized non-enforcement to speed up their governance to deal with a community issue, solely because they understood that this action would soon be legally uncontroversial given the direction the judiciary appeared to be moving.

Conclusion

Non-enforcement is a powerful method for federal and state executives to check the judicial branch. The inability of the courts to effectively enforce their rulings without the support of the executive ensures that non-enforcement can be used to prevent the implementation of bad or morally objectionable rulings, be used to consolidate executive power in spite of sound jurisprudence, or be used to presuppose future decisions from higher courts. The rarity of non-alignment between the executive and the Supreme Court, the norm of judicial supremacy, and the Court's own strategy of restraint to avoid conflict has ensured that non-enforcement is rare. Continued research on this subject will identify more examples of non-enforcement throughout American history, and compare and contrast them with the case studies and arguments presented here. Public opinion research could also be useful, as the rarity of non-enforcement has made it a little-known concept among the general public (outside of Jackson's apocryphal quote). Non-enforcement is likely to continue to be present in the current political discourse given President Trump's wishes for a more powerful executive, combined with a level of division between him and the judicial system (Raymond 2025).

References

- Barnes, Daniel. "Some Nonprofits Say They Still Can't Access Federal Funds despite Rulings Blocking Trump's Freeze." NBC News, February 3, 2025.
<https://www.nbcnews.com/politics/donald-trump/nonprofits-say-still-cant-access-federal-funds-rulings-blocking-trumps-rcna190491>.
- Bell, Derrick A. "Brown v. Board of Education and the Interest-Convergence Dilemma." *Harvard Law Review* 93, no. 3 (January 1980): 518–33. <https://doi.org/10.2307/1340546>.
- Chiwaya, Nigel, et al. "Trump Executive Orders List: What He's Written so Far during His Second Term." NBC News, February 7, 2025.
<https://www.nbcnews.com/data-graphics/tracking-trumps-executive-orders-rcna19571>.
- Cohen, Josh. "After Scotus Decision, WA Homeless Camping Bans May Gain Traction." Cascade PBS, June 28, 2024.
<https://www.cascadepbs.org/news/2024/06/after-scotus-decision-wa-homeless-camping-bans-may-gain-traction>.
- Department of State v. AIDS Vaccine Advocacy Coalition. Supreme Court of the United States, March 2025.
- de Vogue, Ariane. "Supreme Court Allows Continued Construction of Trump's Border Wall | CNN Politics." CNN, July 31, 2020. <https://www.cnn.com/2020/07/31/politics/supreme-court-border-wall/index.html>.
- Donald, David Herbert. *Lincoln*. Simon & Schuster, 1995.
- Durkee, Alison. "Trump Formally Convicted-but Faces No Punishment." Forbes, January 10, 2025.
<https://www.forbes.com/sites/alisondurkee/2025/01/10/trump-not-sentenced-to-any-punishments-in-hush-money-criminal-case/>.
- Elliott, Debbie. "Integrating Ole Miss: A Transformative, Deadly Riot." NPR, October 1, 2012. <https://www.npr.org/2012/10/01/161573289/integrating-ole-miss-a-transformative-deadly-riot>.
- Finkelman, Paul. "Scott v. Sandford: The Court's Most Dreadful Case and How It Changed History." *Chicago-Kent Law Review* 82, no. 1 (December 4, 2006): 3–48.
<https://doi.org/10.1093/acref/9780195301731.013.51058>.
- Fritze, John. "Roberts Warns against Ignoring Supreme Court Rulings as Tension with Trump Looms | CNN Politics." CNN, December 31, 2024.
<https://www.cnn.com/2024/12/31/politics/john-roberts-year-end-report-supreme-court-rulings/index.html>.
- Graber, Mark A. "The Nonmajoritarian Difficulty: Legislative Deference to the Judiciary." *Studies in American Political Development* 7 (Spring 1993): 35–73.
<https://doi.org/10.1017/s0898588x00000687>.
- Haines, Charles Grove. *The American Doctrine of Judicial Supremacy*. New York, New York: Russell & Russell, 1959.

- Hurley, Lawrence. "Trump's Effort to Withhold Federal Funding Triggers Constitutional Showdown." NBC News, January 28, 2025. <https://www.nbcnews.com/politics/white-house/trumps-effort-withhold-federal-funding-will-trigger-imminent-legal-act-rcna189583>.
- Ince, Selin. "SCOTUS to Decide If Enforcement of Laws Regulating Encampments on Public Property Constitute 'Cruel and Unusual Punishment' Against the Homeless." *Syracuse Law Review*, January 18, 2024. <https://lawreview.syr.edu/scotus-to-decide-if-enforcement-of-laws-regulating-encampments-on-public-property-constitute-cruel-and-unusual-punishment-against-the-homeless/>.
- Klarman, Michael J. "How Great Were the 'Great' Marshall Court Decisions?" *SSRN Electronic Journal*, September 2001, 1111–84. <https://doi.org/10.2139/ssrn.270081>.
- Letona, Crys. "Supreme Court Lets Martin v. Boise Stand." National Homelessness Law Center, December 16, 2019. <https://homelesslaw.org/supreme-court-martin-v-boise/>.
- Levine, Sam. "AOC Urges Biden to Ignore Texas Ruling Suspending Approval of Abortion Drug." *The Guardian*, April 9, 2023. <https://www.theguardian.com/world/2023/apr/09/aoc-urges-biden-ignore-texas-abortion-pills-ruling>.
- Levinson, Sanford, and Jack Balkin. "What Are the Facts of Marbury V. Madison?" *Constitutional Commentary* 20 (2003): 255–81.
- Liptak, Adam. "Supreme Court Rejects Texas Suit Seeking to Subvert Election." *The New York Times*, December 11, 2020. <https://www.nytimes.com/2020/12/11/us/politics/supreme-court-election-texas.html>.
- Miles, Edwin A. "After John Marshall's Decision: Worcester v. Georgia and the Nullification Crisis." *The Journal of Southern History* 39, no. 4 (November 1973): 519–44. <https://doi.org/10.2307/2205966>.
- Ortiz, Erik, et al. "Kim Davis, Kentucky Clerk, Held in Contempt and Ordered to Jail." NBC News, September 3, 2015. <https://www.nbcnews.com/news/us-news/kentucky-clerk-kim-davis-held-contempt-court-n421126>.
- Patrick, Anna. "King County, Sheriff's Office Takes Burien's Camping Ban to Court." *The Seattle Times*, March 11, 2024. <https://www.seattletimes.com/seattle-news/homeless/king-county-sheriffs-office-takes-buriens-camping-ban-to-court/>.
- Raymond, Nate. "US States Tell Judge Trump Not Fully Following Order Blocking Funding Freeze." Reuters, February 6, 2025. <https://www.reuters.com/legal/us-states-tell-judge-trump-not-fully-following-order-blocking-funding-freeze-2025-02-06/>.
- Roubein, Rachel. "Why Democrats Won't Be Able to Codify Roe into Law." *The Washington Post*. Accessed February 10, 2025. <https://www.washingtonpost.com/politics/2022/05/06/why-democrats-wont-be-able-codify-roe-into-law/>.
- U.S. Constitution, art. 3, sec. 2. 1787. Schlesinger, Arthur M. *The Age of Jackson*. Boston, Massachusetts: Little, Brown and Company, 1945.
- Schlesinger, Arthur M. *The Imperial Presidency*. New York, New York: Mariner Books, 2004.

- Schonfeld, Zach. "Judge Extends Block on Trump's Federal Funding Freeze ." The Hill, February 3, 2025.
<https://thehill.com/regulation/court-battles/5124167-trump-funding-freeze-court-block-extended/>
- Shesol, Jeff. *Supreme Power: Franklin Roosevelt vs. the Supreme Court*. New York, New York: W.W. Norton & Company, 2010.
- Snyder, Brad. *Democratic Justice: Felix Frankfurter, the Supreme Court, and the Making of the Liberal Establishment*. New York, New York: W.W. Norton & Company, 2022.
- The Supreme Court Database, October 2024. Washington University.
<http://scdb.wustl.edu/data.php?s=1>.
- Swan, Betsy. "Trump's Border Agents Defy Judge, U.S. Senator at Dulles Airport as His First Constitutional Crisis Unfolds." The Daily Beast, January 29, 2017.
<https://www.thedailybeast.com/trumps-border-agents-defy-judge-us-senator-at-dulles-airport-as-his-first-constitutional-crisis-unfolds/>.
- "Table of Supreme Court Decisions Overruled by Subsequent Decisions." Library of Congress, 2024.<https://constitution.congress.gov/resources/decisions-overruled/>.
- Trattner, Walter I. *Crusade for the Children: A History of the National Child Labor Committee and Child Labor Reform in America*. Chicago, Illinois: Quadrangle Books, 1970.
- Trump v. Hawaii*. Supreme Court of the United States, June 2018.
- Warren, Charles. *The Supreme Court in United States History*. Vol. 2. 3 vols. Boston, Massachusetts: Little, Brown and Company, 1922.
- "What If Roe Fell?" Center for Reproductive Rights, May 5, 2021.<https://reproductiverights.org/what-if-roe-fell-mississippi-case/>.

The Race Towards Clean Energy: A U.S.-China Competition

By Maeline Guillerm

The power sector is a major contributor to greenhouse gas (GHG) emissions and exacerbates the climate crisis. Societies depend on a reliable energy supply for transportation, agriculture, manufacturing, and daily life. Since the Industrial Revolution, communities have relied on fossil fuels like oil, gas, and coal, generating an intense carbon lock-in that prioritizes high-carbon resources and poses a significant obstacle to the renewable energy transition (Trout et al. 2022). The 2015 Paris Agreement committed signatory countries to reducing GHG emissions and contain rising global temperatures to 1.5°C, well below 2°C, above industrial levels. The renewable energy transition, or phase-out of fossil fuels in favor of clean energy, is a crucial component of this goal. It reduces environmental pollution, mitigates emission surges and environmental degradation, and contributes to economic growth (Guo and Wen 2024).

However, the fossil fuel industry's developed deposit reserves, or existing and under-construction fossil fuel infrastructure, already exceed the remaining 1.5°C carbon budget. In 2018, committed emissions from these reserves were 60% larger than the 1.5°C budget and depleted 95% of the 2°C budget allotted to maintain a 50% and 83% probability of achieving these goals (Figure 1)(Trout et al. 2022). To limit rising temperatures under 2°C, governments must cease licensing for new fossil fuel projects in addition to decommissioning current ones. As the energy transition accelerates and demand for traditional energy declines, investments in fossil fuel infrastructure risk becoming stranded assets, leading to significant stakeholder capital loss.

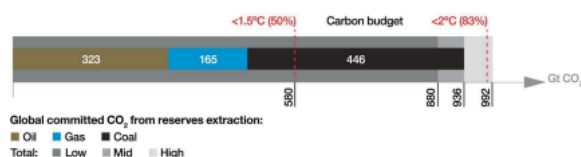


Figure 1. The estimate of total global committed CO₂ by fuel compared to remaining 1.5 &

2 °C carbon budgets for given probabilities as of the start of 2018. The low to high uncertainty range displayed is a 90% confidence interval.

Another dimension of the renewable energy transition is its implications for great powers, like the U.S. and China, and their future roles in the international arena. Globalization has interconnected the world's economies because entry into the global trade market provides a one-way ticket to development and economic growth. Therefore, whichever country monopolizes the supply chain required for the energy transition will have incredible influence over the international system.

Presently, China has made the most significant progress towards attaining this monopoly. It surpassed U.S. renewable energy investments in 2009, reaching a peak of \$148.4 billion in 2017, while the U.S. hit \$59 billion in 2019 (Geoffrey 2024). Since then, China has maintained a quasi-monopoly on rare earth resource production and exports and expanded its investments to neighboring countries through projects like the Belt and Road Initiative. The U.S. has seemingly lagged behind China's mission-oriented investments, as its "ambition to deal with climate change has always depended on party politics." (Dejonghe 2021, 3) Frequently changing administrations and increasing partisan fragmentation have deeply politicized climate change and renewable energy transition, creating obstacles to the U.S.' attempts at building momentum through climate-energy legislation.

As primary emitters, the U.S. and China are responsible for addressing climate change through genuine efforts to lower global emissions. Despite their long history of trade and geopolitical tensions, climate change is a crisis that cannot be addressed in isolation. To carry out effective climate action, the U.S. and China must cooperate with other climate leaders and stimulate competition in the clean energy sector.

China's Clean Energy Momentum

China's thriving clean energy transition is characterized by an early entry into the global renewable energy market fueled by state intervention, protectionist policies, strong incentive structures, and transnational cooperation. China distinguished the energy transition as a high-level political priority in the early 2000s (Geoffrey 2024). Its domestic climate policy commenced in late 2005 after facing significant air pollution and a desire to avoid internal instability. After recognizing renewable energy as an industry with great potential for global growth, China passed the 2006 Renewable Energy Law to set national renewable energy targets and feed-in tariffs (Oxford Institute For Energy Studies 2025). Its 11th 5-year plan lifted climate change higher on the government agenda, establishing a 20% improvement target for energy efficiency per province. Their first global warming policy initiative, the 2007 National Climate Change Programme, identified the country's climate change threats, policy efforts, and objectives (Oxford Institute For Energy Studies 2025). To holistically prepare and invest in "industries of the future," President Xi Jinping increased universities' cooperation with enterprises to promote innovation and localization capabilities and transform this strategic industry's technology (Oxford Institute For Energy Studies 2025; Geoffrey 2024).

The 2008 global financial crisis proved transformative for China's progress towards climate leadership by incentivizing long-term investments in the green transformation. It spurred the central government to increase investments in green technology to address China's need for re-entry into the global market (Geoffrey 2024). The government identified and promoted a series of state-owned strategic renewable energy industries to boost the domestic green energy sector. With its 12th 5-year plan (2011-2015), China built momentum for the energy transition using green industrial policies that reduced manufacturing costs by encouraging cooperation, mergers, and acquisitions of foreign companies. These policies helped China's non-hydro renewable energy market shift from import-dominated to the largest in the world (Geoffrey 2024).

From 2006 to 2021, China's renewable

energy trade market grew at a rate of 147.45%, while the U.S.' growth rate stayed around 28.89% from 2007 to 2017 (Guo and Wen 2024; Shuai et al. 2022). Furthermore, Chinese renewable energy product export competitiveness increased from 45.61% to 64.74% from the late 2000s to the early 2020s (Guo and Wen 2024). China dominates world exports of wind and solar power plant equipment and had 38.1% of global installed generating capacities in 2021 (compared to the U.S.' 13.6%) (Zhukov and Reznikova 2023).

China's early dedication to its energy transition and green technology market dominance prepares it well for global leadership. Its incentive structure for green industrial initiatives has mitigated obstacles for successful and efficient policy implementation. China's policy elites understood renewable energy developments as an opportunity for modernisation, stronger market competitiveness, and a means to catch up with the West (Geoffrey 2024). Throughout the 2000s, direct state intervention through renewable energy tariffs, government biddings, and multi-level economic incentives signaled an emphasis on specific industrial developments, encouraging private and public investments in renewable market entrants. Companies participating in government bidding required 50% of share ownership from Chinese shareholders and a 70% local content requirement for local manufacturers to close technology gaps with market leaders. China's hierarchical incentive structures and low political costs of renewable energy development have reduced challenges from internal interest groups and streamlined policy implementation (Geoffrey 2024). While China still relies heavily on coal generation, its renewable energy sector is "developing rapidly on its own production and technological base," with wind and solar energy making up 14% of electricity generation in 2022 (Zhukov and Reznikova 2023). These protectionist trade measures and local content requirements supported the development of local clean energy supply chains, and primed China for success in domestic and international markets.

Finally, China's transnational cooperation marks it as a strong competitor for climate leadership. Xi Jinping has engaged in high-profile advocacy for the urgency of climate action and aims

to prepare China as a climate leader (Geoffrey 2024). Using the Asian Infrastructure Investment Bank, China provides loans to fund projects, 34% of which are energy-related, for its 110 members in predominantly Asian countries. China has also established the New Development Bank with BRICS countries to fund sustainable developments in the developing world (Geoffrey 2024). The 2020 Regional Comprehensive Economic Partnership Agreement (RCEP) is a trade agreement between 15 Indo-Pacific countries seeking international energy cooperation to optimize their energy transitions. The RCEP gave China a new avenue for integration into the global energy system and ensured its energy security by making up a significant amount of China's "outbound energy investments." (Guo and Wen 2024, 4) Furthermore, China's 2013 Belt and Road Initiative (BRI) has helped the country expand its influence over neighboring nations through cooperation on infrastructure development (Asia Society Policy Institute 2024). Though initially invested in "brown" fossil fuel industry developments, the BRI has gradually reformed to become an international green development coalition. In the late 2010s, China promoted Green BRI cooperation and investments, introduced new think tanks focused on green development and integrated sustainability and ESG factors into corporate strategies (Asia Society Policy Institute 2024). The BRI countries are rich in solar energy resources, and their cooperation with China strengthens its "photovoltaic industry." (Guo and Wen 2024, 4) As countries increasingly depend on China's investments, it gains power and influence as a climate leader and renewable energy trailblazer.

The U.S.' Green Transition Limitations

In contrast, the U.S.' clean energy transition has faced challenges from competing interests, bipartisan fragmentation, and overly politicized climate legislation. While the U.S. has historically identified as a neoliberal, non-interventionist state with a free market environment, it has also discretely supported key industries and promoted technology modernization. Similarly to its development of state institutions in military and pharmaceutical industries, the U.S. has nurtured clean energy technology through the 2007 Advanced Research Project Agency-Energy

(ARPA-E) (Geoffrey 2024). With the ARPA-E, the government has directly funded technology innovation for the energy transition. Like China, the U.S. has introduced protectionist trade and investment measures to promote its domestic energy market. However, the U.S.' climate initiatives have largely depended on its current administration and bipartisan agreement.

The U.S.'s capacity to mobilize stakeholder support has lagged severely behind China. Because the oil and automobile industries have monopolized the energy market structure, new entrants into the market have struggled with conventional industrial actors (Geoffrey 2024). The conventional utility and traditional energy industries have lobbied against clean energy initiatives to avoid the costs of the energy transition. This tactic has created a pattern where only climate-related bills that concede to fossil fuel interests pass through Congress.

Even the Biden administration's Inflation Reduction Act (IRA) only passed thanks to fossil fuel infrastructure expansions (Fisher 2024). Furthermore, policymakers have balked at directly subsidizing clean energy research, development, and manufacturing in favor of indirect funding through tax credits, which have proved less than effective in boosting U.S. solar productivity or reducing emissions (Geoffrey 2024). Common themes seen in successful bipartisan mobilization for clean energy initiatives include economic framing, concessions to fossil fuel interests, and a concern for energy security.

From President Clinton onwards, US administrations have struggled to pass ambitious and durable climate policies. While the Clinton administration supported environmental protection and industrial growth policies like the Climate Action Plan, its efforts to impose a general tax on energy forms to promote energy conservation were met with fervent opposition from Congress and industry stakeholders. Additionally, though President Bush's 2005 Energy Policy Act passed with bipartisan support and expanded loan guarantees for clean energy technology developments, it primarily focused on regulatory relief for oil and the gas fracking industry (Guri 2021). Its concessions to fossil fuel interests included exemptions from environmental

assessments and loosened federal oversight of drilling operations. Due to a reluctant Republican Congress, President Obama turned to executive orders for clean energy decarbonization policies deviating from bipartisan themes. His 2015 Clean Power Plan aimed to decarbonize existing power plants by 32% below 2005 levels by 2030. However, the Trump administration revoked this executive order before it could make any substantial impact. Executive orders have increased in popularity in the executive office as political polarization restricts bipartisan legislation. Still, this strategy is controversial because it bypasses Congress's veto power and exacerbates polarization surrounding climate policy (Guri 2021).

The high turnover rate of U.S. administrations has produced a pattern of climate policy reversals with limited impact on national emission goals. Despite the four-year presidential term, the recent popularity of policy repeals creates a "rollback whiplash" in presidential transitions that leaves the administration with a limited two years of productive legislation (Davis Noll and Revesz 2022).

Tools like the Congressional Review Act (CRA), judicial abeyances, and suspensions, which have become more popular since President Trump's first term, jeopardize the regulation legacies of preceding administrations. These instruments allow presidents to review, repeal, pause, change, or suspend previous rules and litigation over regulations. Both the Trump and Biden Administrations have taken unprecedented advantages of the "rollback toolkit," repealing numerous policies with the CRA and requesting late-stage abeyances (Davis Noll and Revesz 2022). This new focus on rolling back past legislation is counterproductive, costly in time and resources, and erodes the policy-making power of administrations. The U.S.'s climate-energy policy exemplifies rollback strategies and overall inefficiency across administrations.

During his first term, the Trump administration reversed much of the country's climate action progress, ended U.S. climate leadership, and halted climate cooperation with China. From 2016 to 2020, President Trump successfully rolled back 83 environmental regulations, rendering these policies, and countless

others since 2007, inefficient and virtually impactless (Guri 2021). Further, he drastically increased subsidies and incentives for fossil fuel production and consumption, inconsistent with the global effort to limit rising temperatures. President Trump also attempted to cut funding for agencies supporting green growth, renewable energy technology, and low-carbon developments. He proposed 70-100% budget cuts every year since 2017, specifically targeting the DOE Office of Energy Efficiency and Renewable Energy and ARPA-E (Guri 2021). Thankfully, the Republican-controlled Congress vetoed these funding cuts, demonstrating the plausibility of bipartisan support for clean energy initiatives that support energy security.

In contrast, Biden's administration reclaimed the mantle of climate leadership and passed bold climate initiatives like the 2022 IRA and 2021 Bipartisan Infrastructure Law (BIL). The IRA provides incentives with \$400 billion worth of "long-term 'patient capital'" for cross-sector decarbonization technology industries" to incentivize new investments and market entries (Geoffrey 2024). It invested in the U.S.' capacity to cut consumer energy costs, for the energy transition, address the climate crisis, and strengthen energy security (National Archives 2023). Its incentive structure encourages private sector investments by providing tax credits, reducing minimum requirements, and extending project timelines to promote efficient market-based business models (Zhukov and Reznikova 2023). Additionally, these incentives drastically lower the costs of clean energy technology and spur domestic manufacturing with new national content requirements of 40-55% for government-supported projects starting in 2025-2028 (Zhukov and Reznikova 2023). Two years after the IRA's passing, private investment in related technology and infrastructure increased by 73% (or \$493 billion), and it is expected to raise a total of \$1 trillion in government and private funding by 2030 (Aston, Perkins, and RMI Staff 2022). Though extremely meaningful for the energy transition, the IRA's momentum is threatened by the second Trump administration.

President Trump's second term started with many executive orders revoking the Biden

administration's climate action. President Trump's "Unleashing American Energy" executive order repealed several initiatives financing the energy transition (White House 2025). This order froze funds from the IRA, Infrastructure Investment and Jobs Act, and the BIL, all of which provided public investments for clean technology development, carbon removal, clean hydrogen hub programs, electricity grid, and EV charging infrastructure, etc (White House 2025; Brazier et al. 2023). Though the Biden administration has obligated more than \$50 billion of IRA and BIL funds it outlaid less than \$20 billion, the rest of which stays under the control of Elon Musk's Department of Government Efficiency (Bittle 2025). While withholding obligated money is unlawful and breaches agency contracts, the funding freeze threatens numerous projects and jobs as payroll and loan requirements remain unpaid. At the very least, significant delays in funding disbursement will slow or ground renewable energy projects, at worst, President Trump's cabinet threatens to withdraw obligated funds and diminish the IRA's intended impact (Bittle 2025).

Revitalizing U.S. Policy-Making

The U.S.' polarized political party system is a major obstacle to climate-energy legislation and hinders efforts to increase competitiveness against China's renewable energy market. While executive orders have allowed administrations to bypass Congress, they delegitimize efforts to foster climate bipartisanship and are counterproductive in depoliticizing climate change. The U.S. must overcome the urge to roll back previous administration's policies and instead promote national and state-level bipartisanship.

Climate change has become so politicized that policymakers veto sound initiatives simply because the opposition supports them (Marshall and Burgess 2022). However, bipartisan-supported climate and decarbonization policies have succeeded in Republican and divided states that used economic justice framing for its environmental justice-component and did not restrict consumer choices. From 2015 to 2020, bipartisan and republican co-sponsors disproportionately supported

decarbonization bills that provided financial incentives for renewable energy and expanded consumer and business choices. Furthermore, bills focused on benefiting economically disadvantaged citizens passed more often without a social justice framing, an approach associated with the Democratic party (Marshall and Burgess 2022). The above analysis also highlights the importance of recognizing administration and stakeholder priorities, like energy security and traditional energy interests. When faced with inadequate government efforts, individual states must take advantage of their ability to pass productive state-level climate policies to advance the energy transition. Republican and divided states' focus on reframing climate-energy policies economically, pursuing economic redistribution based on income rather than social justice based on equity for minorities, can provide bottom-up efforts to rebuild bipartisan collaboration and facilitate the energy transition.

Additionally, Democratic states' focus on ambitious climate-energy policies can preserve some momentum from the IRA and BIL. Pursuing ambitious climate bills incorporating social justice components in Democratic states is vital due to their poor prospects in bipartisan and republican contexts. Pioneering climate-energy legislation can provide learning opportunities and inspire state, and federal, efforts to pursue similar policies. Since 2002, California has mandated strict automobile emission regulations that are higher than federal standards and encouraged 13 states to follow its lead (Guri 2021). Also, a 2019 Colorado state law establishing GHG emission impact assessment reports influenced 2020 Congressional leaders to release their own Carbon Cost Act proposal (Marshall and Burgess 2022).

To create genuinely impactful and durable climate-energy policies, the federal government must first limit the new administration's abilities to erase its predecessor's efforts. The Trump and Biden administrations' irresponsible abuse of rollback toolkits limits the productivity of policy-making in an already inefficiently short administration period. Furthermore, the government can depoliticize climate change by reframing policies to address administration priorities aligned with the urgency of climate action. Traditional energy stakeholders hold unjustifiable and

disproportionate sway over legislation and risk undermining the U.S.' future international status and national security for fear of bearing transition costs. The federal government must support a just transition and pursue climate-energy policies with economic justice components. Increasing the fossil fuel sector's capacity for adaptation to the energy transition includes financial and educational assistance for workers and communities most impacted by the shift, and limiting new fossil fuel projects to solely those needed for energy security. Taking ownership of the long-term energy transition rather than conceding to short-term fossil fuel interests is a crucial component of U.S. national security, avoiding overinvesting in assets that may become stranded. It will allow the government to responsibly lean on fossil fuels and maintain energy security while supporting bold incentives to increase the domestic supply and demand capacity for the energy transition. This simultaneous top-down and bottom-up approach to climate-energy legislation can ensure the momentum of the clean energy transition transcends any individual administration.

China's Relationship with U.S. Allies

Like the U.S. and China, the EU is working to progress its energy transition. The EU-U.S. partnership has long driven global economic growth and addressed geopolitical tensions to maintain peace and stability. This alliance is key to efficiently tackling global challenges like climate change and inspiring countries to follow their lead. To fulfill global climate goals, the U.S. and EU must promote "open, transparent, competitive, and sustainable solutions" and cooperate on research and technological development (EEAS 2023). However, as the EU advances its energy transition, its gradual independence from Russia may shift to dependence on China.

Climate change has accelerated arctic melting, heightening geopolitical tensions over resource competition, territorial control, and new strategic sea routes that impact U.S. national security interests. Namely, China's focus has shifted to the Arctic in an effort to align the global system to their interests with the exploitation of natural resource extraction and new international trade channels (Waller 2022). Reinvigorated activity in

the Arctic allows China to "leverage changing dynamics...to pursue greater influence and access" through investments in infrastructure and natural resources (DOD 2024, 3). Furthermore, Sino-Russian collaboration has deepened as an isolated Russia seeks financing for its natural gas production, 80% of which comes from the Arctic. The U.S.' current strategy is to monitor and respond to the region through intelligence collection, enhanced ally cooperation, and deterrence of joint force (DOD 2024). The Arctic rich natural resources also have the potential to progress the EU's energy transitions and accelerate their efforts to decouple from hydrocarbons. The European Commission believes the 2021 energy crisis was caused by the insufficient speed of the energy transition (Zhukov and Reznikova 2023). So, in 2022, it financed €300 billion for the REPowerEU Plan to accelerate the clean transition by reducing energy consumption, increasing gas storage capacity, and diversifying its energy supplies (European Commission 2022). In two years, the EU has reduced its gas consumption by 18%, lowered its share of Russian gas imports to 15%, and increased its wind and solar capacity by 36% (European Commission 2023).

Despite this progress, the U.S. and the EU remain dependent on China for rare earth elements (REE). Given China's lead in the energy transition, its rapprochement with Russia to obtain arctic governance and access to natural resources should attract more U.S. attention. While enhancing collaboration amongst allies is productive, the U.S. and its partners have the opportunity to pursue earnest cooperation with China to leverage its REE supply chain for the EU's transition, pressure China to abandon coal projects, and divert its attention from Russia.

China's quasi-monopoly of rare earth elements required for the green transformation started in 1990 when the "government classified REEs as 'protected and strategic minerals.'"(Andrews-Speed and Hove 2023, 4) It's early entry into the REE industry and extensive investment in the entire supply chain boosted the country's REE mining and processing capacity, reducing costs to out-compete other export producers. In 2020, China's share of REE processing capacity was 90% of the global total, and its mining

capacity was 70%.

In contrast, European progress in REE supply chains has been slow. The 2023 Critical Raw Materials Act sets 2030 benchmarks of 10%, 40%, and 15% of mineral extraction, processing, and recycling to be done in the EU. However, this act also set a 65% threshold for the annual consumption from a third country. Despite global efforts in 2022 and 2023 to decrease China's REE competitiveness, it is "unlikely to dramatically limit China's dominance over these supply chains in the near term." (Andrews-Speed and Hove 2023, 16) China is the U.S.' primary source of NdFeB magnet imports—a critical national security technology used for climate change mitigation infrastructure—increasing from 70-85% from 2016 to 2021 (National Archives 2023). The US's forecasted consumption of NdFeB magnets, the technology of choice for EV's and offshore wind turbines, is also expected to more than double from 2020 to 2030. While the U.S. is expanding its domestic capacity, it is still lacking at various steps of the magnet value chain. Despite the U.S. and EU's efforts to counterbalance China's dominance with the 2022 IRA and 2023 Critical Mineral Act, developing processing and production infrastructure is a lengthy process, and the EU and U.S. will maintain a degree of reliance on Chinese imports (National Archives 2023). As countries work towards their energy transitions, the demand for REE will continue to rise and fuel China's influence over the new energy market.

Cooperation or competition?

The U.S.-China relationship has been characterized by cooperation and competition. The U.S.' approach to this relationship will have profound implications for the domestic and international progress of renewable energy transitions, its status as a climate leader, and the overall impacts of climate change. While preserving U.S. relevance in the international arena is important to protecting democracy and maintaining a stable global economy, it will benefit no country if the climate crisis worsens unchecked by joint climate action.

Prior to President Trump's first term, Xi Jinping signaled to the international community that

China was dependable for climate action, regardless of U.S. election results (Dejonghe 2021). Likely, this attitude will continue throughout President Trump's second term. Because of its government structure, China can implement domestic clean energy policies more efficiently than the U.S. Furthermore, China's early entry into REE processing and mining has supported its momentum in the energy transition and transnational infrastructure investments. Due to its dominance in the REE market, China has the capacity and responsibility to further help other countries' transition, and the U.S. has a responsibility to let it. Without China's support, Europe will struggle to decouple from Russia's fossil fuels and progress rapidly in its energy transition.

Additionally, the expected increased demand for REEs is a valuable opportunity for the U.S. to expand its domestic supply and demand capacity. Like China, which has created a large domestic REE demand to progress its transition, the U.S. should boost its EV and wind turbine industry to increase its demand while continuing to invest in its own supply. Pursuing protectionist, market-based policies like the IRA can produce productive incentives to multiply clean energy funding from private investors. With a smart incentive structure influencing the supply and demand for renewable energy technologies and resources, the U.S. can gradually wean off Chinese REE supply chain dependence as it develops its own. Should the U.S. scorn collaboration with China, it risks falling behind in the energy transition and suffering as shifting energy demands affect market prices and hinder overdue efforts to hop on the trend. Leveraging Chinese imports to maintain stability in the U.S.' own supply chain to focus on increasing its renewable energy market competitiveness pays off in the long term by better preparing the U.S. for leadership in a clean energy-dominated world.

Furthermore, one of the U.S.' strongest allies, the EU, is racing to decouple from hydrocarbons and shift away from Russian independence. Encouraging the EU to cooperate with China creates an opportunity not only to accelerate the global energy transition but also diplomatically interfere in the deepening Sino-Soviet relationship and incentivize China to decommission its coal projects. To protect the global community

and create a world where U.S. influence means anything, the EU and the U.S. should balance competition and cooperation with China. Integrating China into a joint effort in climate action will provide the necessary resources needed to address climate change.

Conclusion

China has positioned itself at the head of the global energy shift and can help the world progress its renewable energy transition. Climate change is here; its impacts are already affecting countries worldwide, and the severity of its consequences will only increase in the next few decades. The U.S. has a responsibility to cooperate with China and advance the global energy transition while addressing its deeply fragmented party system

and inefficient policy strategies. This collaboration can strengthen the U.S.' ability to pursue meaningful green statecraft abroad and maintain its international relevance in the power sector. Further, the EU's cooperation with China can quicken its energy transition, counter-balance Sino-Russian influence in the Arctic, and persuade China to abandon coal projects. Using the right strategies, the U.S. can maintain influence in an increasingly multipolar world and collaborate to further the renewable energy transition.

References

- Andrews-Speed, Philip, and Anders Hove. 2023. "China's Rare Earths Dominance and Policy Responses." JSTOR. June 1, 2023.
https://www.jstor.org/stable/resrep51228?searchText=%28%28%28%28%28ti%3A%22China%22%29+AND+%28monopoly%29%29+AND+%28rare+minerals%29%29+OR+%28rare+earth+minerals%29%29%29+AND+%28mineral%29&searchUri=%2Faction%2FdoAdvancedSearch%3Ff0%3Dti%26c1%3DAND%26f1%3Dall%26acc%3Don%26q0%3DChina%26q1%3Dmonopoly%26sd%3D2022%26ed%3D2025%26c2%3DAND%26q2%3Drare%2Bminerals%26f2%3Dall%26c3%3DOR%26q3%3Drare%2Bearth%2Bminerals%26f3%3Dall%26so%3Drel%26prq%3Dmineral%26swp%3Don&ab_segments=0%2Fbasic_phrase_search%2Fcontrol&refreqid=fastly-default%3Ac0eba22e14714ec59798ca00b3fa3edc&seq=8.
- Asia Society Policy Institute. 2024. "APPENDIX C: GREENING BELT AND ROAD INITIATIVE: KEY INITIATIVES AND INVESTMENT GUIDELINES GREENING BELT AND ROAD INITIATIVE: KEY INITIATIVES AND INVESTMENT GUIDELINES from China's Cooperation with Southeast Asia to Support an Ambitious Clean Energy Transition by 2030." JSTOR. January 1, 2024.
<https://www.jstor.org/stable/resrep58362.12?seq=1>.
- Aston, Adam, Hannah Perkins, and RMI Staff. 2022. "On the Climate Bill's Second Birthday, Surging Successes — But a Split Reality - RMI." Rocky Mountain Institute (RMI). August 16, 2022.
<https://rmi.org/on-the-climate-bills-second-birthday-surging-successes-but-a-split-reality/>.
- Bittle, Jake. 2025. "Trump Is Freezing Climate Funds. Can He Do That?" Grist. February 13, 2025.
<https://grist.org/politics/trump-climate-funding-freeze-ira-bil-biden/>.
- Brazier, Alex, Christopher Kaminker, Christopher Weber, and Elaine Wu. 2023. "How the U.S. Transition Policy Impacts Investing." BlackRock. January 2023.
<https://www.blackrock.com/corporate/insights/blackrock-investment-institute/publications/us-transition-policy-implications>.
- Davis Noll, Bethany A., and Richard L. Revesz. 2022. "Presidential Transitions: The New Rules." Yale Journal on Regulation. October 11, 2022. <https://openyls.law.yale.edu/handle/20.500.13051/18221?show=full>.
- Dejonghe, Marie. 2021. "Will Only a Green Power Remain Great Power?" JSTOR. May 1, 2021.
https://www.jstor.org/stable/resrep32279?searchText=%28%28%28China%29+AND+%28renewable+energy%29%29+AND+%28investments%29%29&searchUri=%2Faction%2FdoAdvancedSearch%3Ff0%3Dall%26c1%3DAND%26f1%3Dall%26acc%3Don%26q0%3DChina%26q1%3Drenewable%2Benergy%26sd%3D2021%26ed%3D2025%26c2%3DAND%26q2%3Dinvestments%26f2%3Dall%26so%3Drel&ab_segments=0%2Fbasic_search_gsv%2Fcontrol&refreqid=fastly-default%3A40b8f04d2ee7cb831e30f762c300de9f&seq=6.
- DOD. 2024. "2024 Arctic Strategy." US Department of Defense. June 21, 2024.
<https://media.defense.gov/2024/Jul/22/2003507411/-1/-1/0/DOD-ARCTIC-STRATEGY-2024.PDF>.
- EEAS. 2023. "The European Union and the United States." European External Action Service. April 10, 2023.
https://www.eeas.europa.eu/united-states-america/european-union-and-united-states_en?s=253.
- European Commission. 2022. "REPowerEU - Affordable, Secure and Sustainable Energy for Europe." European Commission. 2022.
https://commission.europa.eu/strategy-and-policy/priorities-2019-2024/european-green-deal/repowereu-affordable-secure-and-sustainable-energy-europe_en.

- . 2023. “REPowerEU - 2 Years On.” European Commission. 2023.
https://energy.ec.europa.eu/topics/markets-and-consumers/actions-and-measures-energy-prices/repowereu-2-years_en.
- Fisher, Dana R. 2024. “Chapter Two from Saving Ourselves: From Climate Shocks to Climate Action.” JSTOR. 2024.
https://www.jstor.org/stable/10.7312/fish20930.5?searchText=%28%28bipartisan+agreement%29+AND+%28clean+energy+transition%29%29&searchUri=%2Faction%2FdoAdvancedSearch%3Ff0%3Dall%26c1%3DAND%26f1%3Dall%26acc%3Don%26q0%3Dbipartisan%2B%26q1%3Dclean%2Benergy%2Btransition%26sd%3D2023%26ed%3D2025%26so%3Drel&ab_segments=0%2Fbasic_search_gsv2%2Fcontrol&refreqid=fastly-default%3A5dc3c83c8aefb433bbdcf89c1862bd41&seq=21.
- Geoffrey, Chen. 2024. “The United States–China Race for Green Transformation: Institutions, Incentives, and Green Industrial Policies.” ProQuest. September 2024.
<https://www.proquest.com/docview/3099202280/abstract/C46317761FAE44D8PQ/3?sourcetype=Scholarly%20Journals>.
- Guo, Qing, and Jingyao Wen. 2024. “Are China’s Renewable Energy Products Competitive in the Context of RCEP?” Sage Journals. May 30, 2024. <https://journals.sagepub.com/doi/full/10.1177/21582440241252210>.
- Guri, Bang. 2021. “The United States: Conditions for Accelerating Decarbonisation in a Politically Divided Country.” ProQuest - PAIS Index. February 17, 2021.
<https://www.proquest.com/pais/docview/2497897616/1A7B0B30D3544E18PQ/3?sourcetype=Scholarly%20Journals>.
- Marshall, Renae, and Matthew G. Burgess. 2022. “Advancing Bipartisan Decarbonization Policies: Lessons from State-Level Successes and Failures | Climatic Change.” Springer Nature Link. March 31, 2022.
<https://link.springer.com/article/10.1007/s10584-022-03335-w>.
- National Archives. 2023. “Federal Register :: Publication of a Report on the Effect of Imports of Neodymium-Iron-Boron (NdFeB) Permanent Magnets on the National Security: An Investigation Conducted Under Section 232 of the Trade Expansion Act of 1962, as Amended.” Federal Register. February 14, 2023.
<https://www.federalregister.gov/documents/2023/02/14/2023-03078/publication-of-a-report-on-the-effect-of-imports-of-neodymium-iron-boron-ndfeb-permanent-magnets-on>.
- Oxford Institute For Energy Studies. 2025. “3: Short History of Chinese Climate Policy - Guide to Chinese Climate Policy.” Guide to Chinese Climate Policy. 2025.
<https://chineseclimatepolicy.oxfordenergy.org/book-content/background/short-history-of-chinese-climate-policy/>.
- Shuai, Jing, Yujia Zhao, Yilan Wang, and Jinhua Cheng. 2022. “Renewable Energy Product Competitiveness: Evidence from the United States, China and India - ScienceDirect.” ScienceDirect. June 15, 2022.
https://www.sciencedirect.com/science/article/abs/pii/S0360544222005175?fr=RR-2&ref=pdf_download&rr=903bc7a14cbddedc.
- Trout, Kelly, Greg Muttitt, Dimitri Lafleur, Thijs Van de Graaf, Roman Mendelevitch, Lan Mei, and Malte Meinshausen. 2022. “Existing Fossil Fuel Extraction Would Warm the World beyond 1.5 °C.” IOPscience. May 17, 2022.
https://iopscience.iop.org/article/10.1088/1748-9326/ac6228?utm_campaign=Hot%20News&utm_source=hs_email&utm_medium=email.

- Waller, Julian. 2022. “(U) PRC Economic Activity in the Arctic: Implications and Opportunities for the United States and Europe | Policy Commons.” Policy Commons. March 18, 2022.
<https://policycommons.net/artifacts/2449096/u-prc-economic-activity-in-the-arctic/3470874/>.
- White House. 2025. “Unleashing American Energy – Executive Order.” The White House - President Donald J. Trump. January 20, 2025.
<https://www.whitehouse.gov/presidential-actions/2025/01/unleashing-american-energy/>.
- Zhukov, S. V., and O. B. Reznikova. 2023. “Energy Transition in the United States, Europe and China: Latest Trends.” ProQuest PAIS - Index. August 2023.
<https://www.proquest.com/pais/docview/2836664406/1A7B0B30D3544E18PQ/1?sourcetype=Scholarly%20Journals>.

Short Form Student Research

To Pimp a Platform: Kendrick Lamar's Reinvention of Hip-Hop as Political Power

By Caroline Sheehan

Introduction

When voices are silenced, rhythm rises to speak. For decades hip-hop has served as the heartbeat for marginalized communities, changing pain into resilience and resistance into rhythm. Born from the struggles of the Bronx in the 1970s, hip-hop evolved into a cultural force that not only entertains but confronts power. During the late 1980s and early 1990s, hip-hop emerged as a dominant form of protest, providing a voice for black communities facing systemic inequality, police violence, and economic marginalization. Groups like Public Enemy and N.W.A revolutionized the genre by transforming personal experiences with racial oppression into bold confrontational music that demanded societal change. Public Enemy's *Fight the Power* addresses the exploitation of black culture and condemning America's tendencies to erase or diminish black contributions. At the same time, N.W.A's *F*** the Police* offered a direct response to police brutality. N.W.A's confrontational and controversial approach marked an era of collective defiance, where hip-hop artists acted as public spokespeople for marginalized voices.

One artist who continues this legacy is Kendrick Lamar, a rapper, songwriter, and record producer from Compton, California. Known for his introspective lyricism and sharp social critique, Lamar has redefined political hip-hop by blending personal storytelling with broader social commentary. Rather than relying solely on confrontation, his music delves into the complexities of identity, trauma, and systemic oppression, making his work both deeply personal and politically resonant.

Hip-Hop's Political Roots and Lamar's New Voice

Lamar's approach is not like that of the hip-hop legends who came before him. He does not stick to direct political calls or overt defiance. Instead, Lamar's music feels personal. It is introspective, with stories and historical references that force listeners to

confront both individual and collective struggles. His work does not only call out injustice, but it digs into moral gray areas; the guilt, the trauma, and the internal battles that come with being part of a marginalized community. Lamar's music is layered and even sometimes intentionally uncomfortable. Lamar's influence goes beyond the music charts, it has touched the political sphere sparking discussions on race, justice, and inequality at the highest levels of government and media. Barack Obama called "How Much a Dollar Cost" his favorite song of 2015, praising its ability to tell a story that is emotionally charged and complex (Time, 2015). However, not everyone applauds Lamar's work. Conservative commentators like Geraldo Rivera have openly criticized his music, with Rivera going as far as to say that "hip-hop has done more damage to young African Americans than racism in recent years," specifically referencing Lamar's performance of *Alright* at the BET Awards (PBS, 2017). That split reaction, the praise and the backlash, makes Lamar's work a spectacle for cultural and political debate.

This paper will examine how *To Pimp a Butterfly* and *DAMN* function as political communication, specifically exploring what makes Lamar's music distinct from other politically charged hip-hop albums and analyzing how policymakers and politicians have responded to his work. Through his masterful storytelling and use of historical and cultural references, Lamar has not only influenced public discourse on race and justice but also blurred the line between artistic expression and political engagement.

Where Political Hip-Hop Began

Kendrick Lamar's *To Pimp a Butterfly* (2015) and *DAMN* (2017) do more than impress the hip-hop genre, they elevate it. These albums combine deeply personal narratives, spiritual reflections, and genre-blending sounds, turning political protest into something far more introspective. Early politically charged albums like Public Enemy's *Fight the Power*

and N.W.A's *F** tha Police* confronted systemic oppression with direct and confrontational messages. Public Enemy's *Fight the Power* famously declares, "Elvis was a hero to most, but he never meant s*** to me," rejecting white cultural dominance and its grip on black representation in American society (Public Enemy, 1989). This line doesn't just criticize Elvis as an individual; it symbolically calls out how American culture has celebrated and profited from whitewashed versions of black artistry while marginalizing the creators themselves. Elvis, often hailed as the "King of Rock and Roll," built much of his success on the musical styles rooted in black culture. By dismissing him as irrelevant, Public Enemy asserts that mainstream American icons don't represent the lived experiences of black people. Lamar builds on this critique by not targeting individual figures directly but by exposing the systemic structures that exploit black culture while ignoring black communities.

Similarly, N.W.A's *F*** tha Police* opens with, "Right about now, N.W.A court is in full effect," launching into a scathing critique of police brutality and systemic injustice with no ambiguity about its intentions (N.W.A, 1988). In contrast to the bold, collective defiance of these tracks, Lamar's albums are not just about protesting external injustices but about exploring how these injustices manifest internally through self-doubt, trauma, and moral conflict. This shift from collective defiance to introspective critique marks a significant evolution in hip-hop's role in political communication.

Lamar's Redefinition of Hip-Hop Activism

In *To Pimp a Butterfly*, Lamar opens with "Wesley's Theory," a track that uses metaphor and role-play to illustrate the systemic exploitation of black success in America. Lamar adopts the voice of Uncle Sam, symbolizing American ideals, as he tempts a young black man (representing Lamar and the broader African-American experience) with promises of wealth and material success: "And when you hit the White House, do you / But remember, you ain't pass economics in school" (Lamar, 2015). By speaking as Uncle Sam, Lamar critiques how American systems manipulate black individuals by offering them the illusion of freedom through financial success while ensuring they remain trapped in cycles of debt, dependence, or exploitation. Uncle

Sam's reference to economics highlights a broader critique of capitalism and systemic inequality, pointing out how black success is often undermined by structural forces. The line "Uncle Sam want you to / Come and get your money" (Lamar, 2015) reflects the predatory nature of capitalism, suggesting that even when African Americans achieve financial success they are still subject to exploitation by the same system that claims to reward them. The allusion to "cop everything two times" signals consumerism, specifically within marginalized communities, is weaponized as a means of distraction and eventual downfall which just perpetuates economic instability.

Tricia Rose, a leading scholar on hip-hop and black cultural studies, highlights this theme of economic entrapment as central to hip-hop's critique of systemic inequality. In her book *Black Noise: Rap Music and Black Culture in Contemporary America* (1994), she argues that this cycle of economic entrapment has long been a theme in hip-hop but Lamar's nuanced depiction of it as a systemic strategy, rather than individual failure sets him apart (Rose, 1994). Unlike Public Enemy's call for collective defiance or N.W.A's direct attack on law enforcement, Lamar's critique of America in "Wesley's Theory" is less about overt rebellion and more about exposing the subtle and insidious ways that oppression functions under the guise of opportunity. By portraying himself as both victim and critic, Lamar emphasizes that the fight against systemic racism requires awareness about how deeply entrenched these systems are no matter the personal success stories. Murray Forman, an expert on race, geography, and hip-hop culture, echoes this sentiment. In *The 'Hood Comes First: Race, Space, and Place in Rap and Hip-Hop* (2012), Forman argues that Lamar "challenges listeners not just to recognize oppression but to question their own role within the structures that perpetuate it" (Forman, 2012).

This tension between external oppression and internal struggle continues throughout *To Pimp a Butterfly*, particularly in the track "U," where Lamar confronts his survivor's guilt and self-blame. He reflects on the burdens of success and the pressure to represent his community, admitting, "I know your secrets, n**** / Mood swings is frequent, n**** / I think you're embarrassed of me" (Lamar, 2015). In this track, systemic issues like economic exploitation

and racial expectations manifest as personal demons, reinforcing the idea that systemic oppression is not just external but internalized.

While *To Pimp a Butterfly* focuses on exposing the inner consequences of systemic injustice, *DAMN.* focuses on morality, judgement, and spiritual retribution with its political messaging framed through concepts of fate and consequence. In “DNA.” Lamar juxtaposes pride in his heritage with the burden of inherited trauma, rapping, “This is my heritage, all I’m inheriting / Money and power, the maker of marriages” (Lamar, 2017). This line reflects the dual nature of black experience in America, where cultural pride is often accompanied by generational trauma and systemic barriers. By framing this duality within the context of “DNA.,” Lamar suggests that systemic oppression is not just a social construct but something that is deeply embedded in the lived experience of African American communities. Sarah Florini, a scholar of media studies with a focus on black cultural expression, emphasizes this point in her research on black digital media. Florini argues that Lamar’s ability to tie systemic oppression to lived experiences makes his storytelling profoundly impactful. “It’s not an abstract theory but a portrayal of daily survival” (Florini, 2020).

The spiritual and moral framing of *DAMN.* reaches its peak in “FEAR.” where Lamar reflects on the role of fear as a tool of control both within black households and society at large. The line “I’ll beat your a**, keep talkin’ back” (Lamar, 2017) illustrates how fear is instilled early on, creating a cycle of survival instinct, discipline, and societal repression are intertwined.

Media scholar Craig Jenkins, writing for *Vulture* in his analysis of *DAMN.*, explains that Lamar’s exploration of fear does not just address how black families navigate external threats, it delves into how trauma is passed down through generations which in turn is shaping behavior and reinforcing societal control mechanisms (Jenkins, 2017). This framing transforms Lamar’s political messaging from a critique of external systems into a deeper exploration of how those systems are sustained by fear and internal conflict.

What makes Lamar’s approach distinct from

other politically charged hip-hop artists is his ability to seamlessly blend metaphor, personal experience, and cultural critique. His work isn’t a simple call to action but an invitation to reflect on the emotional and psychological costs of systemic oppression. Rather than representing straightforward solutions, Lamar creates space for discomfort, urging listeners to grapple with the external and internal dimensions of inequality. By doing so, he expands on the role of hip-hop as a form of political communication and makes it more than protest. It becomes a drive for deeper introspection and collective understanding. Through his ability to blend storytelling, metaphor, and cultural references, Lamar moves beyond the direct calls to action typical of politically charged hip-hop. Instead, he offers a more nuanced view of systemic oppression, emphasizing the need for both external resistance and internal reflection. His work demonstrates how hip-hop can function not only as protest music but as a powerful form of political communication, capable of addressing the emotional, psychological, and structural dimensions of inequality.

Praise and Backlash: How Lamar’s Music Sparks Political Debate

Kendrick Lamar’s music has not only resonated with audiences but also caught the attention of policymakers and politicians, highlighting its significance as a form of political communication. From praise by former President Barack Obama to criticism from conservative media outlets, the responses to Lamar’s work reflect hip-hop’s evolving role in shaping political discourse.

One of the most notable endorsements of Lamar’s work came from former president Barack Obama, who publicly praised “How Much a Dollar Cost” as his favorite song of 2015, calling it “brilliant” for its moral storytelling and exploration of guilt and responsibility (Time, 2015). The song, which narrates Lamar’s encounter with a homeless man who is eventually revealed to be God, reflects the themes of personal redemption and societal responsibility. Obama’s recognition of the song elevated Lamar’s music beyond artistic acclaim, positioning it as a form of meaningful social commentary that would resonate even with world leaders.

In 2016, Obama invited Lamar to the White House, where they discussed issues affecting black youth and communities such as education and criminal justice reform (The Hill, 2016). This meeting symbolized a major cultural shift as it acknowledged hip-hop not just as entertainment but as a legitimate form of political communication. Lamar's ability to engage in conversations about policy reflected the growing recognition of hip-hop as a medium capable of addressing systemic problems. Obama's acknowledgement of Lamar's work marked departure from earlier political dismissals of hip-hop, showing that its messages could influence discussions at the highest levels of government.

Despite gaining support from figures like Obama, Lamar's music has also faced backlash, particularly from conservative media. One of the most prominent examples occurred in 2015 when Lamar performed "Alright" at the BET awards, a song that had become an anthem of hope during the Black Lives Matter (BLM) movement. Fox News commentator Geraldo Rivera criticized the performance, claiming that "hip-hop has done more damage to young African Americans than racism in recent years" (PBS, 2017). Rivera's comments centered on the perceived threat of Lamar's lyrics, particularly the refrain "We gon' be alright," which conservative commentators misinterpreted as promoting violence and rebellion rather than resilience and unity.

This criticism is emblematic of a long standing pattern in American politics, where conservative figures have often demonized politically charged hip-hop as dangerous or anti-authority. In the late 1980s and 1990s, groups like N.W.A faced similar backlash with their song "F** tha Police" drawing national attention for its blunt critique of police brutality. The Parents Music Resource Center (PMRC), led by Tipper Gore, sought to censor explicit hip-hop lyrics, arguing that they promoted violence and delinquency (Rose, 1994). Lamar's experience with "Alright" demonstrates that despite hip-hop's mainstream success, its political messages remain contested in public discourse, particularly when they challenge established power structures.

Lamar's music has transcended its role as entertainment to become a significant force in

political protests and policy discussions. During the height of the BLM movement, "Alright" became a rallying cry, with protesters chanting its chorus at demonstrations against police brutality. The song's message of resilience and collective strength resonated with marginalized communities, symbolizing hope in the face of systemic oppression. As scholar Craig Jenkins notes, "Lamar's ability to provide emotional grounding for movements like BLM is part of what makes him uniquely effective as a political communicator" (Jenkins, 2017). His work bridges the gap between personal expression and collective action, allowing it to be both reflexive and mobilizing.

Beyond its use in protests, Lamar's influence can be seen in discussions surrounding criminal justice reform and racial inequality. His depiction of economic exploitation, generational trauma, and systemic violence in *To Pimp a Butterfly* and *DAMN*. has sparked conversations about how policy can address these issues. For example, the themes of institutional racism and police brutality explored in his music align with policy efforts like the push for police reform, the end of qualified immunity, and investments in underserved communities. Lamar's ability to articulate these issues through his music has positioned him as a cultural figure whose voice is often referenced in debates surrounding race and policy.

The Enduring Power of Lamar's Political Communication

Lamar's impact on political discourse demonstrates how hip-hop, when wielded effectively, can influence both public opinion and policy discussions. His music's ability to draw praise from politicians like Obama while simultaneously facing conservative backlash underscores its power to disrupt political narratives. By blending storytelling, emotional resonance, and systemic critique, Lamar has established himself as a leading figure in political communication, using hip-hop not only to reflect on injustice but to inspire action against it.

Kendrick Lamar's work challenges traditional political narratives by blending personal reflection, historical analysis, and systemic critique, offering a form of political communication that is

both deeply introspective and broadly impactful. Unlike earlier hip-hop artists who often delivered direct calls to action, Lamar's music exposes the emotional and psychological dimensions of systemic oppression, revealing how external forces of injustice are internalized by individuals. His albums *To Pimp a Butterfly* and *DAMN.* disrupt conventional narratives by refusing to present simple solutions or clear divisions between victims and oppressors. Instead, they explore the complexities of living within a system that simultaneously celebrates and exploits marginalized communities. This nuanced approach has made Lamar's music both influential and controversial.

Lamar's success in using music to spark political discourse raises the question: is music an effective tool for real social change, or merely symbolic resistance? His songs have undeniably inspired movements, with tracks like "Alright" becoming anthems of hope and defiance during protests. However, the impact of music extends

beyond the momentary inspiration it provides. By shaping public narratives and challenging dominant power structures, Lamar's music influences cultural consciousness and brings issues like systemic racism, police violence, and economic inequality into mainstream discussions. As Craig Jenkins notes, Lamar's ability to humanize systemic issues ensures that his work does more than reflect social realities, it compels listeners to confront and question them (Jenkins, 2017).

Ultimately, Lamar's music demonstrates that while political change requires tangible action, cultural shifts are equally important in laying the groundwork for those actions. His ability to connect personal stories with structural critiques shows that music can be both a form of symbolic resistance and a catalyst for deeper conversations that drive change. As long as systemic inequality persists, Lamar's work will continue to be a critical force in shaping political discourse and inspiring future generations to seek justice.

References

- Fabian, Jordan. "Obama invites favorite rapper to private Oval Office meeting." *The Hill*, January 11, 2016. The Hill.
- Feeney, Nolan. "Obama Says Kendrick Lamar Made His Favorite Song of 2015." *Time*, December 9, 2015.
- Forman, Murray. *The 'Hood Comes First : Race, Space, and Place in Rap and Hip-Hop*. Wesleyan University Press, 2024.
- Jenkins, Craig. *Album Review: Kendrick Lamar's DAMN. Is Brilliant, Anxious, and Spiritual* (blog). Accessed January 30, 2025.
<https://www.vulture.com/2017/04/kendrick-lamars-damn-is-an-anxious-and-brilliant-album.html>.
- Lamar, Kendrick. *To Pimp a Butterfly*. 2015. Album.
- Lamar, Kendrick. *DAMN*. 2017. Album.
- N.W.A. *F**k tha Police*. 1988. Song.
- Ohanesian, Liz. "The Music Behind the Movements." *PBS SoCal*, September 5, 2017. Public Broadcasting Service.
- Public Enemy. *Fight the Power*. 1989. Song.
- Rose, Tricia. *Black Noise : Rap Music and Black Culture in Contemporary America*. Middletown: Wesleyan University Press, 1994.

From Venezuela to Russia: How Dictatorships Are Built

By Kaitlyn O'Connor

Few civilizations in the modern world desire totalitarian rule as the status quo, yet there has been an undeniable shift towards autocratic rule among global superpowers in the twenty-first century. There have been fewer truly free and fair elections – the foundation of a democracy – as citizens around the world continue to lose key freedoms. The question for these people has become not "What do we want?" but "Whom do we despise and fear the most?" (Eisold 2011) as autocrats consolidate power. In considering the implications of this trend, this paper examines the political and economic history of Venezuela and Russia under the Chávez-Maduro regime and the Putin administration to uncover three successive steps towards establishing a strong, lasting dictatorship. Understanding these tactics provides a framework for addressing the erosion of democratic norms and ensuring the sanctity of civilian freedoms in the modern world.

Capitalizing on Instability

Political desperation. The feeling of hopelessness in times of economic turmoil or political violence is powerful enough to make someone vote for any change at all, no matter what it might bring. From 1922 to 1958, Venezuela stood as one of Latin America's richest countries due to its vast supply of oil. However, like most oil-dependent economies, Venezuela suffered greatly during the "oil glut" of the 1980s. In 1982, Venezuela had to be bailed out by the International Monetary Fund (Roy & Cheatham 2024). Simultaneously, Venezuela experienced a string of coups since 1945, creating a sense of political instability characterized by the imprisonment of political enemies and rampant corruption. By the 1998 election, the economic promise of socialism, paired with the stability he offered, led the Venezuelan public to elect charismatic former coup leader Hugo Chávez. The election of Chávez marked Venezuela's transition from an emerging democracy to a newborn dictatorship.

Similarly, in 1917, the Russian monarchy

was overthrown during the Bolshevik Revolution, and the Soviet Union (USSR) was established under Vladimir Lenin. Lenin had a pre-established career as a Marxist and characterized his regime with strict, socialist rule. However, after he died in 1924, a power struggle occurred, resulting in the instatement of Joseph Stalin – a participant in the 1917 October Revolution and the Secretary General of the Communist Party's Central Committee. Stalin ruled with an iron fist and imprisoned or sentenced many of his political opponents to death. During the consolidation of Stalin's rule, the Soviet Union faced a period of instability. After Stalin's death, the Soviet Union was left in a political vacuum, again; and in 1991, the Soviet Union finally fell as a result of a stagnant, underperforming economy and an overextension of the military during the Cold War (Little 2022). The formation of the Russian Federation and other post-Soviet Eastern European states – including Belarus and Ukraine – followed. The post-Soviet period was characterized by more political instability and military initiatives by Prime Minister Vladimir Putin to regain control of Chechnya. Putin's military success bolstered his popularity, leading to his election in 2000. The election and subsequent Presidential terms of Vladimir Putin signaled a shift toward centralization and authoritarianism in post-Soviet politics (Savranskaya & Blanton & Sherman 2024).

The periods of economic and political instability predating the Chávez and Putin regimes set the ideal foundation for autocracy. The general public was desperate for a change and desperate for stability. The charisma and popularity of Chávez and Putin allowed them to market themselves as electable forces for both change and stability in their respective states. The ability to observe and capitalize on instability within the economic and political sectors is essential for a dictator to gain control, but how does that dictator maintain control and increase their power?

Restricting Freedoms

To transform a newborn dictatorship into a lasting regime, a dictator must strip individual citizens and entities of their ability to organize, criticize, and exist independently. This means systematically eroding freedoms – of speech, press, and economic opportunity – until opposition is meaningless. In 2000, two years after the election of Hugo Chávez, the Venezuelan National Assembly – the federal legislature of Venezuela – enacted an “enabling law” that allowed the head of state to enact policy without the debate or approval of the legislative branch (Garcia-Sierra 2001). This, consequently, allowed Chávez to strip the legislature of political autonomy, an essential tool in effective checks and balances on executive power.

With the newfound power of the executive, Chávez was able to enact “insult laws,” which restricted criticism of high-ranking public officials (Atwood 2006). Insult laws attacked freedom of speech in a first step towards large-scale censorship. This legislation allowed government officials to jail and punish journalists and news organizations, imposing a status quo of restricted press while simultaneously creating a hostile and repressive political climate. Additionally, Chávez’s socialist policies worked to deplete the historically rich Venezuelan economy. A third of the economic revenue went to socialist programs, but the remaining income went towards lining the pockets of aristocratic “boligarchs,” financing extremist groups, and arming insurgencies across Latin America (Hidalgo 2013). The repression of freedom of speech and the press contributed to a hostile political climate and was a crucial component in Chávez’s strategy to maintain power and suppress opposition.

Similarly, Vladimir Putin has used repressive tactics such as media censorship and has engaged in failed economic strategies to ensure his grip on the Russian government. Putin is famous for his assassinations of political opponents and dissenters. In 2015, opposition leader Boris Nemstov was gunned down on a bridge near the Kremlin (Litvinova 2024). More recently, opposition leader and fierce defender against corruption Alexei Navalny was imprisoned on the grounds of extremism and later reported dead in 2024 (Burrows

& Litvinova 2024). Beyond condemning all forms of opposition, Putin has maintained a strong hold on the Russian media, working to silence independent news outlets. In March of 2022, Putin blocked access to Facebook and major foreign news outlets on the premise of “preventing the spread of fake news” (Troianovski & Safronova 2022). While repressing media outlets could ostensibly combat fake news, restricting freedom of the press ensures that no political criticism is shared online, and people are unlikely to receive crucial information regarding elections – another tactic of autocrats. On the economic side, Putin successfully grew the Russian economy from 2% to 4% of world GDP in the first seven years of his presidency. However, under Putin, there have been several pushes towards privatization, many of which have failed, and Putin has depleted many of the available natural resources in the country (Aris & Tkachev 2019).

These parallel strategies employed by both Chávez and Putin highlight the tactics that are instrumental to maintaining control in an autocracy: repressing freedom of speech and controlling the economy. It is imperative that dictators isolate the general public from each other and ensure criticism is quelled. Repression of speech subsequently works as a form of voter suppression by ensuring that dissenting opinions are not shared among the general public. When individuals feel politically isolated, they are less likely to turn out to vote or engage with opposition campaigns. Finally, when dictators work to weaken or repress the economic state of their country, they inherently work to strip their citizens of economic freedoms and mobility that would empower them to vote out the dictator. Economic hardships force people to prioritize survival over activism. Through this strategy, dictators like Vladimir Putin and Hugo Chávez solidify their grip on power.

The Line of Succession

Every dictator’s political term operates on a deadline – the looming threat of death on the horizon. To ensure their autocratic legacy continues, it is imperative that a successful dictator demand uninhibited loyalty. This is achieved through patronage, intimidation, and the elimination of potential threats (Gurieva et. al. 2022). If a dictator

can ensure dissent is impossible and successfully identify a successor, then they can carry on their suppressive grip on power from beyond the grave. In 2013, Hugo Chávez died. Swiftly after, control of the Venezuelan government was transferred to his vice president and hand-picked successor, Nicolás Maduro. The firm grip on the media and the economy worsened after Maduro was officially elected in 2015.

Maduro, after losing control of the legislature, appropriated much of its power and was quick to violently quell opposition protests, while simultaneously banning opposition parties from running against him. Inflation skyrocketed and foreign allies, or adversaries, imposed sanctions that did more to hurt Venezuelan civilians than the corrupt, untouchable government (Turkewitz 2024). The autocratic legacy started by Chávez has strengthened in the past decade, culminating in a highly contested election in 2024 that has resulted in members of the opposition party fleeing the country of Venezuela in fear of political retaliation by President Maduro. Venezuela, a country that stood on the precipice of economic and democratic prosperity, has a grim future ahead of it under the complete control of Nicolás Maduro. The legislature and election management body lack autonomy, while individual citizens face repression that has resulted in a national migration issue affecting most of Latin America. The Chávez regime seized and expanded authoritarian control, and the Maduro regime has ensured there is little hope for democracy in Venezuela in the foreseeable future.

Vladimir Putin was also a handpicked successor, chosen by predecessor Boris Yelstin. Once power transitioned to Putin, Yelstin's young democratic reforms were quickly reversed with the media placed under government control. High-profile assassinations, poisonings, and arrests of political opponents soon began and have since become hallmarks of Putin's regime, demanding absolute loyalty within his government. Now, with Putin entering the twilight years of his political

career, signs point to him seeking a successor of his own. Many speculate that current prime minister, Mikhail Mishustin, Moscow mayor Sergei Sobyenin, or former president Dmitry Medvedev, will succeed him. All three statesmen have been observed to be close political allies to President Putin and are postulated to continue on the structural foundations of Putin's autocracy (Faris 2024). There is little possibility of democratic structure in the Russian government, and it is highly unlikely that the media will begin to operate as an independent entity after Putin's passing. The legacy of repression, economic stagnation, and curtailed freedoms will likely define the political landscape for years to come. Through the cultivation of loyal successors and the elimination of threats, a dictator can effectively continue the ideals of their regime, even after their retirement or death. The continuation of a dictatorial legacy ensures that the country is entrenched in the policies and ideologies that govern autocracies and deter the likelihood of democracy.

Conclusion

It is imperative to note that democracy should not be viewed as the end-all-be-all. Many countries around the world lack the historical and political structures that allow for an equitable and successful democracy. However, the repression of civil rights and liberties foundations for totalitarian regimes should not be normalized under any form of governance. A society where citizens cannot speak freely, challenge authority, or pursue economic independence is one that ultimately stifles growth and innovation. Studying the historical emergence of autocracies can inform international entities of the warning signs of dictatorial rule to hopefully prevent their emergence and prevalence. By identifying and addressing these indications early, international actors can support the development of governments that prioritize justice and the dignity of individual freedoms. The past holds lessons essential to shaping a future where liberty prevails over repression.

References

- Aris, Ben, and Ivan Tkachev. "Long Read: 20 Years of Russia's Economy under Putin, in Numbers." *The Moscow Times*, The Moscow Times, 19 Aug. 2019, www.themoscowtimes.com/2019/08/19/long-read-russias-economy-under-putin-in-numbers-a66924.
- Atwood, Roger. "Media Crackdown: Chavez and Censorship." *Georgetown Journal of International Affairs*, vol. 7, no. 1, 2006, pp. 25–32, <http://www.jstor.org/stable/43133657>.
- Baburkin, Sergei, et al. "The 1992 coup attempts in venezuela: causes and failure." *Journal of Political & Military Sociology*, vol. 27, no. 1, 1999, pp. 141–154, <http://www.jstor.org/stable/45294157>.
- Burrows, Emma, and Dasha Litvinova. "Protests, Poisoning and Prison: The Life and Death of Russian Opposition Leader Alexei Navalny." *AP News*, AP News, 6 Mar. 2024, apnews.com/article/russia-navalny-life-timeline-0722708e19e51b10699b2cc73ece0bae.
- Eishold, Ken. "Political Desperation and Hatred." *Psychology Today*, Sussex Publishers, 3 Dec. 2011, www.psychologytoday.com/us/blog/hidden-motives/201112/political-desperation-and-hatred.
- Faris, David. "The Men Who Could Succeed Vladimir Putin." *The Week*, The Week, 27 Dec. 2024, theweek.com/feature/briefing/1024619/putins-potential-successors.
- Garcia-Sierra, Mario. "The Demise of the Separation of Powers in Hugo Chavez's Venezuela." *University of Miami Law School*, 1 July 2001, repository.law.miami.edu/cgi/viewcontent.cgi?article=1238&context=umialr.
- Guriev, Sergei. Treisman, Daniel. "How Do Dictatorships Survive in the 21st Century?" *Carnegie Corporation of New York*, 6 December 2022.
- Hidalgo, Juan Carlos. "Chávez's Grim Legacy." *Cato Institute*, 6 Mar. 2013, www.cato.org/commentary/chavez-grim-legacy.
- Little, Becky. "Soviet Union Leaders: A Timeline." *History.Com*, A&E Television Networks, 10 Mar. 2022, www.history.com/news/soviet-union-leaders-order.
- Litvinova, Dasha. "How Putin's Crackdown on Dissent Became the Hallmark of the Russian Leader's 24 Years in Power." *AP News*, AP News, 23 Apr. 2024, apnews.com/article/russia-putin-crackdown-opposition-dissent-prison-532705369591610a94e9e86340233380.
- Roy, Diana, and Amelia Cheatham. "Venezuela: The Rise and Fall of a Petrostate." *Council on Foreign Relations*, Council on Foreign Relations, 31 July 2024, www.cfr.org/background/venezuela-crisis.
- Savranskaya, Svetlana, et al. "Putin's First Election, March 2000." *National Security Archive*, 10 Mar. 2024, nsarchive.gwu.edu/briefing-book/russia-programs/2024-03-21/putins-first-election-march-2000.
- Troianovski, Anton, and Valeriya Safronova. "Russia Takes Censorship to New Extremes, Stifling War Coverage." *The New York Times*, The New York Times, 4 Mar. 2022, www.nytimes.com/2022/03/04/world/europe/russia-censorship-media-crackdown.html.
- Turkewitz, Julie. "What Happened to Venezuela's Democracy?" *The New York Times*, The New York Times, 30 July 2024, www.nytimes.com/2024/07/30/world/americas/venezuela-election-maduro-chavez.html.

The AUKUS Deal and Zero-Sum Strategic Games of the Western Pacific

By David Baker

There has been an undeniable pivot in the United States' strategic focus from protecting European allies to containing China's rising power in the Pacific. China has long aimed to be the naval hegemon of the Western Pacific. Unfortunately for China, their neighbors are unconvinced that Chinese naval hegemony benefits the region. The Philippines, Vietnam, and Indonesia have all suffered from Chinese imperialism. However, no nations in the Western Pacific have the near-peer capability to effectively challenge the growing Chinese Navy, except for Japan or South Korea, which can reliably deter China's Navy from its home waters. That could change with the AUKUS deal, a partnership between the United Kingdom and Australia to develop an advanced nuclear submarine with the backing of the United States, the world's most advanced nuclear submarine operator. I will examine the scope of China's expansionist aims in the South China Sea and Western Pacific, the state of naval power in the Pacific, and how the AUKUS deal will turn Australia into a formidable naval force. I will then argue that the AUKUS deal shifts the balance of power in the Pacific in favor of the U.S. and that the uncertainty of China's response to the deal could make the region more unstable.

China's Control of the South China Sea

The AUKUS nations see their nuclear submarine deal as a reaction to a more aggressive China, which seeks to control the Western Pacific. China has several reasons for wanting greater influence in the Western Pacific: access to large fisheries in the shallow waters (South China Sea Expert Working Group 2017), influence over the \$3.37 trillion in trade that transits the South China Sea (China Power Team 2017), and access roughly 190 trillion cubic feet of natural gas and 11 billion barrels of oil that lie beneath the South China Sea (South China Sea Energy Exploration and Development n.d.). China claims sole control over the area and its resources because it claims it lies within the geographic limits of the Chinese Exclusive Economic Zone (BBC 2023).

To acquire these resources, China has built several military bases in the South China Sea and continues to expand its presence (Asia Maritime Transparency Initiative n.d.). China's military presence is not just about extracting resources; it also believes that achieving the status of regional hegemon and maintaining its economic dominance requires the ability to control maritime traffic. Within the past 30 years, China has become the second most populous nation in the world and the second largest economic power. Vast fleets of container ships and fishing vessels have left China's shores and ply the oceans in search of resources and trade opportunities; their navy is sailing with them, ensuring that they will bring money and trade back to China.

Other Pacific nations are wary of China's influence.

AUKUS and the Importance of Australia

AUKUS is a trilateral security alliance between Australia, the United Kingdom, and the United States. It is focused on further developing its capabilities in several key warfighting domains, primarily electronic and undersea warfare. The key area of the AUKUS alliance most relevant to this essay is the SSN-AUKUS program. This program seeks to develop a new nuclear-powered submarine that will be built and commanded by Australia and the United Kingdom, with technological and training support from the U.S. These new submarines will be among the most advanced submarines in the world.

The U.S. hopes that these vessels will shift the geopolitical dynamics of the Pacific in its and its allies' favor, strengthening the chain of nations seeking to counter China's expansionism. Australia is uniquely positioned in this chain to partner with the U.S. Australia is a member of the Five Eyes, an intelligence-sharing network between Australia, Canada, New Zealand, the U.K., and the U.S. (Australian Signals Directorate, n.d.). These nations are the U.S.'s closest allies, and the country's most eager to prevent the expansion of Chinese naval

power in the Pacific. Australia also has the advantage of not facing the political constraints or other security commitments that other Western Pacific nations face. Japan's forces are limited by its constitution, while South Korea's primary military focus is preparing for a resumption of the conflict with North Korea (South Korea's Military Strength, 2024). The other two Pacific nations that have the capital and industry to increase their submarine fleets and potentially build nuclear submarines, Japan and South Korea, both have political prohibitions against using nuclear technology for military applications.

Japan's military forces are restrained by law to only serve for self-defense, preventing it from establishing a military umbrella to defend its allies (The Constitution of Japan). Japan has long been a leader in nuclear non-proliferation, as it remains the only nation that has seen the wrath of nuclear weapons wielded against it in war. (Nuclear Non-Proliferation Treaty) Japan also understands the risks of nuclear power generation. The Fukushima power plant meltdown after the 2011 earthquake and tsunami polluted much of the surrounding countryside. (Fukushima Daiichi Accident, 2024) As such, Japan has long been unwilling to develop nuclear reactors or weapons for military purposes and instead relies on its formidable conventional navy and air force for defense.

South Korea, in contrast, has no constitutional limits on nuclear proliferation. South Korea maintains some of the world's largest and most advanced shipyards (Sharma 2024), and the newly built Dosan Ahn Changho class of diesel-electric submarines are some of the most advanced in the world. (Wertheim 2023) So why hasn't South Korea built nuclear-powered submarines? Like Japan, South Korea has a treaty with the U.S. that restricts it from building and refining uranium to potentially create a nuclear weapon. This is because the U.S. sees nuclear proliferation in the Sea of Japan as a major risk. Thus, Australia is the only Pacific nation willing and able to build nuclear-powered submarines today.

Undersea nuclear power is an elite club, with only nine nations building or operating nuclear submarines (Buchholz 2024). Australia, Brazil, China, France, Russia, the U.S., and the UK are the

only nations that have the political will, military budget, and economic technological standing to build and operate nuclear submarines.

However, Australian-built nuclear subs will only be completed in the 2040s (Grady, 2023). In the meantime, Australia will purchase three U.S.-built Virginia class nuclear attack submarines to operate and train their crews for future operations with the AUKUS class submarines. After the AUKUS class boats are delivered to Australia, they will take a frontline position. They will stealthily operate in the Western Pacific, leaving China wary of provoking a nation with powerful Western allies. If Australia chooses to, it could also quickly construct nuclear weapons from the technology they have gained from the SSN-AUKUS program, placing a nuclear-armed state in China's front yard and raising the potential cost of China's expansionism. This would strengthen the hand of the U.S. Pacific allies and would deter China from further expansion.

The Implications for the Future of Pacific Security

The U.S. hopes the AUKUS deal will enable Australia to take a larger role in deterring Chinese expansionism by equipping a Pacific nation much closer to the action with a top-tier undersea force. The current U.S. strategy against China has been to deter their naval expansion with an allied chain that stretches from Japan and South Korea to the Philippines and Australia. Adding another nuclear undersea force to this group could aid the U.S. in curbing Chinese expansionism.

However, AUKUS could backfire by increasing the number of nations with advanced nuclear propulsion plants that require enriched uranium. The reactors found in nuclear submarines use enriched uranium to keep refueling to a minimum, usually once every 10-20 years (Nuclear Powered Ships, 2023). The enrichment process for nuclear reactors is the same for creating weapons-grade uranium. The uranium found in submarine reactors is only a small step away from weapons-grade, increasing fears that the AUKUS agreement could cause greater nuclear proliferation in the Pacific. If Western Pacific nations see that the threat of nuclear-powered vessels deters China, others may develop their own nuclear-powered submarine fleet. With the tensions rising, the last

thing that the region needs is more nuclear-armed states, increasing tensions and instability in the region.

However, there is hope that this will not happen. The Western Pacific remains the only region where nuclear weapons have been used in war, and public support for their development is low. Since Australia is building nuclear power plants and not nuclear weapons, the Australian public is more accepting of the construction of these submarines.

Australia's involvement in AUKUS also has substantial economic and political implications. China is one of Australia's essential trading partners, with 26 percent of Australia's exports going to China, or roughly \$219 billion. Australia sends metals, natural gas, and coal to China, and in exchange, manufactured goods like computers and cars are imported (Australian Department of Foreign Affairs and Trade, n.d.). The AUKUS deal could strain their economic relationship.

However, China is not the only nation left feeling betrayed by the AUKUS deal. The deal also angered France. They were angling for a contract to build diesel-electric powered submarines for Australia, only to be subbed in favor of a US-British Deal, losing €31 billion (Sheftalovich, 2021). The deal may have been broken because it had many problems and delays. Throughout the negotiation, the cost of the contract kept increasing. Also, while it would have given the Australians an effective underwater force, it would have prevented Australia from acquiring advanced production technology.

The broader significance of the AUKUS deal lies in the U.S. and its allies' attempt to counter the ascendent and expansionist China. Both China and the U.S. see the Pacific as a zero-sum arena. China has long been building its naval shipbuilding capabilities, and the U.S. has fallen behind in the total number of naval vessels. Many believe the U.S. would run out of anti-ship missiles in a week if it entered a war with China (Jones, 2023).

The AUKUS deal is the U.S. trying to address these strategic shortfalls by building the capabilities of its Pacific allies. The U.S. should address its own fleet shortfalls by modernizing its undersea and surface fleets and expanding production of long-range anti-ship missiles. China will not take this lying down, of course. They have already begun increasing the production of ships that could serve as landing craft for a potential invasion of Taiwan (Sutton, 2025). China and the U.S. are now locked in a silent struggle for geopolitical dominance in the Western Pacific, and we will continue to see the U.S. move to return to fighting strength in the Pacific.

The AUKUS deal attempts to elevate another Pacific nation to the highest level of undersea warfare to deter China's expansionism and shift the strategic balance of power in favor of the U.S. and its allies. However, the risk of miscalculation grows with the addition of another nuclear-powered submarine force in the region. The goal of this deal is peace through naval deterrence, but the results could be disastrous.

References

- Asia Maritime Transparency Initiative. *"China Island Tracker."* Accessed February 27, 2025. <https://amti.csis.org/island-tracker/china/>
- Australian Department of Foreign Affairs and Trade. *"China Country Brief."* Accessed February 1, 2025. <https://www.dfat.gov.au/geo/china/china-country-brief>
- Australian Signals Directorate. *"Intelligence Partnerships."* Accessed January 9, 2025. <https://www.asd.gov.au/about/history/75th-anniversary/stories/2022-03-16-intelligence-partnerships>
- BBC. 2023. *"What is the South China Sea Dispute?"* Published July 7. Accessed February 27, 2025. <https://www.bbc.com/news/world-asia-pacific-13748349>
- Buchholz, Katharina. *"Only Six Countries Operate Nuclear Submarines."* Accessed January 9, 2025. <https://www.statista.com/chart/29489/number-of-nuclear-powered-submarines-worldwide/>
- China Power Team. 2017. *"How Much Trade Transits the South China Sea?"* *China Power*, August 2. Updated January 25, 2021. Accessed January 8, 2025. <https://chinapower.csis.org/much-trade-transits-south-china-sea/>
- Grady, John. 2023. *"Australia's First Nuclear Submarines Could Be a Reality in Less Than 30 Years, Former PACOM Commander Testifies."* *USNI News*, February 7. Accessed January 9, 2025. <https://news.usni.org/2023/02/07/australias-first-nuclear-submarine-could-be-a-reality-in-30-years-former-pacom-commander-testifies>
- Jaeger, Jeffrey. 2024. *"One Nation's Fishing Fleet, Another Nation's Pirates: Countering China's Maritime Militia."* *Proceedings*, April. Accessed January 19, 2025. <https://www.usni.org/magazines/proceedings/2024/april/one-nations-fishing-fleet-another-nations-pirates-countering>
- Jones, Seth. 2023. *"Preparing the U.S. Industrial Base to Deter Conflict with China."* *CSIS*, January 23. Accessed January 19, 2025. <https://features.csis.org/preparing-the-US-industrial-base-to-deter-conflict-with-China/>
- Non-Proliferation Treaty. Accessed January 15, 2025. <https://disarmament.unoda.org/wmd/nuclear/npt/>
- South China Sea Energy Exploration and Development. Accessed January 19, 2025. <https://amti.csis.org/south-china-sea-energy-exploration-and-development/>
- South China Sea Expert Working Group. 2017. *"A Blueprint for Fisheries Management and Environmental Cooperation in the South China Sea."* Accessed January 8, 2025. <https://amti.csis.org/coc-blueprint-fisheries-environment/>
- South Korean Military Strength. 2024. Published September 24. Accessed March 1, 2025. <https://behindasia.co/355-2/>

- Sheftalovich, Zoya. 2021. *"Why Australia Wanted Out of Its French Submarine Deal."* Politico, September 16. Accessed January 16, 2025.
<https://www.politico.eu/article/why-australia-wanted-out-of-its-french-sub-deal/>
- Sharma, Abhishek. *"South Korean Shipbuilding: Capabilities, Competition, and Constraints."* Accessed January 9, 2025.
<https://www.orfonline.org/expert-speak/south-korean-shipbuilding-capabilities-competition-and-constraints>
- Sutton, H. I. 2025. *"China Suddenly Building Fleet of Special Barges Suitable for Taiwan Landings."* Naval News, January 10. Accessed January 19, 2025.
<https://www.navalnews.com/naval-news/2025/01/china-suddenly-building-fleet-of-special-barges-suitable-for-taiwan-landings/>
- The Constitution of Japan. Accessed January 9, 2025.
https://japan.kantei.go.jp/constitution_and_government_of_japan/constitution_e.html
- U.S.-R.O.K. Agreement for Peaceful Nuclear Cooperation. Accessed January 15, 2025.
<https://www.state.gov/remarks-and-releases-bureau-of-international-security-and-nonproliferation/u-s-republic-of-korea-r-o-k-agreement-for-peaceful-nuclear-cooperation/>
- Wertheim, Eric. 2023. *"South Korea's Sophisticated KSS-III Submarines."* Proceedings, June. Accessed January 9, 2025.
<https://www.usni.org/magazines/proceedings/2023/june/south-koreas-sophisticated-kss-iii-submarines>
- World Nuclear. *"Fukushima Daiichi Accident."* Accessed January 15, 2025.
<https://world-nuclear.org/information-library/safety-and-security/safety-of-plants/fukushima-daiichi-accident>
- World Nuclear Association. 2023. *"Nuclear Powered Ships."* Accessed February 1, 2025.
<https://world-nuclear.org/information-library/non-power-nuclear-applications/transport/nuclear-powered-ships>

Tactical Nuclear Weapons in South Korea

By Chloe Teo

Current Issue

The nuclear tensions in East Asia remain high, especially between South Korea and North Korea. Kim Jong-Un continues to develop his own nuclear arms at an alarming rate. The treacherous environment is the lack of tactical nuclear weapons across the border in South Korea, due to their signing of the Nuclear Non-Proliferation Treaty (NPT). The imminent threat of North Korea is of high importance to the Biden Administration because of the growing power of North Korea as an authoritarian state, causing the U.S.-South Korea alliance to also become increasingly threatened. Should Kim Jong-Un attempt to attack South Korea, it is presumed that he will be emboldened enough to similarly attack Japan, ultimately expanding his power and place in the international system. All of these threats beg the question of whether Washington should deploy tactical nuclear weapons to South Korea for the first time since they pulled them out in 1991. Despite the threat, the Biden Administration should *not* send weapons to South Korea, but instead continue his extended nuclear deterrence policies, along with becoming firmer in constraining North Korea's ambitions. If these strategies are combined with open communication and the internal strengthening of South Korea's stance, North Korea can be deterred from a strike and prevent a nuclear war.

Recommendation

America's deterrence and nuclear assurance must continue if the decision is made against arming South Korea. Since the U.S. pulled nuclear weapons out of South Korea, their policy of extended deterrence through nuclear assurance has kept Kim Jong-Un at bay. President Biden believes that America's second-strike capability is credible should they use their growing nuclear arsenal. However, to increase Seoul's safety from a potential attack, the prevention of a nuclear war must be prioritized through open lines of communication between the U.S., North Korea, and South Korea (Hoon 2021), p. 84). South Korea has continued to solidify its nuclear

preparedness based on the Three-Axis System (TAS). The TAS is a "kill chain to destroy North Korean nuclear weapons with its preemptive strikes when a nuclear attack is imminent", the Korean Air and Missile Defense is used "to intercept incoming North Korean nuclear" weapons, and the Korea Massive Punishment and Retaliation conducts "large-scale conventional retaliation against North Korea" (Park 2024, p. 2). This retaliation is done without the use of nuclear weapons as South Korea signed the NPT. The TAS is crucial to how America's nuclear extended deterrence and the NPT work together seamlessly. By increasing communication between the nations, the TAS can be strengthened and there is a lesser chance of misperceptions that cause an unintentional war involving the bomb.

Utilizing the TAS, South Korea can focus on conventional weapons and to not risk alliances with the West or extended deterrence policies under a nuclear umbrella, allowing them to have less reliance on nuclear weapons (Mount 2023, pp. 126-127). A strong alliance with the West alone is a threat to North Korea. Should they strike South Korea, there is strong confidence the US has a second-strike capability with their own arsenal, threatening irrevocable damage (Roehrig 2017, pp. 124-181). The goal is to prevent a nuclear war, so the US should resort to conventional weapons when aiding as they have the same strategic effect without the hesitation that comes with using the bomb. Should the US not send nuclear weapons to South Korea, they *must* continue the nuclear umbrella and Seoul must yield their autonomy to be safest from Pyongyang (Park 2019, pp. 447, 449).

A liberal perspective on international politics would support this policy as it focuses on norms, institutions, and alliances between nations. The norm of non-use of nuclear weapons developed post-World War II after the U.S. annihilation of Hiroshima and Nagasaki. Those norms were based on the principles of war, focused on proportionality, distinction, and no unnecessary harm, all of which generally prohibit war based on the UN Charter

Section II (Mayerfeld, 2023). Liberals strongly support cooperation and the use of institutions to produce order and reduce conflict between nations. The development of the norm of non-use came to represent simply not using them because of the symbolism attached to acquiring the bomb. Having a bomb became a symbol of a rogue state, one that could go off the rails and never turn back. No democratized state wanted this label, so the norm spread. Liberals stress alliances and by doing so, there is optimism to change how the world views nuclear weapons and their destructive power. With a US-South Korea alliance, Seoul can be confident that Washington will come to their aid in an armed conflict.

If South Korea were to acquire their own nuclear weapons, disregarding the NPT, there is immense fear it would escalate and involve additional states with nuclear capabilities. By bringing in more nuclear-armed states, the disputes across the 38th Parallel are expected to escalate to a world-wide nuclear war. The Biden Administration is attempting to avoid this domino effect and allowing President Yoon to develop nuclear weapons poses a danger to the system. There have already been times when two nuclear states, both with second-strike capabilities, go to war. A potent example is the Kargil War (1999) when India and Pakistan had the bomb and were at war within a year over the Kashmir region (Kier, 2024a). This conflict escalated to be extremely violent with counterattacks, eventually ceasing with Clinton's involvement. Liberals may argue that this occurred because of what is known as the stability-instability paradox, where mutual kill at the strategic level encourages conflict at the lower level because both sides don't want to risk a major war (Kier, 2024b). Liberals can explain this paradox as the norm of non-use prevents states from striking another with it, thus making lower levels of violence more likely and easy to execute with little repercussions. This further strengthens the liberal argument that having the bomb will make international order worse off, as many lower-level conflicts can emerge with the heightened risk of escalation each time.

For the efforts of the NPT to be strengthened, liberals stress the International Atomic Energy Agency (IAEA). It was established to support

the non-proliferation efforts of the NPT. They are an intergovernmental organization "dedicated to increasing the contribution of atomic energy to the world's peace and well-being" (Britannica, 2024). Member states must report all their nuclear materials and agree to inspections that are designed to ensure states aren't putting their nuclear activity into bomb construction. Liberals argue this is a strong component of the NPT as it reveals violators and has more credibility than a state because of its status as an intergovernmental agency. This is because they are relatively neutral and separate from alliances, which makes biases unlikely, thus increasing credibility (Kier, 2024c). The IAEA itself cannot impose sanctions on known violators, but they can push those findings to the UN for them to do so. Liberals stressing the use of institutions to guide structure in the international system will strongly support the IAEA and NPT because it can change how states achieve their interests. They will agree that continuing South Korea's membership in the IAEA and NPT will allow for the norm of non-use to continue, their interdependence on the US will increase, thus making a war less likely. Today, South Korea has nuclear programs solely for their energy and security, and they are not putting any into their military forces (Lim 2019, pp. 303-310). The inspections done by the IAEA has allowed for South Korea to have nuclear energy without it being used as a force of aggression, making this institution important to a liberal view of maintaining balance in the international system. All of this combined with the US's second-strike capability on North Korea, are strong enough deterrents to prevent a strike so that DC does not need to deploy tactical nuclear weapons to South Korea.

Disadvantages

With every policy recommendation comes disadvantages. With a liberal stance, there is strong emphasis on intentions and credibility, which can be difficult when it comes to authoritarian regimes and states that the US sees as inherently evil. Credibility has three parts: interest, resolve, and capability (Mercer, 2024). All three of those parts *must* be met for a threat to be credible. As time goes on, the credibility of the United States' ability to protect South Korea is weakening (Hoon 2021, p. 87). This very real appearance of a weakening resolve by the

west can cause South Korea to seek out their own nuclear weapons, wiping the slate of the NPT. This obviously risks many things, namely the buildup of South Korean weapons that is likely to threaten North Korea into a strike or potentially an arms race of extremely destructive potential. The notion that the United States is a strong deterrent against North Korea and that they will go to South Korea's aid in the event of a strike begs the question of whether Biden is willing to sacrifice Seattle for Seoul (Hoon 2021, p. 93). It's clear that is not a rational choice to choose Seoul over Seattle, which increases the worries about Biden's extended nuclear deterrence credibility as his resolve to go through with it is less convincing. These are small concerns in Seoul that can be addressed through open communication and dialogue between President Biden and President Yoon.

Critique

Conversely, a realist would have a different perspective. Most will argue that the US *should* deploy nuclear weapons to South Korea, based on their assumptions of the system. Since they view the international system as an anarchy, they don't believe institutions have a role in interactions and norms have no sway in a state's actions in a regulating manner, rather they are used for advancement in power. With an emphasis on norms and rogue state labels on the liberal behalf, realists counter with the fact that the norm is unenforced, thus being a failed attempt at deterring a nation. Realists focus on material capabilities, arguing that South Korea cannot trust the US's intentions to defend them, so they must increase their capabilities, or the US should aid in that by sending weapons over. This will ensure the US's ability to defend them without relying only on extended deterrence (Woolf and Chanlett-Avery 2017, p. 2). A realist would see open dialogue and reinforcement of the NPT as a failure at best, as no state can be trusted, and intentions can and will change overnight.

In an anarchy and self-help system, deploying weapons will signal a credible threat on the part of DC, which can deter Pyongyang from resorting to escalation based on the second-strike capabilities of US weapons. Realists also argue that by sending American warheads over, Biden will be

able to have a stronghold in the region, balancing power against China and North Korea. Power is all that matters, and by having some influence in the Asia-Pacific, this increases the power the US has in the international system. With this increased power, strong deterrence is possible, and borders can be blocked, especially the 38th Parallel (Roehrig 2017, pp. 154-181). A realist would not believe that South Korea wouldn't hunger for the bomb as their authoritarian counterpart across the border is increasing their arsenal. Kissinger once argued that if a nation's neighbor has the bomb, then surrounding states will need it to survive, their adversary cannot be the only that has nation-destroying abilities (Kier, 2024c). Realists go directly against South Korea's signing of the NPT and IAEA as this means nothing if North Korea has their own weapons and are not part of the programs.

Liberals argue that the power of the administration's extended nuclear deterrence policy that involves no deployment would be enough to deter North Korea, but realists counter by arguing that the US has weakening leverage in Asia with no military presence. This weak presence gives China a chance to rise even faster with North Korea. Pyongyang is already strengthening their military capabilities, especially with their increased tests on nuclear reactors. This has brought great fear to South Korean citizens, creating increasing support to nuclear rearmament, whether by the US or their own (Lim 2019, pp. 299-300). The rise of either of these nations poses a great threat to US hegemony, and by deploying weapons into the Asia-Pacific, America can hold onto its power longer and signal its capability to strike.

Retort

A realist opinion on the decision of whether to send nuclear weapons has valid concerns about the recommended policy, however there are points to be considered that only liberals address. Firstly, the norm of non-use and symbol of a rogue state is extremely significant in the interactions between states. Should the US send tactical weapons, non-armed states will likely view them as rogue, thus tarnishing the democratic image of the US. That is not a risk Biden should take, as international power dynamics are sure to be impacted. There have also been unnecessary

escalations when two competing states have the bomb, like arms races, border disputes, and overall regional tensions. Many of these can cause misfires and misperceptions that can escalate up the nuclear ladder, something no nation wants, especially given mutual kill. Biden cannot risk border disputes and misperceptions between both South and North Korea, so continuing his extended deterrence with added communication channels is the best way to prevent misfires.

Expanding the US sphere of influence and deploying weapons carries the incredible risk of provoking the East into aggressive measures the West is trying to avoid (Woolf and Chanlett-Avery 2017,

pp. 1,9). This escalation increases the likelihood of eastern powers balancing against the growing powers of the west, creating unnecessary tensions that could lead to misfires and escalation. At the true heart of the policy recommendation is the NPT and keeping it viable in South Korea. The realist view will directly undermine the NPT by allowing South Korea to have nuclear weapons, causing the norm of non-use to erode, resulting in the proliferation of weapons that have way too much destructive power and risk attached. By keeping the NPT strong and increasing communications between the nations, the norm won't erode, and the East will not feel compelled to respond.

References

- Hoon, Choi Jung. 2021. "North Korea's Advanced Nuclear Weapons and US Extended Deterrence for South Korea: An Assessment Based on Nuclear Deterrence Theory." *Asia-Japan Institute of Ritsumeikan University, Journal of the Asia-Japan Research Institute of Ritsumeikan Univ.* 2: 109-134. https://en.ritsumei.ac.jp/research/aji/young_researcher/profiles/yong09/.
- "International Atomic Energy Agency (IAEA) | Britannica." n.d. Accessed January 31, 2025. <https://www.britannica.com/topic/International-Atomic-Energy-Agency>.
- Kier, Elizabeth. 2024a. "Non-Use of Nuclear Weapons Since Hiroshima and Nagasaki." University of Washington, Seattle, May 8.
- . 2024b. "Nuclear Proliferation: A Force for Stability?" University of Washington, Seattle, May 15.
- . 2024c. "Nuclear Proliferation: Why the Bomb?" University of Washington, Seattle, May 13.
- Kristensen, Hans M., and Robert S. Norris. 2017. "A History of US Nuclear Weapons in South Korea." *Bulletin of the Atomic Scientists* 73 (6): 349–57. <https://doi.org/10.1080/00963402.2017.1388656>.
- Lim, Eunjung. 2019. "South Korea's Nuclear Dilemmas." *Journal for Peace and Nuclear Disarmament* 2 (1): 297–318. <https://doi.org/10.1080/25751654.2019.1585585>.
- Mayerfeld, Jamie. 2023. "The Law of War." University of Washington, Seattle, November 27.
- Mercer, Jonathan. 2024. "Deterrence Theory." University of Washington, Seattle, January 8.
- Mount, Adam. 2023. "The US and South Korea: The Trouble with Nuclear Assurance." *Survival* 65 (2): 123–40. <https://doi.org/10.1080/00396338.2023.2193104>.
- Park, Hwee-rhak. 2019. "The South Korea–US Alliance under the North Korean Nuclear Threat: A Reluctant Return to the 'Autonomy–Security Trade-Off.'" *Pacific Focus* 34 (3): 447–72. <https://doi.org/10.1111/pafo.12150>.
- Park, Hwee-Rhak. 2024. "A Non-Nuclear US Ally's Nuclear Preparedness Dilemma: South Korea's 'Three-Axis System.'" *Defence Studies* 24 (2): 257–76. <https://doi.org/10.1080/14702436.2024.2303412>.
- Roehrig, Terrence. n.d.-a. "CHAPTER FIVE South Korea and the U.S. Nuclear Umbrella from Japan, South Korea, and the United States Nuclear Umbrella: Deterrence After the Cold War on JSTOR." Accessed January 31, 2025. <https://www-jstor-org.offcampus.lib.washington.edu/stable/10.7312/roeh15798.9?seq=1>.
- . n.d.-b. "CHAPTER SIX The U.S. Nuclear Umbrella: Planning, Capabilities, and Credibility Planning, Capabilities, and Credibility from Japan, South Korea, and the United States Nuclear Umbrella: Deterrence After the Cold War on JSTOR." Accessed January 31, 2025. <https://www-jstor-org.offcampus.lib.washington.edu/stable/10.7312/roeh15798.10?seq=1>
- Woolf, Amy F, and Emma Chanlett-Avery. n.d. "Redeploying U.S. Nuclear Weapons to South Korea: Background and Implications in Brief."

Should the United States Replace its “Strategic Ambiguity” Posture with an Explicit Commitment to Defend Taiwan from an Armed Attack?

By Trisha Agrawal

Introduction and Background

The Taiwan Strait conflict is currently one of the most rapidly changing political conflicts in which the U.S. plays a crucial role. The People's Republic of China (PRC) views Taiwan as Chinese territory and the unification of Taiwan with China is a main priority, while Taiwan seeks to maintain the status quo. With the establishment of the Taiwan Relations Act (TRA) in 1979 and the three U.S.-PRC Communiqués, the U.S. defined its relationships with both China and Taiwan. It included the “One China” policy where the United States formally acknowledged but did not necessarily endorse China's claim over Taiwan while detailing America's unofficial support for Taiwan's defense against China. This cemented America's foreign policy strategy of strategic ambiguity, which balances conflicts by having an ambiguous stance and undefined commitments to both Taiwan and China. This allows the United States to have flexibility in its method of deterrence against conflict from either side. In recent years, the circumstances have changed. Increased aggression from China through frequent military drills near Taiwanese borders and rising nationalism from both nations have heightened the likelihood of conflict. As the situation intensifies, it begs the question of whether the United States should change its ambiguous stance for a more clearly defined foreign policy to better manage a potential conflict.

The United States has large stakes in this conflict—Taiwan is America's 8th largest trading partner and a main supplier of semiconductors and other technology which the U.S. heavily relies on for its own industries as stated in the Congressional Research Service (Lawrence 2024, p. 2). The main goal of the U.S. in this conflict is to maintain the status quo and prevent China from attacking Taiwan. The American policy aim is to maintain deterrence and support the most peaceful solution to this

conflict. Despite the popular idea that strategic clarity must be incorporated into American foreign policy to address rising concerns, strategic ambiguity is still the most effective policy approach for the U.S. to manage its China-Taiwan relationship as it is the best equipped option to navigate impending unforeseen conflicts.

Recommendations

The first policy recommendation for the American management of the Sino-Taiwanese relations is the continued use of strategic ambiguity. Strategic ambiguity entails deliberately declining clear commitments or having a clear stance in order to avoid provoking escalation. Current strategic ambiguity policies involve a few key details: the United States acknowledges the One China policy yet still unofficially supports Taiwan, does not specify any commitments to either nation, maintains the stance that any conflict that occurs should be resolved peacefully, and seeks to utilize deterrence to ensure conflicts do not escalate (Wu 2021, p. 178). The U.S. will not define any explicit commitments to Taiwan or China in order to maintain the status quo and preserve dual deterrence. The U.S. holds an incentive for not being forthright about the commitment to Taiwan because preserving the status quo serves American best interests in terms of economic benefits (Benson and Niou 2001, p. 2). The United States benefits greatly from trade with Taiwan because they are one of its most important trading partners (Lawrence 2004, p. 1). It is a priority to make sure that U.S. action does not provoke conflict being initiated from either Taiwan or China and to ensure that the status quo is maintained. This concept includes the assumption that neither side will initiate conflict given the United States unclear policy (Zhongqi 2003, p. 1). Due to the increasing tensions in this conflict, neither side will want to risk the losses of starting a war and not succeeding which is why they are increasingly dependent on American

policy in this matter and why this policy is becoming more important.

The other main reason why strategic ambiguity is effective in this situation is because it offers a practical approach for handling the unique challenge of dual deterrence. According to the typical deterrence strategy, the United States would have to clearly state its commitment to protecting Taiwan, but this is not currently the case. America needs to prevent Taiwan from attacking China and prevent China from attacking Taiwan, which is termed dual deterrence (Benson and Niou 2001, p. 19). Successfully balancing this will result in successful deterrence, which aligns with the main goal of maintaining the status quo. The U.S. can assume that it is the only state with private information, deciding to make a stronger commitment when its capabilities are strong, and weaker commitments when capabilities are weaker (Benson and Niou 2001, p. 20). This assumption stems from a rationalist perspective, since having control of private information is a reason for avoiding conflict. Based on U.S. actions from this private information, different results can occur. Taiwan may feel protected enough to attack or provoke conflict by claiming independence if the U.S. makes a strong commitment to them, but China may take it as an opportunity to attack if it is a weaker commitment to Taiwan (Benson and Niou 2001, p. 21). Hence, the only other option is to succeed in the dual deterrence between China and Taiwan and maintain the status quo of ambiguity. The U.S. needs to be ambiguous enough to convince both sides not to attack each other, which requires a perfect combination of commitment that is not too high or low so that neither side feels like it is enough to be able to attack or claim independence.

The successful implementation of the policy of strategic ambiguity in this conflict entails several different aspects. The following recommendations all come from the framework of strategic ambiguity that the TRA and Three Communiqués provide. First, the U.S. must not specify what type of relationship between China and Taiwan would be acceptable. China claims that Taiwan is a part of China, and the U.S. acknowledges this. The U.S. would also uphold that this is an internal affair between the two and assert

that they should choose to be peaceful (Benson and Niou 2001, pp. 14-15). The U.S. does not specify what actions would be taken in a hypothetical conflict as a way to deny either side confidence in their potential resulting actions. Yet, the United States still allows itself to interfere if it helps maintain peace (Benson and Niou 2001, p. 15). This policy follows a realist perspective because it means that in the case of conflict, American interests will be threatened so they may not promise to remain uninvolved and ambiguous as it is now. Ultimately, the U.S. will remain ambiguous but can intervene during conflict if that is the best course of action to preserve peace, but also to protect its self-interests.

The U.S. already provides militaristic and diplomatic support to Taiwan, and this approach has been successful under strategic ambiguity so this strategy should be continued. The United States can intentionally create uncertainty to prevent either side from escalating (Benson and Niou 2001, p. 2). This is used as a method of balancing ambiguity in the conflict so that the added uncertainty may discourage any new increase in tensions. For example, America can create uncertainty by deliberately sending unclear or contradicting signals of its level of commitment to either side, such as contradicting a previous claim of support. If successful, the United States will have deterred either side from taking further action since they would not have American security assurances.

However, there are a few important critiques to note with strategic ambiguity. Due to the previously mentioned increasing tensions in the Taiwan Strait, it is becoming increasingly more difficult to continue the policy of strategic ambiguity. With increased pressure and aggression from China, there is more pressure on the U.S. to abandon ambiguity and instead replace it with strategic clarity. It has become progressively more difficult to uphold the aforementioned ambiguous policies. This is a risk because it is already easy to miscalculate strategic ambiguity since its policies do not dictate clear actions or consequences. Instead, it promotes a framework that is subject to discretion in the event of actual conflict. Many experts call for clarity to combat this changing dynamic and prevent the risk of losing its own interest in maintaining the status quo.

Despite this, strategic ambiguity remains the best course of action to protect U.S. interests. As the likelihood of conflict becomes increasingly more plausible, so do the chances of unforeseen events. Strategic clarity is too simplistic and cannot provide an adequate framework for navigating unforeseen events (Tucker 2005, p. 187). Regardless of the claim that clarity is needed for newer concerns with the Taiwan Strait, strategic ambiguity will actually work the best during the inevitable unforeseen events that come with increased tensions.

Many experts in foreign policy claim that the United States must evaluate whether there is a reason for change from strategic ambiguity due to growing concerns about its inefficacy. It is argued that the observable flaws of ambiguity can be solved by replacing it with strategic clarity in U.S. foreign policy. Given the growing concerns that conflict is imminent, the best way to protect U.S. interests is to adopt strategic clarity instead of relying on ambiguity. This idea follows the realist perspective that states may do whatever it takes to ensure their own security over others, and one can never be sure if other states will attack first. Thus, it pays off to take preemptive actions as a form of deterrence to prevent either side from initiating conflict (O'Hanlon, 2024). This is also called deterrence by denial, or a type of deterrence that convinces the aggressor that they are not likely to succeed in a war. Essentially, strategic clarity involves defining clear and specific plans to navigate a particular conflict.

If the U.S. implemented strategic clarity into its foreign policy, it would include explicitly stating that it will defend Taiwan in the case of China initiating conflict. The United States can express this commitment in the form of an official statement, alliance, or a similar type of agreement with Taiwan. More specifically, the 'defense' it supports Taiwan with could be further specified by stating that the U.S. will send ships, aircraft carriers, or something else near the border. This type of policy is meant to reduce miscalculation by making specific plans (Wu 2021, p. 195). There are two types of clear commitments that can be made to assure Taiwan of American support. A sunk-cost signal could be used, which entails that the United States sends a signal that has an immediate cost when announcing the

alliance or agreement. An example could be to immediately begin military training together or increasing mutual trade to show American solidarity. However, if the cost of war is excessive, then the other type of signal, a tying-hands signal, will be more beneficial. This would result in the U.S. making a promise that if conflict occurs, it will protect and aid Taiwan. There is no immediate cost or action besides a statement required for a tying-hands signal, but there are costs that are paid later. The president would pay audience costs, or the cost of not following through on the commitment if he or she backed out of protecting Taiwan in the event that China attacked. These costs include the global distrust of America's alliances, and even the distrust and loss of support both domestically and internationally for the incumbent American leader.

In the last several U.S. administrations, there were changes that diverged from strategic clarity to ambiguity. In 1996, China fired two missiles near the border of Taiwan to intimidate the nation right before they held their first democratic presidential election. This aggression prompted the United States to intervene, involving the deployment of a few aircraft carriers as a demonstration of its willingness to support Taiwan's security (Tucker 2005, p. 187). After this event, the Bush and Clinton administrations gave way to pressure from China to make public statements about how they did not support Taiwanese independence at the time (Tucker 2005, p. 187). The shift towards strategic clarity continued into President Trump's first administration when he removed the barriers to U.S.-Taiwan relations and accelerated the transfer of arms from the U.S. to Taiwan (Kanapathy, 2024). He also changed the official U.S. stance on the One China policy by weakening its support of it in order to provide Taiwan with more U.S. assurance (Kanapathy, 2024). President Biden also made a statement as a way of balancing rising Chinese threats (Kanapathy, 2024). The United States has already established a clear precedent to continue to use strategic clarity if it must.

However, there are downsides to incorporating strategic clarity into U.S. foreign policy. Based on the aforementioned recent shift towards clarity, it would mean that the U.S. is more clear about support for Taiwan. Given this, the U.S.

can anticipate that there would be obvious aggressive backlash from China for diverging from the previously agreed upon One China policy (Tucker 2005, p. 209). Additionally, it would require changing the Taiwan Relations Act which may create further instability (Tucker 2005, p. 208). If the United States were outspoken about supporting Taiwan, a peaceful result to the conflict would be very unlikely. The only way to meet its goal of supporting a peaceful conflict resolution between China and Taiwan is through peaceful unification (Zhongqi 2003, p. 405). In order for this to be achieved, the United States would not be able to support Taiwan but rather have to support China and their use of force to unify Taiwan with China (Zhongqi 2003, p. 405). This is a major disadvantage of strategic clarity, since America's current stance does not align with supporting China, discrediting it as a viable option.

Another variation of strategic clarity is deterrence by punishment, a policy in which the U.S. would threaten severe consequences to whatever nation is the first one to initiate conflict. Such punishments can include threatening severe economic sanctions (Benson and Niou 2001, p. 7). Under the rationalist assumption that states are typically risk-averse, this can for instance increase the cost of attacking Taiwan for China and can deter them from taking such actions. The method by which we threaten punishment for China if they start an attack on Taiwan can include a hypothetical threat, such as an unofficial 'war of words'. This policy option is a type of strategic clarity because it requires the United States to act first by issuing a threat under the assumption that Taiwan is inevitably going to become independent enough to provoke China and be first to initiate aggression (Benson and Niou 2001, p. 8). Additionally, the U.S. would threaten that it will not intervene if conflict is initiated, however the mutually beneficial U.S.-China relationship will weaken. The U.S. would also not agree to defend Taiwan if they were to declare independence, but would assert that the United States will come to Taiwan's aid in negotiating more freedoms to prevent them from claiming independence and thus being the first to initiate a dispute (Benson and Niou 2001, p. 8).

Critiques and Retort

The main reason why strategic clarity and deterrence by punishment are highly recommended as alternatives to strategic ambiguity is because ambiguity is ultimately an outdated policy. It is argued that the biggest flaw of ambiguity is how easy it is to miscalculate and the severity of the consequences from miscalculation are. There is no clear policy to define what the correct action is in every circumstance, so strategic ambiguity allows a lot of flexibility—which can potentially become a consequence. A commonly mentioned flaw of ambiguity is that it does not meet the needs of the rapidly changing climate of the Taiwan Strait. Some of these changes include rising Chinese and Taiwanese nationalism (Benson and Niou 2001, p. 4). Taiwan has gained a lot of economic success in the past few decades, leading to increased pride among Taiwanese people while nationalism in China has increased as a result of the governmental efforts to instill national pride over Chinese territorial power (Benson and Niou 2001, p. 5). Because of these growing trends in nationalism, the risks from miscalculation increase as leaders start to take more polarized and extreme stances and become less willing to negotiate (Benson and Niou 2001, p. 5). Additionally, there is a significant military imbalance between China and Taiwan as China's military capabilities increase and they would obviously overpower Taiwan if conflict were to escalate (Benson and Niou 2001, p. 5). Proponents of strategic clarity claim this limits the scope of decision making and flexibility. As the decision-making scope is limited, it makes maintaining dual deterrence more difficult, thus making it less attainable to maintain the status quo of avoiding conflict and maintaining American interests (Zhongqi 2003, p. 391). Strategic clarity is proposed as a solution to these issues.

However, these shortcomings are no reason to switch to strategic clarity, as these arguments against ambiguity do not consider that even strategic clarity lacks a proper solution against a changed dynamic and imbalance in the conflict. These aforementioned changes bring an unpredictable dynamic in which mistakes can lead to unwanted further escalation against America's goal of peaceful resolutions (O'Hanlon, 2024). A fundamental flaw of strategic clarity is that it is a general oversimplification of conflict (Tucker 2005, p. 187). This theory built upon the idea that previously

chosen policy can accurately predict future conflicts, which is an exaggeration of its capabilities (Tucker 2005, p. 187). Strategic clarity is essentially useless in unforeseen events, creating a false sense of security which will enable miscalculation by making it seem like there are fewer consequences for riskier actions (Tucker 2005, p. 205). It limits options by forcing the United States to keep to a specific framework of policy which could actually make the conflict worse if the United States does not have the flexibility to adapt its response according to the unforeseen circumstance. Thus, having clear strategic policies will inhibit America's ability to accurately navigate a potential conflict without risking escalation (O'Hanlon, 2024).

Although strategic ambiguity is not without its faults with the risk of miscalculation, that risk still exists with strategic clarity. Given this, ambiguity has more benefits than costs and is overall a better policy because of the additional advantages it provides. The flexibility of strategic ambiguity will allow the United States to respond to any potentially dangerous conflict in the Taiwan Strait (Zhongqi 2003, p. 389). There are a few ways

in which America can overcome the faults of ambiguity, however. The main obstacle to overcome them is finding the right balance between making too strong or too weak commitments to Taiwan and China (Benson and Niou 2001, p. 23). The margin of error is small, which makes it difficult to justify relying on this as a policy plan. Alternatively, a better strategy to use as previously mentioned is creating false and conflicting perceptions of commitment (Benson and Niou 2001, p. 23). If both Taiwan and China are uncertain about the level of American commitment to them, then they will hesitate to move any further and risk escalating conflict which results in a successful use of dual deterrence (Benson and Niou 2001, p. 24).

While this policy may otherwise sacrifice some degree of deterrence, this is a satisfactory trade-off because ambiguity is the only option which allows us to prevent avoidable escalation as well as granting us more opportunities for diplomatic resolutions. Thus, the best American policy choice for the Taiwan Strait is the continued use of strategic ambiguity instead of making an explicit commitment to Taiwan.

References

- Benson, Brett V., and Emerson MS Niou. "Comprehending strategic ambiguity: U.S. security commitment to Taiwan." Manuscript, Duke University (2001).
- Kanopathy, Ivan. "Cross-Strait Policies to Meet Today's Challenges" Brookings, April 16, 2024. <https://www.brookings.edu/articles/should-the-united-states-change-its-policies-toward-taiwan/>.
- Lawrence, Susan V. "Taiwan: Background and U.S. Relations - CRS Reports." Congressional Research Service, May 23, 2024. <https://crsreports.congress.gov/product/pdf/IF/IF10275>.
- O'Hanlon, Michael E. "The Case for "Strategic Clarity"—in Economic, not Military, Warfare" Brookings, April 16, 2024. <https://www.brookings.edu/articles/should-the-united-states-change-its-policies-toward-taiwan/>.
- Tucker, Nancy Bernkopf. "'Strategic Ambiguity Or Strategic Clarity?'" In *Dangerous Strait: The U.S.-Taiwan-China Crisis*, edited by NANCY BERNKOPF TUCKER, 186–212. Columbia University Press, 2005. <http://www.jstor.org/stable/10.7312/tuck13564.13>.
- Wu, Charles Chong-Han. "The End of Washington's Strategic Ambiguity? The Debate over U.S. Policy toward Taiwan." *China Review* 21, no. 2 (2021): 177–202. <https://www.jstor.org/stable/27019014>.
- Zhongqi, Pan. "U.S. Taiwan Policy of Strategic Ambiguity: A Dilemma of Deterrence." *The Journal of Contemporary China* 12, no. 35 (2003): 387–407. doi:10.1080/1067056022000054678.

How the United States Fails Mothers

By Sophia Wilkins

Introduction

The United States, though renowned for its global prowess in policy-making, falls flat in one essential area of public policy: parental leave. The country fails to provide mothers, or parents in general, the support necessary after giving birth to a child. The U.S. is exceptional in its treatment of parents; it is one of two countries that do not have any form of paid maternity leave. Additionally, of all the Organisation for Economic Co-operation and Development (OECD) countries, it has the least generous maternity or family leave policy in terms of time off (Henderson & Jeydel 2017). Furthermore, women are culturally expected to be the caretakers for their children, thus creating a system where women are more likely to take parental leave even if men and women are both offered it. To reconcile these facts and confront these issues, at least fourteen weeks of paid leave for new mothers should be offered. This paper will discuss the background of maternal leave in the United States, foreign models of the policy, the obstacles to accessing leave, and a recommendation for the U.S.

United States Policy Background

Before 1993, the United States did not have any national maternity leave policy. Maternity leave coverage was generally available only under state law, collective bargaining agreements, and employer policies. Only 12 states required at least some private sector employers to offer maternity leave coverage (Berger & Waldfogel 2004). In 1993, with the Family Medical Leave Act (FMLA), limited forays were taken into a national policy, and no progress has been made since. FMLA has many flaws – to be eligible for coverage, employers must have 50 or more employees, the employee has to have worked for at least 1250 hours during the previous 12 months at the company, and leave is entirely unpaid (Henderson & Jydel 2014). With that in mind, Yale Professor Joel Waldfogel (1999) still found that the introduction of FMLA increased leave-taking by about 23 percent among new mothers. However,

because the act is so restrictive, a little less than 60 percent of American private sector workers were eligible for FMLA leave as of 2012 (Rossin-Slater 2017).

In addition to its limited scope, there are major issues with this policy. First, it is much less generous than maternity leave policies in most other industrialized countries. In the 19 OECD countries, the average length of job-protected maternity leave coverage is 10 months, with several European countries offering parental leaves that extend up to two or three years post-birth (Berger & Waldfogel 2004). In comparison, FMLA provides less than 3 months. The second major issue is that FMLA offers only unpaid leave, while only 12% of private sector workers had access to paid family leave through their employers as of 2015 (Rossin-Slater 2017). Thus, if an employee is offered paid leave from their employer for less than the 12 weeks of guaranteed job protection, they may have to return to work prematurely for financial reasons (Berger & Waldfogel 2004). The same is true for people who are offered no paid leave at all, returning to work even earlier.

Mothers who return to work too soon often put not only their health in jeopardy but that of their newborns as well. Research has shown a 51% decrease in re-hospitalization when paid parental leave is an option (Jou, et al. 2018). The United States has the highest maternal mortality rate of any industrialized nation at 21.1% for every 100,000 live births, which scholars have tied to the absence of paid maternity leave (Cresswell 2020). Since the establishment of FMLA, several states have enacted additional paid family leave programs that go beyond the scope of FMLA. For example, California's Paid Family Leave policy, enacted in 2004, nearly doubled leave-taking rates among mothers with children under one (Cresswell 2020). Moreover, evidence suggests that the impacts on leave-taking are largest for the least advantaged mothers – lower class, unmarried, and minority mothers particularly – suggesting that access to government-provided paid

leave may reduce social disparities and inequity (Rossin-Slater 2017). The United States has a long way to go if it wishes to meet the needs of American mothers.

Alternative Policies

The International Labour Organization (ILO) of the United Nations—the central global agency dedicated to labor and family issues—considers maternity protection a fundamental human right. The ILO’s primary goals concerning maternity protection are to enable women to combine their reproductive and productive roles successfully, to prevent unequal treatment at work due to their reproductive role, and to promote equal opportunities and treatment in employment and occupation, without prejudice to health or economic security (Rossin-Slater 2017). The ILO recommends that a woman earns at least two-thirds of their previous earnings for a minimum of 14 weeks of maternity leave. It further prohibits discrimination in employment before, during, and immediately after the maternity leave period, addressing another major issue facing mothers – an issue gone unanswered by American federal policy. The ILO also argues that benefits should be provided by the government through compulsory social insurance or public funds and not just from the employer. This combats potential discrimination against women in the labor market that may arise when employers find women more costly to employ (Rossin-Slater 2017).

When compared to the ILO’s standards, many countries are far more progressive than the United States when it comes to parental leave policies. Globally, 51% of countries provide a maternity leave benefit of at least 14 weeks, 20% of countries mandate 18 or more weeks of leave, 35% of countries provide 12-13 weeks, and only 14% of countries provide less than 12 weeks of maternity leave (Henderson & Jeydel 2017). Furthermore, 42% of the 152 countries studied by the World Health Organization met the pay standard, 34% of countries exceeded this standard by providing 100% of previous earnings for 14 weeks, and 59% of the countries paid less than the recommended amount for less time (Henderson & Jeydel 2017). The United States, falls in the minority in all cases.

Germany’s parental leave is set up very

differently from the United States. Since the reunification of East and West Germany, many women chose to focus on their careers and not having children, leading to its policies being redesigned for more flexibility for working women and increased gender equality (Henderson & Jeydel 2017). The current parental leave model in Germany entitles both mothers and fathers who work in firms with over 15 employees to parental leave for the first three years of their child’s life. The child-rearing allowance is about \$300 a month, however, it requires that one parent (which tends to be the mother) be designated full-time caregiver or work only part-time. While these benefits are generous, they do not encourage women to balance work and family life. In practice, this type of leave often leads to women taking three years off from work and then returning to a part-time position. This is in part due to social norms and in part due to the economic status of women being lower than men. Ultimately, this incentivizes women to stay home, holding them back from career advancement (Henderson & Jeydel 2014).

Sweden’s parental leave model revolves around a more egalitarian view of childrearing. It follows the belief that children will be better off both developmentally and economically if they bond early on with both parents in a financially stable family. Sweden also strongly supports a “dual breadwinner” ideal in which pay equity between men and women is a major goal. To attain these objectives, the country has designed a parental leave policy that emphasizes men taking time off work over women (Henderson & Jeydel 2017). Sweden’s policy includes stipulations for maternity leave, parental leave, and several provisions specifically addressed to fathers. Each parent gets a total of 480 days of paid leave to split however they want as long as each gets at least 2 months, up to the child’s eighth birthday.

The parent on leave gets almost a full salary for a year (up to 80%), with a 47,000 dollar cut-off before returning to a guaranteed job, and both can work 6-hour days until the child goes to school. When the policy was first introduced, only 3% of men used any leave, concerns with this led to further provisions including: if the father does not stay home, the family loses one month of parental leave and as of 2002, the father gets a non-transferable

month off on a “use it or lose it” basis (Henderson & Jeydel 2014). In 2006, fathers took approximately 21% of the total leave days used by couples (Thomas et al. 2009). Finally, Sweden grants parents a monthly cash allowance to any family with one or more children under sixteen, which equaled about 160 dollars as of 2012 (Henderson & Jeydel 2014). These policies may not be exactly what the United States needs, but Sweden and Germany can serve as strong models for developing a new American model that meets the same needs.

Obstacles to Access

Access to parental leave can only be as comprehensive as the policies protecting it. Stronger policies are held back by the political culture of the United States and the fear of becoming an interventionist state. A Pew Research Center poll from 2024 shows 46% of Americans believe that the government is doing too much which should be left to businesses and individuals (Pew Research Center 2024), which could include economic practices such as parental leave. Another reason for a lack of further policy development on a federal level could merely be American federalism, under which most economic policies are left in the hands of individual states. Finally, the unions in the U.S. are fairly weak, which could also contribute to the absence of stronger policies surrounding parental leave, particularly considering how unions in Europe have been a driving force for these policies (Henderson & Jeydel 2014).

There is a crucial barrier to access which exists outside of the text of the law – the lack of awareness of existing policies. A field poll by the California Center for Research on Women and Families found that only 36 percent of voters were aware of California’s Paid Family Leave program in 2015, over a decade after the program took effect (Rossin-Slater 2017). Additionally, stringent eligibility requirements, low or no pay during leave, and the absence of job protection all accumulate to prohibit workers from taking up leave, especially for those in low-paying jobs (Rossin-Slater 2017). Without popular awareness, leave programs cannot have the positive impact on parents or mothers in particular that they intend.

Even with a maternal leave policy and

even with strong public awareness, women may still choose not to take leave due to a phenomenon known as the motherhood wage penalty. Up to 20 years after childbirth, businesses will underpay or simply not hire women to make up for the cost of employing someone who may need more time off or additional benefits. After giving birth, mothers will continue to earn lower wages, work fewer hours, and are less likely to be employed than fathers or childless people (Henderson & Jeydel 2014). The fact is that women are mistreated and discriminated against in the workforce for merely being capable of childbirth. These obstacles should be taken into consideration when adopting any new maternity leave policy and systematically addressed.

Proposal

At the bare minimum the provisions outlined by the International Labor Organization could and should be implemented by the United States to reform its parental leave programs. For example, simply increasing the amount of allowed time taken off from 12 weeks to 14 weeks seems completely plausible, especially since it is currently unpaid. However, this should be addressed once more by considering what the ILO has outlined – if Americans on maternity leave could make at least two-thirds of what they were previously making, this would significantly increase the number of parents not only taking their leave but taking the entirety of their leave, benefiting them and the child.

The issue with this, however, is affordability. It could not be expected of an employer to pay their employees while they are not working, so where would the money come from? A portion of it could come from the employer, but also, as the ILO suggests, the government could finance it so as to not incentivize discrimination in hiring. Adjusting just a few things, like the length and pay of maternity leave, would have a significant impact on the wellbeing of the mother and child and combat some of the issues as to why the current policy is unsuccessful. Finally, bringing more awareness to maternal leave policy through better workplace education and combating the motherhood wage penalty can ensure parents have a better grasp on what it means for them and can protect women from

job discrimination. The United States has a clear path to strong policy for maternal leave. All it has to do is take it.

Conclusion

Paid maternity and family leave policies are crucial in helping working parents navigate the challenges of balancing job and family responsibilities upon the arrival of a new child. The lack of comprehensive paid parental leave in the United States is a pressing issue that not only affects the health and well-being of mothers and children but also perpetuates social and economic inequalities,

particularly for women. Drawing lessons from international models, the United States can build a more generous, flexible, and equitable approach to parental leave which significantly benefits parents and children. While this change would require substantial shifts in policy and public opinion, particularly regarding government involvement in such programs, it is a necessary step toward fostering a healthier, more equitable society. By failing to implement paid parental leave policies, the United States continues to neglect the needs of mothers, underscoring how the country consistently falls short in supporting those who play a pivotal role in shaping future generations.

References

- Berger, Lawrence, and Jane Waldfogel. "Maternity leave and the employment of new mothers in the United States." *J Popul Econ* 17, 331–349 (2004). <https://doi.org/10.1007/s00148-003-0159-9>.
- Cresswell, Jenny. "Maternal Mortality Ratio." World Health Organization, 2020. <https://www.who.int/data/gho/indicator-metadata-registry/imr-details/26>.
- Gottschall, Karin, and Katherine Bird. "Family Leave Policies and Labor Market Segregation in Germany: Reinvention or Reform of the Male Breadwinner Model?" *Review of Policy Research* 20, no. 1 (March 2003): 115–34. <https://doi.org/10.1111/1541-1338.d01-7>.
- Jou, Judy, Katy B. Kozhimannil, Jean M. Abraham, et al. "Paid Maternity Leave in the United States: Associations with Maternal and Infant Health." *Matern Child Health J* 22, 216–225 (2018). <https://doi.org/10.1007/s10995-017-2393-x>
- Henderson, Sarah, and Alana S. Jeydel. *Women and politics in a global world*. New York, New York : Oxford University Press, 2014.
- Pew Research Center. *Government's scope, efficiency and role in regulating business*. Washington, D.C. June 24, 2024. <https://www.pewresearch.org/politics/2024/06/24/governments-scope-efficiency-and-role-in-regulating-business/>.
- Rossin-Slater, Maya. "Maternity and Family Leave Policy." *National Bureau of Economic Research*, January 2017. <https://doi.org/10.3386/w23069>.
- Van Niel, Maureen Sayres, Richa Bhatia, et al. "The Impact of Paid Maternity Leave on the Mental and Physical Health of Mothers and Children: A Review of the Literature and Policy Implications." *Harvard Review of Psychiatry* 28, no. 2 (March 2020): 113–26. <https://doi.org/10.1097/hrp.0000000000000246>.
- Waldfogel, Jane. "The Impact of the Family and Medical Leave Act." *Journal of Policy Analysis and Management* 18, no. 2 (1999): 281–302. <http://www.jstor.org/stable/3325998>.
- Wells, Michael B., and Anna Sarkadi. "Do Father-Friendly Policies Promote Father-Friendly Child-Rearing Practices? A Review of Swedish Parental Leave and Child Health Centers." *Journal of Child and Family Studies* 21, no. 1 (April 13, 2011): 25–31. <https://doi.org/10.1007/s10826-011-9487-7>.

The Inaccessibility of Movement

By Hana Hamrah

Introduction

According to the International Organization for Migration, “The vast majority of people continue to live in the countries where they were born - only one in 30 are migrants,” (World Migration Report). Migration studies, such as Douglas Massey’s theories of migration, often focus on the forces driving movement: what external pressures lead individuals to make drastic sacrifices to leave their homes (Massey 35). However, scholars are less likely to examine why the overwhelming majority - 29 out of 30 individuals - remain in the same countries despite facing similar structural challenges as the migrants who left (World Migration Report). This “mobility bias” as migration scholar Kerilyn Schewel explains, is an overconcentration on the causes and consequences of movement while simultaneously neglecting the forces that create immobility, or an inability to leave the state one resides in (Schewel 331). By examining individuals who cannot migrate - particularly along the lines of legal status, nationality, and class - migration studies reveal how political and economic barriers create disproportionate access to movement and perpetuate global inequalities.

Immobility Bias within Refugee Framework

The 1951 United Nations High Commissioner for Refugees Convention defines a refugee as someone unable or unwilling to return to their country of origin because of a “well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion,” (1951 Refugee). The phrase “unable or unwilling to return to their country of origin” implies that the individual has already fled their country, limiting the right to seek asylum to those who are crossing a state border. Refugee status is thus contingent upon mobility, giving precedence to those with access to movement while excluding individuals unable to cross a state border from refugee protections.

The crossing of an international border often distinguishes someone between being classified as an asylum seeker or an “internally displaced person” - otherwise known as someone forced to escape their home due to conflict, violence, persecution, or disasters, but remain within their country’s borders (Abdul). As a result, displaced people may face the same oppression as refugees, yet they cannot request protection from other countries since they have not left their state. This exposes the implicit mobility bias within refugee frameworks and transforms refugee status into a privilege, as it can only be attained by those who can cross an international border. The traditional perception of refugees as the most vulnerable population is thus undermined. In actuality, the most vulnerable populations are often the individuals facing the same hardships that refugees were. However, unlike refugees, they are unable to escape due to economic limitations, political constraints, or state-imposed restrictions that cause involuntary immobility.

For example, Maha Mamo, a woman born stateless in Syria, demonstrates the severe difficulties of immobility. Without legal status for the first thirty years of her life, she was ineligible to work, access medical care, open a bank account, or leave the country in order to pursue status in a different one. After writing to numerous other countries, only Brazil accepted her case, giving her a six-month visa. Eventually, Brazilian laws changed allowing her to obtain refugee status, granting her legal belonging and the right to travel (Mamo). For Maha, refugee status, which is often associated with vulnerability, became a gateway to mobility and opened numerous doors in her life. While she was fortunate to become a state-recognized refugee, the estimated ten million other stateless individuals who are forcibly immobile are ignored by movement-centric refugee policies that neglect those stuck in unsafe conditions within their countries (Statelessness).

Political Causes of Immobility

While lacking legal status limits mobility, even state-recognized citizens may experience varying degrees of mobility depending on their nationality. The Henley Passport Index highlights this global hierarchy by ranking state passports according to the number of visa-free destinations available to a citizen (The Official Passport). These rankings closely mirror the relationship between “core” and “periphery” nations, with core countries being capitalist superpowers while peripheries rely on the core (Massey 40). Core countries are most often former colonial powers, such as the United States, France, and the United Kingdom, which are consistently ranked among the top ten most powerful passports worldwide (The Official Passport). In contrast, periphery nations are usually former colonies, war-torn countries, or states with authoritarian regimes, such as Pakistan, Somalia, Afghanistan, and North Korea, which all rank at the bottom of the index since their citizens face the strictest restrictions on travel (The Official Passport).

The strength of a passport determines an individual’s ability to enter a country. Furthermore it reflects their home nation’s relations in the international community, which is entirely out of the control of the citizen. This frames immobility within the context of global north and south politics, with stable and prosperous core countries benefiting the most. Immobility derives from nationality, thus, becomes a modern reflection of historical power imbalances. The citizens of periphery countries who have been historically immobile continue to be so compared to citizens of core nations. While Massey argues this imbalance fuels migration from global south to global north countries, he fails to account for the fact that the disparities between the regions may be so significant that individuals from periphery nations might not even have the means to migrate (Massey 41).

Under severe authoritarian regimes, citizens may also be constrained by their own state in addition to their nationality. A relevant example is Israel’s treatment of Palestinians in the state’s territory, where Palestinians are not authorized to leave without permission from the government (Movement). Gaza, the city in which most Palestinians reside, is surrounded by walls on all sides and is referred to as a “large open-air prison,” rendering Palestinians

immobile and unable to leave the active conflict zone (Edwards 50:20). By hindering movement out of the state, Israel is preventing Palestinians from seeking asylum, effectively trapping them within the state and causing mass internal displacement. Approximately 1.9 million people in Gaza, or about 90% of the population, are internally displaced (UNRWA). Since these people remain within their country’s borders, they are reliant on their state for assistance. However, when the state itself is the direct cause of displacement, as in the case of Israel, there is minimal incentive to provide support. This is evident given that the displacement is reoccurring, as many of 1.9 million displaced Palestinians have been displaced up to 10 times (UNRWA). By forcibly restricting movement, Israel traps Palestinians within a cycle of disaster and displacement, constraining them from the protection of other states.

Economic Causes of Immobility

Economic disparities not only drive migration but also hinder it, as a lack of financial resources can prevent individuals from leaving their countries of origin, even if they desire to do so. This was the case during the Great Migration; a mass exodus of African Americans from the South to the North from 1910 to 1970 with the goal of escaping racial discrimination, Jim Crow laws, and the lack of economic opportunities (Wright). Author Isabel Wilkerson compared the movement to that of other historically oppressed groups, stating, “they did what human beings looking for freedom, throughout history, have often done. They left,” (Wilkerson 15). However, not all Black Americans in the South had the financial resources to afford to relocate themselves. In fact, those who were struggling the most in the South were the ones who were immobile and did not participate in the migration.

While the cost of internal migration can be burdensome for those who are struggling financially, international migration, especially through unauthorized channels, is significantly more expensive, causing increased involuntary immobility on the international scale. Chiara Galli, a migration scholar, interviewed unaccompanied minors who fled to the United States in order to better understand the factors that pushed them to leave. One girl she interviewed, Carla, shared that when her and her

brother left El Salvador, they left separately, embarking on the journey to the United States alone through the help of coyotes. Her brother was sent first since he was directly threatened by a gang and deemed most at risk, and Carla was next out of fear that she would experience sexual abuse (Galli 36). However, their twenty-one-year-old sister remained in El Salvador, as she was not in direct danger, leading her family to choose to “invest their scarce resources in the migration of their two younger children first” (Galli 37).

Although this essay distinguishes between economic and political causes for immobility, they are often intertwined and can both contribute to reasons a person is forcibly immobile. In this case, while the factors driving Carla and her brother out of the country are political, the immobility that the last sibling experiences is caused by a lack of economic resources. Furthermore, needing to be smuggled into the U.S. is also political as it stems from the

restrictive migration policies, which then translate into a greater economic burden on families to pay the smuggling fees.

Conclusion

In order to fully understand inequality through the lens of migration, it is crucial to consider the experiences of those rendered forcibly immobile because of political or economic constraints. These constraints particularly affect individuals along the lines of legal status, nationality, and class, as seen throughout this essay. State migration policies are often derived from migration studies and research. When these studies carry a mobility bias, which many do, this bias becomes translated into policies and frameworks, and immobile populations remain invisible in the eyes of both scholars and states. For their hardships to be considered, scholars must begin to recognize that there are two sides to migration: the factors that encourage individuals to leave their home countries and the factors that keep them in place.

References

- Abdul. “Internally Displaced People.” *UNHCR US*, www.unhcr.org/us/about-unhcr/who-we-protect/internally-displaced-people#:~:text=What%20is%20interna%20displacement%3F,72.1%20million%20internally%20displaced%20people. Accessed 11 Dec. 2024.
- Edwards, Giles, producer. “Build the Wall!” *BBC*, 09 Nov 2019, <https://www.bbc.co.uk/sounds/play/m000b5jc>
- Galli, Chiara. *Precarious Protections: Unaccompanied Minors Seeking Asylum in the United States*. University of California Press, 2023.
- Mamo, Maha. “I am 30 years old, and a month ago I got my first passport.” *Youtube*, uploaded by TEDx Talks, 8 January 2019, <https://www.youtube.com/watch?v=RzffChmXKYA>
- Massey, Douglas S. “Why Does Immigration Occur? A Theoretical Synthesis.” *The Handbook of International Migration*, Russell Sage Foundation, 1999, pp. 34–52.
- “Movement in and out of Gaza: Update Covering January 2022.” *United Nations Office for the Coordination of Humanitarian Affairs*, 28 Mar. 2022, www.unocha.org/publications/report/occupied-palestinian-territory/movement-and-out-gaza-update-covering-january-2022.
- “The 1951 Refugee Convention.” *UNHCR US*, www.unhcr.org/us/about-unhcr/overview/1951-refugee-convention. Accessed 11 Dec. 2024.
- “The Official Passport Index Ranking.” *Henley & Partners*, www.henleyglobal.com/passport-index/ranking. Accessed 11 Dec. 2024.
- Schewel, Kerilyn. “Understanding immobility: Moving beyond the mobility bias in migration studies.” *International Migration Review*, vol. 54, no. 2, 31 Mar. 2019, pp. 328–355, <https://doi.org/10.1177/0197918319831952>.
- “Statelessness.” *U.S. Department of State*, U.S. Department of State, www.state.gov/other-policy-issues/statelessness/. Accessed 11 Dec. 2024.
- UNRWA Situation Report #118 on the Situation in the Gaza ...*, www.unrwa.org/resources/reports/unrwa-situation-report-118-situation-gaza-strip-and-west-bank-including-east-jerusalem. Accessed 12 Dec. 2024.
- Wilkerson, Isabel. *The Warmth of Other Suns: The Epic Story of America’s Great Migration*. Penguin Books, 2020.
- World Migration Report*, International Organization for Migration, 2024, worldmigrationreport.iom.int/msite/wmr-2024-interactive/.
- Wright, Aaron. “Great Migration.” *Encyclopædia Britannica*, Encyclopædia Britannica, inc., 18 Nov. 2024, www.britannica.com/event/Great-Migration.

Court Regulation of Social Media: A Danger or Necessity

By Avery Jensen

Introduction

The political importance of freedom of speech has evolved in the digital age. With social media platforms becoming a main source of information and news, important questions have arisen about the widely recognized human right to freedom of expression and how it should be treated in the online sphere in both domestic and international contexts. Facebook specifically has come to rival many forms of traditional media as a source of news (Kennedy & Prat, 2019). While digital spaces for sharing content have increased societal access to information about institutions like governments, it has also led to new threats that the world must address. Specifically, there have been concerns over the increasingly common reality of governments ruling in a world of “post-truth” politics where misinformation and disinformation have run rampant across social media platforms. This has forced law-making powers to answer difficult questions about the right to express oneself weighed against the right to truthful narratives. The primary problem concerning the right to freedom of expression in the digital space is defining what is considered censorship by the state and what is considered the rightful regulation of misinformation and disinformation. Different state courts have taken on heterogeneous interpretations of this dilemma. Two relevant questions to ask, then, is how courts have ruled on this issue, and what trends in these rulings suggest about the future of freedom of expression.

Two countries on opposite ends of the spectrum have emerged as guiding posts on the dilemma of the strictness of liability. China, on one end of the spectrum, applies Strict Liability to social media companies and is known for its harsh regulation of speech in online spaces. The United States represents the other end of the spectrum, maintaining judicial decisions that attempt to keep online speech referencing the government completely unregulated. While these countries are major global powers, neither of their interpretations

has cemented a clear global sentiment on the answer to regulating speech in digital spaces. Many countries fall somewhere in between China and the US, namely Brazil—another highly populated country that is incredibly influential to their region. By analyzing these three countries, I argue that states with too much hesitancy to put any form of regulation on digital speech will likely do more harm than good in upholding democratic values. Instead, models of conditional immunity that uphold higher standards of accuracy and truth for online content will better serve people’s rights to freedom of expression and personal opinion.

The Threat

Public concern over social media and how it shapes public opinion has grown immensely since the US presidential election in 2016. The concern stems from the fear that powerful entities will potentially weaponize these platforms to manipulate society by providing false information. This would distort public opinion and create a loss of trust in democratic institutions. This threat erodes basic principles integral to the democratic process, especially in areas which require a trust in media, like public health (Cheeseman & Klaas, 2018, p.126). The criticism of social media as a resource for news is that there is not a high level of scrutiny when it comes to accuracy in news-related posts compared to other forms of traditional media.

During the 2016 campaign in the United States, “fake news” emerged as a term closely linked to the concept of modern propaganda (Miró-Llinares & Aguerri, 2021). A series of false news articles were being spread across Facebook, leading to the fear that disinformation was being used strategically on social media to modernize propaganda and sway the mind of the voter. Other examples include the impact of the company Cambridge Analytica and their use of targeted ad campaigns across many elections, especially the role they played in the debate over Brexit. These instances led to a mass wave of new legislation being passed globally in

anticipation of similar threats impacting their elections. Fear over the issue has continued to grow after the COVID-19 pandemic, during which misinformation spread about public health protocols such as masks or unfounded claims over the safety of new vaccines. While propaganda and misinformation are not new, social media has introduced a unique threat as it provides mass access to conduits for disseminating information. This has created a space that allows for fact and news to become blurred with lies and biased opinion, making it difficult for the user to discern the difference.

Two Conflicting Options for Resolution

Governments and scholars alike are now forced to consider whether the threat of a misinformed public is more indicative of democratic backsliding, or if harsher restrictions on freedom of speech represent a greater threat to democratic institutions. This has led to increased studies and research on the ways in which social media has aided in both democratization efforts as well as authoritative shifts. Some have noted the ability of social media to help in the mass organization of groups in favor of democracy, leading to movements that push for stronger democratic institutions, as was the case in Egypt. On the other hand, examples of heavy restriction, in places like China or Russia, have demonstrated how authoritarian regimes have been able to shape national sentiment online and reinforce their power (Kyriakopoulou, 2011). All proposed solutions come down to the rights to information and public opinion, however, honest public opinion relies on the reliability and truthfulness of the information provided.

Scholars have criticized the sudden increase in democratic institutions regulating these social spaces of free speech, noting that decisions are being made before enough research has been done on the matter. This perspective is concerned that global sentiment towards more intense regulation may lead to irrevocable damage being done to free speech rights (Miró-Llinares & Aguerri, 2021). These scholars are hyper-critical of the criminal regulations that have been proposed or even implemented in some countries, noting the harm this will have on the ability to express oneself. They believe these harsh regulations will lead to more harm being done

compared to the potential benefits of trying to calm issues like misinformation.

Other scholars are particularly concerned about the increasing threat of misinformation and extremism online and argue that inaction will be far more detrimental to democratic institutions. These scholars have emphasized that the assumption that complete free access to information or freedom of speech creates the healthiest democracy is naive (Kyriakopoulou, 2011). They claim that those who encourage inaction are not critically engaging with the way that information is communicated in the modern world. They also believe that too much reliance on the freedom of expression theory from decades before the digital age may do more harm to the erosion of democratic institutions. Completely unregulated speech entails the danger of terror and disinformation disguised as accurate information or an opinion rather than a targeted lie. Scholars with this viewpoint tend to support regulations that enforce conditional liability for companies that house this content.

Liability Legislation in the EU, Germany, and India

International attitudes towards social media seem to vary among different global powers. Legislation from the EU, France, Germany, and India can help craft an understanding of the spectrum of liability that has emerged. In 2018 the EU adopted the Voluntary Code of Conduct, legislation aimed at combating hate speech and misinformation online. The code establishes that media companies hold themselves accountable to the guidelines determined by the European Commission voluntarily. While many major media companies joined, some member states of the EU believed further restriction was necessary to adequately address the problem.

The German parliament passed the Network Enforcement Act in 2018, which is known as the strictest regulation in the Western world. This law applies stricter scrutiny to the liability of social media companies, requiring social media to quickly remove any content deemed illegal. Similarly, the French Parliament passed the Avia Law, which attempted to establish stronger liability in France, however, the Constitutional Court of France

overruled the legislation before it was put into place claiming it violated the freedom of expression protected by the Constitution (EDRi, 2020). In 2022, the EU expanded its legislation on the matter with the Digital Services Act. The act is intended to better regulate speech on these platforms as well as hold companies to a higher liability in housing the content that the European Commission deems as unlawful. It sets a significant precedent for expectations about digital free speech in the Western world, and could impact how countries rule on the issue in the future.

This trend towards Criminal Codes and legislation concerning the issue relies on the concept of conditional immunity. The concept of conditional immunity is important as it relates to the practice of notice and takedown procedures, which are intended to hold companies accountable for removing content on social media when it's been reported for being "unlawful" (Pillalamarri & Stanley, 2021). It's important to note that these laws punish the company rather than the individual, but the strict policing of these companies will effectively delegate the act of explicit censorship to these companies. India and many other Asian countries have begun to implement legislation that follows this practice of conditional immunity. In 2021 India passed the Intermediary Guidelines and Digital Media Ethics Code. This Law allows companies to regulate themselves but they must report to the Ministry of Information and Broadcasting, and follow the guidelines of removing content deemed illegal by the state (Ahojja & Sarkar, 2021). Similar criticisms to those directed at the German law have been used to describe this Code too. Digital rights organizations have noted the law to be "undemocratic" as well as claim it "encourages self-censorship" and undermines the integrity of the right to express oneself (Moynihan & Patel 2021).



Country Case: China

China is known globally for its strict legal parameters for online speech. While speech is

restricted by laws passed through the highest political entity, the National People's Congress, there is no process of judicial review or appeal that can be made on decisions concerning free speech. The judicial system is not its own branch of government and is under the jurisdiction of the National People's Congress. The rule of law concept is derived primarily from the Constitution of the People's Republic of China, as well as executive orders and national law (Federal Judicial Center 2023). The court system in China lacks any substantive form of judicial independence, as judges are beholden to the will of the Communist Party in China. Court presidents are responsible for the subordinate judges on their council and the court's overall performance is routinely assessed by Congress. Judges are rewarded for what is deemed as "strong performances" from Congress through promotions and bonuses. In contrast, when the courts act against the will of the Congress, sanctions are placed on justices for underperformance including mandatory training, adjustment to grade or salary, and dismissal. This lack of independence makes it incredibly hard for the court to check any aspect of the government, while singular-party rule throughout the government also creates a culture of unwavering unified belief in legislation that is enacted.

China has a comprehensive cybersecurity system, and initial legislation on internet security and state control began in 1998, with the introduction of the Golden Shield Project. This project is managed by the executive agency, the Ministry of Public Safety. The firewall was intended to create a nationwide digital surveillance service capable of matching records and identifying individuals based on their internet presence (Wang, 2017). Its comprehensive digital surveillance also works by applying strict liability to companies for the content they distribute,

requiring them to comply with the standards set by the Department of Propaganda. This imposes strict constraints and guidelines on discourse about political, religious, and social topics (Moniyhan & Patel, 2021). For these companies to legally operate they must be licensed with the government, and users must register their identity with the service when they make an account. When companies don't comply with standards of speech the state will

require them to remove unlawful content. This includes the 2018 example of Weibo, which had to take down content after claims of “vulgar” and “wrong-oriented” content on their page. Outside of setting company standards, the Cyber Space Administration, another executive agency, can directly take down content and suspend or ban accounts. The court has upheld legislation passed in favor of censorship, demonstrating the strictest precedent on restriction of expression.

This level of censorship can have detrimental effects on the ability of the public to criticize their government. Without access to unbiased information or the circulation of thought, the public is denied their right to personal opinion. This occurred during the media blackouts on content concerning the 2019 Hong Kong peaceful protests against extradition legislation. It has also impacted the discussion of the persecution of the Uyghur population in China, a Muslim ethnic group located in Eastern China. Human Rights groups have accused China of crimes against humanity, in the detainment of over one million Uyghur people who have been sent to reeducation centers (BBC, 2022). With the government's control of the media's discussion on the topic and the heavy restrictions on criticism of the government, it becomes difficult for Chinese citizens to criticize government treatment toward the Uyghur people or organize against these actions. This example is evidence of the dangers that this level of strict scrutiny of online speech can have on not only the right to express oneself but also on the safety of other individuals, like the Uyghurs, when people are unable to draw attention to their plight.

Country Case: United States

The U.S. on the other hand has the least government action on any form of digital speech regulation, even as concerns over disinformation on social media grow. American sentiment towards freedom of expression has long been against government regulation on speech with very few exceptions. Legal precedent allows for restrictions in terms of slander and libel, as well as the famous exception established in the *Schneck v. United States* Supreme Court ruling that established that the First Amendment does not protect speech that encourages unlawful action (Oyez). This is important to consider

in the context of how the U.S. decides to regulate speech in the digital sphere. For a long time, the U.S. has maintained a hands-off approach, however, more recent legislation may be the beginning of a new trend. Section 230 is the current reigning law in terms of legal immunity for tech companies that operate in the social media field. This legislation determines that the U.S. government will not hold these companies liable for speech posted by third parties on their platform. Republicans are critical of Section 230, feeling it provides the government with the ability to target and censor right-wing groups specifically. At the same time, Democrats criticize the restraints it places on regulating things like hate speech or speech that incites violence (Fung, 2024). The debate over Section 230 today is emblematic of the current ideological divide on the government's role in regulation and the concerns that both parties feel towards the issue. Even though both groups believe in the need for reform, their divide on what needs to be reformed has kept them from enacting any reform on the issue.

Courts have also played a key role in maintaining the disposition of a no-regulation strategy in the United States. In July of 2024, the Supreme Court ruled to send *Moody v. NetChoice* back to the state-level court for a better legal interpretation of the question raised in the case about the First Amendment. The court decision reiterated that the government cannot regulate social media to craft its desired narrative on media platforms. This also established that the government cannot pressure a private actor to exclude or prevent speech on its platform, even if the stated goal is to improve aspects like diversity (ACLU, 2024). Civil rights groups in the U.S. like the ACLU have praised the decision, claiming it protects the integrity of freedom of expression. In an article on the decision, the ACLU stated, “the court correctly recognized that online content curation should receive at least as much First Amendment protection as print newspapers, parades, and utility bills do.” However, it is important to acknowledge the danger of treating social media companies the same as traditional media. Social media allows for any person to create an account and post content and information on it whether true or not, which is the precise threat. Traditional media, on the other hand, has a hiring process that looks at qualifications like capability, or credibility, as well as

other departments intended to fact-check and edit information before it is disseminated as fact to the public. This level of scrutiny on accuracy is not a priority of many social media platforms, demonstrating the potential problem with a completely hands-off approach to regulating social media.

Serious consideration for more regulation on these companies arose following the 2016 election, with the emergence of fake news and the growing extremism across major platforms like Facebook and X. Fears further intensified over specifically the lack of fact-checking and social media regulation after the 2020 election when unvalidated claims of election fraud spread quickly across social media platforms resulting in the January 6th riots at the Capitol. Misinformation on these platforms also affected public safety during the pandemic, with the spread of sentiment against national health protocols such as masks and vaccines (Walk & Jain, 2024). The 2024 election also saw increased issues of angry sentiment from conservatives on fact-checking during debates, claiming they were being censored. The particular unfounded rumor that had spread across Facebook, that Haitian immigrants eating cats and dogs in Ohio, also represented the fear Democrats have towards the spread of misinformation harming marginalized groups. These issues led to a growing moral panic, resulting in Congressional hearings held about issues like Cambridge Analytica in 2018 or issues of Child Safety online held in January of 2024 (CNN, 2024). These hearings have flirted with the idea of the U.S. beginning to restrict these social media companies.

Following this potential trend, evidence of the U.S. moving towards a stricter interpretation of liability on the issue is the recent ban of TikTok. In December 2024, courts upheld the congressional ban-or-sell decision after the company had claimed the decision was unconstitutional due to its restriction on free speech (Lima-Strong & Harwell, 2024). This story is still developing and the legal process ahead with appeals is sure to be lengthy, but it may suggest a trend towards increased legislation. Those in favor of the ban claim their fear regards data harvesting on the app, rather than it being an issue over misinformation on the app. However, this decision

could be laying a precedent for courts to consider arguments that allow them to regulate speech online as the First Amendment argument did not prevail in this case.

Country Case: Brazil

Brazil's supreme court has had the most direct role in regulating the online speech of the countries analyzed in this paper. After the recent 2022 election in Brazil, concerns about disinformation similar to those raised during the U.S. 2016 election have grown. During the campaigning leading up to the election, the incumbent candidate Bolsonaro's online supporters made egregious and untrue accusations about the opposition candidate, including claims of cannibalism, pedophilia, and worshipping the devil (Hernandez-Roy & McKenna 2023). Not only do these allegations tarnish the reputation of a candidate, but they also work to further radicalize supporters of Bolsonaro. This radicalization directly resulted in riots that took place during the inauguration of the opposition candidate Lula who had rightfully won the 2022 election. An angry mob attacked federal government buildings demanding military intervention. The Brazil example demonstrates the clear threat of allowing social media spaces to be completely unregulated.

While the U.S. response to the January 6th riots did not focus on regulating the potential danger of extremism and disinformation online, the Brazilian government has. The institutional design of the judiciary in Brazil is very similar to the design of the U.S., with three separate branches of government. The judicial branch is made up of both federal and state-level courts. The Supreme Court of Brazil is responsible for reviewing the constitutionality of federal laws, state laws, decisions from lower courts, and appellate cases that have raised questions of constitutionality (Federal Judicial Center, 2023). The court has 11 justices who are appointed by the president and approved by the Senate. Horizontal accountability and judiciary independence are constitutionally strong.

Under Article Five of the Brazilian constitution, citizens are given the explicit right to freedom of expression, with legal precedent treating

the right similarly to the definitions of freedom of expression in the EU and Germany. This has helped create the kind of legal action and scrutiny level placed on social media companies in Brazil. Brazil's legislation has come primarily through Supreme Court orders, with the intent to hold companies accountable for their lack of regulation on extremism and disinformation. The orders have largely been suspensions ordered by Justices on the Supreme Court when companies do not obey court requests. For example, Telegram was first suspended in 2022 for not removing posts with disinformation, and when the posts were taken down the suspension was lifted. Later in 2023, Telegram was suspended again for refusing to turn over user data about individuals involved in neo-nazi groups and school shootings (Hernandez-Roy & McKenna 2023).

This more explicit control and regulation of social media companies has shed light on the possibility of democratic states regulating this issue of extremism and disinformation online. In recent news, the Brazilian Supreme Court banned X after Elon Musk refused to comply with their legal standards about online speech and regulation. Justice Moraes ordered X to, “block certain accounts from the platform, pay outstanding fines, and name a legal representative in the country.” (NPR, 2024). Musk, outraged by the decision, claimed the decision was authoritative censorship and refused to comply with the demands resulting in the ban of X in August of 2024. This court decision raised concern from groups over the threat to freedom of speech. In Brazil, roughly 20-40 million people use X, so in banning the platform one could claim that it seriously hinders the ability of a large portion of the population to exercise their right to express themselves freely, with one of the main forums for public discussion banned. Ultimately Musk complied with the demands resulting in X being reinstated in Brazil, limiting criticism over the court decisions. Supporters of the order argue that this is a beneficial step in regulating these companies by protecting public interest and safety through taming extremist threats that have grown in online spaces (Pandito, 2024). Brazil's case represents a good example of the middle ground between the U.S. and China in terms of company liability and the practical

application of conditional immunity in digital speech cases.

Conclusion

The threat of online disinformation has become a clear threat to democratic institutions in the past ten years. It has impacted elections, warped public opinion, and threatened public health and safety. It is becoming increasingly clear that perspectives that encourage no regulation of large tech companies, like the U.S., pose a threat via inaction. However, an approach that encourages heavy state policing of speech online, like China, can also jeopardize the democratic process. Arguments that suggest social media companies should be treated as traditional media companies miss the larger problem, of the need for more fine-tuned fact-checking and the process of certifying credibility that is lacking in the social media sphere. Attempting to find the balance is the challenge of legislatures and courts today.

Emerging concepts of conditional immunity are attempting to find a healthy balance. Focusing on legislation that better holds companies accountable for the kind of content they allow to procure on their platform will hopefully lead to better company policies that ensure the right to freedom of expression, while also preventing the spread of ideas encouraging violence and hateful sentiments. Courts that have begun testing forms of regulation, like in the case of Brazil, as well as legislatures that have passed policies like the Digital Service Act offer potential solutions to finding this balance. As the impact of this digital disinformation becomes more clear through further research, and the effect of the new legislation emerging can be studied, a clearer answer to this complicated question will emerge.

References

- ACLU. "Supreme Court Ruling Underscores Importance of Free Speech Online." *American Civil Liberties Union*. July 1, 2024. <https://www.aclu.org/press-releases/supreme-court-ruling-underscores-importance-of-free-speech-online>.
- Ahooja, R., and T. Sarkar. "How (Not) to Regulate the Internet: Lessons from the Indian Subcontinent." *Lawfare*, September 2021. <https://www.lawfaremedia.org/article/how-not-regulate-internet-lessons-indian-subcontinent>.
- Amnesty International. "Everything You Need to Know About Human Rights in China 2020." *Amnesty International*. 2020. <https://www.amnesty.org/en/location/asia-and-the-pacific/east-asia/china/report-china/>.
- BBC. "Who Are the Uyghurs and Why Is China Being Accused of Genocide?" *BBC News*, May 24, 2022. <https://www.bbc.com/news/world-asia-china-22278037>.
- EDRI. "French Avia Law Declared Unconstitutional: What Does This Teach Us at EU Level?" *European Digital Rights (EDRI)*, June 24, 2020. <https://edri.org/our-work/french-avia-law-declared-unconstitutional-what-does-this-teach-us-at-eu-level/>.
- Federal Judicial Center. "China | Judiciaries Worldwide." *Judiciaries Worldwide*. 2023. <https://judiciariesworldwide.fjc.gov/country-profile/china>.
- Fung, Brian. "Congress Hasn't Been Able to Make Social Media Safer. Here's Why." *CNN Business*, February 1, 2024. <https://www.cnn.com/2024/02/01/tech/social-media-regulation-bipartisan-support/index.html>.
- Gesley, Jenny. "Germany: Network Enforcement Act Amended to Better Fight Online Hate Speech." *Library of Congress*, July 6, 2021. <https://www.loc.gov/item/global-legal-monitor/2021-07-06/germany-network-enforcement-act-amended-to-better-fight-online-hate-speech/>.
- Hernandez-Roy, Carolina, and Maureen McKenna. "Brazil's Misaligned Censorship Policy Risks Cutting Off Free Speech to Spite Disinformation." *Center for Strategic & International Studies (CSIS)*. 2023. <https://www.csis.org/analysis/brazils-misaligned-censorship-policy-risks-cutting-free-speech-spite-disinformation>.
- Human Rights Watch. "Germany: Flawed Social Media Law." *Human Rights Watch*, February 15, 2018. <https://www.hrw.org/news/2018/02/14/germany-flawed-social-media-law>.
- Inter-American Court of Human Rights. *StackPath*. 2024. <https://www.corteidh.or.cr/index.cfm?lang=en>.
- Jeantet, Diane. "Brazil Observes Anniversary of the Anti-Democratic Uprising in the Capital." *AP News*. January 8, 2024. <https://apnews.com/article/brazil-riots-anniversary-bolsonaro-lula-41c7e872916ca88ffdb8c27409726dd9>.
- Kennedy, Peter J., and Andrea Prat. "Where Do People Get Their News?" *Economic Policy* 34 (97): 5–47. 2019. <https://doi.org/10.1093/epolic/eiy016>.
- King, Gary, Jennifer Pan, and Margaret E. Roberts. "How the Chinese Government Fabricates Social Media Posts for Strategic Distraction, Not Engaged Argument." *American Political Science Review* 111 (3): 484–501. 2017. <https://doi.org/10.1017/S0003055417000144>.

- Kyriakopoulou, Kalliopi. "Authoritarian States and Internet Social Media: Instruments of Democratisation or Instruments of Control?" *Human Affairs* 21 (1). 2011. <https://doi.org/10.2478/s13374-011-0003-y>.
- Latham & Watkins. "The Digital Services Act: Practical Implications for Online Services and Platforms." 2023. <https://www.lw.com/admin/upload/SiteAttachments/Digital-Services-Act-Practical-Implications-for-Online-Services-and-Platforms.pdf>.
- Lima-Strong, Catia, and Drew Harwell. "TikTok Asks Court to Pause Law That Could Shut Down App in U.S. Next Month." *Washington Post*, December 9, 2024. <https://www.washingtonpost.com/technology/2024/12/09/tiktok-ban-court-injunction/>.
- Media Defence. "Intermediary Liability." *EReader*. 2022. <https://www.mediadefence.org/ereader/publications/advanced-modules-on-digital-rights-and-freedom-of-expression-online/module-5-trends-in-censorship-by-private-actors/intermediary-liability/>.
- Miró-Llinares, Fernando, and Juan Carlos Aguerri. "Misinformation About Fake News: A Systematic Critical Review of Empirical Studies on the Phenomenon and Its Status as a 'Threat.'" *European Journal of Criminology* 20 (1). 2021. <https://doi.org/10.1177/1477370821994059>.
- Moynihan, Harriet, and Champa Patel. "Restrictions on Online Freedom of Expression in China: The Domestic, Regional and International Implications of China's Policies and Practices." *International Law Programme Asia-Pacific Programme*. 2021. <https://www.chathamhouse.org/sites/default/files/2021-03/2021-03-17-restrictions-online-freedom-expression-china-moynihan-patel.pdf>.
- Cheeseman, Nic, and Brian P. Klaas. 2018. "How to Rig an Election." *Yale University Press*. 2018.
- NPR. "Musk's X to Be Reinstated in Brazil After Complying with Supreme Court Demands." *NPR*. October 8, 2024. <https://www.npr.org/2024/10/08/nx-s1-5146510/brazil-x-twitter-court-reinstated-elon-musk>.
- Pandito, Tarun. "Brazil's Judicial Crackdown on X: Free Speech or Public Safety?" *The Boston Political Review*, October 10, 2024. <https://www.bostonpoliticalreview.org/post/brazil-s-judicial-crackdown-on-x-free-speech-or-public-safety>.
- Pillalamarri, Akhilesh, and Cody Stanley. "Online Content Regulation: An International Comparison." *International Law and Policy Brief*, December 8, 2021. <https://studentbriefs.law.gwu.edu/ilpb/2021/12/08/online-content-regulation-an-international-comparison/>.
- Schenck v. United States, 249 U.S. 47 (1919). *Oyez*. Accessed December 9, 2024. <https://www.oyez.org/cases/1900-1940/249us47>.
- Walk, Tim, and Yashika Jain. "Disinformation About US Elections Targets Communities of Color." *Human Rights Watch*, August 15, 2024. <https://www.hrw.org/news/2024/08/15/disinformation-about-us-elections-targets-communities-color>.
- Wang, Maya. "China's Dystopian Push to Revolutionize Surveillance." *Human Rights Watch*, August 18, 2017. <https://www.hrw.org/news/2017/08/18/chinas-dystopian-push-revolutionize-surveillance>.

Germany's Radical Shift to the Right

By Tim Luebbert

Introduction

On September 1, 2024, regional elections took place in the East German states of Saxony and Thuringia. As the results were broadcast on national television, it became evident that Germany was experiencing a significant political shift, often referred to as its first "blue wave." However, this "blue wave" differs from the American context, where blue is associated with the Democratic Party. In Germany, the term refers to the electoral success of the radical right and nativist party Alternative für Deutschland (AfD), or Alternative for Germany. In Thuringia, the AfD managed to win the election by nearly ten percentage points. In Saxony, the party came in as a close second, approximately one percentage point behind the "Christlich Demokratische Union" (CDU), the conservative party of former chancellor Angela Merkel. The state election results display a political development that can be observed across Europe: Voters are more willing to support parties with nationalist and right extremist agendas. Nevertheless, it is unusual for a radical right political party to win any election in Germany since the formation of the Federal Republic of Germany in 1949.

The AfD wants to challenge and question Germany's democracy and institutions. It has deployed increasingly radical ideas and leaders over the last decade. To achieve party objectives, the AfD takes ownership of sociocultural issues and seeks to normalize far-right ideals. It pushes the boundaries of acceptable discourse and uses social media platforms, primarily TikTok, where the party and affiliates spread radical right ideology by targeting young people and binding them to party ideology, for its communication strategy. This paper provides an overview of the party's history, intra-party power dynamics, and its ideological radicalization. It then discusses the AfD's communication of political ideology, delving specifically into the normalization of right-extremist ideas and the use of TikTok to target young voter groups.

How Did the AfD Evolve into a Radical Right Party?

Party History, Intra-Party Power Dynamics, and Ideological Change

The AfD was founded in the wake of the euro-zone debt crisis in 2013. It had a neoliberal-conservative political profile that focused on the political and monetary disadvantages stemming from Germany's EU membership. The party was founded by Bernd Lucke, a euro-critical economist who served as its leader and played a key role in its formation. During the first few years, the party quickly developed into a melting pot of conservatives, neoliberals, nativists, protectionists, and various right-wing extremists. After an unsuccessful German federal election campaign in 2013, Lucke's neoliberal-conservative leadership continued to lose support within the AfD. While the party missed the necessary 5% of votes required to get seats in the German parliament, the right celebrated successes with nativist and anti-immigration campaign agendas in east German state elections in Thuringia, Saxony, and Brandenburg (Rosenfeld, 2017).

The most consequential shift in the AfD's ideological focus took place after the influx of Syrian asylum seekers into Germany in 2015. Under these circumstances, a far-right intra-party faction evolved. The party quickly developed the strictest anti-immigration profile of all German parties. The far-right "*Der Flügel*" (The Wing) faction led by Björn Höcke soon gained popularity and influence within the party (Rosenfeld, 2017). The first open AfD intra-party conflict ending in the ousting of Bernd Lucke and the adoption of the "Erfurter Resolution" (Erfurt Declaration) in 2015 promoted a large ideological shift to the right. It is also regarded as the foundational document of the *Flügel* faction (Pytlas & Biehler, 2024). Initiator Björn Höcke is the AfD state party leader of Thuringia and main figure in the 2024 Thuringia state election victory. He has repeatedly faced legal scrutiny for using Nazi

propaganda in speeches and openly displaying his fascist ideology. In 2024, he was charged a fine of 13,000 euros for using the NSDAP propaganda phrase “Alles für Deutschland!” which translates to “Everything for Germany!” in a public speech (Christofaro & Moulson, 2023).

After Lucke’s departure in 2015, Frauke Petry became the new party leader. She tried to unite the party under a moderate-right realpolitik agenda with the objective to make the AfD an establishment party, but she failed to tame the *Flügel* faction. Her leadership ended in another power struggle and her own voluntary departure in 2017. The third and most recent intra-party conflict came in 2020 when the Bundesamt für Verfassungsschutz (BfV), a state agency that oversees political actors and their compliance with the constitution, “classified *Flügel* as extreme right, which led to a nominal dissolution” (Biehler & Pytlas, 2024). Nevertheless, *Flügel* members remained in the party and their influence on the party program did not dissolve. Rather, the radical right movement was able to extend its power as it significantly influenced the 2021 election campaign program and triggered the departure of co-chair Jörg Meuthen in 2022. Meuthen was the last influential representative of the party’s moderate faction. His departure paved the way for a more radical, anti-establishment leadership under the co-chairmanship of Alice Weidel and Tino Chrupalla (Pytlas & Biehler, 2024).

Today, radical right actors enjoy great control over party ideology. The recent state elections in Thuringia and Saxony show not only that the AfD is successful at its regional strongholds in east Germany, but also the prevalence of *Flügel* ideology within the party. Björn Höcke warrants particular attention, as he is considered the “godfather” of the party’s radical ideology. He established the *Flügel* faction “as a ‘true party’ within the ‘party-as-system’” (Biehler & Pytlas 2024). This is particularly intriguing given that, by 2019, only “20-30% of party members and 24% of AfD Bundestag MPs were affiliated with the grouping” (Biehler & Pytlas). However, this shifted significantly after Meuthen’s departure in 2022, with approximately 60% of party delegates and two-thirds of the executive board now aligning with the radical right ideology of *Flügel* (Decker, 2022).

This implies that the radicalization of the party was driven by a powerful and vocal intra-party minority. This rightward shift intensified with the ousting of powerful party moderates like Lucke, Petry, and Meuthen. The nominal dissolution of the right-extremist *Flügel* faction in 2020 did not stop this development. Delegates of the *Flügel* have repeatedly been subject to BfV investigations and legal scrutiny condemning them of anti-constitutional activities, however the recent state election victory of Björn Höcke and increasing utilization of far-right campaign agendas forecast further shifts to the right. To better understand the AfD radicalization process, we must explore the party’s communication strategies.

How Does the AfD Communicate Radical Right Ideology?

Normalization of radical right ideas

The AfD tries to define itself on nativist sociocultural issues and uses populist rhetoric to communicate radical right ideology. The AfD primarily focuses on immigration and identity politics partly because it seeks to portray itself as the only true conservative right-wing party that represents ordinary people in German society. The AfD’s communication objective is to fuel resentment and separate society and the political party system “into two homogenous and antagonistic camps: ‘the pure people’ versus ‘the corrupt elite’” (Bösch 2023). This demonstrates an anti-establishment stance that rejects all other traditional parties in Germany’s political spectrum.

The communication strategy is focused on holding “issue-ownership of sociocultural issues” (Siefken 2024). Primarily, achieving ownership over the migration issue becomes the central focus. Since 2015, about 15.8 million people have migrated to Germany. This figure includes asylum-related immigration as well as other forms of migration such as labor and educational immigration (Statista, 2024). The significant influx of immigrants brought about numerous challenges to many communities, including organizational overload paired with extensive bureaucracy, language barriers, high unemployment rates among immigrants, and a shortage of shelter (Die Zeit, 2023).

During the 2015 migration influx, Germany's government was led by Angela Merkel and her CDU party. The CDU has traditionally been the dominant conservative party in Germany and a political stronghold on the moderate political right since 1949. Keeping Germany's border open to a large number of immigrants was an unprecedented decision by the conservatives under Merkel's leadership. It left behind a political vacuum, which the AfD successfully filled. The AfD reinforced and justified its position as the only hardline anti-immigration party within the German political landscape. It significantly helped the party to establish its position and normalize the agenda as the only alternative and authentic conservative party on the political right (Wiesendahl, 2016).

The AfD emphasizes the immigration issue and attempts to facilitate popular rejection of migrants, using extreme rhetoric to create a national sense of resentment and racism toward them. AfD politicians seek to normalize radical right and racist political statements as they push the boundaries of acceptable discourse. Right-wing extremists within the party have repeatedly used language associated with the inhumane rhetoric of the *Third Reich*. Björn Höcke is a prime example in this context. In a speech from 2015 denouncing immigration from Africa, he supported his claim by noting that African people follow different *Reproduktionsstrategien* (reproductive strategies) than European ethnic groups. He further claimed that they embody an underlying *lebensbejahenden afrikanischen Ausbreitungstyp* (life-affirming African dispersal mode). This refers to biological racism that inspired the infamous racial theories enacted through the *Nuremberg Laws* during the Nazi regime (Dziadosz, 2024).

Another communication strategy revolves around the *Täter-Opfer-Umkehr* (inverted victimhood). The AfD presents themselves as victims of the established media landscape and the traditional political party system. Whenever the party is facing a political scandal, it seeks to reverse the roles of perpetrator and victim. In January 2024 "Correctiv", a German non-profit investigative journalism newsroom, published a report about a secret meeting of various representatives from the far-right political and business scene. Several party members of the

AfD were also in attendance at the meeting. The central topic of the meeting evolved around a "*remigration*" plan that would allow the mass deportation of immigrants and Germans with migrant background (Correctiv, 2024). The objective to systematically deport people with German citizenship that were denounced as "unassimilated citizens" at the meeting was followed by large public protests around Germany (Deutsche Welle, 2024). Shortly after, the AfD leadership reacted to the report by claiming that they have been subject to a defamation campaign and the party would not endorse such a meeting putting themselves in the position of the victim (Tagesschau, 2024).

The AfD has repeatedly employed strategic and targeted language to obscure the true meaning of phrases and terms, aiming to normalize its radical platform. One year after the publication of the Correctiv report that sparked the protests against right extremism, the AfD is confidently using the term *remigration* in its federal election campaign 2025. *Remigration* is a euphemism that obscures its true political meaning – the idea of systematic mass deportations (Parker, 2025). It serves as one of the most prominent examples of the normalization agenda of the AfD platform. The party seeks to expand the acceptance of nativist and radical ideology in German society. Evidently, "the share of normalizing claims in the AfD radical statements [...] increased from 68% in 2013 to 83% in 2017 (Biehler & Pytlas 2024). In addition, the slogan used by party members at the convention ahead of AfD's 2025 election campaign, "Alice für Deutschland" (Alice for Germany), closely resembling the Nazi propaganda phrase "Alles für Deutschland" (Everything for Germany) which previously resulted in the fine for Höcke, has now become a common part of the party's rhetoric (Schwarz, 2025).

TikTok – the communication platform for AfD ideology

There is no other party in Germany that is utilizing social media channels more intensively and effectively than the AfD. The short-form video platform TikTok plays a notable role for the AfD in targeting new voter groups. This strategy plays an even greater role for the party in specific areas, for

six German states have lowered their legal voting age from 18 to 16.

Research done by Marcus Bösch on the TikTok strategy of the AfD shows that “in September 2022, the AfD clearly dominated the top 10 of German politicians on TikTok regarding follower count [...] and view count” (Bösch, 2023). TikTok, a Chinese social media platform, is mainly used by young generations. The platform is most popular within the age group of 14 to 27 in Germany, where 53% of the population are active users (Statista, 2023). The respective age group, known as *Gen Z*, plays an important role for the AfD. The party aims to attract young people and bind them to party ideology with short videos featuring emotional political speeches that are enhanced with dramatic music. AfD affiliates use modes of “emotionalization, simplification, dramatization, scaremongering, provocation, and breaking taboos” (Bösch, 2023) to take advantage of the dynamics of TikTok algorithms that favor videos with high user engagement facilitated through likes, comments, and shares.

A notable example of an AfD TikTok video features European Parliament member Maximilian Krah. In the video, Krah stands in front of the camera delivering a 20-second speech on what he perceives as the main problems and values of young German men. The subtitles of his speech appear in bold capital letters, emphasizing his message in a striking visual style. His remarks translate to “Every third young man never had a girlfriend. You are one of them? Do not watch porn, do not vote the Greens, go outside, stand up for yourself, be confident, look straight, and above all do not let anyone talk you into being nice, soft, weak, and left. Real men are right. Real men have ideals. Real men are patriots. Then it will work out with the girlfriend as well” (Krah 2024). The video shows how right-extremists like Krah use simple and exaggerated rhetoric that relates directly to the viewers. Although the connections he draws may seem strange, they are provocative and break political taboos, making the video highly effective on TikTok. The video triggered high user engagement, consequently making his name and image more visible on the platform. To date, the video has 1.6 million views, 92.8 thousand likes, and 7,805 comments.

Evidently, AfD-content research suggests that “AfD sympathizers are particularly active social media users, with user engagement that is unprecedented in the German political landscape” (Bösch, 2023). AfD ideology is not only spread by party members or political representatives but also shared by fan accounts that post video clips of AfD speeches or content that denounces political rivals. It is a continuous recycling process of AfD ideology fueling the algorithm and ultimately leading to more exposure to different TikTok user groups. Another observation of Bösch’s research is that “while AfD politicians disguise their party affiliation, AfD fans employ hashtags, challenges, sounds, and signifiers [...] to mark in- and out-groups” (Bösch, 2023). This shows the anti-establishment nature of the AfD. The party’s in-group members want to present themselves as part of the *pure people* in opposition to the corrupt political elite.

The effects of the extensive social media campaign are evident in the recent election results, which show high approval ratings for the AfD among young voters between 18 and 24. In comparing the results of the 2019 and 2024 state election in Thuringia, I find that AfD support has sufficiently increased adding 15% in this age group. In 2019, climate change and social issues were driving topics giving parties on the political left an edge. “Bündnis 90/Die Grünen” (The Greens) received 13% of the votes and “Die Linke” (The Left) received 22% of the votes in 2019. The trend toward radical right parties already evolved in 2019 as the AfD received 23% of the votes in this age group (tab.1) (tagesschau, 2019). In 2024 we saw a different picture, as radical right ideologies gained traction among *Gen Z* voters. It helped the AfD to surpass all other parties in the 2024 Thuringia state elections. The AfD received 38% of the votes in the 18-24 age group while the Greens decreased to merely 5% and the Left Party to 16% (tab. 2) (tagesschau, 2024).

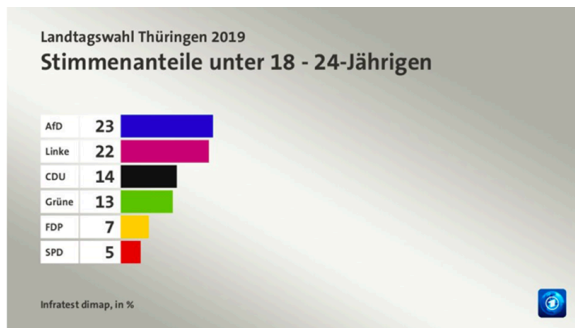


Table 1: "Share of votes for 18-24-year-olds" – state election Thuringia 2019

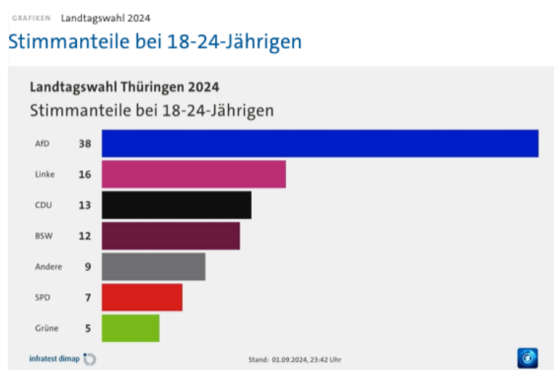


Table 2: "Share of votes for 18-24-year-olds" – state election Thuringia 2024

Conclusion

Considering the proliferation of far-right ideology within the AfD and Germany more broadly, the increasingly successful party poses a significant threat to German democracy. State elections in Thuringia and Saxony further affirm the success of AfD campaigns. This development increases inner party control of radical right ideology. I highlighted the normalization of radical ideals and terminology that further shifts the boundaries of acceptable discourse. This process is led by far-right extremists, like Björn Höcke, who evidently gain broader support within the party and in German society. The AfD tries to propagate a connection to ordinary people that had enough of the established democratic parties. In effect, the party spreads a narrative that brings into

question the German democratic system and democratic institutions.

In reality, however, the AfD has already begun to sufficiently challenge and undermine German democracy. Since the end of the Weimar Republic, the German political landscape has never been as fragmented as today. This development can be ascribed to the continuous efforts of the AfD to discredit and delegitimize all traditional democratic parties. Forming effective democratic coalitions will become increasingly difficult if mainstream parties continue to lose their voters to extremists, as coalitions of three parties or more tend to create instability in a democracy. In November 2024, German chancellor Olaf Scholz dissolved the three-party coalition of Social Democrats (SPD), the Greens, and Neoliberals (FDP) because internal and external discontent made compromises impossible (Schuetze & Tankersley, 2024). The AfD wants democratic instability because it creates a vicious cycle that gives strength to its ideologies. The party will continue to fuel resentment, emotionalize debates, sow hatred, and provoke political opponents by exploiting sociocultural issues to polarize German society for its advantages and not for the good of the people.

Political debates and campaigns of the federal election 2025 are dominated by the immigration topic (Deutschlandfunk, 2025). As noted earlier, the AfD seeks to hold ownership of the immigration issue since the introduction of the Erfurter Resolution that radicalized the party program in 2015. While nearly all political mainstream parties try to present their versions of a more restrictive immigration policy, the AfD seems to dominate the discourse and control public opinion. In fear of losing voters to the AfD the CDU voted together with the AfD for an immigration policy initiative in the German parliament on January 29, 2025 (Bundestag, 2025). Which has been a taboo for many years seems to have become obsolete. Opening the door to greater AfD involvement in decisive legislative processes will further enable and normalize the radical right agenda. It legitimizes an openly anti-democratic party in German democracy.

The political discourse against radical right ideas will not be won by traditional democratic parties that try to incorporate AfD issues or focus political

campaigns on being anti-AfD. Democracy in itself can only regain its strength if opposition parties sharpen their respective political profiles and focus on issue ownership. In practice, this means that either the Social Democratic Party must intensify its campaign focus on social and workers' issues, or the Greens must reaffirm their focus on climate change. In practice, the SPD needs messages that reconnects them with the German working class. The AfD referring to them as the pure or ordinary people tries to invoke emotions of fear against immigrants and propagate that established democratic parties have failed them. Indeed, many of those people feel alienated, feel like their voices are not heard, and feel less respected by established democratic parties. This widespread feeling of discontent has become increasingly visible in western democracies over the last decade. The 2024 US election centered around

the same grievances of working-class people. Michael J. Sandel, American political philosopher and Harvard professor, argues that it is crucial for liberals to tap into the people's discontent with effective and meaningful policy proposals that champion the dignity of work while not playing different groups of people off against each other (Sandel, 2024). Most importantly, the SPD must acknowledge and take responsibility for past mistakes. This will not only enhance credibility, but also show people that it is not continuing the politics of the past and thus restore confidence in a better future. After all, if traditional democratic parties can manage to regain their credibility through acknowledging past errors and offering concrete policy proposals that represent their voters' interests, people will start to realign with them and reject extremist ideology.

References

- Bösch, Markus. "Alternative TikTok Tactics: How the German Right-Wing Populist Party AfD Play the Platform." In *Fast Politics: propaganda in the age of TikTok*. Springer. (2023): 149-167. <https://doi.org/10.1007/978-981-99-5110-9>.
- Bundestag. "Entschließungsantrag der Fraktion der CDU/CSU." *Bundestag*. January 29, 2025. <https://www.bundestag.de/parlament/plenum/abstimmung/abstimmung?id=940>
- Decker, Frank. "Etappen der Parteigeschichte der AfD." *Bundeszentrale für politische Bildung*, December 2, 2022. <https://www.bpb.de/themen/parteien/parteien-in-deutschland/afd/273130/etappen-der-parteigeschichte-der-afd/>
- Correctiv. "Geheimplan gegen Deutschland." *Correctiv*, January 10, 2024. <https://correctiv.org/aktuelles/neue-rechte/2024/01/10/geheimplan-remigration-vertreibung-afd-rechts-extreme-november-treffen/>
- Cristofaro, P., and Moulson, G. "Germany's Far-Right AfD Leader Bjoern Hoecke Acquitted of Using Banned Nazi Slogan." *AP News*, October 13, 2023. <https://apnews.com/article/germany-far-right-afd-hoecke-trial-verdict-c8dd41357560b6e786c7f3fdaf2b0588>
- Deutsche Welle. "Protests against the far right." *DW*, February 4, 2024. <https://www.dw.com/en/protests-against-the-far-right/a-68142665>
- Deutschlandfunk. "Bundestagswahl 2025 Wahlprogramme: Migration." *Deutschlandfunk*. January 21, 2025. <https://www.deutschlandfunk.de/bundestagswahl-2025-wahlprogramme-migration-100.html>
- Die Zeit. "40 Prozent der Kommunen halte sich durch Geflüchtete für überfordert." *Zeit Online*, November 6, 2023. <https://www.zeit.de/politik/deutschland/2023-11/kommunen-gefluechtete-ueberforderung-umfrage-notunterkuenfte>
- Dziadosz, Alex. "The trial of Björn Höcke: The real boss of Germany's far right." *The Guardian*, August 29, 2024. <https://www.theguardian.com/world/article/2024/aug/29/the-trial-of-bjorn-hoecke-the-real-boss-of-germany-far-right>
- Krah, Maximilian. [@maximilian_krah]. "Max Krah #AfD über die Probleme und Werte junger #Männer." *TikTok*, June 19, 2023. https://www.tiktok.com/@maximilian_krah/video/7246324156394933530?lang=en
- Parker, Jessica. "AfD embraces mass deportation of migrants as German election nears." *BBC*, January 13, 2025. <https://www.bbc.com/news/articles/c62q937y029o>
- Pytlas, B., and Biehler J. "The AfD within the AfD: Radical Right Intra-Party Competition and Ideational Change." *Government and Opposition (London)* 59, no. 2 (2024): 322–340. <https://doi.org/10.1017/gov.2023.13>.
- Rosenfelder, Joel. "Die Programmatik Der AfD: Inwiefern Hat Sie Sich von Einer Primär Euroskeptischen Zu Einer Rechtspopulistischen Partei Entwickelt?" *Zeitschrift Für Parlamentsfragen* 48, no. 1 (2017): 123–40. <http://www.jstor.org/stable/26428860>.

- Sandel, Michael J. "How Kamala Harris Can Win." *New York Times*, July 27, 2024.
<https://www.nytimes.com/2024/07/27/opinion/kamala-harris-strategy.html?smid=nytcore-ios-share&referrerSource=articleShare>
- Schuetze C., and Tankersley J. "German Government Collapses at a Perilous Time for Europe." *New York Times*. December 16, 2024.
<https://www.nytimes.com/2024/12/16/world/europe/germany-confidence-vote-scholz-snap-election.html>
- Schwarz, Bianca. "Der neue Tonfall der AfD." *Tagesschau*, January 12, 2025.
<https://www.tagesschau.de/inland/bundestagswahl/parteien/afd-parteitag-324.html>
- Tagesschau. "Umfrage Wähler nach Altersgruppen." *Tagesschau*, October 27, 2019
<https://www.tagesschau.de/wahl/archiv/2019-10-27-LT-DE-TH/umfrage-alter.shtml>
- Tagesschau. "Stimmenanteile bei 18-24-Jährigen." *Tagesschau*, September 1, 2024
https://www.tagesschau.de/wahl/archiv/2024-09-01-LT-DE-TH/charts/umfrage-alter/chart_1733552.shtml
- Wiesendahl, Elmar. "Der Kulturkonflikt Um Die Flüchtlingskrise Und Die Politischen Folgen." *Zeitschrift Für Staats- Und Europawissenschaften (ZSE) / Journal for Comparative Government and European Policy* 14, no. 1 (2016): 53–79. <http://www.jstor.org/stable/26165492>.

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