

Bill of Rights in Action



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HOW DEMOCRATIC WAS ATHENS?

Ancient Athens is sometimes lauded as having the most democratic government the world has ever known. The Athenian statesman and general Pericles called it “a model to others.” But critics throughout history have asked, just how democratic was Athens?



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A large open space in ancient Athens was called the agora. It is depicted here below the Acropolis, a complex of buildings on the hill in the background. Citizens originally gathered in the agora to discuss politics and to muster for battle. Later, the agora became an open marketplace for merchants.

The word “democracy” comes from the ancient Greek. *Demos* means “people,” and *kratos* means “authority.” So “democracy” means government by the authority of the people. In a democracy the whole of the people share in governing.

There are different forms of democracy. In most modern democracies (including the United States), the people govern through elected representatives. But in the democracy of ancient or classical Athens, every citizen had the responsibility to govern.

Athens in the fourth and fifth century before the Common Era (BCE) was a *city-state*. The city was the sovereign state, which means it ruled itself. By contrast,

the United States of America is a *nation-state*. Almost all states in the modern world are nation-states, but a few are city-states. For example, Vatican City where the Pope lives and governs is a city-state.

Who Governed Athens?

All adult citizens of Athens were expected to participate in government, regardless of wealth or poverty. And as you can imagine, this meant that decision-making groups were larger than what modern democracies are used to. Athenian juries had 500 or 501 jurors serving at each trial. The main legislative body, the Assembly, had about 6,000 or more participants at each meeting. ▶

DEMOCRACY IN THE BALANCE

How do we define democracy? The first article examines an age-old question about how democratic was the “birthplace of democracy,” ancient Athens. The second article takes a close look at how our early representative democracy met the challenges of expansion in the Northwest Territory. The third article presents startling data about how people view and value the fate of democracy.

World History: *How Democratic Was Athens?* by guest writer Aimée Koeplin, Ph.D.

U.S. History: *The Northwest Ordinance and Westward Expansion* by guest writer Thomas Holm

Government/Current Issues: *Is Democracy in Trouble?* by longtime contributor Carlton Martz

Look for Supplemental Activities!

Teacher-leaders from CRF's Teacher to Teacher Collaborative (T2T Collab) have created innovative activities for lessons in this issue! Look for the T2T symbol to access activities in the print and online editions.

T2T

As large as these numbers sound to modern Americans, they were only a small fraction of the total inhabitants of Athens. Only citizens could govern. And citizenship was restricted to adult males from citizen-families. The total number of citizens was 20,000 – 30,000 males. Women, children, slaves, and resident aliens (immigrants) were excluded. Only 10 to 20 percent of the total population of the city could participate in democratic practices.

Some historians think that it seems odd to describe Athens as “democratic” if only 10 to 20 percent of the population had any say in the government. That means 80 or 90 percent of the population was left out. If we judge Athens by how many of the total population could have their voices heard, then Athens seems *less* democratic than our current system.

How the Democracy Worked

The Assembly was the main legislative body of Athens. Every adult male citizen had a place in it. The Assembly met outdoors in an amphitheater. Participants were paid a small amount for showing up. Today, American citizens are paid a small amount for jury duty, too.

This very large group voted on laws and policy. Any member of the Assembly could address the group, regardless of social standing or wealth. But speakers could be shouted down by opponents. Speakers had to learn how to state their cases quickly and logically to have their ideas heard. Those with good reputations, too, had more leeway in sharing ideas.

The Assembly voted on many issues that modern Americans might find surprising. For example, they decided who should be a general and what the military should do. Everyone who counted as a citizen could directly participate in a wide range of political decision-making. That is why the Athenian system is called *direct democracy*. In this sense, the Athenian system seems extremely democratic.

The Assembly could not make every decision. A Council of 500 took care of some of the administrative duties of the state. Every year, each of the ten tribes (or neighborhoods) of Athens sent 50 members to the Council. These members were selected randomly in a system called selection by lot. Selection by lot was a lottery to see who would serve on the Council. Athenians considered a lottery to be a fair and democratic way to choose who should lead.

In the modern United States, we sometimes use selection by lot, too. The people who serve on juries are first selected by lot. This large group is the jury pool. Then the court and lawyers in a case choose who from that pool will be in the 12-member jury panel that decides the outcome of the case.

In Athens, a person could only serve on the Council once in his lifetime. The Council acted as a steering committee that set the agenda for the Assembly, collected taxes, and handled the day-to-day operations of the state.

A new *epistates*, or chairman, was selected by lot each day. (A person also could only serve as *epistates* once in his lifetime.) The duties of the *epistates* included leading the Council for the day and meeting with ambassadors from foreign governments. On the one hand, it seems quite democratic and egalitarian to randomly select one person to lead the city’s important business and negotiations with foreign powers. On the other hand, this system seems chaotic and difficult to manage.

The Mytilenean Revolt

Organizing debate and voting among 6,000 citizens is challenging. And selecting individual administrators by lot and for only a short time often does not allow them to learn how to govern from experience. This system could involve models of good deliberation among citizens, but it could also be unwieldy at the same time, such as the example of the Mytilenean Revolt.

In 478 BCE, Athens banded together with several other Greek city-states. The official meeting place of the league was the Greek island of Delos, so it was called the Delian League. The league’s purpose was to attack the Persian Empire, which had previously invaded the Greek peninsula.

Athens led the Delian League. In 454 BCE, Athenian general Pericles moved the treasury of the league from Delos to Athens. Athens also used the league’s navy to create an empire, colonizing islands and territories across the Aegean Sea.

In 427 BCE, the city of Mytilene revolted against Athens’ imperialism. The Athenian Assembly took up the question of how to respond to the Mytilenean Revolt. On the first day of debate, the Assembly decreed that their response to the revolt would be swift and harsh. Every adult male in Mytilene was to be killed and the women and children were to be sold into slavery.

The Athenians sent a ship to carry out the sentence. But the next day, many Athenians regretted their hasty decision to carry out the brutal reprisal. The Assembly initiated another debate. After persuasive speeches by notable Athenians, the Assembly voted to amend their earlier decision. They would not execute all the Mytileneans but instead only execute the leaders of the revolt.

A second Athenian ship was sent to Mytilene to call off the original sentence. The second ship was unable to catch up to the first. It arrived at Mytilene before the original, harsher sentence had been carried out, but after the original sentence had been announced.

Athenians regretted their hasty decision to carry out the brutal reprisal.

In this case, direct democracy allowed a hasty decision to be made in anger. It also exposed to the Mytileneans how brutal the Athenians could be. But direct democracy also allowed the correction of a terrible mistake. That correction came about as a result of wise deliberation.

Plato's Criticism

The ancient Athenian philosopher and political thinker Plato (ca. 428 BCE – 348 BCE) did not deny that Athens was democratic. But he was deeply suspicious of democracy. In his *Apology*, Plato expressed concern about allowing everyone to participate in the affairs of state. He argued it was better to leave decision-making to experts.

In the *Republic*, Plato argued that democracy is one of the worst forms of government. He compared oligarchy, or rule by a small group, with democracy. In Plato's view, oligarchies are ruined by too much wealth in the hands of only a few people. Democracies, on the other hand, are ruined by the people having too much freedom.

What a person wants and what is good for him are often opposed. So in a democracy, the voting citizens are free to make bad choices. The first debate during the Mytilenean debate is one example. As Plato phrased it, “the excessive increase of anything often causes a reaction in the opposite direction.”

Plato believed that the only form of government worse than democracy is tyranny. He also argued that tyranny arises from democracy. In a democracy citizens are vulnerable to a tyrant who promises citizens what sounds good to them. Because of their fear for a semblance of order, the citizens are likely to follow him.

“The excess of liberty,” wrote Plato, “whether in states or individuals, seems only to pass into excess of slavery.” In 404 BCE, Athens was defeated in war by Sparta, another Greek city-state. Athens then did become a tyranny, as Plato warned. But soon after, democracy was restored.

Madison's Criticism

The founders of the United States of America also had qualms about direct or “pure” democracy. Alexander Hamilton and John Adams used the word “democracy” as a criticism of their political opponents.

In *Federalist* #10, James Madison raised the concern that direct democracies, such as Athens, experience



Locate the positions of Athens, Mytilene, and the island of Delos on this map of the Athenian Empire in the 5th century BCE.

problems with factions. Factions are small or large groups of citizens “who are united . . . by some common impulse of passion, or of interest.”

Madison points out that factions can oppose each other, and some factions can even oppose the “interests of the community.” In a direct democracy, factions will tend to promote their own interests at the cost of the interests of others. Madison claimed that factionalism is at odds with a peaceful and secure society. Democracies with factions, he wrote, “have ever been spectacles of turbulence and contention; have ever been found incompatible with personal security or the rights of property.”

Madison claimed that the solution is to abandon direct democracy in favor of “republicanism.” A republic is a representative democracy, or “a government in which the scheme of representation takes place.” In a republic, citizens do not directly vote on legislation themselves. Instead, citizens elect representatives who will vote in the interests of the people whom they represent and with an eye to the common good.

According to Madison, republicanism should help fight the negative consequences of factionalism in two ways. First, election of representatives is likely to produce a well-qualified group of citizens best able to promote the interests of the state as a whole. Representatives will form “a chosen body of citizens, whose wisdom may best discern the true interest of their country.”

Second, representative democracy will accommodate a nation-state, not just a smaller city-state. According to Madison, a nation-state is less likely to suffer from fighting among factions. The large scale of

a nation-state will not allow any one faction to gain control or successfully dominate the interests of others.

It is also much more practical to send a few representatives to travel to a nation's capital. These few can represent the interests of a region more effectively than for all of the citizens of that region to travel to the capital to vote.

Undemocratic Athens?

When we look at Athens through modern eyes, it may not seem very democratic. Many people were left out of Athenian citizenship. But when compared to other ancient societies, Athens seems very democratic. All citizens, after all, could directly participate in policy decisions. And all citizens equally faced the prospect of being chosen by lot to help lead the city.

Some historians, however, use the fact that Athens had slavery to show how undemocratic it was. Slaves in ancient Athens were prisoners-of-war. Almost all slaves could marry, raise families, and even buy their own freedom, if they could afford it. Sometimes, too, they were freed in order to fight in battle. But they were never citizens, and slaves' testimony in law courts was only accepted if done under torture.

Over the centuries, democracy has changed. We know, at its root, it means "rule by the people." But we also know that rule by the people can be interpreted in different ways, and it can take many forms.

Pericles on Democracy

In his Funeral Oration, Pericles briefly described democracy in Athens. Does his description sound like a fair system to you?

Let me say that our system of government does not copy the institutions of our neighbors. It is more the case of our being a model to others, than of our imitating anyone else. Our constitution is called a democracy because power is in the hands not of a minority but of the whole people. When it is a question of settling private disputes, everyone is equal before the law; when it is a question of putting one person before another in positions of public responsibility, what counts is not membership of a particular class, but the actual ability he possesses.

(Source: *The History of the Peloponnesian War* by Thucydides)



This 19th century painting depicts Pericles delivering his famous funeral oration.

Wikimedia Commons

WRITING & DISCUSSION

1. Explain the terms *direct democracy* and *republic*. Which of these two forms of democracy did Athens have? Which form of democracy do you think is better? Why?
2. What did the Mytilenean Revolt reveal about Athenian democracy?
3. What did Plato think were the problems with democracy, oligarchy, and tyranny? Do you agree with Plato's criticism of democracy? Why or why not?
4. Do you think Madison was right that representative democracy avoids factionalism? Why or why not?

ACTIVITY: You're in the Assembly Now!

How does direct democracy work? As a class, choose one important question on a current issue:

1. Should the United States re-enter the Paris Climate Accord?
2. Should the United States have a national single-payer health care service?
3. Should the United States ban handguns?

Research the issue your class has chosen. Prepare your own 30-second speech on your answer (yes or no) to the question on the issue. Cite evidence in support of your answer.

Your class is now the Assembly! You will debate the issue just as they did in ancient Athens. Share your speech and be ready to respond to questions or comments from others in the Assembly. Every member of the Assembly must have the opportunity to speak in the debate.

When every member has had the opportunity to speak, have the whole Assembly vote on the issue.

Debrief: Did the Assembly vote your way? If not, how did that feel? Did you feel you had any influence on the final vote? Why or why not? What was the most challenging part of the debate? Is direct democracy an efficient way to decide national questions like these? What kinds of decisions could be made through direct democracy?

1. Before Reading: Brainstorm!

Begin with a discussion about what democracy means to the students. Draw a thought bubble on the board and have students come up and write words they connect to “democracy.” Words can include adjectives, people, places, events, etc.

Discuss the results of the class brainstorm.

Provide the “While you Read” Graphic Organizer (pages 6 and 7) to all students and ask them to complete the center portion of each web on side A by providing an image in the box labeled *Democratic* and an image in the box labeled *Undemocratic*. These images should be visual representations of what students think it means for a government to be democratic and what they think it means for a government to not be a democracy.

2. While Reading: Democratic vs. Undemocratic

Students should complete both sides A and B of “While you Read” Graphic Organizer during their reading. This will require them to do two things: (1) categorize information about Athens into democratic descriptors or undemocratic ideas; and (2) compare and contrast ancient Athens with the modern United States.

3. After Reading: The Editorial

Using the information organized in their handout, students will write an editorial arguing which society is truly more democratic, Athens or the United States. In this short persuasive essay, students should give at least three strong points from the text to defend their decision.

This activity was drafted especially for *Bill of Rights in Action* by Lindsay Russell who teaches American history at Southeast Guilford High School in Greensboro, North Carolina. Lindsay is a teacher-leader in CRF's T2T Collab: www.crf-usa.org/t2tcollab/.



Are you a middle or high school social studies or ELA teacher?

If you want:

- To learn engaging, ready-to-use, standards-based instructional strategies that will strengthen your students' critical thinking, reading, writing, and discussion skills;
- To encourage your students to be informed participants through civil dialogue about important issues; and
- To collaborate with other teachers to reflect on and strengthen your own practice in order to improve student outcomes, then

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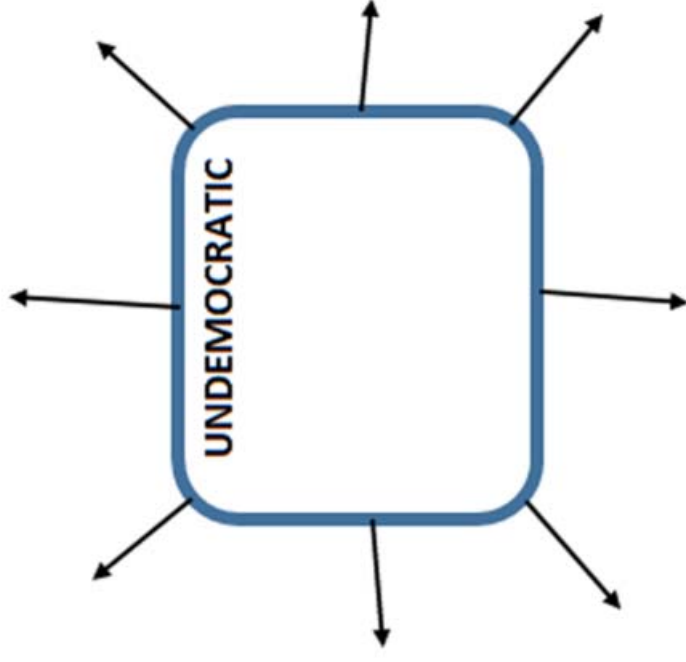
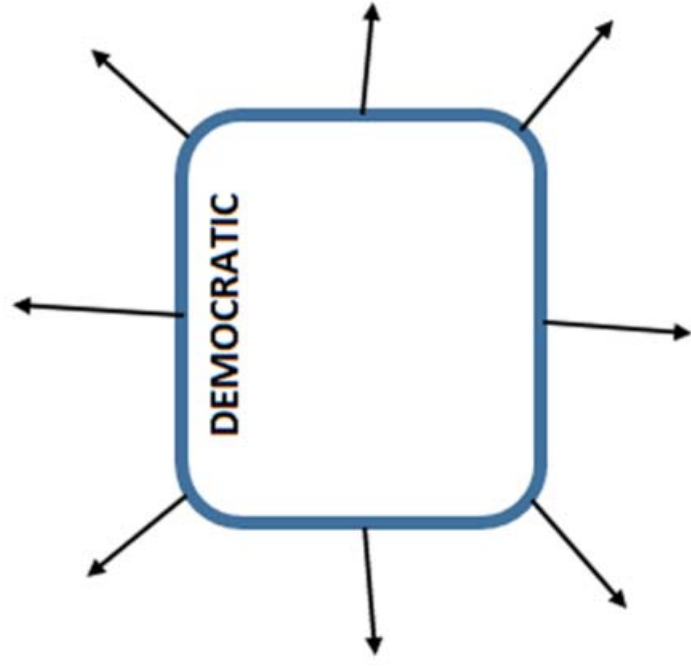
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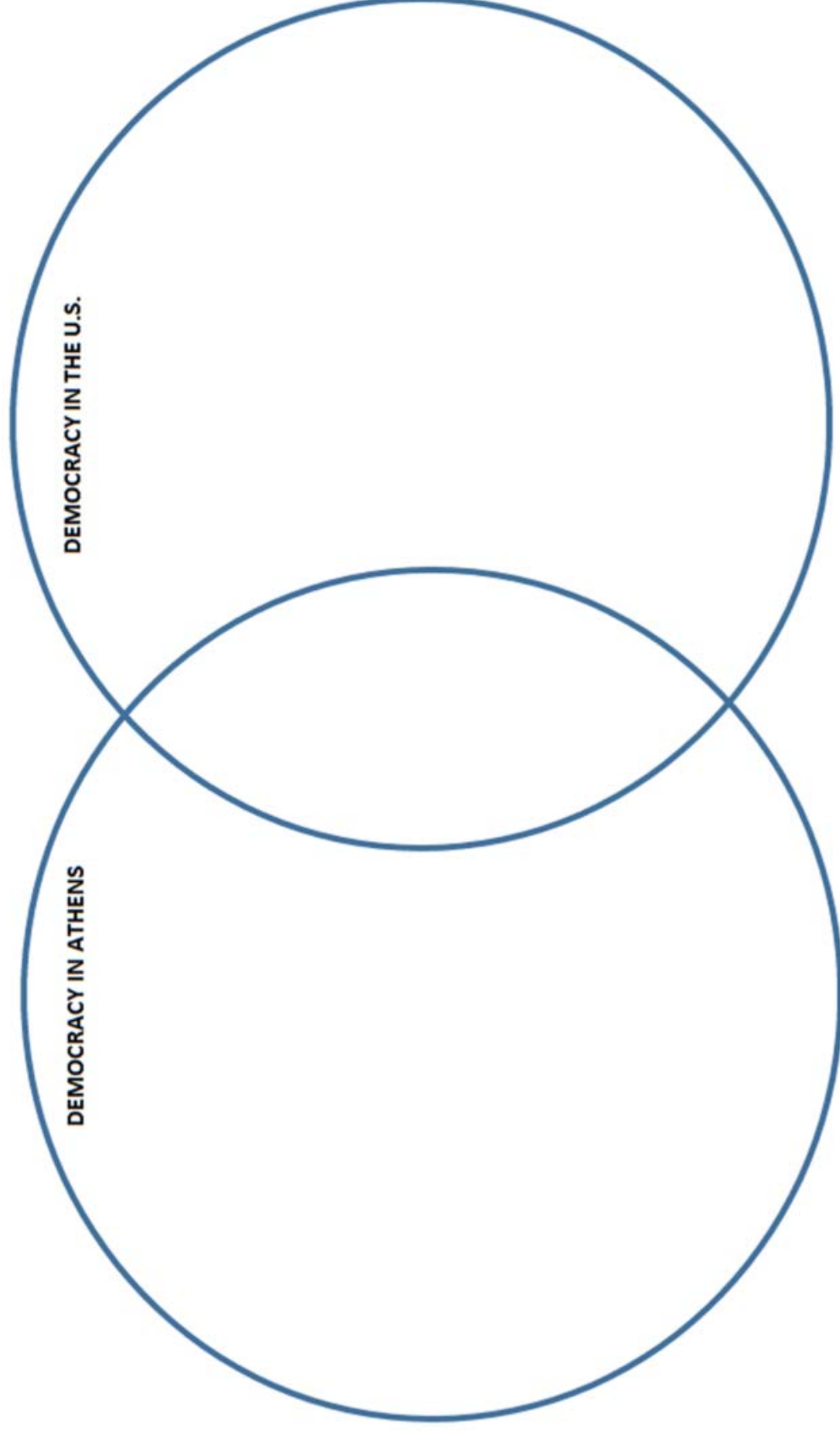


This project is part of the Center for the Future of Teaching & Learning's Teacher Practice Network and is funded by the Bill & Melinda Gates Foundation.

While You Read - How Democratic was Athens? (A)



While You Read - How Democratic was Athens? (B)



THE NORTHWEST ORDINANCE AND WESTWARD EXPANSION

The Northwest Ordinance of 1787 significantly changed American history. The Ordinance provided that new states in the Northwest Territory shared coequal status with the original thirteen states. It established the process for territories to become states. And it was the first and only federal anti-slavery policy before the Civil War. While the Ordinance also established the orderly westward expansion of the American states, it did so at the expense of Native Americans already living in the territory.

Causes of the Northwest Ordinance

In the Treaty of Paris that ended the Revolutionary War, Britain ceded to the United States all the land west of the Appalachian Mountains, north of the Ohio River, and west of the Mississippi River. This territory came to be known as the Old Northwest. However, under the Articles of Confederation (the original governing document for the United States — before the U.S. Constitution), Congress lacked the power to tax. Therefore, the U.S. government was too poor to maintain troops to control settlers who were entering the Northwest Territory.

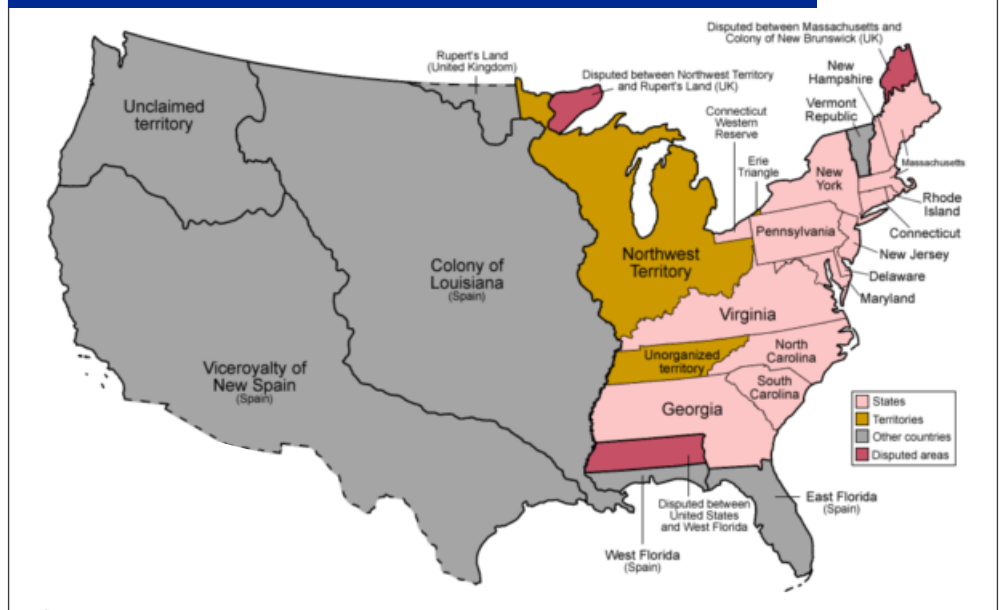
Native American tribes occupied the land of the Old Northwest. The western migration encroached on their land and began to push tribes further west. Often the tribes would fight the settlers. But Congress could not afford to govern this expansive area and did not want a war with Native Americans.

As a member of the Continental Congress, Thomas Jefferson drafted a plan for settlement of the territory. Under Jefferson's plan, called the Ordinance of 1784, settlers would govern themselves until the population of a territory reached 20,000. Settlers could then draft their own state constitutions. These new states would have the same relation to the United States as the original thirteen states. They would be a permanent part of the Union.

By a single vote, Congress rejected a clause in Jefferson's ordinance that would have abolished slavery in all western states after 1800. The three Southern states who voted on this ordinance all voted against the anti-slavery clause.

Congress still could not tax Americans to raise revenue to defend settlers from Native American tribes.

States and Territories of the United States (1787)



This map depicts the United States in 1787 and the territories that would eventually become states. Note the position of the Northwest Territory in relation to the Northern states (e.g., Pennsylvania) and the Southern states (e.g., Virginia).

Congress also needed a plan to regulate the sale of land in the territory. So Congress enacted the Land Ordinance of 1785. Under this ordinance, which means a government decree, the land was divided into townships. Each township was six square miles. As soon as the government surveyed a township, it could be divided into “sections” of 640 acres each, and the sections could be sold for no less than one dollar per acre.

Surveys of the territory began immediately. But most settlers could not afford to buy sections for \$640 each. They continued to enter the territory before surveys could be completed. Without order and protection from the U.S. government, frontier wars erupted between settlers and Native American tribes. By 1786, Congress concluded that settlers should not immediately govern themselves.

Congress decided to sell large tracts of land to wealthy private buyers. These buyers were land companies and land speculators. Speculators were people who bought land cheaply in the hope that the land would increase in value.

One group of speculators was the Ohio Company of Associates. New England veterans of the American Revolution formed the company in 1786. They wanted to buy land in the southeast of the Ohio territory. The land had not yet been surveyed. The company wanted Congress to protect the speculators' property rights in the Northwest Territory.

The Northwest Ordinance of 1787

The leaders of the U.S. realized many weaknesses in the Articles of Confederation. One weakness was Congress' inability to manage the U.S. territories. The United States Constitutional Convention met during the spring and summer of 1787 in Philadelphia to write a new constitution.

In spring 1787, many congressional members were away attending the Convention. Delegates from only eight states remained in Congress in New York. A committee formed in Congress to create a new ordinance to govern the Old Northwest, which would be called the Northwest Territory.

Reverend Manasseh Cutler was a founder of the Ohio Company. The company sent him to negotiate with members of Congress on a land sale to the company. Cutler helped the drafting committee to write the proposal for the Northwest Ordinance. He demanded that the committee create a plan for stable government in the territory.

Nathan Dane was a member of the drafting committee. On July 11, he gave the final draft of the Ordinance to Congress. On the floor of Congress, he added an anti-slavery amendment, written by Cutler. All eight state delegations voted unanimously for the new Northwest Ordinance with Dane's amendment. It became law.

The Northwest Ordinance established three stages for territorial government. In the first stage, Congress would appoint a governor, secretary, and three judges to make laws for a territory.

Once a territory had 5,000 male settlers, it entered the second stage. They could elect a legislative assembly. The assembly then would elect a legislative council. Voters for the legislative assembly were limited to men that owned property and met specific residency requirements. While the legislative assembly and council could pass laws, the governor retained complete veto power over these laws.

Stage three occurred once the territory reached 60,000 male inhabitants. At that time, the territory could apply for statehood. The territory could not fully govern itself until it became a state. In this way, the Ordinance provided a model for how territories could become states.

In the Northwest Ordinance, Congress claimed title to all the land within the Northwest Territory. The Ordinance also required that the Northwest Territory be organized into at least three states, but no more than five. New states in the territory would possess the same rights as the original 13 states.

Five states would arise out of the territory governed by the Northwest Ordinance: Ohio (admitted to the Union

in 1803); Indiana (1816); Illinois (1818); Michigan (1837); and Wisconsin (1848). The Northwest Territory also included a portion of land that became the Northeastern part of Minnesota. Minnesota entered the Union in 1858.

Civil Rights

The Ordinance enshrined civil rights, reflecting the direction of the country. Under the Ordinance, the settlers in the area received several of the rights that were later given to all American citizens under the Constitution and Bill of Rights. For example, it provided for freedom of religion: "No person . . . shall ever be molested on account of his mode of worship or religious sentiments, in the [Northwest Territory]."

The Ordinance included rights to a jury trial, due process of law, and the right to be safe from cruel and unusual punishment. It also included the right to *habeas corpus*, or the right for someone to be released from detention if the government has no legal reason for detention. Article 2 of the Ordinance also gave people the right to make private contracts and to be compensated by the government if their private property was taken for public use.

Education

The U.S. Constitution does not include a right to education. There is no language about schools in the Constitution. But the Ordinance promoted schools and education.

Article 3 stated, "Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." For example, when the United States sold land to the Ohio Company, it required that schools exist in each township. Similarly, two townships were set aside for a university.

Native Americans

Tension between new settlers and Native Americans in the Northwest Territory was a major issue. The main tribes in the territory were the Shawnee and Miami tribes. Article 3 of the Ordinance provided that the government should treat Native American tribes fairly:

The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed.

This was the first time the U.S. government recognized the right of Native Americans to own the land they occupied. If settlers were allowed to just take over tribal lands, wars would follow. Congress included this

The Ordinance enshrined civil rights, reflecting the direction of the country.



This 18th century painting depicts the Treaty of Greenville. General Anthony Wayne stands in the center, surrounded by his officers. Chief Little Turtle of the Miami tribe stands and speaks to him.

language to prevent expensive military conflicts with Native American tribes.

Most Native American tribes had fought on the British side during the Revolutionary War. Thus, Americans generally viewed the tribes as a conquered people. From 1784 to 1786, Native American tribes gave up some lands to the United States. But the tribes increasingly claimed land by the time the Northwest Ordinance was enacted.

President George Washington and his secretary of war, Henry Knox, rejected the idea that the Indians were a “conquered people.” Knox believed that Indian tribes were “foreign nations.” They had a “right of the soil” to the lands where they lived. If the United States wanted their land, then the United States should pay them fairly.

Both Washington and Knox believed that fair treatment of the tribes showed that the United States was a true republic, and not a European empire. After all, the United States had recently won its independence from a European empire.

Other American leaders held to the idea of the tribes as conquered people. These leaders believed that more settlements in the Territory would simply force tribes to leave. Philip Schuyler, a New York state senator and former general in the Continental Army, stated, “[Native American tribes] must . . . retire further back, and dispose of their lands, until they dwindle comparatively to nothing.”

White settlers continued to move into land occupied by Native Americans after the Ordinance was enacted. At the same time, British troops remained in the Northwest Territory even though the American Revolution was over.

They supplied guns and ammunition to Native Americans to help fend off settlers. A major confederacy of the Shawnee and other tribes united to fight the settlers. These tribes won important early battles in 1790 and 1791.

President George Washington wished to keep U.S. control of the territory. He sent in the U.S. Army. In 1794, the United States won a major battle at Fallen Timbers. In the Treaty of Greenville, signed on August 3, 1795, Native American tribes gave up their claims to land that included the present-day cities of Dearborn and Detroit in Michigan. They also gave up their claims to lands that are today much of Ohio. Native Americans were still permitted to hunt on lands in the Ohio Valley. Over the years, however, disputes continued to arise over these lands.

Slavery

Slavery was another major issue. The Ordinance abolished slavery in the Northwest Territory immediately: “There shall be neither slavery nor involuntary servitude in the said territory.” The eight states who voted on the Northwest Ordinance unanimously accepted the anti-slavery rule. Five of those eight states were Southern states.

Historians have offered several reasons why Southern states may have voted for the anti-slavery rule in 1787 but not in 1784. First, the Ordinance of 1784 applied to all lands west of the Appalachian Mountains to the Mississippi River. The Northwest Ordinance applied only to land in the Northwest Territory. So the anti-slavery clause did not apply to any Southern states.

Second, the Northwest Ordinance had a fugitive slave clause. Southern states wanted a law allowing

them to capture escaped slaves. The Ordinance of 1784 did not have a fugitive slave clause. But the Northwest Ordinance required the return of slaves who escaped into the Northwest Territory.

Third, the settlers would be farmers. Southern leaders believed that the settlers would likely vote like Southerners, who were also mostly farmers.

Finally, main crops of Southern farmers were indigo and tobacco. These crops required large plantations that depended on slave labor. The anti-slavery clause ensured that farmers in the Northwest Territory would not be able to grow these crops. They would not compete with the Southern farmers.

People seeking to end slavery in American were called abolitionists. In the 1830s and 1840s, abolitionists used the anti-slavery rule in the Northwest Ordinance to support their arguments. Ultimately, the five states that arose out of the Northwest Territory entered the United States as “free” states. They later fought for the North during the Civil War.

Sale of Government Lands

The Northwest Ordinance’s rules enabled the U.S. government to generate much-needed revenue while establishing an orderly process for private ownership of land. The United States government sold “clear title” to private land owners that could afford to pay the price.

“Clear title” provides an official confirmation of who owns land. It gives people comfort that they can use, invest in, and ultimately sell that land.

In October 1787, Manasseh Cutler negotiated a deal with Congress. The Ohio Company bought 1.5 million acres in the Northwest Territory for eight cents an acre. Cutler bargained by making some members of Congress partners in the Ohio Company. Cutler himself later served two terms in Congress, representing Massachusetts.

By making large land sales to speculators easier, the Ordinance led to substantial relief of the national debt. It also served as the basis for the sale and governance of the lands in the national domain. As a result, by the 1830s, the United States had sold land for more than \$44 million.

WRITING & DISCUSSION

1. Compare Jefferson’s Ordinance of 1784 to the Northwest Ordinance. What were the major differences between the two?
2. Describe the involvement of the Ohio Company in the Northwest Ordinance. Should private companies influence federal laws? Why or why not?
3. How successful was the Northwest Ordinance in meeting its goal to eliminate conflict with Native American tribes?

ACTIVITY: Bound for the Northwest Territory!

1. After reading “The Northwest Ordinance and Westward Expansion,” imagine it’s 1788. Create a travel brochure encouraging Americans to settle in the Northwest Territory. The brochure should highlight the positive aspects of the Ordinance that make this area of largely unsettled lands desirable.
2. Travel Brochure Criteria. Your brochure must:
 - Be neat and include color.
 - Include at least five images and/or pictures (including the map described below).
 - Describe the geography. (Where is the territory? Include a map to show the territory and surrounding states.)
 - Outline a brief history of the territory (including how it came to be a part of the U.S.).
 - Explain civil rights and education within the territory.
 - Explain the Native Americans’ role in the territory.
 - Explain the rules about slavery within the territory.
 - Include a *Warning Clause* somewhere of possible challenges involved in living in the territory.

This activity was drafted especially for *Bill of Rights in Action* by Lindsay Russell who teaches American history at Southeast Guilford High School in Greensboro, North Carolina. Lindsay is a teacher-leader in CRF’s T2T Collab. For more information about T2T Collab, visit: www.crf-usa.org/t2tcollab.



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IS DEMOCRACY IN TROUBLE?

According to many scholars, modern liberal democracy has advanced in waves. But liberal democracy has also had its setbacks. Some argue that it is in trouble in the world today, and that the young millennial generation is losing faith in it.



This map was prepared by Freedom House, an independent organization that monitors and advocates for democratic government around the globe. According to this map, how free is your country? Which areas of the world appear to be the most free? Which appear to be the least free? (Freedom House)

Since the American and French revolutions, there have been three major waves of liberal democracies. After each of the first two waves, authoritarian regimes like those of Mussolini and Hitler arose.

A third wave of democracy began in the world in the mid-1970s. It speeded up when the Soviet Union and the nations it controlled in Eastern Europe collapsed. Liberal democracies were 25 percent of the world's countries in 1975 but surged to 45 percent in 2000.

Many believed liberal democracy was on a permanent upward trend. But that optimism is today in doubt. During the last ten years, democratic governments have often failed to effectively deal with the Great Recession, the changing global economy, and terrorism.

The "Democratic Recession"

Political sociologist Larry Diamond has recently written about a "democratic recession." He states that 25 countries have experienced "democratic breakdowns" since 2000. A breakdown can be a military takeover of government. Or a breakdown can be a gradual disappearance of democratic rights and procedures, such as free elections and the rule of law.

Diamond warns that well-established western democracies, like Britain and the United States, are retreating from democracy. Others warn of the revival of

authoritarian leaders like Russia's Vladimir Putin.

Freedom House has rated countries "free," "partly free," and "not free" for more than 70 years. Its *Freedom in the World* report for 2016 identified 67 countries with net declines in democratic rights and civil liberties. Only 36 countries had made gains. This marked the 11th straight year that declines outnumbered gains in this category.

The big news in the Freedom House report was that "free" countries (i.e., liberal democracies) dominated the list of countries that had democratic setbacks. A quarter of these countries are in Europe. Countries like Hungary, Poland, and France saw the rise of authoritarian-minded populist parties and politicians.

In many liberal democracies, populist politicians have recently gained voters' support. Populists claim to speak for the real desires of the people. They often speak against establishment politicians. Populists also often voice nationalist views. They put their own country's interests above those of their allies, trading partners, and the world.

In Europe, populist political parties have gained strength. They typically object to Muslim immigration, Syrian refugees, and free-trade agreements. They also object to European Union (EU) rules that require the free flow of workers across national borders. Many believe

Liberal Democracy

Modern democracy is a form of government that is also called *western* or *liberal* democracy. Examples include the United Kingdom, Germany, Japan, and the United States. Here are some essential characteristics of liberal democracies:

- regular, free, fair, and competitive multiparty elections;
- equal political rights and civil liberties such as the right to vote and freedom of speech;
- rule of law (no one is above the law, including political leaders);
- government powers are limited by checks and balances;
- the court system and judges are independent from political influence;
- civilian control of the military;
- peaceful transfer of power from one set of leaders to another following an election.

Authoritarian Regime

Authoritarian regimes are headed by a strongman (autocrat) or elite group, like a party or military officers. Examples include North Korea, Syria, Russia, and China. Here are some major characteristics of authoritarian regimes:

- elections, if held, are not regular, free, or fair;
- opposition parties, if they exist, are intimidated by the regime; political opponents are kept in line by arrests and imprisonment;
- weak checks and balances on regime power;
- regime restricts freedom of the press and suppresses protests;
- regime controls court system and judges;
- regime ignores rule of law by ruling by decree;
- regime abuses human rights;
- regime promotes nationalism, fear of foreigners, and traditional cultural values to remain popular;
- regime may resort to violence to remain in power.

that Britain's recent vote to leave the EU was heavily motivated by these sentiments. In the U.S., Donald Trump's "America First" presidential election campaign was based on similar populist and nationalist themes.

The populist surge in the established liberal democracies is also related to those who are economically disadvantaged. These people are often less-educated and low-skilled workers who have lost good-paying manufacturing jobs. These jobs often disappear when factories close due to foreign trade competition.

Studies have shown that economic insecurity is likely to lead some people to favor populist candidates with authoritarian beliefs. Some worry that politicians who dwell on people's fears of social and economic change threaten liberal democracy.

Evidence Liberal Democracy Is Not in Trouble

Other researchers disagree that liberal democracy is in trouble. In 1990, Freedom House rated 38 developing and former communist countries as "free." In 2014, there were 60 of them. In the latest Freedom House report, no established western liberal democracies were trending down overall in freedom.

Professor of government and international relations Pippa Norris recently published a comprehensive study of "democratic backsliding." She discovered "no evidence" that political rights and civil liberties had declined in the established western liberal democracies from 1972 to 2016.

There are critics of Larry Diamond's "democratic recession" argument. They point out that two-thirds of the 25 countries he listed as suffering from democratic breakdowns were never really liberal democracies to begin with. For example, former Eastern European communist countries have taken another path to authoritarianism.

Some experts say that democracies are resilient and self-correcting. In May 2017, French voters rejected populist presidential candidate Marine Le Pen. She had been encouraged by the British vote to leave the European Union and by Donald Trump's presidential win.

Have Millennials Lost Faith in Democracy?

In 2016, a new study by Roberto Foa and Yascha Mounk shook up the debate about the state of democracy in the world. Foa, a political scientist at the University of Melbourne (Australia), and Mounk, a lecturer in government at Harvard, based their conclusions mainly on the World Values Survey. Since 1981, this survey has used a questionnaire on the beliefs and values of people in nearly 100 countries.

The latest World Values Survey (2010–2014) provided data on questions concerning democracy. Based on the results, Foa and Mounk concluded that there was less support for democracy and more support for authoritarian ideas among those living in liberal democracies than in previous surveys.

When populist parties and candidates begin to gain power in established liberal democracies, Foa and Mounk warn that is reason for concern. One of their shocking findings was that the young millennial generation was

A new study shook up the debate about the state of democracy in the world.

more negative about democracy than older generations across the globe, and even more so in the U.S.

Who are the millennials? People born between the years 1980 and 1999 (ages 18 to 37) are commonly defined as millennials.

Foa and Mounk focused on data from the results of several questions on democracy that the World Values Survey asked Americans. The oldest U.S. generation born before World War II was asked if they thought it was absolutely important “to live in a country that is governed democratically.” Seventy-two percent agreed. The response among U.S. millennials, however, was only about 30 percent. Foa and Mounk published a graph, showing a sharp decline for the importance of democracy by decade of birth (1930-1980) in six liberal democracies.

The World Values Survey has asked for a number of years if democracy is a bad or very bad “way of governing this country.” In 1995, only 16 percent of Americans in their late teens or early twenties agreed. In 2011, 24 percent of the same age group (millennials this time) agreed. This figure was lower among millennials in Europe where about 13 percent agreed.

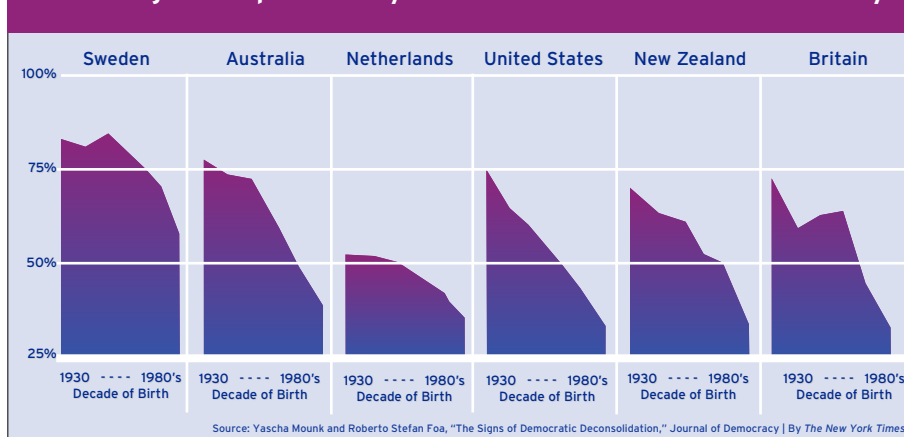
When the World Values Survey questioned whether it is an essential characteristic of a democracy that “civil rights protect people’s liberty,” 41 percent of older Americans agreed while only 32 percent of U.S. millennials did. In Europe, 39 percent of millennials agreed.

The World Values Survey asked how essential it is in a democracy for people “to choose their leaders in free elections.” Of American baby boomers, born between 1946 and 1964, 14 percent agreed it was *not* essential contrasted with an astounding 26 percent of U.S. millennials. In Europe, the results were 9 percent of the baby boomers and 13 percent of the millennials.

Most disturbing to Foa and Mounk were results that showed American millennials having significant acceptance of authoritarian beliefs. The survey asked people if they thought it was legitimate in a democracy if “the army takes over when government is incompetent.” Among Americans, 43 percent of those in older generations but only 19 percent of millennials rejected an army takeover. In Europe, 53 percent of people in older generations and 36 percent of millennials rejected military rule.

Foa and Mounk concluded that throughout the world, only a minority of young citizens believe it is essential to live in a democracy. More worrisome, say the two researchers, is that American millennials are much less enthusiastic about democracy and more open to authoritarian ideas than older Americans or even millennials in Europe.

Percentage of People Who Say It Is “Essential” to Live in a Democracy



Foa and Mounk worry that the old idea that well-established liberal democracies like the U.S. are set for ever may no longer be true. “American citizens” say Foa and Mounk, “are not just dissatisfied with the performance of particular governments; they are critical of liberal democracy itself.”

Millennials and Democracy: The Debate Is On

The Foa and Mounk study prompted alarm about millennials’ apparent loss of faith in democracy. But scholars quickly noted that Foa and Mounk based their findings mainly on one source, the World Values Survey.

Researchers soon looked at other surveys and conducted their own studies. Several reported they could find little evidence for a significant fall in the support of democracy in established liberal democracies. Significant backsliding in *non-western* “free” and “partly free” countries such as Mali, Hungary, Poland, and Turkey has taken place. But no such backsliding has happened in established *western* liberal democracies.

The Lowy Institute Poll in Australia reported that in 2012 only 39 percent of 18–29 year-olds expressed a preference for democracy. But the trend climbed sharply to 54 percent in 2016. This may indicate that local political developments may influence how young people perceive democracy.

Erik Voeten, a professor of world affairs at Georgetown University in Washington, D. C., analyzed studies of American confidence in democratic institutions. He found that the older generations were the most upset about how Congress, the president, and the national government were actually working. He concluded that while millennials are “somewhat more skeptical of democracy” than in the past, the older generations today are the most skeptical.

European political scientists Amy Alexander and Christian Wetzel blame the rise of populist parties and candidates in Europe and the U.S. mainly on older people. These people hold traditional moral values and are upset with the liberal cultural shift toward such things as same-sex marriage. Alexander and Wetzel say that it is this older group that is most responsible for declines in the support of democracy.



Students at McGill University in Canada gathered in 2011 as part of a “vote mob” to encourage young people to vote in the next election.

According to recent polling by the Pew Research Center, American millennials tend to be in worse economic shape than their parents and grandparents. But they are also more optimistic, more tolerant, more politically liberal, less in favor of smaller government, and less likely to vote.

Poor voter turnout could be millennials’ “vote against democracy.” But political scientists have long blamed this on the “life cycle effect”: Young adults are typically politically apathetic but become more engaged and vote more often as they grow older.

Others point to the recent active involvement of young people in political movements, elections, and public protests in Europe, the U.S., and even in

authoritarian Russia. Social media has become a major political organizing tool for them.

When asked why they seem to be down on democracy, millennials point to their frustration with establishment politics and dysfunctional government. It’s the political gridlock, domination of special interests, and money in politics — not democracy itself — that bothers millennials.

Foa and Mounk have stuck by their findings and conclusions. They recommend waiting for more data, soon coming from the next World Values Survey (2017-19). Their biggest concern now is complacency:

The comforting assumption that . . . countries would not vote for extreme candidates when they never have before, or indeed that core norms [standards] of liberal democracy wouldn’t come under attack. . . hasn’t worked out very well so far. Now is the time to stop being complacent.

WRITING & DISCUSSION

1. What do you think is the most important difference between a liberal democracy and an authoritarian regime? Why?
2. Some argue that populist and nationalist political parties and politicians are a danger to liberal democracy. Do you agree or disagree? Why?
3. What is the strongest evidence that millennials *are* and *are not* a major cause of declines in the support of democracy? Which side do you agree with more? Why?

ACTIVITY: Is Democracy in Trouble?

Part I

Form into groups to each survey a sample of people born before 1980 and millennials born between 1980 and 1999. Use the following survey questions based on those from the World Values Survey discussed in the article. Each student should try to get at least five responses from each age group. (Note: This is not a scientific survey with random sampling.)

A. What is your birth year?

B. Survey Questions:

Q1: It is absolutely important to live in a country that is governed democratically. Agree? Disagree? Not Sure?

Q2: A democracy is a bad or very bad way to run this country. Agree? Disagree? Not Sure?

Q3: It is essential in a democracy that civil rights protect people’s liberty. Agree? Disagree? Not Sure?

Q4: It is *not* essential in a democracy for people to choose their leaders in free elections. Agree? Disagree? Not Sure?

Q5: It is OK in a democracy if the army takes over when government is incompetent. Agree? Disagree? Not Sure?

Part II

1. Tally and calculate the percentages of the responses for the two age groups.
2. Compare your results with those stated in the article.
3. Taking your survey results and the evidence presented in the article into account, discuss whether you think democracy is in trouble. Report your conclusion and reasoning to the class.

ACTIVITY:
Are Millennials Losing Faith in Democracy?

Students will participate in a mini-survey of their neighborhood. Grouped into fours, students will survey 10 individuals each with the four questions below. They should come away with a total of at least 20 surveys completed. (Note: This is not a scientific poll or survey.)

A. Instructions:

- Half of the individuals surveyed must be identified as born in *1980 or after* (millennials) and the other half identified as born *before 1980*.
- Students will compare their findings and draft a graph. A helpful tool for creating a graph is Google forms.
- Students will then use their data to argue for or against the proposition: *Millennials are losing faith in democracy*.

B. Survey Questions:**1. When do you believe a democratic government is appropriate?**

- a. Always
- b. Sometimes
- c. Never

2. When do you believe an authoritarian government is appropriate?

- a. Always
- b. Sometimes
- c. Never

3. Do you currently have faith in today's democratic government?

- a. Completely have faith
- b. Somewhat have faith
- c. Absolutely no faith

4. Do you currently believe that an authoritarian government is a possible solution?

- a. Completely believe
- b. Somewhat believe
- c. Absolutely do not believe

This activity was drafted especially for *Bill of Rights in Action* by E'bow Morgan who teaches social studies at TEACH Charter High School in Los Angeles, California. E'bow is a teacher-leader in CRF's T2T Collab: www.crf-usa.org/t2tcollab



Standards Addressed

How Democratic Was Athens?

California History-Social Science Standard 6.4: Students analyze the geographic, political, economic, religious, and social structures of the early civilizations of Ancient Greece. (2) Trace the transition from tyranny and oligarchy to early democratic forms of government and back to dictatorship in ancient Greece, including the significance of the invention of the idea of citizenship (e.g., from *Pericles' Funeral Oration*). (3) State the key differences between Athenian, or direct, democracy and representative democracy.

National World History Standard 8: Understands how Aegean civilization emerged and how interrelations developed among peoples of the Eastern Mediterranean and Southwest Asia from 600 to 200 BCE. Middle School: (1) Understands the political framework of Athenian society (e.g., the influence of Athenian political ideals on public life; major changes made to the Athenian political organization between the initial monarchy and the governments of Solon and Cleisthenes; the role of women in Athenian society, their rights under the law, and possible reasons why Athenian democracy was limited solely to males). High School: (1) Understands the legacy of Greek thought and government (e.g., the importance of participatory government in Greek city-states for the development of Western political thought and institutions; essential ideas in Plato's Republic and the influence of this work on modern political thought; Athenian ideas and practices related to political freedom, national security, and justice; how the maturing democratic institutions in Greece resulted in greater restrictions on the rights and freedoms of women).

Common Core State Standards: SL.1, SL.3, RH.1, RH.2, RH.3, RH.4, RH.6, RH.8, RH.10, WHST.1, WHST.9, WHST.10.

The Northwest Ordinance and Westward Expansion

California History-Social Science Standard 8.3 Students understand the foundation of the American political system and the ways in which citizens participate in it. (2) Explain how the ordinances of 1785 and 1787 privatized national resources and transferred federally owned lands into private holdings, townships, and states.

California History-Social Science Standard 8.9 Students analyze the early and steady attempts to abolish slavery and to realize the ideals of the Declaration of Independence. (3) Describe the significance of the Northwest Ordinance in education and in the banning of slavery in new states north of the Ohio River.

National United States History Standard 8: Understands the institutions and practices of government created during the Revolution and how these elements were revised between 1787 and 1815 to create the foundation of the American political system based on the U.S. Constitution and the Bill of Rights. Middle School: (2) Understands arguments over the necessity of a Bill of Rights (e.g., Anti-Federalist arguments for its inclusion in the Constitution) and Madison's role in securing its adoption by the First Congress. High School: (1) Understands influences on the ideas established by the Constitution (e.g., the ideas behind the distribution of powers and the system of checks and balances; the influence of 18th-century republican ideals and the economic and political interests of different regions on the compromises reached in the Constitutional Convention).

Common Core State Standards: SL.1, SL.3, RH.1, RH.2, RH.3, RH.4, RH.7, RH.10, WHST.9, WHST.10.

Sources

How Democratic Was Athens?

Aristotle. "Constitution of Athens." *The Complete Works of Aristotle*. Jonathan Barnes, ed. Princeton: Princeton Univ. Press, 1984. • Levinson, Martin H. "Democracy Here Is Not Necessarily Democracy There." *ETC.: A Review of General Semantics*, vol. 63, no. 2, 2006. *Questia*. URL: questia.com. • Madison, James. "Federalist No. 10." *The Federalist*. The Avalon Project. New Haven: Yale Law School. URL: avalon.law.yale.edu. • Plato. *The Apology, Five Dialogues*. G. M. A. Grube, trans. Cambridge, Mass.: Hackett Press, 2002. • Plato. *The Republic*. G. M. A. Grube, trans. Cambridge, Mass.: Hackett Press, 1992. • Rothchild, John. Introduction to Athenian Democracy of the Fifth and Fourth Centuries BCE October 9, 2007. Wayne State University Law School Research Paper No. 07-32. URL: ssrn.com. • Thucydides. *A History of the Peloponnesian War*. Rex Warner, trans. London: Penguin Books, 1954. • Wilson, Emily. "The Trouble With Speeches." *New Republic*. 4/26/13. URL: newrepublic.com.

The Northwest Ordinance and Westward Expansion

Burnett, Edmund Cody. *The Continental Congress*. London: MacMillan, 1941. • Ellis, Joseph J. *Founding Brothers: The Revolutionary Generation*. New York: Vintage, 2000. • ———. *The Quartet: Orchestrating the Second American Revolution, 1783-1789*. New York: Vintage, 2015. • ———. *American Creation*. New York: Vintage, 1981. • Jensen, Merrill. *The New Nation: A History of the United States During the Confederation 1781-1789*. Boston: Northeastern Univ. Press, 1981. • Johnson, Dennis. *The Laws That Shaped America*. Abingdon-on-Thames: Routledge, 2009. • "Manasseh Cutler." Ohio History Central. Ohio History Connection. URL: ohiohistorycentral.org. • "Manasseh Cutler, Ipswich Minister Who Set Off the Great Westward Migration." New England Historical Society. URL: newenglandhistoricalsociety.com. • Middlekauff, Robert. *The Glorious Cause*. New York: Oxford Univ. Press, 2007. • "The Northwest Ordinance of 1787." *United States House of Representatives: History, Art & Archives*. URL: history.house.gov. • The Ordinance of 1784." *United States House of Representatives: History, Art & Archives*. URL: history.house.gov. • Rakove, Jack N. *Original Meanings: Politics and Ideas in the Making of the Constitution*. New York: Vintage, 1997. • Robinson, Donald L. *Slavery in the Structure of American Politics*. San Diego: Harcourt, 1971. • Taylor, Robert, ed. *The Northwest Ordinance 1787: A Bicentennial Handbook*. Indianapolis: Indiana Historical Society, 1987.

Is Democracy in Trouble?

California History-Social Science Standard 12.2. Students evaluate and take and defend positions on the scope and limits of rights and obligations as democratic citizens, the relationships among them, and how they are secured.(4) Understand the obligations of civic-mindedness, including voting, being informed on civic issues, volunteering, and performing public service, serving in the military or alternative service.

California History-Social Science Standard 12.9. Students analyze the origins, characteristics, and development of different political systems across time, with emphasis on the quest for political democracy, its advances and its obstacles. (5) Identify the forms of illegitimate power that twentieth century African, Asian, and Latin American dictators used to gain and hold office and the conditions and interests that supported them.(8)Identify the successes of relatively new democracies in Africa, Asia, and Latin America and the ideas, leaders, and general social conditions that have launched and sustained, or failed to sustain them.

National Civics Standard 1: Understands ideas about civic life, politics, and government. High School: (3) Understands the nature of political authority (e.g., characteristics such as legitimacy, stability, limitations)

National Civics Standard 9: Understands the importance of Americans sharing and supporting certain values, beliefs, and principles of American constitutional democracy. High School: (1) Understands how the institutions of government reflect fundamental values and principles (e.g., justice, equality, the common good, popular sovereignty, checks and balances).

National Civics Standard 14: Understands issues concerning the disparities between ideals and reality in American political and social life. High School: (1) Understands the importance of established ideals in political life and why Americans should insist that current practices constantly be compared with these ideals.

National Civics Standard 23: Understands the impact of significant political and nonpolitical developments on the United States and other nations. High School: (2) Understands the effects that significant world political developments have on the U. S. (e.g., the French, Russian, and Chinese Revolutions; rise of nationalism; World War I and II; decline of colonialism; terrorism; multiplication of nation-states and the proliferation of conflict within them; the emergence of regional organizations such as the European Union). (5) Understands historical and contemporary responses of the American government to demographic and environmental changes that affect the U.S.

Common Core State Standards: RH.6, RH.8, SL. 4, WHST.7, WHST.9, WHST.10.Understands how diverse groups united during the civil rights movement (e.g., the escalation from civil

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Is Democracy in Trouble?

Alexander, Amy C. and Welzel, Christian. "The Myth of Deconsolidation: Rising Liberalism and the Populist Reaction." *Journal of Democracy*. 4/2017 URL: journalofdemocracy.org. • "Attitudes to Democracy." *The Lowy Institute Poll 2016*. Sydney: Lowy Institute for International Policy, 6/016. URL: lowyinstitute.org. • Ayers, Sabra. "Russia Swiftly De-stains Leader of Mass Protest." *Los Angeles Times*. 6/13/17. • Bershidsky, Leonid. "Democracy Turns Off Millennials. It Doesn't Have To." *Bloomberg View*. 11/23/16. URL: bloomberg.com. • Bierman, Noah. "Trump Stops Turning His Back on World." *Los Angeles Times*. 5/15/17. • Bremmer, Ian. "The Wave to Come." *Time*. 5/22/17: 39-41. • Diamond, Larry and Plattner, Marc F., eds. *Democracy in Decline?* Baltimore: Johns Hopkins University Press, 2016. • Foa, Roberto and Mounk, Yascha. "The Danger of Deconsolidation." *Journal of Democracy*. 7/2016. URL: journalofdemocracy.org. • ———. "The Signs of Deconsolidation." *Journal of Democracy*. 1/2017. URL: journalofdemocracy.org. • Frum, David. "How to Build an Autocracy." *Atlantic*. 3/2017. URL: theatlantic.com. • Galston, William. "The Populist Moment." *Journal of Democracy*. 4/2017. URL: journalofdemocracy.org. • Guo, Jeff. "Debunking the Myth that Millennials are Ushering in the End of the Western World." *Washington Post*. 12/2/16. URL: washingtonpost.com. • Heer, Jeet. "Do Millennials Hate Democracy?" *New Republic*. Dec. 2016. URL: newrepublic.com. • Huntington, Samuel P. *The Third Wave, Democratization in the Late Twentieth Century*. Norman: University of Oklahoma Press, 1991. • Inglehart, Ronald F. "How Much Should We Worry?" *Journal of Democracy*. July 2016. URL: journalofdemocracy.org. • Kendall-Taylor, Andrea and Frantz, Erica. "How Democracies Fall Apart, Why Populism is a Pathway to Autocracy." *Foreign Affairs*. 12/5/16. URL: foreignaffairs.com. • Koerth-Baker, Maggie. "Democracy, Meh." *FiveThirtyEight*. 12/2/16. URL: fivethirtyeight.com. • Mounk, Yascha and Foa, Roberto. "Yes, People Really Are Turning Away from Democracy." *The Washington Post*. 12/8/16. URL: washingtonpost.com. • Norris, Pippa. "Is Western Democracy Backsliding? Diagnosing the Risks." *Journal of Democracy*. 4/2017. URL: journalofdemocracy.org. • Puddington, Arch and Roylance, Tyler. "Populists and Autocrats: The Dual Threat to Global Democracy." *Freedom House*. 2017. URL: freedomhouse.org. • Safi, Michael. "Have Millennials Given Up on Democracy?" *The Guardian*. 3/18/16. the-guardian.com. • Taub, Amanda. "How Stable Are Democracies? Warning Signs Are Flashing Red." *New York Times*. 11/29/16. URL: nyti.ms. • Taylor, Paul. *The Next America, Boomers, Millennials, and the Looming Generational Showdown*. New York: Public Affairs, 2015. • Voeten, Erik. "Are People Really Turning Away from Democracy?" *Journal of Democracy*. 4/2017. URL: journalofdemocracy.org. • Weber, Christopher, Frederico, Christopher, and Friedman, Stanley. "How Authoritarianism is Shaping American Politics (and it's not just about Trump)." *Washington Post*. 5/10/17. URL: washingtonpost.com. • "Who We Are." *World Values Survey*. URL: worldvaluessurvey.org.

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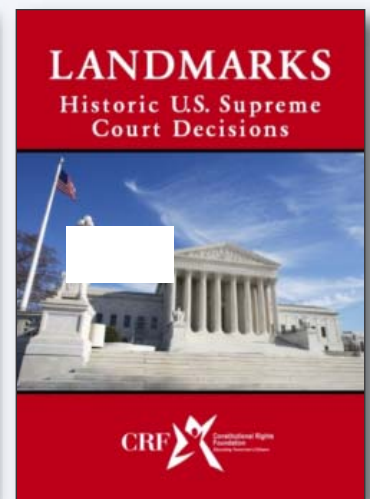
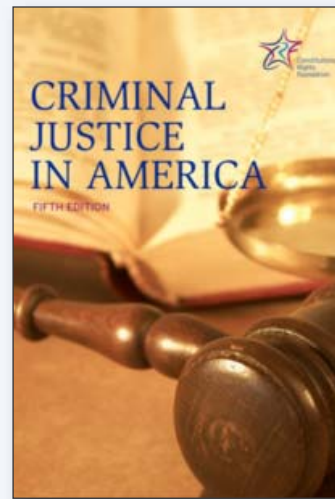
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Erratum: In "The Great Recession: Who Was Responsible?" in our Spring 2017 issue (Vol. 32, No. 3), we need to make a correction. One sentence states, "When the level of the GDP fell below zero in the last two quarters of 2007, the U. S. was technically in a recession." It should read as follows: "When the growth rate of the GDP fell below zero in the last two quarters of 2007, the U. S. was technically in a recession."



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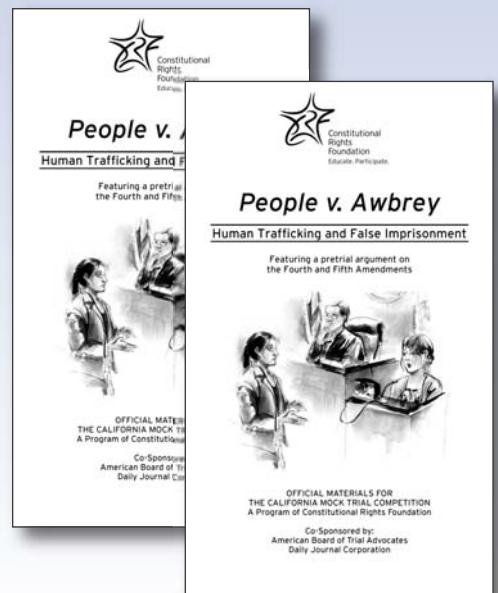
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