

# POLS 2306 Lecture Transcripts

## Unit 1

### Slide 1

What is the purpose of government? What is government **for**? What does government do? Why does government exist? And Why **should** government exist? These questions are all slight variations that illuminate the complexity of this topic.

### Slide 2

Before we try to answer, we need to first set out some terms to clarify our thinking. One approach is to focus on what we call the “positive” aspect of this question—focusing on logic, facts, events that actually happened and other verifiable information. By contrast, we could instead focus on the “should”: why **should** government exist, what **should** government do. A focus on how things **should** be is what we call a “normative” argument or claim, and normative arguments usually involve different sets of values, morality, or ethics, which may simply be opposed so that you’re unlikely to reach agreement through debate.

Political scientists are usually more interested positive arguments—explaining why something happened, the cause of some observed phenomenon or fact. They may debate about which facts are more relevant, or reflect the true cause behind something, but they are not debating values or how things “should” be. Normative approaches are more common in political philosophy, which is a sub-field within Political Science.

Although as political scientists we’re usually concerned with positive approaches rather than normative ones, we’ll find when trying to answer “What is the purpose of government?” that it is impossible to completely disentangle the two. In the end, we must conclude that the answer to our question is not settled—there are a handful of useful answers, but no one answer is definitive enough to exclude the others.

### Slide 3

As residents of Texas, the most powerful government in our lives is the American government, so a good place to start in answering the question is with the purpose that Thomas Jefferson provides in the Declaration of Independence:

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness,-  
-That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.”

Jefferson is telling us right here what the purpose of government is: to secure certain inalienable rights.

### Slide 4

Jefferson claims that governments are instituted with the consent of the governed to secure rights, is appealing. But if Jefferson is using a positive approach, is this convincing? Perhaps it is a useful ideal,

but considering most other governments in the world—both in Jefferson’s day, and our own—we find a lot of monarchies, a lot of dictatorships, a lot of governments that oppress their people, or help the ruling classes exploit the populace. In fact, Jefferson is more telling us how governments **should** be than how they **are** (or were). He is using positive language—that the “truth” is “self-evident”; which is to suggest it is a fact that can’t be argued—to actually make **normative** claim.

#### Slide 5

To lay out a truly **positive** claim of why governments were instituted, we’d have to go back to the very first governments, which is difficult because the original governments in the world came into being practically before written history, back in the “mists of time.”

Nonetheless, the most well-respected thinkers who have taken on this challenge, and whose answers are still today given the highest regard by political scientists, did exactly that. They were all working in the era running up to Jefferson’s Declaration, the 17<sup>th</sup> & 18<sup>th</sup> centuries: They are Thomas Hobbes, John Locke, and Jean-Jacques Rousseau. Because there were no historical records from the period of the first governments, they engaged in what we call “thought experiments” imagining a “State of Nature” based on the best information they had. In pre-history, before “The State,” government, or society, mankind was in the “State of Nature.” No government, few people, no technology; these thinkers imagined family groups wandering around in the wilderness, a “caveman” existence, but with abundant food and resources available in nature.

#### Slide 6

Rousseau’s state of nature is focused on his view of humans before being corrupted by the luxuries of civilization, by the kind greed and conflict he saw all around him in 18<sup>th</sup> France, in the era leading up to the French Revolution. His conception of mankind in the State of Nature was that of the Noble Savage, pure and unaffected by the temptations and troubles of society and government. However, he saw that the difficulties of life in “the wild” would have encouraged humans to band together and make a conscious, willing, consensual agreement—a social contract—to organize themselves and work together to provide the things necessary not just for basic life, but for a nice life. He doesn’t go into much detail, but we can imagine the need for help with building shelters, working in an organized group to hunt game, or till fields, and bigger projects like building ships or irrigation systems.

Importantly for Rousseau’s vision, everyone agrees of their own free will to the social contract that brings mankind out of the State of Nature and into society under government, with a nicer quality of life than in the wild. But the irony he observes is that it ends up subjecting mankind to the slavery of materialism, squabbles and social conflict, the corruption of powerful rulers and of the people themselves, as opposed to the Noble Savage, whose life is harsh and poor, but free and uncorrupted.

#### Slide 7

Across the English Channel, in Britain, the colonial “parent” of the United States, the two principal philosophers on the purpose of government were Thomas Hobbes and John Locke. They were writing a hundred years before Rousseau and Jefferson, but their ideas are still seen as the most influential, even while they are starkly divergent.

For Hobbes, the State of Nature is actually a State of War, a war of “all against all.” Without government, in such a State of Nature, Hobbes hypothesizes humans would operate much like beasts, in a war of all against all, and life would be “nasty, brutish, and short”.

In such a circumstances, he tells us, it is only rational to submit to a strong individual, or a group & its leader, and hope for some degree of peace, even if that leader may kill **you**. Hobbes calls the individual or group that exercises power “the Sovereign”. Any rational person will see they’re better off submitting to the Sovereign, even if the Sovereign might be arbitrary, than remaining in the State of Nature that is a war of all against all, where anyone you meet might fight or kill you. Here we see the reflection of Weber’s concept of monopoly of legitimate use of force. Importantly for Hobbes, though the moment of government being born is the rational act of submission to the Sovereign, in some sense it is involuntary: we have no real choice, or free will. Although this thought experiment is imaginary, Hobbes’ ideas about the state of nature coincide with a lot of what we imagine today of how a new “State of Nature” might return in a chaotic, post-apocalyptic future without government, as we see in novels like *The Lord of the Flies* or *The Road*, or even a TV show like *The Walking Dead*.

#### Slide 8

Locke’s conception of the State of Nature is much more cheerful: Natural Law entitles people to do what they want in the state of nature, short of hurting or stealing from each other, giving almost complete liberty, like Rousseau’s Noble Savage has. If one individual does break this natural law, then others may punish that person, and recover from his property a reparation for the damage or loss of property to the victim.

But Locke finds three problems with this state of nature: 1) Not every person’s understanding of Natural Law is perfect, or all the same—there is no settled & established law clear to everyone, which will cause conflict. 2) There’s also a lack impartial judges; if every person who is a victim must judge in their own case whether someone else violated the Natural law, people don’t tend to be impartial to themselves, which will not result in fair judgments. 3) Many lack the necessary force to inflict proper punishment: in the state of nature, if someone is victimized by another, the offender is probably stronger than the victim—how will the victim be able to punish without help? And so, people come together by mutual consent to form governments, by their own free will, to solve these problems.

Locke’s ideas sound similar to Rousseau in many ways, especially in that people come together to form governments voluntarily, out of their own free will, and also to Weber’s, thinking about the legitimate use of force. Although Locke, like Hobbes, focuses on protection, he is concerned not only with life and bodily harm, but also with **liberty** (freedom from enslavement) and **property** (the good things in nature that people have claimed ownership of by mixing their labor with them. For example, working the land as a farmer gives you a right of property in the land; cutting down trees and building a house gives you a right of property in that house; of course Locke is imagining all this in days before money, or all but the most primitive form of barter).

In exchange for this protection, Locke thinks we give up very few rights that we had in the State of Nature—mostly just the right to judge and punish others, which we must give up to the whole of society, and its chosen or elected agents.

#### Slide 9

Let's come back to Jefferson, and the clever way that he uses what **sounds** like a positive claim, in the Declaration of Independence, to really make a **normative** argument for what he thinks the purpose of **American** government **should** be. We see that he takes his cues almost directly from Locke, although seems to be taking a positive approach.

Also, in the third position after "Life" and "Liberty," Jefferson uses the term "Pursuit of Happiness" instead of property. In a way, this echoes Rousseau, who sees the desire for a more pleasant, comfortable life in society, compared to the rough poverty of the Noble Savage, as the main incentive to form the social contract that both he and Locke would say is the beginning of government. At the same time, the primacy of "Life" also echoes Hobbes, whose worry that life will be nasty, brutish, and short in the state of nature leads logically to the need to submit to a fearsome Sovereign in hopes of preserving life and health.

There **is** no universal answer to the question "What is the purpose of government." But in Jefferson's words, and in the ideas of Hobbes, Locke, Rousseau, and Weber we can see the predominant schools of thought on the question, which can help us to more wisely form our own normative positions when thinking about the government of our own country, the state of Texas, and our local governments, as well.

## Unit 2

### Slide 1

Who are the heroes and heroines of Texas Government history? How has our state been shaped by individuals who have governed in Texas? We will look at some of the heroes and heroines of Texas Government in this lecture.

### Slide 2

From its earliest history as a part of Spain and Mexico, to its time as an independent Republic, to its joining, seceding, and rejoining of the United States, Texas history is full of heroes and heroines. This lecture will take a look at some of the major figures in Texas Government. While some you may have heard of, there are others that perhaps are more obscure. Nevertheless, each played a critical role in the development of Texas government as it exists today.

### Slide 3

Iron Jacket was born in approximately 1790 in Central Texas. Iron Jacket was a Comanche chieftain who fought in many battles against the early Texas forces, including fighting against the Texas Rangers themselves. While little is known about this Comanche chief, a few things are certain. He led dozens of raids on early Texas settlers, he wore chainmail armor, which is why he got the name Iron Jacket, and he was killed in the Battle of Little Robe Creek, a battle in which the Texas Rangers and Tonkawa Native American tribe attacked his village.

Iron Jacket was also the grandfather of the famous Quanah Parker, who we will discuss in more detail later in this lecture.

#### Slide 4

Sam Houston is perhaps one of the most famous figures in Texas political history. He came to Texas when it was a Mexican state, and soon became a general in the Texas army. It was his leadership in part that gave the Texans victory at the Battle of San Jacinto, leading to Texas independence. His heroics positioned him to become a leader in the new republic of Texas.

Sam Houston ran against Stephen F Austin in Texas's first presidential election and received 79% of the vote, a landslide victory. The Texas Constitution prohibited consecutive terms for a president, so Houston served in the House of Representatives, and then was elected again as president in 1841 to be the third president of the fledgling republic.

It was Sam Houston who presided over the annexation of Texas by the United States. He was one of Texas's first two senators to represent the state in the United States senate. Though Sam Houston was not an abolitionist, he was also strongly against the further expansion of slavery. He advocated strongly in favor of remaining part of the Union rather than joining the confederacy in the Civil War.

Houston also served as Governor of Texas, but when the state seceded in 1861, he stepped down. Sam Houston died in 1863 from complications from pneumonia.

#### Slide 5

Juan Seguin was born in Texas, before Texas was even a part of Mexico. He served in several elected positions as a young man in the Spanish government, and later in the Mexican government. After he vociferously opposed several actions of Santa Anna, he joined the Texas fight for independence. He was a captain in the Texian army and fought in the battle of San Jacinto, in which Texas won its independence.

Seguin served in the Texas military under the republic of Texas as well, and was later elected as a Senator in the Texas senate.

The 1840s were chaotic in Texas, with a mass influx of immigrants from North America, as well as conflict between Texas and Mexico. Juan Seguin became the mayor of San Antonio in 1841, but the city was overrun in 1842. Eventually, Seguin resigned from his office after receiving death threats. He moved to Mexico and actually served under the Mexican army in the Mexican-American War, but returned to Texas in the 1850s, and is now honored for his service to Texas by a large monument in a town that bears his name.

#### Slide 6

While the exact date of Quanah Parker is unknown, he is thought to have been born in 1845, the son of Comanche chief Peta Nocona and a white woman named Cynthia Ann Parker, who had been kidnapped by the Comanche as a child and raised as part of the tribe.

Quanah Parker became part of the leadership of the Comanche from a very early age, acting as a chief of the Comanche on the reservation in Oklahoma. He famously led raids into Texas, but after the defeat by the U.S. cavalry, he and his people surrendered in 1875. He became extremely wealthy, even hunting with the U.S. president Teddy Roosevelt.

Quanah became close with several Texas ranchers and began to build his own cattle herds, fostering positive relationships between white ranchers and native American people. While this led to great respect from U.S. government leaders, Quanah Parker was also criticized by some members of the Comanche tribe for abandoning some of the Native American ways.

Quanah Park died in 1911 in Oklahoma. His legacy lives on in several ways. First, his descendants hold an annual pow-wow in Oklahoma. In addition, the famous Quanah Parker trail in the plains of West Texas is marked by arrows, with each arrow acting as a monument to a historical event in which Quanah Parker took part.

#### Slide 7

Maw Ferguson was the first woman to be governor of Texas. She was born in Texas and attended school at Baylor Women's College. She married James Ferguson in 1899, a man who was elected governor in 1914 but impeached during his second term.

In 1924, Maw Ferguson announced that SHE would run for governor. Her campaign promised "two governors for the price of one," with her husband James, who was also known as Paw Ferguson, doing the governing for his wife.

Some of the Fergusons policy positions included being opposed to the prohibition of alcohol and strongly against the Ku Klux Klan. She was also strongly opposed to overcrowding in prisons and granted nearly 4,000 pardons during her time as governor, though rumors and allegations of bribery in exchange for pardons floated around at the time. After Ferguson's time, the state of Texas removed the power to pardon from the office of the governor, creating an independent board of pardons and parole.

She won two inconsecutive terms of office as Texas's first female governor. Maw Ferguson retired from politics in 1935.

#### Slide 8

Lyndon Baines Johnson is one of only two Presidents of the United States to have actually been born in Texas, and the only President of the United States to be both born in Texas and call Texas his home state. While both presidents George H.W. Bush and George W. Bush called Texas home, both were born in New England. And while President Dwight Eisenhower was born in Texas, he moved to Kansas at a very young age and considered Kansas to be his home state.

Lyndon Baines Johnson was a public school teaching at a high school in Houston for a few years after graduating from Southwest Texas State Technical College (now known as Texas State University). He then decided to enter politics, working for campaigns and state legislators. In 1937, Johnson successfully ran for the U.S. House of Representatives, and in 1948, he won a controversial election to become a U.S. Senator.

Johnson was nominated as the vice president in John F Kennedy's presidential campaign. He helped Kennedy achieve victory by delivering southern states including his home state of Texas. He was a highly active vice president. Johnson took over the presidency of the United States after the assassination of JFK, taking the inaugural oath while aboard Air Force One, standing next to Jackie Kennedy, who was famously still wearing the blood stained dress she was wearing when her husband was killed.

Johnson enacted several major government initiatives during his time as president. He won the 1964 election in a huge landslide, the highest even share of the popular vote. His presidential pushed for the Voting Rights Act, the Great Society, the expansion of the space program, and the entrenchment in the Vietnam War.

Johnson did not seek a nomination in the 1968 election, even though he would have been constitutionally eligible to do so. Johnson passed away due to heart failure in 1973 at the age of 64. He was buried in Stonewall Texas.

Johnson's legacy as president is a relatively favorable one. The University of Texas at Austin LBJ School of Public Affairs was named in his honor.

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Ann Richards was the second female governor of Texas, and contrary to her predecessor, Maw Ferguson, Richards certainly did not let her husband do the governing for her.

Richards was born in 1933 near Waco, Texas. She attended Baylor University and taught high school before starting a career in politics and working on several liberal and progressive campaigns in Texas.

Richards first held elected office in 1976, serving on the Texas Commissioner's Court. She then ran and won for State Treasurer, the first woman elected to a statewide office in over fifty years. Ann Richards famously criticized George H.W. Bush for not being a real Texan, saying, "I am delighted to be here with you this evening, because after listening to George Bush all these years, I figured you needed to know what a real Texas accent sounds like."

In 1990, Richards ran and won the gubernatorial nomination and was elected in a narrow victory. She promoted economic growth, limited government regulation, and prison reform. She served one term as governor, and was defeated by George W. Bush in 1994.

Ann Richards was active in Texas politics, arts, and culture for the rest of her life. She passed away in 2006 and was buried in Austin, Texas. She remains one of the most well-known heroines of Texas political history.

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These are only a few of the heroes and heroines that have served in Texas government throughout the state's history. Countless Texans have been active in government and politics. Consider how you can make a difference in Texas government. Work for a campaign! Run for office! Be one of the heroes or heroines of Texas government history.

## Unit 3

Slide 1

Slide 2

Everyone has political opinions, from opinions about politicians, to policies, to government in general. These are normative statements: your opinions reflect the way you think the world SHOULD be.

Most people equate political opinions with specific policy preferences, and this is certainly not inaccurate. Your political opinions will include how you feel about military spending, the legalization of marijuana, or healthcare. Your political opinions will include how you feel about taxing and spending by the government, and about war with other countries.

But perhaps a better way to think about political opinions will be centered around the “big questions” – questions like, What should the role of the federal government be? Or, what is the cause of poverty? Often, the way we answer these bigger questions is the root of our policy opinions. For example, if you believe that poverty is caused by historical patterns of discrimination and circumstances that are beyond a person’s control, then your opinions on the proper policy solutions to poverty will likely be dramatically different than those of someone who believes poverty is caused by individual choices.

#### Slide 3

You didn’t come to your political opinions in a vacuum. From the moment of your birth, you’ve been surrounded by people, situations, experiences, and other external forces that shape your political opinions. In fact, it’s impossible to separate your individual opinions from the experiences and interactions you’ve had. Your opinions have been shaped through a process known as political socialization.

Political socialization is the process by which people acquire political attitudes and behaviors. It begins from an early age, with your political opinions formed by listening to your parents and family. If your parents and family discussed politics often and expressed policy opinions, your policy opinions as a child and young adult are likely to reflect those that you heard from your parents. In fact, many people never diverge very far from their parents’ political positions. On the other hand, if you parents hardly ever spoke about politics or policies, then you may have a low engagement level in politics as well.

#### Slide 4

It’s not just your parents and their opinions, either. From birth, everyone is exposed to a different set of experiences and situations, and these will also affect your political opinions. If you were raised in an affluent family and attended a private school, your experiences will be different than someone who grew up in an impoverished family in a poorly funded public school. These experiences will affect your political opinions and engagement.

Your interactions with your friends, teachers, and other mentors will also affect your political opinions. Attending college is often a major influence on a student’s political attitude. This is primarily because during your formative years as a child and through high school, you may tend to interact mostly with others who are very similar to yourself. It’s likely that you’ll interact mostly with people of a similar ethnic background, religion, and socio-economic status. College is often the first situation in which students begin to interact with individuals from vastly different backgrounds than themselves. These interactions can challenge a student’s beliefs and opinions.

Finally, the political culture of the place in which you grow up and reside can have a strong influence on your political opinions. Consider that Texas political culture is both traditionalistic and individualistic. These aspects of Texas political culture will influence everyone who grows up in Texas, as well as those who move to Texas. Political culture can be a strong influence on political opinion.



## Slide 5

Political opinions and partisan identification are not necessarily interchangeable. In fact, many individuals who say they identify with a particular political party actually disagree with many of the policy positions their political party espouses. Whether this is because they are unaware of their party's platform or whether they simply disagree with some aspects of their political party but still support the party's ideology as a whole is unclear, and may vary from person to person.

For example, the Republican party has typically been associated with opposition to same-sex marriage, but younger republicans tend express much higher levels of support than their older republican counterparts.

The literature seems to indicate that voters primarily rely on partisan identification to vote in elections. A voter identifies with a political party (which is almost always the political party of their parents) and they vote for candidates in that political party. While this may sometimes lead to voters choosing candidates with some policy positions that are different from their own, party ID is an excellent informational shortcut to help voters make decisions. After all, it is impractical to expect a voter to familiarize him or herself with every candidate's position on every issue, so voters must rely on party identification as a shortcut to make informed guesses on where the candidate stands on most issues.

## Slide 6

One problem with political socialization and "inheriting" political viewpoints from your parents and your upbringing is that it may make you unwilling to accept challenges. This means that you may surround yourself with people who agree with you. As social media has become more and more important in political communication, the phenomenon of the "Echo Chamber" has emerged even more strongly. Social media outlets have created algorithms that try to show you the content that you will find most appealing, and you will likely self-select some of your friends, news sources, and social media groups. This means that, increasingly, you're only interacting with others like you, only reading news that supports what you already believe, and only seeing viewpoints that are similar to your own.

The Echo Chamber is dangerous for a society that requires discussion, dialog, and pluralism. Pluralism is the idea that a functioning democracy needs multiple groups with different interests, ideologies, and lifestyles need to be able to interact with one another, and to peacefully compete for their policy positions. In a system with functioning pluralism, the divergent interests will compete and a moderator outcome will be achieved.

## Slide 7

But in a system in which everyone is isolated in a group of people that agrees with them, individuals may lose sight of the fact that other viewpoints can be equally as valid. In fact, individuals might even forget that other viewpoints exist at all.

Think back to the beginning of this lecture. There are big questions that inform your political opinions, questions like "what is the role of the federal government" or "What is the cause of poverty?" People who answers these questions differently than you would are not necessarily uninformed or bad. They, in fact, probably have the country's best interests at heart, and simply have a different idea about the best way to improve our society. But, if you're in an echo chamber, it's easy to start thinking that

everyone on the other side is evil or stupid. Just visit the comments section of an article from a far-right or far-left news sources. It will be filled with truly hateful comments about individuals on the “other side.”

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This is why political socialization that exposes us to new people and different ideas is so critical for a functioning democracy. If we only ever interact with people just like us, our society is in danger of collapse. Instead, we must ensure that the groups in our society overlap with one another, to build social capital and ensure the stability of our democracy.

Political scientists refer to this idea as cross-cutting social cleavages, or the idea that different groups in society overlap with one another. You probably have significant overlap in your life: you might go to work with a different group of people than the group you practice your religion with. You might play a sport with people who are from different ethnic or socioeconomic background than you are. You may be a part of student organizations that require you to interact with people of different gender or sexual orientation than you. The more your groups expose you to different types of people with different identities or ideologies, the more social capital we build as a society, and the more stable our political institutions will be.

#### Slide 9

Political socialization doesn't just refer to what you learned and experienced as a child. Political socialization happens throughout your entire life. You will continue to be exposed to new people, ideas, and situations that will shape your political attitudes and behaviors.

So what intentional steps can individuals take to ensure that our political institutions remain stable? One important step is to make decisions to surround yourself with people and experiences that will increase your political engagement. Participating in the political process is one of the most important things a citizen can do in a democratic society. Engage with other individuals who participate in government, join organizations that encourage participation, and take part in positive and informative political debates. Ensure that your continuing political socialization helps you become more politically engaged!

But also, keep your social groups in mind as you work on building social capital and stable institutions. Try to join groups that expose you to people who are different than you, and make sure your social media network isn't an echo chamber. Find news sources that are credible, but that you disagree with! This can help challenge your own opinions, which can in fact make your arguments in favor of your positions much stronger.

As you go through the rest of your life, political socialization will continue. Be intentional with your choices. Be an active participant. Make our country a better place!

## Unit 4

#### Slide 1

#### Slide 2

Federal law and the United States Supreme Court both address the requirements for congressional districts. There are a few characteristics that are required for congressional districts and their shapes and sizes. Congressional districts must be compact, contiguous, and equal in population.

#### Slide 3

First, districts must be compact. The law is most favorable to districts that are compact, which means they are not too spread out from the center of the district. Imagine a district shaped as a perfect circle. Every part of the border in a circular district would be equally as far from the center. Of course, it wouldn't be possible for every district to be a perfect circle, but districts as compact as possible, while taking into account terrain shape and natural borders, are preferable.

But, as this picture shows, there are many districts that are not compact at all. Some districts become sprawling thin lines. Most often, these districts are the result of gerrymandering, which is the intentional creation of districts to benefit one political party or group.

How would we determine whether a district is "compact" enough? What are the measures of compactness? First, we could simply measure the extent to which the district is spread out from its center – how far from a perfect circle is the district? But we could also look at length and width, perimeter measures, or angles.

Compactness by itself is not the most ideal way to ensure gerrymandering has taken place- after all, compact districts could still produce results that intentionally favor one party over another. However, compactness is one of the first ways to check for gerrymandering.

#### Slide 4

Second, districts must be contiguous. This means that the district must be one unbroken shape. The law is unfavorable to districts that are not all joined together, or that are joined only by one small corner or strip of land. Look at this district from Illinois. While technically the district is unbroken, connected by one tiny strip along a highway, this district is not exactly a single contiguous shape.

Contiguity is important, because without contiguity, districts can be created in a way that packs all of the members of one political party into one district, even if they do not live near one another. Packing one district with as many members of a single party as possible is a way to disenfranchise voters and intentionally benefit the other political party as much as possible.

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Finally, districts must be equal in population. Typically approximately 5% deviation in population is acceptable, but the law is unfavorable to districts that vary significantly in population. The Supreme Court decided in *Reynolds vs. Sims* in 1964 that state legislative districts must be roughly equal in population.

This is because of the "one person, one vote" principle.

If one district has 1,000 members and a single vote in the legislature, while another district has 100,000 members and a single vote in the legislature, the individuals are not being equally represented in their legislature. A later case expanded this rule to congressional districts at the national level as well.

## Slide 6

Many scholars also start with the assumption that competitive elections are a good thing. Districts that are always Republican or always Democrat might be less preferable than those in which the congressional seat changes from Republican to Democrat over time. Being in the political party that is a significant minority in a congressional district might make voters feel unrepresented and disenfranchised with the political process, particularly if they never see their preferred candidate win the election.

We can also think about the problem of “packing,” in which one district is packed with 70-80% of one political party while the rest of the districts have smaller majorities of the opposing party. This form of gerrymandering leaves one political party significantly underrepresented in the legislature.

Redistricting and gerrymandering may have some effect on electoral competition in a district. The more politically neutral the redistricting process is, the less likely it is for an election to be unopposed, so neutral redistricting might improve electoral competition.

## Slide 7

But this assumes that competition is better and the districts should be competitive. Is this actually the case? Perhaps not!

Districts that are somewhat competitive may actually be worse for representation than districts that are extremely uncompetitive.

Let us first assume that a republican constituent would prefer to be represented by a republican legislator.

For example, imagine a district that is roughly 60% democrat and 40% republican. In this district, a democrat would likely be challenged in most elections by a republican opponent, but the democrat will still usually win the election. The 40% of district residents that are members of the republican party would not have their preferred legislator. 40% of individuals in the district would be unrepresented by their congressperson.

In a district with 90% democrats and 10% republicans, the democrat would rarely be opposed by a republican, but only 10% of the residents of the district would be unrepresented.

Perhaps a world in which districts are as uncompetitive as possible would actually result in better representation! In this model, redistricting would not be done with the goal of creating compact and contiguous districts, but instead would be done with the goal of having as close to 100% of a single political party as possible!

## Slide 8

This controversial idea would change the entire landscape of congressional districts, but it would also bring us as close to proportional representation as would be possible without a major constitutional change. Some would advocate such a system.

However, most scholars and individuals would be opposed to a radical change, and would instead advocate for a fair and politically neutral system of redistricting that would increase competition without unfairly disenfranchising members of a political party or group.

## Slide 9

The question still remains of what the goals of redistricting should be. When left to political parties and state legislatures, the goal of redistricting is often to ensure as many seats as possible for the political party in power. Per the law and supreme court decisions, the goal of redistricting should generally be to create districts that are compact, contiguous, and equal in population. For some scholars, the goal of redistricting should be to maximize representation.

Overall, redistricting has significant political implications, and being transparent about its goals is the first step to identify flaws in the process.

## Unit 5

### Slide 1

### Slide 2

In a representative democracy, the people elect individuals to make policy on their behalf. Both the United States and Texas government are set up as representative democracies. Consider the legislature. Texas is divided into many districts, and each district holds elections to determine who will represent the district in the state legislature. Representation refers to the way that elected official responds to the people who elected him or her.

You learned about political representation in Unit 4, with discussions of direct versus representative democracy and voting behavior. But how do your representatives behave?

There are two models of representation that might explain the behavior of our representatives.

### Slide 3

In the trustee model of representation, the people elect a representative who they trust to act in their best interests. The voters will select the candidate that they believe has the proper experience, judgment, and expertise. Then, she will go to the legislature and use her expertise to make decisions on behalf of her district.

In this model, the representative does not necessarily look to her constituents every time she must make a decision. The representative can act independently and has autonomy to act in the best interest of the district as well as in the best interest of the state or country as a whole. In fact, a trustee might even have to vote against the short term wishes of her constituency if it means doing something that will be better for the community in the long run. She can vote in her own conscience based on her expertise and beliefs.

### Slide 4

In the delegate model of representation, the people elect a representative who simply acts as an instructed delegate and does exactly as the people tell him. He votes according to the will of the people in his district.

This means that, in this model of representation, the people are constantly providing input to their representative so that he can do their will. His job is to govern exactly as they tell him. The representative, instead of acting in what he feels is the best interest of his district or of the state or country as a whole, will return to his constituents for every issue and attempt to do as they instruct. In this model, the elected official is essentially only a way for the people's will to be reflected in the legislature, and the official has no autonomy in decisionmaking. A delegate always ensures that his positions are congruent with his voters' positions.

#### Slide 5

When have we observed representatives behaving like trustees? When have we observed representative behaving like delegates?

The delegate model best describes situations in which an elected official attempted to vote as public opinion in his district indicated. Consider the Iraq War, which began in 2003. Initially, a sizeable majority in both the House and Senate voted in favor of military action in Iraq. And, at the time, public opinion was tilted in favor of military action in Iraq, particularly with heightened fear of terrorism in the wake of the September 11<sup>th</sup> terrorist attacks.

However, over time, support among the public for the war in Iraq waned, and the representatives in Congress and the Senate began to withdraw support for continued military action as well. While many critics referred to this as "flip flopping," it is this exact behavior that we would expect from instructed delegates. When their constituents were in favor of a policy, the representatives were also in favor of that policy. When support among constituents decreased, the representatives changed their votes. Flip flopping is not necessarily a bad or negative thing: it may simply mean that representatives are behaving as delegates and changing their minds as their constituency changes.

An example of the delegate model from across the pond in the United Kingdom is the example of Brexit. The United Kingdom held a referendum, which is a vote in which the people can make a decision on a particular policy. The voters were asked whether they wanted the U.K. to remain a part of the European Union or not. In the referendum, the voters chose by a narrow majority to leave the European Union. But the action to leave the E.U. was not final until the UK parliament also voted in favor of leaving. Despite significant concerns in The U.K. and around the world about the impact of leaving the E.U., the members of parliament acted as their constituents instructed: they voted in favor of Brexit.

#### Slide 6

But there are also countless examples of the trustee model in action. In fact, most issues that come before Congress will be decided without the public ever really paying attention. The minutiae of government requires that representatives vote on the most arcane and sometimes seemingly trivial details of government. For example, the legislature must vote on issues such as renaming air traffic control buildings, pay adjustments for federal employees, authorize memorials, and countless other bills. Thousands of bills are introduced in Congress every year.

Representatives cannot possibly return to their district for input on every single bill proposed in the legislature, so they simply must rely on their expertise and experience to decide how to vote on some issues.

And of course, not every issue is clear in how representatives are actually behaving. There are issues in which it is unclear whether representatives are acting in what they perceive to be the best interests of their district or the country, or whether they are responding to their constituents' wishes.

#### Slide 7

Neither perfectly explains how representatives behave while in office. However, many people have some sort of idea how they think their representatives should behave. Before deciding whether you think your representative should behave more like a trustee or a delegate, let's consider the downsides to each model.

In the trustee model of representation, a representative will follow her instincts, even if it is in contrast with what the district has asked her to do. If a representative is simply doing whatever she feels is right, why have elections at all?

A trustee is acting as the single voice of an entire district, rather than representing the individuals within a district. The representative is, therefore, somewhat removed from the people living in a constituency. A trustee is likely going to be less willing to hold meetings in her office with her constituents, host town hall meetings, and spend a great deal of time communicating with the people who live in her district to get their thoughts on what policies they would like to see. Is this particularly democratic?

#### Slide 8

On the other hand, the delegate model of representation doesn't always explain the behavior of representatives either. Most constituents in a district don't even vote for their legislators, especially at the state level. If people aren't even bothering to vote, they are certainly not likely to write their representative to tell him how they would like him to vote. It is difficult for a representation to act in accordance with his district's wishes when he isn't told about them.

In addition, the constituents don't necessarily have the knowledge, experience, and expertise to provide opinions on every issue their representative will encounter. The average voter is probably unlikely to tell a legislator how to vote on issues that will range from environmental protection treaties to confirmation of district judges to complicated decisions regarding the tax code.

And finally, there is no way to successfully represent every individual in the district. At best, any decision an elected official makes will satisfy only a portion of the voters in his district. There is no way to actually aggregate the preferences of every voter and translate those preferences into a policy that will make everyone happy.

#### Slide 9

No model can perfectly explain the behavior of all of the representatives all of the time. And it isn't always clear which type of representative we would prefer.

And at the state level, it can become even more difficult to discern the behavior of representatives. For example, why many constituents might think they prefer a representative who behaves as an instructed delegate, very few constituents even know who their state senator or representative is! It's impossible for a representative to act as an instructed delegate without input from constituents, and for state

representatives and senators, who are typically not well known by their districts, they truly must act as trustees.

As you learn more about the Texas state legislature, consider the effects of different models of representation on the kinds of outcomes we might see in the legislature.

## Unit 6

### Slide 1

### Slide 2

The executive branch serves the functioning of carrying out the law. This is distinct from the legislative branch, which exists to create the law, and the judicial branch, which exists to interpret the law. The executive branch must implement laws. The executive branch at the U.S. level is made up of the president, the vice president, and the cabinet, and all of the bureaucratic agencies that are a part of the various departments. But each state in the United States has an executive branch as well. Remember, in a federal system like the United States, each subunit of government has some level of sovereignty over its territory. The executive branch of each state must carry out the laws created by the legislature in each state.

In every state in the United States, the executive branch consists of a governor and some bureaucracy. Most states also have a position of Lieutenant Governor, a position somewhat similar to Vice President. The powers of the governor and lieutenant governor vary significantly by state. Texas is unique in that the position of governor is relatively less powerful than the governors of most states, while the position of lieutenant governor is relatively more powerful.

### Slide 3

The Governor of a state holds several key roles. While these roles vary from state to state, there are a few roles that tend to be very consistent.

First, the governor acts as the head of state. The head of state refers to a person who acts as a ceremonial figurehead to represent the country. The Head of State is, essentially, the “Face” of a country, and should embody the “spirit” of the nation. In the United States, the President acts as the head of state when he or she speaks on behalf of the country, engages in diplomacy, and hosts symbolic events.

In the United States, the President acts as both the head of state, the symbolic leader of the country, and the head of government, the actual chief executive who is integrally involved in governing the country. In some other countries, the head of state is distinct from the head of government. For example, consider the United Kingdom. The U.K. has a monarch who acts as the symbolic leader of the country but has almost no political power in government. The monarch is distinct from the prime minister, who acts as the head of government and is the chief executive of the country.

While states in the United States are subunits in the government and are not supreme, the governor of each state certainly acts as the symbolic or ceremonial leader of the state. The governor will host



leaders from other states or countries, address and speak on behalf of the state, and host and attend public events for the states. The role of head of state is particularly important for the governor in the state of Texas, considering that the formal powers of the office are somewhat limited. Being the head of state can generate good will and positive public opinion, which can in turn be used to generate support for the governor's policy preferences.

#### Slide 4

But governors in U.S. states do more than act as the symbolic head of their states. They also have significant executive powers, even in Texas, where the governor's official powers are somewhat limited.

Governors act as the head of government when they engage in political and governmental activities. This can range from the activities that involve carrying out the law, which is the executive's primary function. In carrying out the law, the governor will either appoint or oversee members of the cabinet, which are the chiefs of the state's bureaucracy. But the governor also acts as head of government when carrying out responsibilities that fulfill the principles of checks and balances. These activities include vetoing or signing bills. The governor, while not charged with creating the laws, has the ability to either sign a bill into law or reject it. This is part of separating powers in government to ensure that one branch is not more powerful than the other.

The governor also provides checks and balances to the legislature when he or she convenes special session of the state legislature, which most governors have the power to do. A special session is typically used when the legislature needs to consider something immediately, and the next scheduled session of the legislature is too far off to address the need. Finally, the governor also acts as a check on the judicial branch when he or she engages in the activity of pardoning prisoners.

Most of these powers directly reflect the powers of the president of the United States, which is logical, because most state constitutions have been modeled after the U.S. constitution.

#### Slide 5

The governor also acts as Commander in Chief of the state's military forces, like the national guard. The commander in chief is the individual who is in charge of the military forces and makes decisions on how they will be deployed. In the United States, the concept of civilian control of the military is very important. This means that the individuals who decide how the military will be used are NOT members of the military themselves – instead, the military is controlled by the political leadership. Civilian control is important in ensuring the stability of democracy and political institutions, rather than risking the military taking over the government. The governor of each state acts as the civilian political leader of the state's military, much as the president of the U.S. acts as the civilian political leader who controls and oversees the united states military forces.

#### Slide 6

In Texas, the governor is somewhat limited in the executive powers that the office holds. This is because, during the period of Reconstruction after the Civil War, the Texas governor was exceptionally powerful and enacted sweeping changes that were strongly opposed by many in the state. After Reconstruction, the Texas constitution was rewritten, and the framers feared a powerful executive, so

they divided the powers into many offices. This is known as a “plural executive” in which executive powers are not centralized in one position.

The governor in Texas also has very limited powers of appointment. Almost all of the statewide offices in the executive branch are elected by the people, rather than appointed by the governor. While this might arguably be more democratic, it is relatively unusual, as both at the federal level and in many states, the governor has the power to appoint the highest members of the bureaucracy. It also means that the Governor and the Lieutenant Governor could be from two different political parties. So, not only is the power of the governor’s office divided into many positions, but the governor has very limited ability to influence the choice of who will fill those positions.

#### Slide 7

But despite the limited formal powers of the governor, modern governors still have had success in getting their policies and agendas through in Texas government. This is due to what many scholars call the Power of Persuasion. Recall that the position of head of state can help political leaders generate good will and public support for their positions. Often, even without the formal ability to recommend legislation or form an agenda, a governor can use the visibility of his or her position to encourage other politicians in the state to take a particular action.

So while the governor of Texas may not have as many express powers as governors in other states, major initiatives are often spearheaded by the governor, and other officials often go along with the governor’s initiatives.

For example, in Texas in 2017, governor Greg Abbott initiated a statewide hiring freeze. He ordered that universities and state agencies stop hiring any individuals for new positions. Many questioned whether this was even within the governor’s purview: the constitution of Texas certainly grants no such authority to the Texas governor at all. But, universities and agencies went along with the freeze anyway, even though the freeze had dramatic effects on vacancies at state universities, which impacts the ability of universities to fulfill their mission of educating students.

Some referred to his actions as speaking from the “bully pulpit” which means to speak publicly from a position of power and be listened to. While Governor Abbott may not have had any constitutional authority to enact such a policy, his power of persuasion and ability to speak from the bully pulpit meant that universities and agencies complied, whether the order was legal or not.

#### Slide 8

Overall, while the power of the governor’s office itself varies from state to state, each state in the United States has a governor that fulfills the powers of the executive to at least some extent. Executives must act as the head of state, providing a ceremonial figurehead for the identity and spirit of the state. A Texas governor must embody Texas political culture – individualistic and traditionalistic. Governors of other states will embody their political cultures.

The executive must also act as head of government. The Texas governor is particularly limited in this ability, with limited constitutional powers granted to the office. But, there are still powers and responsibilities to appoint officials, to sign or veto bills, and to pardon criminals, among others.

The executive also acts as the commander in chief, and at the state level, this most often refers to the national guard of a state.

The Texas governor is limited because of the plural executive set up in the TX constitution, but governors can be powerful even in Texas because of the power to persuade. The governor's office is a very visible office, and few are willing to question it!

## Unit 7

### Slide 1

Texas is one of the few states in the United States that still uses capital punishment. What is the purpose of punishing criminal offenders? What does the Constitution say about capital punishment? What are the arguments for and against capital punishment? And what is its future?

### Slide 2

The death penalty's earliest use is recorded in the 16<sup>th</sup> century BCE in Egypt. Capital punishment is one of the oldest punishments in existence, used frequently in Ancient Greece and Roman for even the smallest of crimes. The 18<sup>th</sup> century Hammurabi Code listed death as the penalty for 25 crimes.

The methods of execution were often barbaric in ancient times, including drowning, poisoning, crucifixion, and disembowelment. In early Britain, those sentenced to death were drawn and quartered or burned alive!

Over time, the methods of execution changed. In fact, the founding fathers of the United States were opposed to such barbaric practices, leading to the 8<sup>th</sup> amendment of the Constitution, which specifically prohibits cruel and unusual punishment. There were also significant and controversial debates in the early years of the United States over when and how the death penalty should be used. Public hangings slowly fell out of favor throughout the 1800s, and executions more generally became less and less common until the 1970s.

The 1980s saw a resurgence in capital punishment in the United States as the number of executions climbed somewhat, but globally, the use of the death penalty has decreased. More than two-thirds of countries in the world have either outlawed or completely and formally discontinued use of the death penalty. Nearly all executions in the world take place in five countries: China, Iran, Pakistan, Saudi Arabia, and the United States.

The use and application of the death penalty varies significantly by states. In 2016, only five states still performed executions: Alabama, Florida, Georgia, Missouri and Texas. In 2016, approximately 20 individuals were executed in the United States.

### Slide 3

But what is the purpose of punishing criminals? Before we decide the best practices for criminal punishment, we need to identify the reason for the punishment's existence in the first place. Before we can decide whether capital punishment is appropriate, either generally or for a particular crime, we must determine why it is being used.

There are four schools of thought behind criminal punishment, three reasons why punishments may be used.

The first reason for punishing criminals is containment. Containment means simply that punishment exists to keep dangerous individuals away from the rest of society. This could be accomplished by imprisoning them, locking them away from those to whom they might be a danger. Of course, capital punishment also accomplishes this goal by simply removing the individual from society completely by killing them.

The second reason for punishment is retribution. This is perhaps the most visceral reason for death penalty support: the idea that someone who has so wronged a person or society deserves death for their heinous act. Death penalty supporters often argue that there are some crimes that are so vicious that the only appropriate way for justice to prevail is for the criminal to die. Retribution might be another way to say, "Revenge."

The third reason for punishment is deterrence. Some argue that if the penalty for a crime is severe enough and the likelihood of being caught is high enough, a criminal will rationally choose not to commit a crime. The death penalty, one might go on to argue, is the severest penalty of all, and should therefore cause criminals to rationally choose not to commit any crime that could result in the death penalty.

Finally, the last reason for punishment is rehabilitation. Many European countries use prisons not as a means to punish or isolate offenders, but as a way to provide training and skills to individuals to help them escape a life of crime and enter society as a productive and functional member. Capital punishment is, of course, not geared toward rehabilitation of offenders.

#### Slide 4

The constitution does not mention the death penalty specifically, but the 8<sup>th</sup> amendment does prohibit cruel and unusual punishment. The Founders were specifically concerned about some of the most barbaric practices of Great Britain in the 1700s.

The Supreme Court has acknowledged that the definition of cruel and unusual changes over time, that the "evolving standards of decency mark the progress of a maturing society." Over time, methods and applications of capital punishment have changed, and the Supreme Court has ruled several times on the constitutionality of the death penalty, but the court has not yet ruled the death penalty overall as unconstitutional.

First, in *Furman v Georgia* in 1972, the Supreme Court considered whether the use of the death penalty was unconstitutional in three cases that were condensed into the *Furman v Georgia* case. Remarkably, each of the 9 justices wrote a separate opinion for this case. None of the justices could agree on the rationale or implications of the decision. Overall, the court ruled 5-4 that the death penalty was unconstitutional and violated the 8<sup>th</sup> amendment in the three cases brought before it. Three justices in the majority opinion decided this based on the arbitrary nature of sentencing and on the fact that the death penalty disproportionately fell to black defendants. Two justices wrote that the death penalty, in and of itself, was cruel and unusual. Overall, the court made the decision that capital punishment was unconstitutional because it was arbitrary and because the sentencing practices lacked rational and objective standards.

In 1976, the court heard *Gregg v. Georgia*, and the decision on that case essentially shifted the landscape to be more favorable to capital punishment. Once again, several cases were condensed into one, and the defendants hoped that the court would rule once and for all that capital punishment was cruel and unusual. On the contrary, the court ruled that the death penalty could be constitutional as long as the sentencing process met two guidelines: first, there must be an objective guideline to sentencing a defendant to death. Second, the sentence must be allowed to consider the character of the defendant. While the court did invalidate the death penalty sentencing practices in North Carolina and Louisiana, it upheld capital punishment in general, which led to the resurgence of the death penalty in the 1980s.

Over time, the court has imposed some restrictions on the use of the death penalty, such as in the *Atkins v. Virginia* case, where the court ruled that individuals with intellectual disabilities is cruel and unusual punishment, violating the constitution. And, in *Roper v. Simmons* in 2005, the court ruled that the death penalty could not be used as punishment for individuals who committed the crime while under the age of 18.

#### Slide 5

The arguments in favor of capital punishment tend to focus on retribution and deterrence. First, retribution starts with the idea that a criminal deserves to be punished in proportion to the gravity of his or her crime. While this may be related to revenge or vengeance, it can also exist outside of it, meaning that retribution can occur whether or not the victim or anyone else wants it to happen. Some of the purpose of retribution via capital punishment doled out by the state might be to avoid vigilante justice – individuals decided to take out retribution at their own hands rather than relying on the state.

There are also religious reasons for this type of retribution. The Old Testament of the Bible advocates an “eye for an eye” which is taken to mean that the punishment should fit the crime, and says that “if a man kills another man deliberately, he should be put to death. Islam also advocates capital punishment in some situations, such as murder, adultery, rape, and treason.

Arguments in favor of capital punishment also tend to focus on deterrence: the idea that the death penalty is such a terrible punishment, criminals will think twice before engaging in crimes that might end in the death penalty.

#### Slide 6

However, there are flaws to the argument. First, it is probably unlikely that many criminals who are committing the violent crimes that might warrant the death penalty are being rational in their choice to commit the crime. But second, and perhaps more importantly, most criminologists and other social scientists agree that the data simply does not show that capital punishment has any meaningful effect on murder and other crime rates.

Religion can also be used as an argument against capital punishment. Pope Francis of the Catholic Church has expressly stated that the death penalty is never an appropriate punishment. Hindus and Buddhists tend to practice nonviolence as a rule, and prevailing Jewish thought is opposed to the death penalty. Many Muslim leaders have also pointed to the problems of racial disparity and the possibility of killing innocent people, saying that without correcting these issues, the death penalty should not be allowed.

These last two points have become some of the major issues around which the death penalty debate circulates. It is still the case that black defendants are sentenced to death at a higher rate than white defendants, and male defendants are also sentenced at a higher rate than female defendants.

And, as new types of evidence and forensic science expand, there have been dozens and dozens of cases in which a person sentenced to death has been acquitted. Many opponents of the death penalty argue that it is better to let 10 guilty people live than to execute one innocent person.

Slide 7

Texas is one of a short list of states that use capital punishment and that still executes people, and the United States is one of a short list of countries that allows the death penalty. No other industrialized country still allows this form of punishment.

Does the death penalty deter crime? Texas crime and murder rates are sort of middling in the United States, presenting neither strong evidence for the deterrence argument nor against it. It is unclear that the death penalty actually reduces the amount of crime committed in an area.

So should the death penalty be used? There are countless arguments still to be had. The supreme court has yet to rule that the death penalty is unconstitutional based on the evolving sense of decency of the United States. But, the disparity in the way the death penalty is applied is problematic, and the executions of innocent individuals is as problematic if not more so. Death penalty cases are also extremely expensive, involving thousands if not millions of dollars in appeals. And, people with intellectual disabilities are still being executed today, even after the courts determined this was unconstitutional, because states have some significant discretion in determining who is intellectually disabled.

Capital punishment is likely on its way to obscurity, along with drawing and quartering or hanging, but for now, it is still a critical issue debated in our political spheres. Consider your position on the death penalty, and your reasons for arguing in favor or against it.

## Unit 8

Slide 1

Slide 2

The Free Market is often referred to by politicians, but what exactly are they referring to? What is free market economics? What is capitalism?

Adam Smith is a famous 18<sup>th</sup> century economist and philosopher who is most often associated with the creation of the concept of the free market. In his work, *The Wealth of Nations*, Adam Smith argued that an economy works best when government intervention is limited. While government is necessary to enforce laws and contracts, government intervention, according to Smith, should be minimal. The economic system will self-regulate by the “invisible hand” of the free market.

This idea is generally associated with the economic system of capitalism. In its most pure form, a capitalist economy relies on the power of buyers and sellers in the market to regulate it, and individuals

own and control the factors of production. This is contrasting with a socialist economic system in which the government controls many or most factors of production.

In a free market economy, producers supply goods by manufacturing and selling them, and the higher the price, the more a producer will want to sell. Consumers demand goods, and the lower the price, the more consumers will want to buy. According to free market economics, the market will adjust to find a price at which producers want to sell and consumer want to buy, and the market will clear. You can even think about jobs and labor in these terms: workers are the suppliers of their labor, and the higher the wages, the more they will want to work. Business are the buyers of a worker's labor hours, and the lower the wages, the more workers they will want to hire. Under the free market, the invisible hand will regulate so that wages naturally settle at a price that is suitable for both the worker and the business owner.

Free market economics is vigorously advocated for by the libertarian party, and to some extent, the Republican party as well, particularly those who are fiscally conservative. These individuals advocate for policies that reduce government intervention in the economic system so as to allow the free market to function as it is intended.

Free market economics has its flaws, and there are many criticisms of the theory. For the purposes of this lesson, however, we will be generally accepting the underlying theories and ideas of free market economics to be true.

#### Slide 3

Even though the free market should, if functioning correctly, address the needs of a society, there are situations in which the market will inevitably fail. Simply by the nature of the transactions in an economic system, some market failures exist, and when the market fails, there is a need for an institution to step in and correct the failure.

In this lecture, we will discuss three types of market failures.

First are public goods: goods with characteristics that mean that the market will systematically underproduce them.

Second is the tragedy of the commons, in which some goods will be systematically overused and depleted if not regulated by an external institution.

Finally are externalities, or transactions in which a cost or benefit is not reflected in the price that the consumer pays for the good or service.

#### Slide 4

Goods can be categorized in two ways. First, goods can be either rival or nonrival.

For a good to be nonrival, it must be true that more than one person can use it at the same time. A rival good, on the other hand, can only be used by one person at the same time. Imagine a pencil: if I am using a pencil, you are unable to use the pencil. The pencil is a rival good. Cell phone service, on the other hand, could be considered a nonrival good. We can all use cellular service at the same time, barring, of course, extreme situations in which hundreds of thousands of people are trying to use the same cell tower. Generally, cell service can be used by everyone at once, and is a nonrival good.

Goods can also be either excludable or nonexcludable. A good is excludable if a person can be prevented from using the good if they haven't paid. A nonexcludable good, however, can be used by everyone, whether they have paid for it or not. Think back to the pencil. With the exception of theft, you can be prevented from using a pencil if you haven't paid for the pencil. Even cell phone service is excludable, as if you have not paid your cell phone bill, you can be excluded from having access to the cell network. But, imagine that your city erects a flood control dam to protect the city from a nearby river. When the times of heavy rain come, you can't be excluded from the protection the flood control dam provides, even if you never paid a penny for its construction! A flood control dam is a nonexcludable good.

#### Slide 5

Based on these characteristics, we can place all types of goods into one of four categories, as shown in the table. Goods are either private goods, club goods, common pool resources, or public goods.

#### Slide 6

First, there are private goods. Most goods that you think of are private goods. They are rival (more than one person can't use them at the same time), and excludable (you can be prevented from using them if you don't pay). A pencil. A can of Dr. Pepper. A car. A chair. In free market economics, the invisible hand does an excellent job at regulating transactions involving private goods (though not a perfect job, as we will discuss later).

#### Slide 7

A club good is one that is both nonrival (more than one person can use it) and excludable (you can be prevented from using it if you don't pay). An example of a club good might be a country club membership: We can all be members of the country club, and if you don't pay for your membership, you can be excluded from the country club. In some ways, club goods allow people to own or use goods that wouldn't make sense to purchase on their own. In thinking about a country club, it would rarely make sense for an individual person to purchase exclusive use of a golf course and giant swimming pool. Sharing the use of these facilities with others who have contributed to the costs allows each member to use a good that would otherwise be infeasible for them to purchase and/or own.

#### Slide 8

The next type of good is a public good, which is both nonrival and nonexcludable. As mentioned previously, public goods present an example of a failure of the free market to address an issue in an economic system.

When thinking of examples of public goods, remember the definitions: a public good is nonrival, which means we can all enjoy it at the same time, and it is nonexcludable, which means you can't be prevented from using it if you don't pay.

A good example of a public good is national defense. In the United States, our military exists to protect the country from invasion. Every resident of the United States benefits from this military protection at the same time: just because you are being protected, doesn't mean someone else can't. At the same time, there is no way to exclude an individual person from being protected if they didn't pay for



protection. If Dr. Mitchell didn't pay her taxes, there is no way for the United States to tell North Korea that their military can only attack Dr. Mitchell's house. We are either all protected, or none of us are.

Provision of public goods cannot be left solely to the free market because of the phenomenon called the Free Rider problem. Suppose that the military was funded solely by voluntary contributions, rather than mandatory taxation. Knowing that we all benefit from the military and that no one can be excluded from protection if they don't pay, why would Dr. Mitchell volunteer to contribute at all? The smarter thing to do would be to refuse to contribute, and just assume that the contributions everyone else makes will add up to enough for the military to exist and provide national defense. By refusing to contribute, but still benefiting from the protection, Dr. Mitchell is acting as a free rider.

Unfortunately, if enough people act as free riders, the military will not have enough funding to exist, and the protection from invasion breaks down.

There are other examples of public goods as well: think about clean air. We can all benefit from clean air at once – every country in the world would benefit from cleaner air standards, and all can benefit from it at the same time. However, no one can prevent a country from enjoying the benefits of clean air if the country didn't contribute to reducing pollution. This means that countries have an incentive to be free riders: to refuse to cooperate with air pollution restrictions while enjoying the cleaner air as a result of other countries reducing pollution. If enough countries choose to free ride, no one will have clean air.

This is why, for example, in the United States, we do not fund our military through voluntary contributions. Everyone must pay taxes, and there are penalties for not doing so. Without an external institution, the free market will underprovide public goods.

#### Slide 9

The final type of good is a Common Pool Resource. These goods are rival, meaning more than one person cannot use it at the same time, but also nonexcludable, meaning you can't be prevented from using them if you didn't pay.

A classic example of a Common Pool Resource is public grazing land for livestock. The grazing land is rival: if one farmer's sheep eats the grass, then the grass is not available for another farmer's sheep. But, being public, it is also nonexcludable – everyone can use the grazing land.

Another example might be a neighborhood's water well. Well water is rival: if one person uses the water to wash dishes or bathe, that water is not available for another resident. However, it is also nonexcludable – no one can be prevented from using water out of the well.

Because the common pool resource is nonexcludable, the farmer has an incentive to graze his sheep on it as much as he can. Residents of the neighborhood have an incentive to use as much free well water as they can. The sheep get fat, the neighbors water their massive lawns. And, eventually, the public grazing land is overgrazed and useless, and the water well runs dry.

This is called the Tragedy of the Commons. Think of a large fishery in the open ocean. There are only so many fish in the water (the fish are rival), but any fisherman could come in and take the fish (the fishery is nonexcludable). Without an external institution regulating the use of a Common Pool Resource, they

will be overused. Without an institution that regulates how many fish the fishermen can take, the fishery would be overused and fish populations would dwindle.

#### Slide 10

So, the free market is unable to completely address public goods and common pool resources, and an external authority or institution must exist to ensure that these types of goods are produced or consumed appropriately.

But this is not the only type of market failure. Another type of market failure is an externality. An externality occurs when there is a cost or benefit associated with a transaction that is not reflected in the price of the transaction. Externalities that generate benefits are considered, “positive externalities,” and those which create costs are considered, “negative externalities.”

An excellent example of a positive externality involves education. When you attend college, you are buying the opportunity to learn from a faculty member, and the university is selling that opportunity. This is a transaction in the free market, and the free market will settle on a price for that education.

But, you being an educated human has a benefit to society that isn’t reflected in the price you pay. Society as a whole works better if people are educated: EVERYONE benefits from YOU buying an opportunity to learn. So, because of that benefit to society that isn’t reflected in the cost, the price you would pay for education in the free market is too high.

Another example is healthcare. When you are sick, you pay to visit the doctor, and the doctor sells his service of making you well. This is a transaction between you and the doctor. But once again, society benefits when the people within it are healthy, and that benefit isn’t reflected in the price of the transaction.

So, without any intervention from government or an external institution, the prices of things like education or healthcare would be higher than they ought to be. And, when prices are higher, consumers buy fewer of them. Which means that, without intervention, fewer people would pay for education or healthcare, which would be a detriment to society as a whole.

This is why transactions that generate positive externalities need to be subsidized. The government helps pay some of the price to make up for the fact that the price is higher than it ought to be. Governments do this all the time: in the U.S., K-12 education is provided by the government for free, in part because the benefit to society is so large that we subsidize K-12 education until it is free. Governments also subsidize public university education and healthcare.

On the other hand, some transactions do not generate benefits to society, they generate costs. An example of this is pollution. Imagine a leather tannery operation. The tannery tans leather for the leather coat that you buy. As a consumer, you are paying to buy the leather, and the tannery sells the leather to you. But, tanneries are notoriously polluting industries. All of the pollution of the local waterways generated by that tannery will not be reflected in the price you pay for the leather for your coat.

Another example might be smoking cigarettes. If you decide to buy and smoke cigarettes, you are harming your own health. But, as mentioned previously in the example of healthcare, society functions best when its members are healthy: if you smoke, you may die or otherwise drop out of the workforce

earlier, becoming a drain on society rather than a contributing member of it. The price you paid for the cigarettes did not reflect this cost to society.

Because the price of the cigarettes or the leather is artificially low, you will end up buying more of them, making the cost to society compound. This is why government also intervenes in transactions where a cost to society is not reflected in the price: government can tax these transactions. If you pay a cigarette tax, or the tannery pays a pollution fee, the price of the cigarettes or leather will increase and reflect the cost imposed on society.

Externalities are a situation in which failures of the free market require intervention by an external authority.

#### Slide 11

At the beginning of this spotlight lecture, we discussed that, for the purposes of this lecture, we would be generally accepting the underlying theories of free market economics as true.

But that certainly does not mean that they are, and it does not mean that the free market economics school of thought is the only acceptable one. There are a few criticisms of the free market theory as described in this lecture.

First, there are a small number of economists who believe in the free market, but who either do not believe in the existence of market failures, or they believe in market failures but do not believe that government is the appropriate external institution to address them. These are often called Public Choice economists and are the driving force behind many major Free Market Institutes in the United States. While this school of thought in economists has grown in popularity, there are many criticisms of this school of thought, as it may be driven more by ideology than by true economic theory.

Second, a major alternative school of thought to Free Market economics is Marxism. Before you dismiss Marxism entirely as a failure of Soviet-era Russia, consider some of the premises: Marxism's basic claim is that individual laborers in the market are not powerful enough to negotiate in the free market, and that government must heavily regulate to prevent workers from being taken advantage of.

#### Slide 12

Remember, at the beginning of this lecture, we framed labor and hiring practices in free market terms: a laborer sells his hours in the free market, and a business purchases those hours at a price suitable for the worker and the business own.

A Marxist economist would argue that the market does not actually function in this way: that individual workers are powerless to negotiate with massive businesses. And if you've ever held an unpaid or low-paid internship, you might even agree that it's true!

#### Slide 13

Overall, there is no one school of economic thought that is correct where all the others are wrong. In reality, there are elements of all economic schools of thought that are true.

But, regardless of which economic school of thought you find best describes the world you live in, public goods and externalities are issues that must be addressed in some way or another. Wells dry up. Fisheries are overfished. Education is too expensive, and cigarettes are too cheap.

So, external intervention in some form is necessary, whether by governments, nonprofits, or by heavy regulation. To ensure that society functions and grows, we need to ensure that public goods, externalities and the tragedy of the commons are addressed.

## Unit 10

### Slide 1

### Slide 2

The United States is, of course, a nation of immigrants. Native American tribes are the only non-immigrant populations in the United States, and from the introduction of smallpox to centuries of mass genocide, Native American numbers are few. The rest of the citizens and residents of the United States are descendants of immigrants, if not immigrants themselves.

The earliest immigrant populations in the United States came from Europe. The Vikings explored North America in the year 1005, attempting to settle in what is now New England. The Vikings were defeated by massive Native American populations, and so their settlements stayed confined to Greenland and Canada until the 1500s. Of course, most everyone knows the story of Christopher Columbus, who contrary to popular belief, did not discover America, but who did land in North America in 1492 and who then promptly attempted to enslave local Native American populations.

After Christopher Columbus and then a further string of small expeditions to North America, Native American populations were decimated by the smallpox plague that the Europeans brought to the continent. Estimates indicate that as many as 96% of Native American populations were wiped out by smallpox between 1492 and the early 1600s. With the vast majority of Native Americans killed by plague, the British pilgrims were able to do what the Vikings could not: settle in the United States.

### Slide 3

But when people talk about immigration today, they're typically referring to individuals who came to the United States relatively recently. Our country has had periods of higher and lower levels of immigration throughout its history. One of the biggest peaks of immigration to the United States happened in the early 1900s. It isn't surprising that immigration was as controversial then as it is today. Between 1880 and 1924, many discriminatory immigration policies were put into place to prevent too many "non-white" immigrants from coming to the United States. The definition of "non-white" was different in the early 1900s. At that time, immigrants from Southern and Eastern Europe were not considered to be white: people such as Italians and Polish immigrants were considered inferior and unwelcome, and policies were created for the express purpose of limiting their ability to move to the United States.

Immigration slowed in the 1920s and then came to almost a complete halt during the Great Depression. Skyrocketing unemployment and strict immigration policies during Herbert Hoover's presidency meant that very few immigrants were allowed into the United States. This was controversial, as many refugees

fleeing genocide at the hands of the Nazis were turned away by the strict ethnic quotas. Famously, the family of Anne Frank was denied entry as refugees to the United States, when entry into the country could have saved her life.

After World War II, Congress removed racial barriers to immigration and relaxed some of the stricter policies, allowing the number of immigrants coming into the United States to rise again. The Immigration policy of the United States began to favor skills, rather than race, and the origin of immigrants shifted from Europe to other parts of the world.

Today, immigration is a major source of growth in the population of the United States. Immigrants primarily come from Latin America and Asia. In Texas, most immigrants come from Mexico, but immigrants also come from El Salvador, India, China, and Guatemala. Current data seems to show that immigration peaked in the mid-2000s and has been declining slightly since then, particularly immigration from Latin American. Asian immigration has continued to grow in Texas.

#### Slide 4

But when people in Texas talk about immigration, they are almost always referring to undocumented or “illegal” immigration. Undocumented immigrants are those who reside in the United States in a way that violate the immigration laws.

It is difficult to determine exactly how many undocumented immigrants reside in Texas, but most reliable estimates calculate that approximately 1.5 million undocumented immigrants live in the state. While most undocumented immigrants are from Mexico, the number of undocumented immigrants from Mexico has been steadily declining. There are both fewer Mexican individuals moving to the United States illegally, and more Mexican individuals returning to Mexico than in previous years.

The number of immigrants more generally tends to rise and fall with the economy, and this may be particularly true for undocumented immigrants. The number of undocumented immigrants dropped during the recession, and seems to be slowly rising again.

While most of our energy and efforts seem to be focused on preventing people from illegal crossing the borders into the United States, the vast majority of undocumented immigrants do not arrive in the country by crossing the border illegally. The majority of undocumented immigrants arrived in the United States legally, with some sort of visa, and then simply stayed in the country after the terms of the visa expired.

This means that proposals such as a border fence or wall are unlikely to have as large an impact on undocumented immigration as many individuals believe, not only because many undocumented immigrants do not cross the border illegally, but also because fencing and walls already exist in the most vulnerable areas of the border. In fact, the border wall may be more of an emotional appeal than a practical one when it comes to reducing undocumented immigration.

#### Slide 5

Immigration, of course, has a significant effect on the economy. Many are divided on whether this impact is good or bad, but remember, in political science, we are trying to make empirical statements, not normative ones. Rather than saying whether immigration is good or bad, let's take a moment to examine the impacts of immigration on the economy without assigning a normative value to them.

Scholars suggest that undocumented immigration may result in a reduction in wages by no more than 10%. This wage effect is only true for low-skilled workers without a high school diploma; well educated Americans do not experience any wage reduction from undocumented immigration. However, individuals in low-skilled jobs may still have concerns about the impact of immigration on their livelihoods.

However, immigrants also act as consumers in the economy, stimulating economic growth by purchasing goods and services. This means they do not simply take jobs, they also make jobs. There is still some debate over the impact of immigration, but for the most part, scholars have concluded that the economic impact in terms of jobs and employment is net positive.

There is also the concern that immigrants do not pay taxes. Of course, documented, legal immigrants pay all taxes, but when individuals express concern over immigration and taxes, they are most often referring to undocumented immigrants. Some undocumented immigrants pay federal income taxes and payroll taxes by being assigned an Individual Tax Identification number. This number allows even unauthorized immigrants without a social security number to pay federal taxes. The IRS is not allowed to share information about individuals with this type of tax ID number with other agencies, which encourages undocumented workers to use this number and pay taxes without fear of deportation.

Many undocumented immigrants do not have an Individual Tax Identification number, and thus do not pay federal income taxes or payroll taxes, such as social security and medicare taxes. Estimates by the Social Security Administration put the number of undocumented immigrants paying payroll taxes at around 3 million in 2010. These immigrants are also not eligible for federal programs, like social security and medicare.

All undocumented immigrants do pay sales and property taxes, because regardless of your legal status in the United States, you will still pay sales taxes on the goods you buy and property taxes on the home you own or rent. Most of the state services that undocumented immigrants are eligible to use, such as education for children, hospital services, and other public services like police and fire. Estimates vary on whether the net revenue from taxes collected from undocumented immigrant households outweigh the benefits provided. Overall, it is likely the case that at the state level, undocumented immigrants are paying in more than they are receiving, while at the local level, the opposite is true.

But even legal immigrants and U.S. citizens in lower income brackets often receive more in benefits than they pay in taxes, so this might not be the most appropriate metric for determining economic impact. Overall, the exact economic impact of immigration, both legal and illegal, is difficult to calculate.

Slide 6

What is the future of immigration in Texas? The country certainly seems to be returning to a policy position of hostility toward immigrants and isolationism. Perhaps attitudes toward immigrants are simply cyclical; the country will inevitably move from favorable to unfavorable and back again. The types of immigrants that are considered “welcome” will certainly continue to change over time as well. There was once a time when Italians were considered dirty, lazy, and unwelcome, but Italians are now much more likely to be welcomed to the country than those from Latin America.

Popular movements such as Day Without an Immigrant attempt to show society how integral immigrants are to day-to-day workings of our economy, and many advocacy groups focus on the rights

of immigrants. Often, the policy solutions proposed by these groups focus on some non-punitive solutions to immigration issues. For example, the waiting list to immigrate to the United States legally is decades long, and there is currently no pathway for individuals who have come to the United States without documentation to become citizens. Many individuals, groups, and lawmakers advocate for making the immigration process easier and encouraging more legal immigration.

But the concerns of those who fear for their jobs or livelihoods are not to be dismissed. There are countless industrialized countries in the world with much stricter immigration policies than the United States.

America is a country of immigrants, but there is simply no one right answer on immigration policy in America or Texas.