

Questions *in* Politics

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Questions in Politics Editorial Staff

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About the GPSA



Founded in 1968, the Georgia Political Science Association (GPSA) is the professional association for political science practitioners and educators in Georgia. Membership is drawn from the public, private, and academic sectors. We welcome members, attendees, participants, and students from around the world.

Questions in Politics is the official journal publication of the GPSA.

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Preface

Questions in Politics (*QiP*), the scholarly journal of the Georgia Political Science Association (GPSA), welcomes our readers to Volume III. The articles published here began as papers presented at the 2015 Annual Meeting of the GPSA. The authors then submitted the manuscripts to the journal, where they were anonymously and thoroughly reviewed. After further review and editing, out of seven manuscripts submitted, four are published here.

We are pleased to announce that the first article in Volume III, “Where Have You Gone Federalism, the States Turn Their Lonely Eyes to You: An Empirical Investigation into the Rehnquist Court’s Federalism Decisions” by Dr. Joshua R. Meddaugh of Clayton State University, is the McBrayer Award winner for 2015. The McBrayer is given annually to the best paper presented at the Annual Meeting. The winning author or authors have traditionally received a certificate and a cash award. To further recognize this achievement, the McBrayer winner is the first article in this volume.

The journal’s broad approach to the scholarship in political science continues in this volume. Two of the articles cover American politics, one article is from the field of international relations that incorporates elements from comparative politics, and the final article’s focus is on teaching and learning in political science. Not only are the topics diverse, but so is the methodology of each article. For example, the McBrayer Award piece by Meddaugh has a unique approach that not only analyzes the reasoning and case law in U.S. Supreme Court decisions, but uses an empirical analysis that extends scholarship in the area of federalism. Albert et al. examine the flipped-hybrid classroom model, an important development in the teaching of political science, with both a qualitative and a quantitative analysis, again combining methodologies. Enduring and larger questions in politics and the discipline of political science receive attention in this volume. Cavalli looks at Richard Neustadt’s classic conception of presidential power from 1960 and how it has been applied, successfully and unsuccessfully, by twenty-first-century presidents. Tures rigorously analyzes “lone wolf” versus “wolf pack” terrorism, providing scholarly conclusions that may challenge both pundits and policy makers.

Readers will also notice the new *QiP* logos on the cover and near the end of each article. We continue to update the appearance of the journal and make it more visually recognizable. For those who read the print edition, the peach-colored cover, an homage to this journal’s Georgia roots, has also changed. In

addition, we have received permission from the APSA to link *QiP* to their website. (If interested, please go to apsanet.org, “Publications,” then “Journals,” then “Publishing Resources,” then, finally, to “Journals by Other Fields/Areas and Associations” and look for *Questions in Politics*.)

Again, we would like to thank the anonymous reviewers, as well as the Editor, James “Larry” Taulbee, and the Managing Editor, Matthew E. Van Atta, for their efforts to continuously improve this journal.

Thomas E. Rotnem and Adam P. Stone

Questions in Politics

Volume III Abstracts

Where Have You Gone, Federalism, the States Turn Their Lonely Eyes to You: An Empirical Investigation into the Rehnquist Court's Federalism Decisions

Joshua R. Meddaugh

Clayton State University

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The weakening of the levels of federalism due to New Deal policies and the 1937 Court-packing scandal, as well as re-solidification under the Rehnquist Court, has received much academic attention in the past few decades. Qualitative as well as quantitative research has examined a wide variety of federalism topics in relation to the Rehnquist Court, but few have tried to uncover empirical support for the argument that a revival occurred during this era due to Chief Justice Rehnquist himself and his support of a limited central federal government. An empirical test of the effect of Rehnquist's role as a chief justice on the federalism voting of Supreme Court justices will provide the explanation that the literature lacks. Not only will this test provide evidence that the conservative ideological nature of Supreme Court justices leads to ruling in favor of the states, but that the emphasis on reestablishing federalism by Chief Justice Rehnquist during this era lead to the increased number of pro-states rulings that were issued in comparison to earlier Courts. In the end, this work seeks to add to the literature by providing an empirical test of judicial decision-making during the Rehnquist era, offering a reason as to why the increased number of state sovereignty promoting federalism decisions occurred when they did.

Two Matters of Choice in the Twenty-first Century: George W. Bush, Barack Obama, and the Legacy of Richard Neustadt

Carl D. Cavalli

University of North Georgia

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Debate over the continuing relevance of Neustadt's *Presidential Power* has been driven largely by the evolution of the presidency and the surrounding political environment. It is proper, then, to consider its continued applicability by evaluating the actions of contemporary presidents. While persuasion forms the basis for presidential power for Neustadt, the underlying key to that power lies in the choices presidents make and whether they are made with an eye toward future

power. The two cases here involve President George W. Bush and the effects of his prior staffing choices in the aftermath of Hurricane Katrina, and President Barack Obama and the effects of his early policy promotion choices in the aftermath of the 2010 elections. Neither Bush nor Obama acted with their power stakes clearly in mind. They suffered in terms of their subsequent job approval, legislative record, and ultimately in their party's fates in the 2006 and 2010 midterm elections, respectively. Choices still matter. That conclusion still applies to presidents and can help those in the future avoid the failures seen here.

Freelance Terrorism: Comparing “Lone Wolves” to “Wolf Packs”

John A. Tures

LaGrange College

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From Garland, Texas, to Paris, France, several terror attacks by one or more individuals have occurred in recent months, rattling the international community. The media has often referred to such acts as “lone wolf” terrorism, even when there are multiple suspects involved. Our research separates the cases of solo attacker from those occurring in small groups, to see if there is a difference. Our analysis finds some surprising similarities and differences between the actual “lone wolf” and those in small “wolf pack” attacks.

WTF (What the Flip)? Preliminary Results of a Flipped-Hybrid Classroom Model on Student Success

Craig Douglas Albert, Stacie K. Pettit, and Christopher Terry

Augusta University

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For at least the last decade, universities and colleges across the nation have been seeking ways to improve the student learning experience. Specifically, educational scholars have been addressing problems of low retention, progression, and graduation rates (RPG). Within this realm, literature focuses on improving student study skills, improving institutional resources to identify and help improve at-risk students, and improving student engagement. The key seems to be that the more engaged a student is, the better that student will perform. The purposes of this article are to investigate students' engagement, satisfaction, and performance in a “Flipped-Hybrid classroom.” Specifically, this article addresses the question: Does the flipped classroom experience improve student engagement, satisfaction, and performance? We expect our preliminary results from a pilot study to find that students will be more engaged, that there will be fewer withdrawals and D's/F's, and that end-of-course A/B rates will be higher than non-flipped control classes.

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Where Have You Gone, Federalism, the States Turn Their Lonely Eyes to You: An Empirical Investigation into the Rehnquist Court's Federalism Decisions¹

Joshua R. Meddaugh
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The weakening of the levels of federalism due to New Deal policies and the 1937 Court-packing scandal, as well as re-solidification under the Rehnquist Court, has received much academic attention in the past few decades. Qualitative as well as quantitative research has examined a wide variety of federalism topics in relation to the Rehnquist Court, but few have tried to uncover empirical support for the argument that a revival occurred during this era due to Chief Justice Rehnquist himself and his support of a limited central federal government. An empirical test of the effect of Rehnquist's role as a chief justice on the federalism voting of Supreme Court justices will provide the explanation that the literature lacks. Not only will this test provide evidence that the conservative ideological nature of Supreme Court justices leads to ruling in favor of the states, but that the emphasis on reestablishing federalism by Chief Justice Rehnquist during this era lead to the increased number of pro-states rulings that were issued in comparison to earlier Courts. In the end, this work seeks to add to the literature by providing an empirical test of judicial decision-making during the Rehnquist era, offering a reason as to why the increased number of state sovereignty promoting federalism decisions occurred when they did.

¹ This work would not be possible without the tireless effort of my research assistant Lizeth Damaso, and beneficial comments/suggestions from Joshua J. Dyck, Christina L. Boyd, and Claude E. Welch.

In *National League of Cities v. Usery* (1976), Justice Rehnquist wrote, “an opinion for four Justices in which, for the first time since 1937, the Court struck down a congressional statute as a violation of the commerce clause ... [T]he opinion stresses repeatedly that the Constitution does not permit the federal government to expand its powers so far that the integral functions of state governments fall under the control of the central government” (Shapiro 1991, 151). With this opinion, Justice Rehnquist began establishing a Supreme Court voting record supporting a particular form of federalism that would follow him through the remainder of the Burger Court and would become the featured topic of scholarly discussion during his own Court.

The Theorized Federalism Doctrine of Chief Justice Rehnquist

The position of chief justice is strategic in nature and constitutes much more than the reading of facts of potential cases to their fellow justices or deciding who writes the opinion of the Court. The most important role of the chief justice is helping to establish precedent that will leave a lasting impact on both the study of constitutional law and this country as a whole (Johnson, Spriggs, and Wahlbeck 2005). Therefore, when Justice Rehnquist became the chief justice in the mid-eighties, a change in Court vision loomed. By the mid-1990s, pro-state rulings were becoming synonymous with the Rehnquist Court, and the chief justice himself (Hulsebosch 2004), as the Court was aggressively using judicial review to restore power to the states, thus curbing the power of the federal government. The Rehnquist Court sought, through the use of the Tenth Amendment (Shaw 2004), to restore legitimacy and functions of the powers of the states by limiting the powers of the executive and legislative branches under the Commerce Clause. Consequently, Chief Justice Rehnquist and his federalism doctrine have received much academic scrutiny.

Rehnquist came to the Burger Court with a vocal willingness to limit Congress’ power through the Tenth Amendment (Dean 2001). In cases such as *National League of Cities* (1976), *Jones v. Rath Packing Company* (1977), and *Arizona Public Service Co. v. Snead* (1979), Justice Rehnquist’s legal vision supporting state sovereignty was established in the written record of the Court. As a result, a number of high-ranking individuals began to take notice, including future president Ronald Reagan. When President Reagan, a well-known champion of preserving federalism, nominated the established pro-federalism associate justice William Rehnquist for the position of chief justice, the president was seeking to secure that his own policy agenda of limiting the size and scope of the centralized federal government would continue for many years past his term

in office.² Rehnquist's established voting record on the previous cited cases and his fourteen and one-half years as an associate justice, as well as his consistent adherence to federalism and protection of states' rights from intrusion from the federal government (Abraham 1992), made the nomination of Rehnquist to chief justice seem like a natural fit.

Upon confirmation, the newly established Rehnquist Court began granting certiorari to numerous federalism cases for the first time in half a century and reexamined several previously decided cases that, under the Commerce Clause, blurred the levels of government. In *New York v. United States* (1992), the Court ruled that by requiring states to take legal control of low levels of radioactive waste, through the Low-Level Radioactive Waste Management Act Amendments of 1985, Congress violated the Tenth Amendment. Justice O'Connor, on behalf of the majority, stated that by enforcing the "take-title" qualification of said act, the federal government was "commandeer[ing]" the states into the regulatory service of the federal government, which is a violation of the separation of powers doctrine of the U.S. Constitution (*New York v. United States* 1992; Garry 2006). *Jay Printz, Sheriff/Coroner, Ravalli County, Montana v. United States* (1997) expanded the ruling in *New York*, as the Court held that Congress again overstepped its Tenth Amendment boundaries by enforcing certain provisions of the Brady Handgun Violence Prevention Act (Garry 2006). Justice Scalia, on behalf of the Court, held that "the federal government could neither issue directives requiring the States to address particular problems, nor command the States' officers ... To administer or enforce a federal regulatory program," as it violated "the constitutional system of dual sovereignty" (*Jay Printz, Sheriff/Coroner, Ravalli County, Montana v. United States*, 1997).

In addition to *New York* and *Printz*, the Rehnquist Court ruled in a similar manner in the cases of *City of Boerne v. Flores* (1997) and *J. Daniel Kimel v. Florida Board of Regents* (2000). In each of the latter cases the Court found that Congress had violated the equal protection clause of the Fourteenth Amendment by interpreting the meaning of their own statutes (the 1993 Religious Freedom Restoration Act and the Age Discrimination in Employment Act of 1967), a power specifically delegated to the courts in the Constitution, therefore overstepping the constitutional role of Congress (*City of Boerne v. Flores*, 1997; *J. Daniel Kimel v. Florida Board of Regents*, 2000). Through its reinvigoration of the Tenth Amendment and the limitations/ restrictions it placed on the powers

² Throughout his two terms in office, President Reagan warned the country of the ills of "big government" and frequently spoke on the issue of the expanding power of the national government coming from the states. In one of his more famous attempts to secure the levels of federalism, Reagan signed Presidential Executive Order 12612, which detailed the restoring of the division of governmental power to levels established by the framers in the U.S. Constitution (Reagan 1987).

of Congress, the Rehnquist Court became synonymous with reestablishing states' rights.

The most important and influential decisions of the Rehnquist Court's federalism doctrine came directly from the chief justice himself regarding the topic of commerce. In *United States v. Alfonso D. Lopez, Jr.* (1995), the Court ruled as unconstitutional a congressional enactment that uses the Commerce Clause (Garry 2006). In the Opinion of the Court, Chief Justice Rehnquist stated that the Gun Free School Zone Act of 1990 is unconstitutional because the possession of a gun in a school zone does not constitute an economic activity, therefore, it does not substantially affect interstate commerce. Hence the enactment of the Gun-Free School Zone Act exceeds Congress' regulatory power under the Commerce Clause. In *United States v. Antonio J. Morrison, et al.* (2000), the Court more clearly defined when Congress could use the Commerce Clause to create law. Chief Justice Rehnquist opined that commerce could only apply to "economic endeavors," and the Violence Against Women Act of 1994, which provided federal monetary remedy for "gender motivated violence," was regulating a deed that had no interstate commerce ties. As a result, the act was ruled unconstitutional, and monetary remedy for such crimes needed to come from the state where the attack occurred and not from the federal government (*United States v. Antonio J. Morrison, et al.*, 2000).

Morrison and *Lopez* demonstrate the limitations the Rehnquist Court placed on the Commerce Clause by ruling, "family law, criminal law enforcement, and education are beyond Congress' power under the Commerce Clause" (Garry 2006). But besides taking the lead in a case that limited the Commerce Clause, Chief Justice Rehnquist also wrote important decisions on the Equal Protection Clause and the Eleventh Amendment. In the opinion in *Seminole Tribe of Florida v. Florida et al.* (1996), he asserted that states are sovereign entities, as provided by the Eleventh Amendment, and are immune from being sued without their consent. This ruling was further solidified in the *Board of Trustees of the University of Alabama v. Patricia Garrett* (2001), which determined that Congress went beyond their regulatory powers by instituting the Americans with Disabilities Act. In Rehnquist's opinion, Congress could not find a pattern of workplace discrimination against the disabled, thereby nullifying the necessity of the Act (*Board of Trustees of the University of Alabama v. Garrett* 2001).

Due to the aforementioned re-solidification of the values of federalism during its reign, the Rehnquist Court has received much academic attention in the past few decades. Qualitative, (Belsky 2002; Garry 2006; Overby 2003) as well as quantitative (Collins 2007; Maltzman and Wahlbeck 2005; Parker 2011) research has investigated a wide variety of federalism topics in relation to the Rehnquist Court, but few have tried to empirically uncover a reason as to why this revival occurred during this particular era. I suggest that an empirical test

of the effect of Rehnquist's role as a chief justice on the federalism voting of Supreme Court justices will provide the explanation that the literature lacks, providing evidence that it was not only the conservative ideological nature of a majority of justices during this era, but the emphasis on reestablishing federalism put forth by Chief Justice Rehnquist that lead to the increased number of pro-federalism rulings that transpired.

Chief Justice Rehnquist's Influence over His Fellow Justices?

As seen throughout the previous section, Chief Justice Rehnquist compiled a Supreme Court record that supported a limited role of the central government in federalism cases. As a result, Rehnquist was said to have a federalism doctrine, but the question remains as to whether or not his jurisprudence influenced the voting habits of the other justices, on said cases, in his Court. When Rehnquist replaced Warren Burger as chief justice, the administration of the Supreme Court changed dramatically (Maltzman and Wahlbeck 2005). During his tenure as chief justice, Burger made apparent his strategic use of opinion assignment to advance his personal policy preferences (Johnson, Spriggs, and Wahlbeck 2005). Burger consistently refused to follow the rules of seniority when voting in conference (Thomas 1979), and it was believed that he would cast "phony votes" (Woodward and Armstrong 1979) or hold back when voting in conference (Sill, Ura, and Haynie 2010) to manipulate opinion assignment in order to assign tasks to fellow colleagues and ideological allies. This was true in both highly salient cases, such as *Roe v. Wade* (1973), when Burger assigned the majority opinion to his personal friend, Justice Harry Blackmun (Douglas 1972), and in cases of lesser salience such as *Thermtron Products, Inc. v. Hermansdorfer* (1975).

Having dealt with Burger's managerial style, and witnessing the backlash from the associate justices, Rehnquist openly stated that opinion assignment during his tenure would be taken more seriously, as it is an important responsibility, and would be, "discharged carefully and fairly" (Rehnquist 1987, 297). Specifically, Rehnquist sought equal distribution of assignments across the bench and assigned cases based on a justices' legal expertise, and how efficient they were with completing their work (Davis 1989; Maltzman, Spriggs, and Wahlbeck 2000; Maltzman and Wahlbeck 1996; Maltzman and Wahlbeck 2005). Rehnquist made sure that no justice, including himself, was assigned a second opinion before everyone else had one and made no attempt to interfere with assignments when he was in the minority (Toobin 2007). The chief justice himself stated, "I tried to be as evenhanded as possible as far as number of cases assigned to each justice" (Rehnquist 1987, 297). This, combined with his

humorous and unpretentious style, therefore allowed Rehnquist to win over his colleagues in a way Burger never achieved (Obermayer 2009).

Even though Rehnquist himself promoted an assignment method based on equality and keeping the operations of the Court running smoothly, qualitative analysis suggests that the chief justice was not “entirely devoid of strategic calculations” and policy considerations (Maltzman and Wahlbeck 1996; Maltzman and Wahlbeck 2005, 121). Specifically, Maltzman and Wahlbeck (2005) found that ideology of a justice played a prominent role in opinion assignment for Rehnquist under two separate conditions: (1) when cases were considered important, and (2) when the majority margin at the conference was minimal. When a case was of high salience, Rehnquist would disproportionately assign opinions to justices ideologically similar to him or save them for himself. Rehnquist stated, “The Chief Justice is expected to retain for himself some opinions that he regards as of great significance” (Rehnquist 1987, 297). In cases with a slight conservative majority coalition, the chief justice would assign the opinion to the most liberal justice of the coalition in order to preserve the vote and secure the chief justice’s most preferred outcome. Consequently, it seems Rehnquist balanced both the organizational (Baum 1997) and attitudinal/policy (Rhode and Spaeth 1976) needs of the Court when assigning opinions.

Due to previous findings, it is understood that the chief justice assigns opinions with both policy and organizational needs (Maltzman, Spriggs, and Wahlbeck 2000; Maltzman and Wahlbeck 2004), yet the question remains as to whether or not Rehnquist used his powers as chief justice to influence his conservative colleagues toward voting to preserve state sovereignty when deciding federalism cases. As previously stated, Rehnquist believed that the chief justice had the right and authority to assign cases to themselves on topics that they felt were of great significance. Seeing that Rehnquist wrote a majority of the Court opinions supporting a limited central governmental authority in federalism cases, it is reasonable to argue that Rehnquist believed federalism, and the devolution of federal power, were the most salient issues during his tenure. Because this topic was of high importance, it is also reasonable to believe that Rehnquist would seek out justices with similar ideological beliefs to write opinions on relevant cases when his workload was full. By either writing opinions himself, or assigning opinions to justices with similar policy preferences on this topic, such as Justices White, Powell, and O’Connor, or Scalia, the chief justice may have been attempting to influence the Court to rule in favor of state sovereignty. Having opinions crafted by him, or any of the previous justices, raises the supposition that by doing so, Rehnquist was transposing his federalism doctrine onto the conservative justices, who comprised the majority of the Court’s membership. Therefore, a test of judicial decision-making is warranted to uncover whether Rehnquist indeed influenced

his conservative counterparts, thereby leading to the increased number of pro-federalism rulings that occurred during this era.

Chief Justice Rehnquist's Role in Reestablishing Federalism

Much of the previous work provides evidence that the Rehnquist Court frequently ruled in favor of the states' position in federalism cases.³ However, the literature, writ large, fails to address the reason why the Court ruled in this fashion. I suggest that a test of judicial decision-making will provide evidence of an increase in the number of pro-federalism rulings witnessed during the Rehnquist era. In particular to this study, I will be examining the rulings on federalism cases of the Burger⁴ and Rehnquist Courts. The conservative nature of the justices who comprised the Rehnquist Court will not only provide evidence of a change in Supreme Court ideology from the Burger to Rehnquist eras, but it will also provide reasoning as to why the Supreme Court ruled more times than not to limit the scope of power of the federal government.⁵

The attitudinal model of Supreme Court decision-making argues "that the Supreme Court decides disputes in light of the facts of the case vis-à-vis the ideological attitudes and values of the justices," (Segal and Spaeth 1993; 2002, 13). Specifically, the model suggests that the facts of the case trigger an attitudinal response in the justices, prompting them to base their vote on ideological cues (Segal and Spaeth 1993, 2002). Taken as a whole, the attitudinal model suggests, "the justices are goal-directed actors who want case outcomes to reflect as closely as possible their particular policy preferences" (Epstein et al. 1998, 802). Based on the previous underlying assumptions of the attitudinal model, the oft-mentioned pro-federalism rulings witnessed during the Rehnquist Court should come as little surprise due to the fact "that conservative justices will vote to uphold the validity of state or local laws" (Collins 2007). Even though this assumes that "the justices take the federalism dimension seriously, regardless how a case measures up on its policy dimension" (Collins 2007), it is easy to believe that the conservative values of Chief Justice Rehnquist and

³ A list of all the federalism cases heard and decided during the Rehnquist Court is available in the Appendix.

⁴ The Burger Court is chosen because it was the most liberal Court in U.S. history. Since Rehnquist served on both, if, after controlling for other relevant variables including ideology, the rulings on federalism cases between the Burger and Rehnquist Courts are statistically different, we can argue that some other variable—i.e., the pro-federalism doctrine of Chief Justice Rehnquist and President Reagan—affected the results.

⁵ William Burger was a Court outsider and had difficulty creating Court consensus on difficult issues, but the increase in pro-state rulings has more to do with Rehnquist's influence than Burger's dynamic with his colleagues.

Justices Scalia, O'Connor, Thomas, and Kennedy (Segal and Cover 1989) lead to the numerous rulings in favor of state sovereignty.

Still, criticism exists with regard to how large a role federalism played when these cases were decided. Citing cases such as *Bush v. Vera* (1996) (Abernathy 1996; Baybeck and Lowery 2000; Colker and Scott 2002; Cross 1999; Solberg and Lindquist 2006; Tiller 1995; Young 2005) and *Bush v. Gore* (2000), scholars have argued that the justices of the Rehnquist Court used the "guise of federalism" to strike down liberal policy to pursue conservative policy goals (Colker and Brudney 2001; Cross 1999). In both cases, the aforementioned justices abandoned their commitment to the states and ruled in favor of conservative national policy, as well as national supremacy. As a result, the field is left with conflicting opinions vis-à-vis the factors that produced a general increase in pro-federalism rulings during this era.

Establishing a comprehensive reason for the increased rulings supporting state and local governments during the Rehnquist era has been challenging. Due to this, a test of judicial decision-making that accounts for strategic influences is necessary. That a strategic model is preferable as critiques of the attitudinal methodology as simplistic (Friedman 2006; Gillman 2001; Richards and Kritzer 2002), or that the model's underlying assumption that legal considerations do not play a role in a justice's decision-making process (Benesh and Martinek 2002; Bussiere 1999) will provide the field with empirical support of the Rehnquist Court voting with an eye toward reestablishing federalism.

Judicial Decision-Making during the Rehnquist Court

Within the literature, two different schools of thought pertain to decision-making during the Rehnquist era. One of these lauds the revival of federalism under the Rehnquist Court, while the other criticizes the conservative justices as using federalism to knock down liberal policy. However, a gap exists in the literature, in that it lacks statistical evidence to support either of the aforementioned schools of thought. Based on this, I ask first whether any empirical evidence exists of an increased number of rulings in favor of the state's position on the federalism cases during the Rehnquist Court. Second, and more generally, I ask if the conservative justices of the Rehnquist Court based their voting on their ideological policy attitudes or on the belief of reestablishing distinct levels of federalism emphasized by Chief Justice Rehnquist. By empirically testing these questions, my goal is twofold. First, I am attempting to find if there was a tendency for the justices of the Rehnquist Court to rule in favor of federalism, or whether the few heavily cited landmark cases inflate this argument. Second, I am examining whether Rehnquist's emphasis on restoring

the lines of federalism to his preferred level influenced the conservative justices' decision-making during the Rehnquist era.

To test the effect that the Rehnquist Court had on federalism, multiple facets of the proposed relationship need to be examined. Understanding that the attitudinal model of decision-making argues that justices base their vote decisions on their personal ideologies and beliefs, it is necessary to uncover whether or not there was something special about federalism cases that caused the justices of the Rehnquist Court to rule in favor of said cases more frequently than previous Courts. If the justices acted in an attitudinal manner during this era, the conservative justices throughout this Court (Rehnquist, Powell, Blackmun, Scalia, Kennedy, O'Connor, and Thomas), more times than not, should vote in favor of the states' rights position in the federalism cases, as conservatism generally supports the belief of a small central government. For that reason:

Hypothesis one states that as a justice's ideology becomes more conservative, that justice will vote more in favor of the individual state or states in federalism cases.

Continuing with the argument that conservative ideology promotes the belief in smaller governmental bodies, it is likely that conservative justices will pursue this end goal when voting on cases that directly affect the size and scope of the central government. Therefore, as a justice's ideology becomes more conservative, the probability of that justice casting a vote that increases or centralizes the power of the federal government will be low. Understanding the proposed role that conservative ideology has on justice voting on federalism cases, it is still necessary to uncover if there was a pro-federalism bias specific to the Rehnquist Court as the previous literature suggests. *Therefore,*

Hypothesis two states that there will be more state sovereignty promoting rulings during the Rehnquist Court than the Burger Court,⁶ not only because the justices in the Rehnquist era were conservative, but also because Chief Justice Rehnquist emphasized the importance of reestablishing distinct lines of federalism.

Specifically, I am attempting to demonstrate that the conservative ideology of the Rehnquist Court, which manifested as support for federalism, was distinct to this Court. Overall, the previous research questions and the two hypotheses

⁶ There is no empirical difference in the number of federalism cases heard annually between the Burger and Rehnquist Courts.

lay the foundation to empirically test the role the justices' ideology and the chief justice had on the ruling of federalism cases during the Rehnquist Court.

Data, Method, Measurement

To estimate a model of judicial decision-making on the federalism cases of the Rehnquist Court, I compiled a data set of all Supreme Court cases⁷ decided during the Burger and Rehnquist Courts, from 1969 to 2005, derived from the variables in the Supreme Court Database (2010). As the dependent variable for the test is the votes of the Supreme Court justices, a logistic regression model⁸ is estimated to predict a Supreme Court justice's decision direction. This dependent variable is dichotomous, taking on the values of 0 for liberal (not supporting federalism) voting decisions and 1 for conservative (supporting federalism) voting decisions. Last, I cluster the model by case, making the standard errors robust, "to control for the non-independence of observations and to limit the effects of model misspecification" (King 1998, 34), which arise due to each case having up to nine observations (Collins 2007).

The main independent variable for the model is ideology derived from the Martin and Quinn ideal point estimates⁹ of each justice's ideological scores (2008).¹⁰ The scores range from -6.820, most liberal, to 4.414, most conservative (Martin and Quinn 2002). The expectation is that the variable will be positively signed (Collins 2007), demonstrating that the conservative justices are more likely to cast votes in favor of federalism.

⁷ All civil and criminal cases.

⁸ This model is preferable to an ordinary least squares regression, because running an OLS will violate the three key assumptions of error, with the first being the predicted values of the outcomes will be greater than one and less than zero, when moving across the X-axis. This is not permissible as the values of the dependent variable are no less than zero and no greater than one (Spector and Brannick 2009). The second assumption of regression that would be violated if an OLS were run is variance. Regression assumes the variance of Y is constant across X, but this is not the case with a categorical DV, as the variance is a proportion of the 1s and 0s. If OLS is run, as the proportion of Y reaches one or zero, the variance will near zero, failing to allow us to accurately predict the Supreme Court's decision direction. Lastly, the third violated assumption deals with *beta* and the belief that prediction error is normally distributed in a regression. As our dependent variable is categorical, this is a difficult assumption to justify, as the regression weights will be inflated, if an OLS model is run (Spector and Brannick 2009).

⁹ Recommended by Martin and Quinn, due to actual voting of the justices during Supreme Court cases. Preferable to Segal-Cover Scores (1989) as SC scores rely on perceived ideology of justice, created by indexing editorials from the *New York Times*, relating to how the justices voted on cases prior to their Supreme Court nomination. Values of justices tend to over- or understate how the justices actually vote.

¹⁰ Although these scores are based on actual voting behavior of the justices, they are appropriate as the voting behavior in the cases deal with policy and not federalism (Baybeck and Lowery 2000).

In addition to ideology, I control for the existence of who the chief justice was at the time of the decision, as well as who was the president. The chief justice dummy is coded 1 when Rehnquist was chief justice and 0 when he was not.¹¹ This is included in order to compare the justice's voting habits of the two Courts. The presidential dummy is coded 1 if Ronald Reagan and 0 if not, in order to capture the effect, if any, that Reagan's emphasis on restoring state sovereignty had on the Court ruling in a pro-federalism manner. I also create an interaction variable for the ideology of the Rehnquist Court. Specifically, the variable is created by multiplying the ideal point estimations for the Rehnquist justices by the dummy controlling for the existence of Rehnquist as chief justice. This variable shows whether, on federalism cases, conservatism is a stronger predictor of behavior in the Rehnquist Court rather than the Burger Court. The expectation is that the variable will be positively signed as well as having a larger effect for federalism cases. This demonstrates, if statistically significant, that there was an extra emphasis on federalism during the Rehnquist Court.

The next variable in the data set is ideological direction of the lower court's decision. The variable is a dummy, coded 1 if the decision followed a conservative direction, or one favoring state sovereignty; and 0 if the position is liberal, or one not favoring a state sovereignty position. This variable is included since the lower court's decision-direction is the prime determinant of the Court's decision-making (Collins 2007). Therefore, the variable should be negatively signed, as the conservative justices of the Rehnquist Court are unlikely to overturn a decision, which already had an outcome they would ideologically prefer.

Continuing, I control for five different strategy variables: the ideology of Congress, the ideology of the president, a measure for the median justice ideology, a dummy for divided government, and the lower-court decision direction. These variables are included in the model to address whether or not the Supreme Court justices keep the policy preferences of the other two branches of government in mind when making their rulings. The institutional constraint argument suggests that the Court may be concerned that both Congress and the president believe that the Court is attempting to override the democratic process by legislating from the bench. Congress, and to a lesser extent the president, will be less accepting of this action by the Court when they are ideologically divergent. Therefore, it is necessary to account for each branch's ideology within the model (Parker 2011).

To account for congressional and presidential ideology, I create two variables using Poole and Rosenthal's DW Nominate scores. The ideological score of the president is simply provided within the 1st Dimension of the

¹¹ No control is necessary for presidential appointment; control will not capture intended effect of federalism cases and the Rehnquist Court.

Nominate scores. Averaging the 1st Dimension scores of the median member of the House and Senate creates the ideology of Congress variable by providing the ideological midpoint for the entire branch for that year. By including these two variables, it can be determined if/when the justices are more likely to cast votes that limit federal authority.

By simply accounting for the ideology of Congress, it will be possible to uncover which congressional ideology allows for more state sovereignty policies, but this does not provide the entire answer as to when the justices vote in favor of the states. Therefore, a dummy variable on divided government is added to the model. This variable accounts for instances when the Congress is prohibited from reacting to policies or rulings that they find unfavorable. The main reason why Congress is at times slow to react in instances when it seems that the Court is legislating from the bench is that the House and Senate are controlled by different parties and are bogged down in legislative gridlock. In situations such as the previous, the expectation is for the Court rule to undermine federal authority; dummy coded 1, because divided government may impede congressional action (Cox and McCubbins 1993; Hall and Grofman 1990).

The last variable in the model is one accounting for the ideology of the median justice. The role of the median justice is quite important since, as the median-voter theorem suggests, the median justice should exercise decisive influence over the content of opinions (Black 1958; Caminker 2004; Carrubba et al. 2012; Epstein, Knight, and Martin 2003), which, in turn, provides a meaningful representation of the Court (Martin, Quinn, and Epstein 2005). Therefore, understanding that the median justice of the Rehnquist Court (either Justice O'Connor or Justice Kennedy) was conservative, the expectation is more decisions supporting the devolution of federal power during this era. As five votes are needed for a majority, having a median justice with a conservative ideology will skew the Court to the right, as the median justice joins the votes of the four other justices' with stronger conservative ideology. As a result, the Rehnquist Court should rule in a more state sovereignty-supporting fashion when compared to the Burger Court.

By estimating models of all the cases from these two eras, I am testing to find statistically significant evidence of a stronger relationship in the rulings of the Rehnquist Court in favor of the states in the federalism cases than the Burger Court. In order to do so, I need to find the direction of the relationship between the ideology of the Supreme Court justices and their votes. Ultimately, I need to identify why the numerous pro-federalism rulings came about during this era, allowing for a better understanding of whether a "federalism revolution" truly occurred, or if the justices were hiding behind the "guise of federalism" to eliminate liberal policy. By comparing the rulings on all Court cases between the two eras, I can empirically establish that conservative ideology, or

supporting smaller government, predicts low levels of liberal decision-making, or supporting rulings that centralize the power of the federal government. This, in turn, allows for the previously stated theoretical argument that conservative ideology is synonymous with pro-federalism rulings. Therefore, we can pinpoint that the votes cast for the federalism position on a Supreme Court case come from conservative justices.

If evidence supporting the previous claim is found, we can limit the model to specifically test vote choice on only the federalism cases. Again, we should find that a justice's conservative ideology predicts higher levels of pro-federalism voting. If this is found, we can compare the predicted probabilities of justices' voting for the federalism position during each Court to uncover whether there was a large emphasis placed on reestablishing federalism when Rehnquist was chief justice. In the end, the comparison will not only uncover whether there was a difference in justice voting on these cases during the separate eras, but will also return evidence supporting the claims of either of the previous critiques of the Rehnquist Court's role on federalism.

Findings

To begin to investigate whether pro-federalism case decisions were more likely to be made under the Rehnquist Court, I estimated a model of judicial decision-making during both the Burger and Rehnquist eras on all Court cases. Table 1 displays the results of the first logit analysis. First and foremost, six of the nine variables in the model are statistically significant. Also, all the variables act in the hypothesized manner.

As previously stated, the main independent variable in the model is the ideological position of individual justices. Combining this with the assumption of the attitudinal model that justices vote based on ideological cues, it should be found that as an individual justices' ideology becomes more conservative, the probability of that justice casting a conservative vote should increase. As can be seen in Table 1, the model returns results that provide for exactly this phenomenon. The statistically significant evidence suggests that as a justice's ideology becomes more conservative, the likelihood of that justice casting a vote in favor of the conservative position increases for all Supreme Court cases. Although this finding is to be expected, the results of the model not only further solidify the arguments for the existence of attitudinal decision-making by the justices, it also allows for a further investigation into the influence Chief Justice Rehnquist had over his conservative associate justices.

If Rehnquist, who emphasized the reestablishment of federalism when deciding cases, had influence over the conservative members of his Court, the

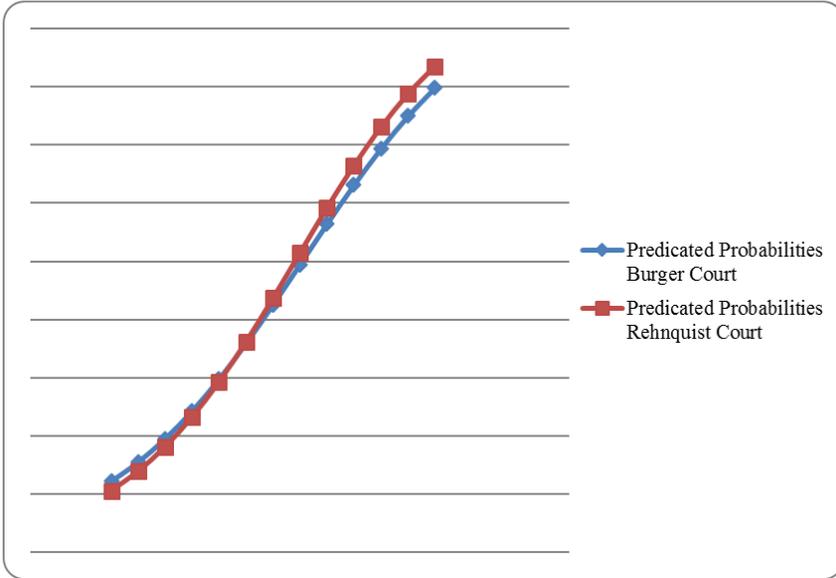
Table 1: Logit Regression on the Justices' Decision-Making on all Supreme Court Cases during the Burger and Rehnquist Courts

Independent Variable	B	SE	p-value
Justices' Ideology	.2793**	.0055	0.000
Rehnquist Court	.0800**	.0230	0.001
Ideology (x) Rehnquist	.0336**	.0088	0.000
Ideology of Congress	.0413	.0887	0.0641
Ideology of the President	.0109	.0269	0.685
Ideology of Median Justice	-.1951**	.0400	0.000
Lower-Court Decision Direction	-.6619**	.0191	0.000
Divided Government	.0560*	.0316	0.076
Reagan	.0290	.0275	0.291
Constant	.3827**	.0251	0.000
N	51171		
Pseudo R2	.0927		

Notes: **p < .05, *p < .10, 2-tailed test. Dependent variable is coded as the direction of a Supreme Court Justice's decision with 0 = liberal, and 1 = conservative.

likelihood of these justices supporting the conservative position on federalism cases should be greater than that of the Burger Court conservatives, but only on federalism cases. Therefore, it is not surprising that on all Court cases, the main variable driving decision-making is ideology and not the presence of Rehnquist as chief justice. Figure 1 illustrates that as a justice's ideology becomes more

Figure 1: Predicated Probabilities of Justice Votes on all Supreme Court Cases during the Burger and Rehnquist Courts



Note: Graphical representation of the predicted probabilities of a justice voting the conservative position on all Supreme Court cases during the Burger and Rehnquist Courts. X-axis: -8 represents the most liberal justice and 6 represents the most conservative justice. Y-axis: the probability of casting the conservative vote where 0 = no probability of casting a conservative vote and 1 = 100% probability of casting a conservative vote.

conservative, the probability for a conservative vote increases as justices want case outcomes to reflect closely their personal policy preferences (Epstein et al. 1998). What is interesting is that, when comparing the rulings for all cases for the Burger and Rehnquist Courts, there is a significant difference between the two Courts, albeit substantively small. Specifically, the predicted probabilities in Table 2 suggest, on the whole, that the most conservative Rehnquist Court justice is approximately 3 percent more likely to cast a conservative vote on a Court case than the most conservative Burger Court justice. In normative terms, this small difference in ruling suggests that, regardless of the fact that the Rehnquist Court was a bit more conservative than was the Burger Court, the preferences of the Chief Justice had little to do with justice voting when accounting for all of the Court cases.

Table 2: Predicted Probabilities of Justices' Vote on All Supreme Court Cases during the Burger and Rehnquist Courts

Ideology	Burger	Rehnquist
(Most Liberal)		
-7	.1219	.1063
-6	.1551	.1398
-5	.1953	.1818
-4	.2429	.2331
-3	.2978	.2935
-2	.3593	.3623
-1	.4258	.4372
0	.4950	.5150
1	.5645	.5922
2	.6315	.6650
3	.6938	.7308
4	.7497	.7878
5	.7984	.8354
(Most Conservative)		

The main finding on all Court cases is that of more empirical evidence supporting the median justice and lower-court decision-direction literatures (Collins 2007, Carrubba et al. 2012, Caminker 2004, Epstein, Knight, and Martin 2003; Martin, Quinn, and Epstein 2005). Specifically, on all Court cases, the ruling of the lower court and the vote of the median justice have the largest statistical effect on determining the Court's decision direction on the case. In effect, this finding suggests that for any case, the best prediction of an individual justice's vote is the justice's ideology, and the best predictors of the Court's decision direction is based on the vote of the median justice and the decision direction of the lower court.

For cases involving federalism, Table 2 provides the results of the second logit analysis on all federalism cases during the two Court eras. In this model, seven of the nine variables are statistically significant at the 0.05 level.

If a Rehnquist federalism bias exists, there should be evidence that the conservative justices of this Court, those who are pro-federalism, have a higher probability than the conservative justices of the Burger Court to cast votes in favor of states' rights. As can be seen in Table 3, this is exactly what is found. Again, conservative ideology predicts pro-federalism voting, but the interesting

Table 3: Logit Regression on the Justices' Decision-Making on all Supreme Court Federalism Cases during the Burger and Rehnquist Courts

Independent Variable	B	SE	p-value
Justices' Ideology	.1433**	.0251	0.000
Rehnquist Court	.0051	.0999	0.959
Ideology (x) Rehnquist	.0851**	.0347	0.014
Ideology of Congress	-1.0545**	.3457	0.002
Ideology of the President	-.3239**	.1093	0.003
Ideology of Median Justice	.1377	.1884	0.465
Lower-Court Decision Direction	-.6976**	.0814	0.000
Divided Government	.3015**	.1185	0.011
Reagan	-.2070*	.1150	0.072
Constant	.0357	.1156	0.758
N	2848		
Pseudo R2	.0597		

finding is when the ideology variable is interacted with the Rehnquist dummy. The model returns results that demonstrate that the probability of a justice casting a state sovereignty-supporting vote increases dramatically during the Rehnquist Court as compared to the Burger Court. As can be seen in Table 4 and Figure 2, the most conservative justice during the Rehnquist Court is approximately 10 percent more likely to cast a pro-federalism vote than the most conservative justice during the Burger Court. What is even more interesting is that the most liberal justice during the Rehnquist Court is about 10 percent less likely than the most liberal justice on the Burger Court to cast a pro-federalism vote. Taking this one step further, it can also be seen that there is no statistically significant difference in voting on federalism cases for the most moderate justices in both Courts. Needless to say, these findings have many implications, as there is evidence of a pro-federalism doctrine.

Beginning with the main focus of the article, the regression analysis returned findings supporting the claim that the Rehnquist Court emphasized federalism. Comparing Figure 1 to Figure 2, it can easily be seen that the conservative justices of the Rehnquist Court took a federalism stance. If the critique that the justices used the “guise of federalism” to strike down liberal policy to pursue conservative goals (Colker and Brudney 2001; Cross 1999) was accurate, there would be no empirical difference in voting on all Court cases in relation to federalism cases. As can be seen, this is not the situation. The probability of a

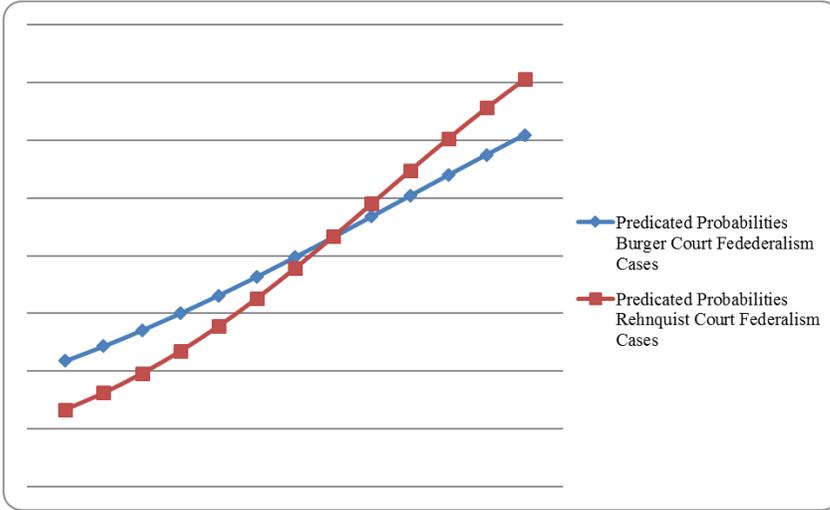
Table 4: Predicted Probabilities of Justices' Vote on all Supreme Court Federalism Cases during the Burger and Rehnquist Courts

Ideology	Burger	Rehnquist
(Most Liberal)		
-7	.2183	.1339
-6	.2437	.1627
-5	.2711	.1963
-4	.3003	.2348
-3	.3312	.2783
-2	.3637	.3264
-1	.3975	.3785
0	.4322	.4335
1	.4677	.4902
2	.5035	.5472
3	.5392	.6029
4	.5745	.6561
5	.6091	.7057
(Most Conservative)		

conservative Rehnquist Court justice casting a conservative vote noticeably increases when specifically studying federalism cases, suggesting that conservative ideology during the Rehnquist Court was synonymous with a federalism doctrine. As seen previously, there was a slight difference in voting on all cases between the two Courts, but on federalism cases, the difference is magnified. What is found is that the conservative justices of the Rehnquist Court identified with the states' rights-supporting policy at higher rates than the Burger justices, therefore increasing the number of votes cast supporting reestablishing federalism. Overall, the findings suggest that the justices of the Rehnquist Court voted with a federalist vision, casting doubt on the literature supporting the argument that the justices used the "guise of federalism" to thwart liberal policy.

Besides the voting behavior of the conservative justices, fascinating results in relation to the liberal justices' decision-making on the federalism cases are also found. Specifically, there is evidence of justice polarization during the Rehnquist Court, as the most liberal Justice was approximately 60 percent less likely to cast a pro-federalism vote than was the most conservative Justice. In comparison to the Burger Court, the most liberal member of the Rehnquist Court

Figure 2: Predicated Probabilities of Justice Votes on all Supreme Court Federalism Cases during the Burger and Rehnquist Courts



Note: Graphical representation of the predicted probabilities of a justice voting the conservative position on all Supreme Court federalism cases during the Burger and Rehnquist Courts. X-axis: -8 represents the most liberal justice and 6 represents the most conservative justice. Y-axis: the probability of casting the conservative vote where 0 = no probability of casting a conservative vote and 1 = 100% probability of casting a conservative vote.

was 35 percent less likely than the most conservative member to cast a vote in favor of federalism. Taken together, these high levels of federalism polarization that occurred during the Rehnquist Court suggest that the federalism topic itself was an important issue to this Court. Based on this, there is evidence that the federalism doctrine stressed by Rehnquist not only impacted the number of votes favoring the states, but of those that supported the rule of the federal government.

What makes this finding even more interesting is that the justices not only voted to support federalism, but also acted strategically when so doing. The justices were more likely to cast states' rights-leaning votes on federalism cases when there was divided government and when Congress as a whole and the president were more conservative. Specifically, in instances of divided government, the Rehnquist Court decided more cases in favor of the states, as the potential for congressional action to overturn the decision was low, because each chamber was under control by a different party.

Continuing, when the average congressional and presidential ideological score was right leaning, the Court decided more cases in favor of limiting the size of the federal government because the Court's policy preferences were in line with the other two branches. In normative terms, the Court picked the most opportune times, instances where the probability of the decision being rendered moot was low, to cast votes in support of state sovereignty. This provides empirical support for the institutional constraint argument that the Court takes into account the preferences of the other branches of government. Particularly, the Court considers whether the Congress, with the urging of a president, may pass new legislation that overturns the Court's decision on a case if they believe that the Court is attempting to override the democratic process by legislating from the bench (Parker 2011). Consequently, the results suggest that there was not only a federalism emphasis during the Rehnquist Court, but that the justices were also strategic when voting to support this doctrine.

Overall, the results of the analyses suggest that the issue of federalism had a significant impact on the Rehnquist Court. Figure 1 shows that both the Courts behave ideologically, and conservatism translates from one Court to the other, but Figure 2 demonstrates that on the federalism subset, conservatism translates to more pro-federalism rulings in the Rehnquist Court than in the Burger Court. This provides initial evidence of a distinct ideological movement in favor of states' rights, above and beyond normal ideological constraints, during the Rehnquist Court. Overall, the results provide preliminary empirical evidence that the conservatism of the Rehnquist Court had a decidedly federalist feel. In the end, this result provides the field with little support of the claim that the conservative justices of the Rehnquist Court used reestablishing federalism as an excuse to overturn liberal policy. It seems that the justices relied on the most fundamental conservative ideal of supporting a limited national government, and they cast their votes to preserve federalism.

Discussion

Even though the previous finding provides incipient empirical evidence that the justices during this era stayed true to supporting federalism on cases where federalism principals were the major constitutional issues at hand, skepticism remains as to the Court's strength of ideology on other cases. Although I compared the ruling of all cases between the conservative Burger and Rehnquist Courts, a thorough investigation into other issue areas will solidify the previous findings. One case issue area, besides federalism, for the Rehnquist Court that has received much scholarly interest is criminal punishment cases.

The criminal punishment issue area is commonly referenced in "guise of federalism" arguments, as many scholars suggest that the justices of the

Rehnquist Court used federalist language to knock down liberal criminal punishment policy. Avery (2009) argues that the Rehnquist Court seemed “more committed to protecting the government and government officials from the people than it was in protecting the people from the government” (1), which directly refutes the notion that the Rehnquist Court ruled in favor of federalism, as federalism would protect the people from the government. Critics of the Rehnquist Court argue that the strongly conservative Court “abdicated its responsibilities as the institutional guardian of the Bill of Rights” (Smith 1997) and allowed government officials, at a higher rate than the preceding Courts, to act unconstitutionally without being checked. Maclin (2009) argues that, in multiple cases,¹² the Rehnquist Court overlooked Fourth Amendment violations by officers of the government, as they protected officers who transformed routine traffic stops into warrantless narcotics searches.

Critics, such as Maclin, also cite cases such as *Employment Division of Oregon v. Smith* (1990), where the Court limited the Free Exercise Clause to exclude the use of peyote in religious ceremonies, to bolster arguments that the justices consistently abandoned their federalism doctrine when they wanted to thwart liberal policy. This was done in order to reestablish conservative principles that were overturned by the Warren Court and left alone by the Burger Court (Smith 1997). Baum (1992b) summarizes this overall critique by stating that due to this Court’s narrow conceptualization of individual and criminal rights, the United States would finally witness the elimination of constitutional rights of convicted offenders that Thurgood Marshall warned of in his dissent in *Jones v. North Carolina Prisoners’ Labor Union* (1977).¹³

Clearly, the main argument that arises from the previous critics is that the Rehnquist Court not only hid behind the concept of federalism, but also used this terminology to disguise an attempt to create conservative policies. For these to be correct, there would need to exist a marked difference in the rulings between the conservative Rehnquist and Burger Courts on criminal punishment.

¹² Other cases that support Maclin’s argument include the public safety exception to the Exclusionary Rule in non-traffic-stop cases in *New York v. Quarles* (1987) Rehnquist’s abstention in *Illinois v. Caballes* (2005), where the state of Illinois allowed for police to use drug-sniffing dogs to search a car without reasonable suspicion; *Ohio v. Robinette* (1996), where the Court ruled they had federal jurisdiction over the Ohio constitution to rule on state policing and drug cases; and in *Maryland v. Wilson* (1997), where Rehnquist wrote an opinion that overruled Maryland’s suppression of drug evidence collected illegally during a traffic stop.

¹³ “If the mode of analysis adopted in today’s decision were to be generally followed, prisoners eventually would be stripped of all constitutional rights, and would retain only those privileges that prison officials, in their informed discretion, deigned to recognize. The sole constitutional constraint on the prison officials would be a requirement that they act rationally. Ironically, prisoners would be left with a right of access to the courts ... but no substantive rights to assert once they get there.” Thurgood Marshall dissent in *Jones v. North Carolina Prisoners’ Labor Union* (1977).

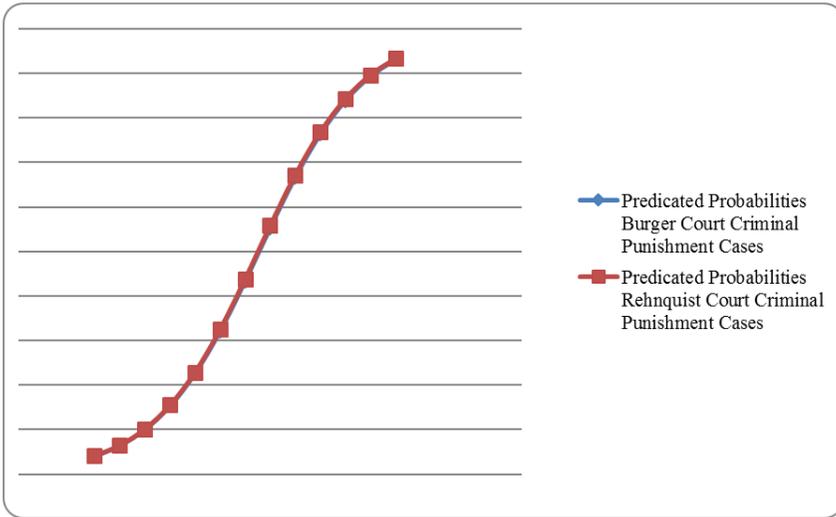
Table 5: Logit Regression on the Justices' Decision-Making on all Supreme Court Criminal Punishment Cases during the Burger and Rehnquist Courts

Independent Variable	B	SE	p-value
Justices' Ideology	.4811**	.0152	0.000
Rehnquist Court	.0201	.0539	0.709
Ideology (x) Rehnquist	.0013	.0227	0.956
Ideology of Congress	.3460*	.2053	0.092
Ideology of the President	.1281**	.0624	0.040
Ideology of Median Justice	-.0715	.0624	0.463
Lower-Court Decision Direction	-.9234**	.0464	0.000
Divided Government	.0587	.0780	0.451
Reagan	-.0065	.0722	0.928
Constant	.7251**	.0619	0.000
N	10672		
Pseudo R2	.1922		

Specifically, the predicted probabilities of vote choice for the Rehnquist Court justices would have to be as different from the Burger Court justices in criminal punishment cases as they were in federalism cases to have evidence of the claims that the justices were just purely conservative policy seekers. Consequently, it seems necessary to replicate the previous model exclusively studying criminal punishment cases and comparing the results with the findings on all cases generally and federalism cases specifically. If the aforementioned critiques are true and empirical evidence is uncovered that supports Avery, Maclin, Baum, and/or the other scholarly claims, it will be difficult to argue that this Court's policy preference for federalism superseded the totality of the justices' ideology. Therefore, by reestimating the model, there should be a better understanding of what drove a significant portion of the decisions that came during this Court, be it conservative ideology, a federalism doctrine, a combination of both, or neither.

Estimating the same judicial decision-making model previously discussed, Table 5 displays the results of the criminal punishment logit analysis. The initial results return little evidence supporting the critiques that the Rehnquist Court justices' rulings on criminal punishment cases were empirically different from the Burger Court's decisions on the same cases. Of most interest, the interaction variable of Rehnquist and ideology is not statistically significant, which was the situation in regard to federalism cases, preliminarily suggesting that the Rehnquist Court justices were not substantially more conservative than Burger Court justices

Figure 3: Predicated Probabilities of Justice Votes on all Supreme Court Criminal Punishment Cases during the Burger and Rehnquist Courts



Note: Graphical representation of the predicted probabilities of a justice voting the conservative position on all Supreme Court criminal punishment cases during the Burger and Rehnquist Courts. X-axis: -8 represents the most liberal justice and 6 represents the most conservative justice. Y-axis: the probability of casting the conservative vote where 0 = no probability of casting a conservative vote and 1 = 100% probability of casting a conservative vote.

in other areas. Furthermore, Figure 3 displays almost identical voting habits between the two Courts on all cases and criminal punishment cases. This suggests that the justices were not actively seeking to strike liberal policy on all cases,¹⁴ only those that allowed the federal government to usurp the powers of the state. This claim is further solidified by Table 6, which displays the predicted probabilities of the justices voting the conservative position on criminal punishment cases. The average Rehnquist Court justice was only 0.2 percent more likely than the average Burger Court justice to vote the conservative position on criminal punishment cases. In normative terms, the voting habits of

¹⁴ Although the Burger Court created a conservative agenda in criminal cases, see *United States v. Leon*, 468 U.S. 897 (1984) and *Massachusetts v. Sheppard*, 468 U.S. 981 (1984), the literature on Rehnquist's activist role in striking liberal policy (Avery 2009; Baum 1992a; Smith 1997) emphasizes that his Court was substantially more conservative on this issue than the Burger Court. Empirically, I find this claim to be unsubstantiated.

Table 6: Predicted Probabilities of Justices' Vote on All Supreme Court Criminal Punishment Cases during the Burger and Rehnquist Courts

Ideology	Burger	Rehnquist
(Most Liberal)		
-7	.0409	.0414
-6	.0646	.0653
-5	.1005	.1017
-4	.1530	.1550
-3	.2262	.2291
-2	.3210	.3249
-1	.4334	.4381
0	.5531	.5581
1	.6669	.6716
2	.7641	.7682
3	.8397	.8429
4	.8945	.8968
5	.9320	.9337
(Most Conservative)		

the justices of each court were identical. If the Rehnquist Court were attempting to establish a conservative revolution, there would have been evidence of the Justices voting at stronger rates in all areas of cases, not just federalism. As this is not the case, there is now stronger support for the earlier finding that the Rehnquist Court's conservatism was distinctive on federalism cases.

Conclusion

Although there have been explanations provided that account for the increased number of pro-federalism rulings during the Rehnquist era, such as the justices waging a "federalism revolution" or using the "guise of federalism" to strike liberal policy, the literature lacked an empirical piece solidifying either argument. Although more research needs to be completed, a void has begun to be filled with this work, as empirical evidence of the pro-federalism stance of the Rehnquist Court was found.

When President Reagan nominated Justice Rehnquist for chief, and Justices O'Connor, Scalia, and Kennedy to serve on the Court, the president solidified a Court-based federalism agenda for at least twenty years after his term in office.

By taking the reins in the mid-1980s, the Rehnquist Court began breathing life back into federalism by ruling for state sovereignty, which, in turn, started the Court’s slow and continuous process of returning power to the states. Testing the judicial decision-making of the Rehnquist Court uncovered empirical evidence of this very event. Even though the “federalism revolution” may be a bit of an overstatement, there is now empirical evidence supporting the already sound qualitative findings on this topic. Due to this, there is preliminary evidence supporting the notion that the majority of the justices in the Rehnquist Court had the primary objective of handing down decisions on federalism cases that preserved state sovereignty.



Appendix: All Rehnquist Court Federalism Cases, 1986–2005

Case Name	Docket Number	Decision Date
<i>Rose v. Arkansas State Police et al.</i>	479 U.S. 1	1986
<i>West Virginia v. United States</i>	479 U.S. 305	1987
<i>International Paper Co. v. Ouellette et al.</i>	479 U.S. 481	1987
<i>California Costal Commission v. Granite Rock Co.</i>	480 U.S. 572	1987
<i>Pilot Life Insurance Co. v. Dedeaux</i>	481 U.S. 41	1987
<i>Metropolitan Life Insurance Co. v. Taylor</i>	481 U.S. 58	1987
<i>Rose v. Rose et al.</i>	481 U.S. 619	1987
<i>International Brotherhood of Electrical Workers, AFL-CIO, et al. v. Hechler</i>	481 U.S. 851	1987
<i>Fort Halifax Packing Co., Inc. v. Coyne, Director, Bureau of Labor Standards of Maine, et al.</i>	482 U.S. 1	1987
<i>Utah Division of State Lands v. United States et al.</i>	482 U.S. 193	1987
<i>Caterpillar Inc. et al. v. Williams et al.</i>	482 U.S. 386	1987
<i>Perry et al. v. Thomas</i>	482 U.S. 483	1987
<i>South Dakota v. Dole, Secretary of Transportation</i>	483 U.S. 203	1987

<i>United States of America v. State of Louisiana et al. (Alabama and Mississippi Boundary Case)</i>	485 U.S. 88	1988
<i>Eric J. Schneidewind, et al. v. ANR Pipeline Company and ANR Storage Company</i>	485 U.S. 293	1988
<i>George S. Bennett v. Arkansas</i>	485 U.S. 395	1988
<i>Puerto Rico Department of Consumer Affairs, et al. v. Isla Petroleum Corporation et al.</i>	485 U.S. 495	1988
<i>South Carolina v. Baker, Secretary of the Treasury</i>	485 U.S. 505	1988
<i>City of New York et al. v. Federal Communications Commission et al.</i>	486 U.S. 57	1988
<i>Lingle v. Norge Division of Magic Chef, Inc.</i>	486 U.S. 399	1988
<i>Mackey et al. v. Lanier Collection Agency & Service, Inc.</i>	486 U.S. 825	1988
<i>Felder v. Casey et al.</i>	487 U.S. 131	1988
<i>Shell Oil Company v. Iowa Department of Revenue</i>	488 U.S. 19	1988
<i>Bonito Boats, Inc. v. Thunder Craft Boats, Inc.</i>	489 U.S. 141	1989
<i>Volt Information Sciences, Inc. v. Board of Trustees of Leland Stanford Junior University</i>	489 U.S. 468	1989
<i>Davis v. Michigan Department of the Treasury</i>	489 U.S. 803	1989
<i>Oklahoma Tax Commission v. Graham et al.</i>	489 U.S. 838	1989
<i>California et al. v. ARC America Corp. et al.</i>	490 U.S. 93	1989
<i>Mansell v. Mansell</i>	490 U.S. 581	1989
<i>California State Board of Equalization v. Sierra Summit, Inc.</i>	490 U.S. 844	1989
<i>Pennsylvania v. Union Gas Co.</i>	491 U.S. 1	1989
<i>Tafflin et al. v. Levitt et al.</i>	493 U.S. 455	1990
<i>Adams Fruit Co., Inc. v. Barrett et al.</i>	494 U.S. 638	1990
<i>Yellow Freight System, Inc. v. Donnelly</i>	494 U.S. 820	1990
<i>Employment Division, Department of Human Resources of Oregon v. Smith</i>	494 U.S. 872	1990
<i>United Steelworkers of America, AFL-CIO v. Rawson, Individually and as Guardian ad Litem for Rawson, et al.</i>	495 U.S. 362	1990

<i>North Dakota et al. v. United States</i>	495 U.S. 423	1990
<i>California v. Federal Energy Regulatory Commission et al.</i>	495 U.S. 490	1990
<i>Vera M. English v. General Electric Company</i>	496 U.S. 72	1990
<i>Rudy Perpich, Governor of Minnesota, et al v. Department of Defense, et al.</i>	496 U.S. 334	1990
<i>Mark Howlett, a Minor, By and Through Elizabeth Howlett, His Mother, Natural Guardian and next Friend v. Scott Rose, As Superintendent of Schools for Pinellas County, Florida, et al.</i>	496 U.S. 356	1990
<i>United States of America v. State of Louisiana, et al. (Alabama and Mississippi Boundary Case).</i>	498 U.S. 9	1990
<i>State of Mississippi v. United States</i>	498 U.S. 16	1990
<i>FMC Corporation v. Cynthia Ann Holliday</i>	498 U.S. 52	1990
<i>Ingersoll-Rand Company v. Perry McClendon</i>	498 U.S. 133	1990
<i>James B. Beam Distilling Co. v. Georgia et al.</i>	501 U.S. 529	1991
<i>Wisconsin Public Intervenor, et al. v. Ralph Mortier, et al.</i>	501 U.S. 97	1991
<i>United States of America v. State of Alaska on Bill of Complaint</i>	503 U.S. 569	1992
<i>Keyton E. Barker and Pauline Barker, et al., Petitioners v. Kansas, et al.</i>	503 U.S. 594	1992
<i>Dan Morales, Attorney General of Texas v. Trans World Airlines, Inc., et al.</i>	504 U.S. 374	1992
<i>New York v. United States et al.</i>	505 U.S. 144	1992
<i>Thomas Cipollone, Individually and as Executor of the Estate of Rose D. Cipollone v. Liggett Group, Inc. et al.</i>	505 U.S. 504	1992
<i>The District of Columbia and Sharon Pratt Kelly, Mayor v. The Greater Washington Board of Trade</i>	506 U.S. 125	1992
<i>Building and Construction Trades Council of the Metropolitan District v. Associated Builders and Contractors of Massachusetts/Rhode Island, Inc., et al.</i>	507 U.S. 218	1993
<i>United States, et al. v. Texas et al.</i>	507 U.S. 529	1993

<i>CSX Transportation, Inc. v. Lizzie Beatrice Easterwood</i>	507 U.S. 658	1993
<i>United States v. Idaho, ex rel. Director, Idaho Department of Water Resources</i>	508 U.S. 1	1993
<i>United States Department of the Treasury and Mitchell A. Levine, Assistant Commissioner v. George Fabe, Superintendent of Insurance of Ohio.</i>	508 U.S. 491	1993
<i>Henry Harper, et al. v. Virginia Department of Taxation</i>	509 U.S. 86	1993
<i>Northwest Airlines, Inc. et al. v. County of Kent, Michigan, et al.</i>	510 U.S. 355	1994
<i>American Dredging Company v. William Robert Miller</i>	510 U.S. 443	1994
<i>O'Melveny & Meyers v. Federal Deposit Insurance Corporation as Receiver for American Diversified Savings bank et al.</i>	512 U.S. 79	1994
<i>Karen Livadas v. Victoria Bradshaw, California Labor Commissioner</i>	512 U.S. 107	1994
<i>Hawaiian Airlines, Inc. v. Grant T. Norris</i>	512 U.S. 246	1994
<i>Nebraska Department of Revenue v. John Loewenstein</i>	513 U.S. 123	1994
<i>American Airlines, Inc. v. Myron Wolens et al.</i>	513 U.S. 219	1995
<i>Allied-Bruce Terminix Companies, Inc. and Terminix International Company v. G. Michael Dobson et al.</i>	513 U.S. 265	1995
<i>Freightliner Corporation, et al. v. Ben Myrick, et ux., et al.</i>	514 U.S. 280	1995
<i>United States v. Alfonso D. Lopez, Jr.</i>	514 U.S. 549	1995
<i>New York State Conference of Blue Cross & Blue Shield Plans, et al. v. Travelers Insurance Company, et al.</i>	514 U.S. 645	1995
<i>U.S. Term Limits, Inc., et al. v. Ray Thornton et al.</i>	514 U.S. 779	1995
<i>United States of America v. State of Maine et al.</i>	516 U.S. 365	1996
<i>Thomas Dalton, Director, Arkansas Department of Human Services et al. v. Little Rock Family Planning Services et al.</i>	516 U.S. 474	1996

<i>Barnett Bank of Marion County, N.A. v. Bill Nelson, Florida Insurance Commissioner, et al.</i>	517 U.S. 25	1996
<i>Seminole Tribe of Florida v. Florida et al.</i>	517 U.S. 44	1996
<i>Doctor's Associates, Inc. and Nick Lombardi v. Paul Casarotto et ux.</i>	517 U.S. 681	1996
<i>Medtronic, Inc. v. Lora Lohr et vir</i>	518 U.S. 470	1996
<i>California Division of Labor Standards Enforcement, et al. v. Dillingham Construction, N.A., Inc., and Manuel J. Arceo, DBA Sound System Media</i>	519 U.S. 316	1997
<i>Barbara A. De Buono, New York Commissioner of Health, et al. v. NYSA-ILA Medical and Clinical Services Fund, etc., et al.</i>	520 U.S. 806	1997
<i>Sandra Jean Dale Boggs v. Thomas F. Boggs, Harry M. Boggs and David B. Boggs</i>	520 U.S. 833	1997
<i>Marian Johnson et al. v. Kristine L. Fankell</i>	520 U.S. 911	1997
<i>United States of America v. State of Alaska</i>	521 U.S. 1	1997
<i>Idaho, et al. v. Coeur D'Alene Tribe of Idaho, etc., et al.</i>	521 U.S. 261	1997
<i>City of Boerne v. Flores</i>	521 U.S. 507	1997
<i>Jay Printz, Sheriff/Coroner, Ravalli County, Montana v. United States</i>	521 U.S. 898	1997
<i>American Telephone and Telegraph Company v. Central Office Telephone, Inc.</i>	524 U.S. 214	1998
<i>Humana Inc., et al. v. Mary Forsyth et al.</i>	525 U.S. 299	1999
<i>Arizona Department of Revenue v. Blaze Construction Company, Inc.</i>	526 U.S. 32	1999
<i>Jefferson County, Alabama v. William M. Acker, Jr., Senior Judge, United States District Court, Northern District of Alabama, and U. W. Clemon, Judge, United States District Court, Northern District of Alabama</i>	527 U.S. 423	1999
<i>Florida Prepaid Postsecondary Education Expense Board v. College Savings Bank and United States</i>	527 U.S. 627	1999

<i>College Savings Bank v. Florida Prepaid Postsecondary Education Expense Board et al.</i>	527 U.S. 666	1999
<i>John H. Alden, et al. v. Maine</i>	527 U.S. 706	1999
<i>J. Daniel Kimel, Jr., et al. v. Florida Board of Regents, et al.</i>	528 U.S. 62	2000
<i>Janet Reno, Attorney General, et al. v. Chaorle Condon, Attorney General of South Carolina, et al.</i>	528 U.S. 141	2000
<i>United States v. Gary Locke, Governor of Washington, et al.</i>	529 U.S. 89	2000
<i>Norfolk Southern Railway Company v. Dedra Shanklin, Individually, and as Next Friend of Jessie Guy Shanklin</i>	529 U.S. 344	2000
<i>United States v. Antonio J. Morrison, et al.</i>	529 U.S. 598	2000
<i>Alexis Geier, et al. v. American Honda Motor Company, Inc., et al.</i>	529 U.S. 861	2000
<i>Stephen P. Crosby, Secretary of Administration and Finance of Massachusetts, et al., v. National Foreign Trade Council</i>	530 U.S. 363	2000
<i>United States of America v. State of Alaska</i>	530 U.S. 1021	2000
<i>Buckman Company v. Plaintiffs' Legal Committee</i>	531 U.S. 341	2001
<i>Board of Trustees of the University of Alabama, et al., v. Patricia Garrett, et al.</i>	531 U.S. 356	2001
<i>Donna Rae Egelhoff v. Samantha Egelhoff, a Minor, By and Through Her Natural Parent Kate Breiner, and David Egelhoff</i>	532 U.S. 141	2001
<i>Arkansas v. Kenneth Andrew Sullivan</i>	532 U.S. 769	2001
<i>Lorillard Tobacco Company, et al. v. Thomas F. Reilly, Attorney General of Massachusetts, et al.</i>	533 U.S. 525	2001
<i>Wisconsin Department of Health and Family Services v. Irene Blumer</i>	534 U.S. 473	2002
<i>Paul D. Lapidus v. Board of Regents of the University System of Georgia, et al.</i>	535 U.S. 613	2002
<i>Verizon MD, Inc., v. Public Serv. Comm'n of MD.</i>	535 U.S. 635	2002

<i>Federal Maritime Commission v. South Carolina State Ports Authority et al.</i>	535 U.S. 743	2002
<i>Rush Prudential HMO, Inc. v. Debra C. Moran et al.</i>	536 U.S. 355	2002
<i>City of Columbus, et al. v. Ours Garage and Wrecker Service, Inc., et al.</i>	536 U.S. 424	2002
<i>Rex R. Sprietsma, Administrator of the Estate of Jeanne Sprietsma, Deceased v. Mercury Marine, A Division of Brunswick Corporation</i>	537 U.S. 51	2002
<i>Kentucky Association of Health Plans, Inc., et al. v. Janie A. Miller, Commissioner, Kentucky Department of Insurance</i>	538 U.S. 329	2003
<i>Nevada Department of Human Resources, et al. v. William Hibbs et al.</i>	538 U.S. 721	2003
<i>Entergy Louisiana, Inc. v. Louisiana Public Service Commission et al.</i>	539 U.S. 39	2003
<i>American Insurance Association, et al. v. John Garamendi, Insurance Commissioner, State of California</i>	539 U.S. 396	2003
<i>Linda Frew, On Behalf of Her Daughter, Carla Frew, et al. v. Albert Hawkins, Commissioner Texas Health and Human Services Commission, et al.</i>	540 U.S. 431	2004
<i>Jeremiah W. (Jay) Nixon, Attorney General of Missouri v. Missouri Municipal League et al.</i>	541 U.S. 125	2004
<i>Engine Manufacturers Association and Western States Petroleum Association v. South Coast Air Quality Management District et al.</i>	541 U.S. 440	2004
<i>Tennessee Student Assistance Corporation v. Pamela L. Hood</i>	541 U.S. 440	2004
<i>Basim Omar Sabri v. United States</i>	541 U.S. 600	2004
<i>J. Elliott Hibbs, Director, Arizona Department of Revenue v. Kathleen M. Winn et al.</i>	542 U.S. 88	2004
<i>Aetna Health Inc., FKA Aetna U.S. Healthcare Inc. and Aetna U.S. Healthcare of North Texas Inc. v. Juan Davila</i>	542 U.S. 200	2004

<i>Dennis Bates, et al. v. Dow Agrosociences LLC</i>	544 U.S. 431	2005
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<i>State of Alaska v. United States of America</i>	545 U.S. 75	2005
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Questions in Politics

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Two Matters of Choice in the Twenty-first Century: George W. Bush, Barack Obama, and the Legacy of Richard Neustadt¹

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Debate over the continuing relevance of Neustadt's Presidential Power has been driven largely by the evolution of the presidency and the surrounding political environment. It is proper, then, to consider its continued applicability by evaluating the actions of contemporary presidents. While persuasion forms the basis for presidential power for Neustadt, the underlying key to that power lies in the choices presidents make and whether they are made with an eye toward future power. The two cases here involve President George W. Bush and the effects of his prior staffing choices in the aftermath of Hurricane Katrina, and President Barack Obama and the effects of his early policy promotion choices in the aftermath of the 2010 elections. Neither Bush nor Obama acted with their power stakes clearly in mind. They suffered in terms of their subsequent job approval, legislative record, and ultimately in their party's fates in the 2006 and 2010 midterm elections, respectively. Choices still matter. That conclusion still applies to presidents and can help those in the future avoid the failures seen here.

In the decades since the initial publication of Richard Neustadt's *Presidential Power*, presidential scholars have debated its continuing relevance. This debate is driven largely by the evolution of the presidency and the surrounding political environment. Neustadt's well-known thesis is that the true power of the presidency does not lie with command, but with persuasion

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(Neustadt 1990). Neustadt based the applicability of his writings on what he termed “midcentury” conditions—that is, of course, mid-*twentieth* century conditions. My concern is whether or not his work is still viable today, at a time that is closer to the mid-*twenty-first* century than it is to the mid-*twentieth* century. There are certainly some notable similarities between the two periods. In other words, “midcentury” conditions may have not evolved as substantially as we may fear. In fact, they have not evolved as much as even Neustadt himself thought (1990). While conditions have surely evolved somewhat, there is no reason to believe that this evolution invalidates his signature work (Cavalli 2013).

It is proper, then, to consider the continued applicability of Neustadt. I propose to evaluate the actions of contemporary presidents, using the very same case study method used by Neustadt in *Presidential Power*. I do so to test the validity of this notion that Neustadt is still relevant. While persuasion is true presidential power to Neustadt, the key *source* of that power lies in the choices presidents make and whether they make those choices with an eye toward their future power.

After a brief refresher on Neustadt, I will examine two case studies on presidential choices and their consequences for presidential power. Note that for the purposes of comparison, the case studies are structured in much the same way that Neustadt structured his. That is, his case studies routinely examined dramatic *failures*—high-profile cases where presidents’ actions did *not* enhance their power. Neustadt points this out in the preface to his first edition:

[E]very major illustration in this book is in some sense the story of a failure; without exception every case turns on dramatic incidents. (Neustadt 1990, xxi–xxii).

He goes on to justify this method by saying:

This does not mean that recent Presidents knew no successes, or that presidential business is invariably dramatic. It merely means that negative examples tend to be the most illuminating, and dramatic ones tend to be best remembered and recorded. (Neustadt 1990, xxii)

At the dawn of the twenty-first century, in a reevaluation of Neustadt’s work, both George Edwards and Lyn Ragsdale appear to support this choice of method. Edwards (2000) points out that “Neustadt’s framework highlights the president’s operational problem of self-help in thinking about influence strategically” (9; emphasis in original), and later points to Neustadt’s own words that “‘powers’ are no guarantee of power” (Neustadt 1990, 10). Ragsdale (2000) encapsulates Neustadt’s rationale this way: “the best way to study the office is to study its occupant and the best way to study the occupant is to rely on a series

of case studies examining the president's use of personal power" (33). Why? She suggests it is because presidential power is both "imperfect" and "quite personal" (33). In addition, she judges the focus on dramatic failures to be useful "in order to alert presidents that this could happen to them" (37).

The two cases that follow involve:

1. President George W. Bush and the effects of his choices regarding staffing—specifically staffing of the Federal Emergency Management Agency (FEMA)—in the aftermath of Hurricane Katrina in 2005–2006.
2. President Barack Obama and the effects of his choices regarding policy promotion (or more specifically, the lack of a broad promotion strategy) at the start of his administration on the fate of his party and their power—and thus his power—in the wake of the 2010 midterm elections.

A Brief Review of Neustadt

It is perhaps the most well-known phrase in presidential studies: "Presidential power is the power to persuade" (Neustadt 1990, 11). This is the thesis of Neustadt's work. While it seems almost pedantic today, it amounts to a revolutionary break from prior studies that focused almost exclusively on the president's constitutional, institutional, and legal powers (e.g., see Corwin [1940] and Rossiter [1956]). To Neustadt, this power—equivalent to bargaining power—relies on the status and authority accorded both to presidents and to those with whom they must engage. Power in this regard is enhanced by a president's professional reputation and public prestige (Neustadt 1990)—and these (reputation and prestige) come down to the choices that presidents make:

Professional reputation is affected by the president's prior *choices* (e.g., to act or not act, to tolerate or not tolerate insubordination or inactivity, to steadily pursue a course of action or to change direction). Public prestige is affected both by how these prior choices are reflected in the media and in public opinion polls, and by how well the president can act as a teacher to a habitually inattentive public. (Cavalli 2013, 95–96)

Neustadt emphasizes this idea throughout *Presidential Power*. For example, he says that presidents guard their "power prospects in the course of making choices" (Neustadt 1990, 47). The key is to make those choices with an eye toward power.

In a passage from the heart of his book that is quite relevant to our current exploration, Neustadt notes that:

If Presidents could count upon past choices to enhance their current influence ... persuasion would pose fewer difficulties than it does. But Presidents can count on no such thing. Depending on the circumstances, prior choices can be as embarrassing as they were helpful. (Neustadt 1990, 48)

A few paragraphs later, he expands on this:

But adequate or not, a President's own choices are the only means in his own hands of guarding his own prospects for effective influence. He can draw power from continuing relationships in the degree that he can capitalize upon the needs of others for the Presidency's status and authority. He helps himself to do so, though, by nothing save ability to recognize the preconditions and the chance advantages and to proceed accordingly in the course of the choice making that comes his way. To ask how he can guard prospective influence is thus to raise a further question: What helps him guard his power stakes in his own acts of choice? (Neustadt 1990, 49)

Later on, he returns to the singular importance choice:

But whether his choice making actually is usable and whether it proves useful or does not, the fact remains that for the human being in the White House choices are the only means in his own hands by which to shield his sources of real power, prestige no less than the rest. (Neustadt 1990, 90)

Neustadt continued to emphasize the importance of presidential choice well beyond the publication of *Presidential Power*. In fact, right down to his last published writings, he appeared to emphasize presidential choice in considering the special challenges facing presidents Clinton and (George W.) Bush (Neustadt 2004).

So, the question to address in the following case studies is whether or not our most recent presidents, George W. Bush and Barack Obama, truly considered how their choices might contribute to their power and influence.

Case Studies

As noted in the introduction, the two case studies that follow are designed to explore the importance of presidential choices. Additionally, they are constructed in a manner similar to those found in *Presidential Power*. In Chapter 6 of that book, titled "Two Matters of Choice," Neustadt explores examples of choices

made by Presidents Eisenhower and Truman that did *not* serve their power interests. That is, the cases were “suggestive less of mastery than failure” (Neustadt 1990, 24). As with that chapter, the cases in this article will show us “how *not* to extract power out of choice” in that they detail how two presidents “failed to make their choices serve their influence” (Neustadt 1990, 124). And so,

[i]f choices are a President’s own means to guard his power, he is likelier to hurt than to help himself *unless he knows what power is and sees its shape in what he does. Before power can be served, it must be seen.* (Neustadt 1990, 101; emphasis added)

So I will move to our two matters of choice in the twenty-first century with the final bit of advice from *Presidential Power* that

nobody and nothing helps a President to see [his power stakes] save as he helps himself; that neither issues nor advisers as they reach him are a substitute for sensitivity to power on his part. (Neustadt 1990, 102)

This was sage advice in the mid-twentieth century, and it remains so in the early twenty-first century.

Case Study I: George W. Bush, FEMA, and Hurricane Katrina

One of the worst natural disasters in U.S. history struck the Gulf Coast on August 29, 2005. Hurricane Katrina was one of the strongest storms of the last century, and it remains the costliest storm in U.S. history. As of August 2006, over 1,800 lives were lost and damages exceeded \$125 billion (Graumann et al. 2006). In the wake of the disaster, there was significant criticism of the response—with a particular focus on the federal government because of the sheer size of the event (e.g., see Lipton 2006). Appearing before a Senate panel the following February, Homeland Security Secretary Michael Chertoff described the incident as “one of the most difficult and traumatic experiences of my life” (Lipton 2006, para. 6). During his appearance, he acknowledged “many lapses” in the government’s response.

The focus of those “lapses” fell squarely on the Federal Emergency Management Agency’s (FEMA) director, Michael Brown. In the Senate hearing, Secretary Chertoff noted that the day before the storm hit, Brown suggested “that supplies and personnel were positioned to respond to the disaster” (Alpert 2006, A-11). After the storm hit land, Chertoff accused Brown of dodging his phone calls “for two days” (Straw 2006, 1). This may have been a case of scapegoating by Chertoff, who did not escape significant criticisms over his own actions during and after the disaster, but Brown was certainly the

focus of much of the anger over the government's response from the very beginning. That anger centered on Brown's qualifications and his competence to serve as FEMA's director. Many reports suggested that he lacked experience in emergency management. A *U.S. News and World Report* article two weeks after the disaster said that Brown's "prior experience for the job was in enforcing judging standards in Arabian horse contests" (Mulrine 2005, para. 2). The same report noted that "even with Brown pulled off the Katrina clean-up effort ... three of his deputies in the agency have virtually no prior experience in handling disasters," and that even "two weeks after the storm, the post-Katrina effort seemed wanting, and FEMA, once again, seemed to draw most of the finger-pointing" (Mulrine 2005, para. 4).

Other reports raised a different angle on the story. Brown's dismissal was described as a "blunt rebuke, especially by an administration that typically ignores disapproval of its own and prizes loyalty among top officials," while FEMA was described as a "parking lot for political allies since its creation in 1979" whose "highest ranks began to fill with political chums during the Bush administration" (Marek et al. 2005, para. 1; Thompson 2006, para. 8).

Herein lies the significance of this case study for our purposes. As noted earlier, the key to presidential power according to Neustadt is the choices presidents make. Specifically, it is whether those choices are made with an eye toward the president's power stakes. A number of presidential scholars have suggested that executive appointments, like that of Michael Brown to direct FEMA, are one of the key choices that can affect a president's power. For instance, Michael Genovese (2008) says:

The primary means by which a president can control the bureaucracy is through *appointments*. A president who appoints competent and loyal administrators can sometimes rely on them to get the president's directives implemented. Unfortunately, not all appointees are competent; and some aren't even loyal. Presidents Ronald Reagan and George W. Bush were notorious for delegating a great deal of authority to political appointees. Both Reagan and the second Bush were somewhat disengaged and, therefore, not very deeply involved in management. (160)

The consequences of being "somewhat disengaged" can be profound, according to Genovese:

This delegating style sometimes worked well, as when Reagan appointed George Shultz as secretary of state; but it sometimes failed miserably, as when Reagan appointed Donald Regan as his chief of staff

or when *George W. Bush appointed Michael Brown to head the Federal Emergency Management Agency only to have him fail in the face of the hurricane Katrina disaster.* (Genovese 2008, 160; emphasis added)

While recent administrations have insisted upon control over not only cabinet-level appointments, but over subcabinet personnel hiring as well, this disengagement has been documented by others (e.g., see Rockman 2008; Warshaw 2005). In addition, greater White House supervision, whether presidents are directly engaged or not, does not necessarily mean that staffing decisions are being made with the president's power stakes in mind. Under presidents Reagan, Clinton, and the two Bushes,

officials could not be hired merely because of technical expertise, as Carter had done, or because of personal relationships with the cabinet officer, as Nixon had done. They had to be hired as a means of ensuring that the president's agenda remained at the forefront of departmental decision-making and was not compromised by bureaucratic politics. (Warshaw 2005, 301, 303)

President George W. Bush, specifically, is described as appearing

not to expend much effort in monitoring where his decisions are leading and how they are being implemented, nor in reviewing where alternative decisions might lead. Nor, apparently, has Bush much valued what is referred to as "neutral competence." Since, as he is reported to have proclaimed, he doesn't argue with himself, there is apparently little need to go past gut instinct. ... [T]his leaves Bush oftentimes in the position of being a vessel for the agendas of others within his administration and failing to follow through with care on decisions that have been reached. (Rockman 2008, 342)

The combination of a White House focus on loyalty plus a "somewhat disengaged" president proved to be disastrous for Bush. How does loyalty without the competence or experience to manage one's charge serve the president? Appointing someone who was loyal to the president but who had little experience in emergency management to head FEMA was clearly not a choice that was made with the president's power stakes in mind.

Rather than taking action to address and correct the criticisms directed at FEMA and the White House, President Bush seemed to compound the problem. His initial response to critics of Brown and FEMA was to issue a seemingly blithe statement of support for Brown. His "Heckuva job, Brownie" not only

failed to quell the criticism, but it became a sort of mantra to those who were convinced of the president's disengagement and lack of appreciation for the true scope of the disaster. When he was finally driven to admit errors in the government's response to Katrina, he seemed to make matters worse:

When George W. Bush blundered in the federal response to Hurricane Katrina, his first reaction was to blame everyone but himself. Then he issued the generic "mistakes were made" statement. By the time a week later, when he finally took responsibility for his failures, it was too little too late. His adversaries were handed a golden opportunity to make him look insensitive and out of touch. The Bush administration was put into an unwinnable position as they tried to undo the damage done by the president. But as they scrambled, they only further dug a hole for the beleaguered president. (Genovese 2008, 94)

It appears Bush's choices were made with loyalty and a rather Pollyannaish viewpoint in mind, rather than any consideration of his own power stakes.

So, what was the damage to Bush's power? There is general agreement that Bush's second term was not nearly as successful as his first. The declines in both his approval ratings and in his legislative success rate are well documented. His approval rating was already in decline well before the hurricane struck. It almost had to decline, as his approval rating shortly after the attacks of September 11, 2001, at 91 percent according to Gallup, was the highest ever recorded for any president by Gallup and many other organizations (Gallup.com 2015a; Kell and Murray 2005). By the late summer of 2005, Bush had already lost about half. In the three months before Katrina struck, his Gallup approval rating averaged around 46 percent (Gallup.com 2015a). In the three months after the hurricane struck, the average dropped to 41 percent. Furthermore, his approval ratings continued to decline, topping 40 percent only four times after mid-February 2006 (Kell and Murray 2005).

The fallout related to the Katrina response is certainly not the sole factor in this decline. A string of events and issues (setbacks in Iraq, revelations about the administration's national security tactics, questions about the competence of Supreme Court nominee Harriet Miers, and concern over the proposed "privatization" of Social Security, among others) hurt the president's professional reputation and public prestige, to use Neustadt's terms. However, it is clearly cited as a factor in most, if not all, discussions of the decline of Bush's power during his second term in office. For example:

What might have damaged Bush's legacy most was his administration's mixed record of competent governance. Between Iraq, *the government's*

flawed relief effort in the aftermath of Hurricane Katrina, and more minor missteps over the Dubai ports issue and other matters, the government “brand” deteriorated badly during the Bush years. (Pew Research Center 2008; emphasis added)

The biggest blow came in the 2006 midterm elections, which were characterized as “a stinging rebuke to Bush and congressional Republicans” as “a pervasive sense that the government in Washington was failing both ethically and in policy terms drove voters” (Sinclair 2008, 183).

Bush could not rely on anyone else to save him and his presidency. Recall the quote from *Presidential Power* that appears just above this case study:

[N]obody and nothing helps a President to see [his power stakes] save as he helps himself; that neither issues nor advisers as they reach him are a substitute for sensitivity to power on his part. (Neustadt 1990, 102)

Practicality may prevent presidents from directly overseeing literally every appointment, but even the best White House advisers are no substitute for presidential engagement in the overall process.

Case Study II: Barack Obama, Policy Promotion, and the 2010 Midterm Elections

A disaster of another kind occurred in November 2010. This one was not environmental, it was political; so fortunately, no lives were lost. However, the Democratic Party suffered one of its worst political defeats on record. This defeat was particularly disastrous as the party was actually riding quite high as a result of the previous two national election cycles in 2006 and 2008. They had made tremendous gains in Congress, in part as a rebuke to the problems suffered by the Bush administration as discussed in the previous case.

In the wake of these losses, President Obama accepted the blame, saying that “It’s not enough just to build a better mousetrap. People don’t automatically come beating to your door. We’ve got to sell it. We’ve got to reach out to the other side and, where possible, persuade” (Shear 2014, A14). He continued by saying, “I think we have not been successful in going out there and letting people know what it is that we’re trying to do and why this is the right direction” (A14). Fellow Democrats apparently agreed that the president did not devote enough time attempting to connect with the public. Former Democratic Tennessee Governor Phil Bredesen said there “doesn’t seem to be anybody in the White House who’s got any idea what it’s like to lie awake at night worried about money and worried about things slipping away” (Tumulty and Balz 2010, para. 4). Former Clinton White House policy adviser William A. Galston said that “[t]hroughout his first

two years in office, President Obama often struggled to connect individual initiatives to larger purposes” (Tumulty and Balz 2010, para. 8).

Though some research questions the value of presidential rhetoric (e.g., see Edwards [2003], Edwards and Wood [1999]), most presidential scholars see it as an important component in any successful administration. Hoffman and Howard (2012) argue that “a president’s legislative success has become intimately tied to our perception of leadership” (1317), while Crew and Lewis (2011) note that the choices about how presidents present their policy agendas “have potential implications for their success” (626).

However, Bruce Miroff (2014) quotes President Obama from a media interview as deciding to focus on “getting the policy right” (250) rather than attempting to influence the public’s opinions and perceptions regarding policy. Miroff describes Obama as possessing such “rhetorical gifts” that he wonders:

Of what other presidential candidate could it be said that his campaign oratory could be remixed as song? But when will.i.am of the Black-Eyed Peas assembled an all-star cast of musicians and actors to transform Obama’s “Yes We Can” speech in an early primary into a music video, it swiftly went viral and became an anthem for the candidate’s young supporters. (250)

Yet, he notes that, once elected, the new president “focused intently on the power of policy,” believing that this “alone could transform the nation” (250–51). Obama’s senior adviser, David Axelrod, put it another way: “Without the what and the why, the communicating is of little value.” (Baker 2009, para. 8).

This idea that focusing on policy details could somehow “transform” the public absent any public appeals by a president who was clearly seen by many as a gifted orator appeared quite curious. In a 2012 *New York Times* article addressing this curiosity, Matt Bai suggests that his often-acclaimed oratorical gift

makes it even more baffling that Obama’s presidential alter-ego, this grayer and more somber version of his literary self, spent the past four years immersed in legislative minutiae and marching out dull slogans—“an economy built to last,” “winning the future” and so on—while failing to advance any larger theory of the moment confronting the country and what it required. “They haven’t talked about how the pieces of the puzzle fit together and move us forward from where we’ve been,” says Don Baer who served as President Clinton’s communications director. (Bai 2012, MM16).

In the article, Bai offers a potential explanation:

As with so much else about this presidency, the answers [to how he has squandered opportunities to lead] can probably be traced back to those first overwhelming months after the 2008 election. Remember that John McCain's most effective line of attack against Obama during the campaign was that he was more of a motivational speaker than a leader. And so, having won the election and facing crises on several fronts, the president's advisers were understandably wary of too much speechifying, which might have underscored the idea that Obama was going to orate his way through the presidency while leaving the business of governing to others. As a result, Obama spent much of his first months—the period when he might have been speaking directly to an anxious public...—holed up with aides and members of Congress, rather than pushing any kind of overarching narrative. (Bai 2012, MM16).

The effect of that choice on the public perception of Obama and the subsequent toll on his status and authority had significant consequences for both him and his party.

Even when the White House did try to communicate to the public, it rarely if ever consisted of the type of selling noted earlier. It was more often in the form of policy explanations with the belief that good policy would sell itself. In a *New York Times* video report, Sheryl Stolberg and Ben Werschkul suggest that "President Obama has believed that by listening and appealing to reason, he can bring people together to get results," and they describe his style as "a sort of moderator-in-chief" (Stolberg and Werschkul 2010). The result of this choice, as described by Richard Stevenson (2010), was that "a year into his presidency, Mr. Obama has lost control of his political narrative, his ability to define the story of his presidency on his own terms" (para. 4)—supporting both Bai's analysis and the president's own regrets, noted above.

Furthermore, President Obama's style of oratory changed once he entered the White House. Gone was the lofty oration on "hope." The style that emerged was "No-drama Obama," with content that "is more often found in rational persuasion than in inspiration appeals" (Engbers and Fucilla 2012, 1127). This aversion to hopeful and inspirational oratory once in office left the impressions of both inconsistency and emptiness. Inconsistency in that, as David Gergen said, "[f]or a narrative to work, a president has to be extremely repetitive," but Obama, according to Matt Bai (2012), has an "obvious aversion to political theatrics and mindless repetition" (para. 6). Emptiness in that Obama's rational approach left a void in the public discourse that was filled by his opponents—on both the right and the left—with birth certificates, death panels, tea partiers, and occupiers (Engbers and Fucilla 2012; Miroff 2014). Diane Heith (2012) put it very directly:

“By the end of his second year in office ... headlines trumpeted the failure of the Obama administration to communicate effectively” (124). A senior White House aide assessed the administration’s communications just as directly, but much less charitably, by saying, “They need to fire people. In politics and communications, this White House has been terrible” (Wolffe 2010, 274).

This failure to communicate was compounded by the changing media landscape. The swift growth of newer “social media” in the mid-2000s allowed for direct communication with the public – bypassing traditional media. The new Obama administration was determined to exploit this evolving landscape as it “sought to diminish the [traditional] media’s capability to filter presidential messages” (Heith 2012, 124–25). Heith (2012) explains the strategy:

The Obama White House used a two-pronged communications strategy: old and new. The traditional approach continued the use of a White House Office of Communications, as well as a press secretary. This office followed the script provided by presidents in the post-Watergate media age: it aimed to manage the media by engaging it, and to manage the public by polling it. (126)

The second prong of the strategy, however, challenged the traditional relationship between the president and the press and aimed to forge a new relationship with the public. The Obama White House added their new media savvy and public connectivity to the traditional public outreach structure and expanded it. (128)

The result of this dual strategy—combined with President Obama’s drier oratorical style—appeared not to be the best of both worlds, but rather the worst of each. New media do allow the president to communicate directly with the public, but this is not unique to the president. They pretty much allow *anyone* to directly communicate with *anyone* else. That capacity, along with the narrative vacuum, helped the “birth certificates, death panels, tea partiers, and occupiers” mentioned earlier to fill the landscape. In addition, much of the traditional media “became significantly more confrontational over the [administration’s] first two years, after continued exposure to the Obama communications strategy” (Heith 2012, 124–25). Those new issues filling the landscape provided fuel for this confrontation.

With the White House constantly on the defensive, the Democrats lacked the leadership needed to counter their critics. The results were evident as early as the fall of 2009, as noted by conservative columnist David Brooks:

The result is the Obama slide, the most important feature of the current moment. The number of Americans who trust President Obama to make the right decisions has fallen by roughly 17 percentage points. Obama's job approval is down to about 50 percent. All presidents fall from their honeymoon highs, but in the history of polling, no newly elected American president has fallen this far this fast. (Brooks 2009, A29)

Obama's job approval never recovered. The week before the 2010 election, it stood at just 43 percent, statistically indistinguishable from the 42 percent low point for his term at the time (Gallup.com 2015b). The president's tepid approval ratings and growing voter dissatisfaction led to a defeat of historic proportions for the Democratic Party in 2010, on both the national and state levels. The Republican Party gained 63 seats in the U.S. House of Representatives to retake the majority they had lost four years earlier. This was the largest partisan turnover in almost six decades. They also gained six seats in the U.S. Senate to significantly expand their minority. In addition, Republicans made significant gains in both state legislatures and in governorships, allowing them to put forth a more consistent policy message at all levels of government.

Just as Hurricane Katrina was not the sole cause of Bush's decline or the Republicans' 2006 losses, it overstates the case to blame the Democrats' losses in 2010 *entirely* on Obama (For example, after two consecutive wave elections, the party had picked up many traditionally Republican seats that would be difficult to defend under any circumstance), his communication skills were a significant factor in the chorus of criticisms:

Some Democrats believe they fell victim to the inevitable tide of midterm elections. Others blame the economy, plain and simple, while *a growing chorus accuses Mr. Obama of failing to communicate the party's successes*. ... [A] lot of Democrats now contend, that Mr. Obama offered an inconsistent pitch over these last several weeks, jumping from a critique of the Bush years (how Republicans drove the national car into a ditch, and so on) to an indictment of campaign cash from outside groups. But it's probably also the case that, by that point, public opinion had hardened. Some 62 percent of voters in exit polls Tuesday said the country was on the wrong track (Bai 2010, P3; emphasis added).

Since then, despite an improving economy and his reelection in 2012, President Obama has been playing defense almost exclusively. We have seen nothing better than legislative gridlock and stalemate, perhaps epitomized by several government shutdowns and the infamous budget "sequester"—a "doomsday machine"-like budgetary policy that was designed to be so odious that it would

supposedly spur both sides toward cooperation. The two parties found cooperation so distasteful, they actually accepted the doomsday machine.

This is clearly not what Obama wanted for himself, his presidency, or his party. Heith (2012) summarized the dilemma in this manner:

[T]he costs resulting from the *choices made by the president* to continue his direct public leadership approach appear to outweigh the benefits. (140; emphasis added)

With a cacophonous coupling of old and new media, President Obama faced an exponential increase in the number of voices in the political system. A president can naturally cut through the clamor by virtue of his stature in the political system—the “bully pulpit” still stands—but it has become much more difficult to control the background noise. (144)

The president’s communication strategy increased the capacity to reach the public without the filter of media coverage; but it did nothing to eliminate the cacophony of competing voices. (144)

Shortly after the 2010 electoral “shellacking,” President Obama was questioned by reporters aboard Air Force One. One reporter asked about how he might alter, among other things, his style. His response was that he “neglected some things that matter a lot to people and rightly so,” such as:

making sure that the policy decision that I made were fully debated with the American people and that I was getting out of Washington and spending more time shaping public opinion and being in a conversation with the American people about why I was making the choices I was making. (Obama 2010)

Obama’s communication choices in 2009 and 2010 were not made with careful consideration of his power in mind. This is what he was owning up to when he accepted blame for his party’s losses in 2010.

Discussion

Both of these case studies illustrate the effects of presidential choices on future power. Recall the Neustadt quote from earlier in this essay: “a President’s own choices are the only means in his own hands of guarding his own prospects for effective influence” (Neustadt 1990, 49). Presidents must consider their power stakes when making choices.

In these two cases, neither Bush nor Obama acted with their power stakes clearly in mind. Bush's executive appointments focused on loyalty at the expense of competence. Obama focused on rationality at the expense of leadership, believing that good policy will sell itself. Both of these decisions came back to haunt them and their political parties. They suffered in terms of their subsequent job approval, legislative record, and ultimately in their party's fates in the 2006 and 2010 midterm elections.

Perhaps the lesson for all presidents is engagement. For Bush, this would have meant taking a more direct interest in executive appointments, and basing them on more than just a friendly relationship with the president. It would have meant appointments based on demonstrated ability to do the job in question. For Obama, this would have meant that the "permanent campaign" is crucial to consider from the very start of a new administration. It would have meant considering the public's needs in the transition from campaigning to governing.

Richard Neustadt's work is in the form of advice, and so is this essay. The advice here is that Neustadt's work is demonstrably still useful. Choices matter. This lesson may seem obvious, but as has been demonstrated by these case studies, it bears repeating. The lesson learned from Bush and Obama (as well as from Truman and Eisenhower many decades ago) can help future presidents avoid similar fates. Whoever takes the oath in January 2017 should consider this from the outset of their administration.



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Questions in Politics

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Freelance Terrorism: Comparing “Lone Wolves” to “Wolf Packs”¹

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From Garland, Texas, to Paris, France, several terror attacks by one or more individuals have occurred in recent months, rattling the international community. The media has often referred to such acts as “lone wolf” terrorism, even when there are multiple suspects involved. Our research separates the cases of solo attacker from those occurring in small groups, to see if there is a difference. Our analysis finds some surprising similarities and differences between the actual “lone wolf” and those in small “wolf pack” attacks.

On November 13, 2015, participants in the Georgia Political Science Association watched on the big screen television at Savannah’s Hilton Garden Inn as CNN reported that several attackers, purportedly from the terror group known as ISIS, used bombs and guns to turn the downtown of Paris into a bloodbath. Nearly eight attackers were responsible for more than 125 deaths and hundreds more who were wounded in France. It was an eerie replay of our conference paper topic earlier that day, when we analyzed terror attacks by small groups.

Indeed, law enforcement had been on alert. Since last year, authorities in many developed countries were on the lookout for “lone wolf” attacks (BBC 2015). At a counterterrorism summit held earlier in 2015 in Paris, government

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officials announced their concerns that “lone wolf” terrorism was likely to occur (CBS 2015). But, as the Paris attacks showed, they should have been looking for a “wolf pack” instead of a “lone wolf,” given that the eight attackers also had other supporters throughout France, Belgium, and possibly other areas.

And the error was not in just underestimating the number of attackers. Finding out which group launched the attack proved equally problematic. As Michael Pizzi (2015) with *Al-Jazeera* pointed out in a series of earlier Paris attacks, that included *Charlie Hebdo* magazine and a Jewish kosher deli, debates over whether Al-Qaeda or ISIS is responsible are meaningless. Pizzi observed: “If that is indeed the case, the Paris attacks point to a dangerous evolution [in] global jihadism: an acceleration in hard-to-detect lone-wolf or wolf-pack attacks that hinge more on the proliferation of an ideology than actual sponsorship by any group...among a growing number of extremist cells in the West and elsewhere,” Pizzi (2015) writes. Note how easily lone wolf and wolf pack attacks seem to be blended together, despite the differences in the number of attackers.

Others concur with his assessment. “Affiliation with a specific group is being supplanted by affiliation with an ideology,” said the Soufan Group (2015), an intelligence consultancy, in a brief. George Michael (2014) adds, “Although most episodes of lone wolf terrorism have not been highly destructive, there are notable exceptions that have claimed a substantial number of victims.” This could spell trouble for Western governments, which designed their counterterrorism protocols in the wake of 9/11 to watch international communication and disrupt organizational structures of foreign cells, Soufan noted. “Thwarting the ideology that underpins a global movement will prove more difficult.”²

In addition, the Soufan Group (2015) seemed to be concerned that an evolution has been taking place in who conducts attacks. Rather than sophisticated attacks from a well-defined organization or the crazed “lone wolf,” the group claimed the trend would be “an increase in ‘wolf pack’ attacks of very small cells of family or friends instead of groups formed for the purposes of terrorism.” Such groups would achieve catastrophic results and horror reactions better than a group like Al-Qaeda ever could (Soufan Group 2015).

Despite the attention generated by such attacks, the media, government, and even terror groups themselves, seek to label these actions as the result of the

² Barnes (2012) does examine the anarchist movement as an earlier stage of terrorism. But there may be more of a parallel with the modern-day lone wolf or wolf pack terrorist than one might think. Certainly the goals may well be different, but the unconnected “do-it-yourself” nature of the terror methods and lack of connection between the attackers. The goals of the Haymarket riot organizers and those who assassinated Czar Alexander II, or even U.S. President William McKinley, may have been similar: undermining government. Yet it is highly unlikely that such attacks were coordinated by some “World Anarchist Union” or some international terrorist organization. Each attacker was motivated by an ideology but carried out the events as he or she saw fit.

“lone wolf.” The question remains whether this term actually applies in many cases where it is used. Do most attacks, attributed to “lone wolf” terrorism, really involve a single attacker, or do they involve a small cadre of attackers and support staff? On rare occasions, the term “wolf pack” is employed to indicate multiple attackers are involved, instead of a group of “lone wolves.” But these cases are still usually lumped with lone wolves, as if the only difference involves a few extra names on a list. Little thought is given to whether the two types of terrorists and their attacks are really so similar.³

Do these “lone wolf” or perhaps “wolf pack” attackers fit the stereotype, the socially isolated, uneducated, mentally ill, disconnected individual who is easily seduced by Internet conspiracies until the dupe engages in a burst of violence? Or is the profile one of an educated person with many personal connections and links, whose own frustrations at coming up short in life become channeled into a calculated plan for revenge? Are the attacks launched by both terror types (lone wolves and wolf pack members) all that similar, or are there clear, noticeable differences in tactics, targets, and their outcomes?

This research builds off the literature and earlier data compiled on cases from 1990 to 2012 by analyzing attacks from 2013 to the end of 2015 in the United States, comparing and contrasting the cases truly involving lone wolves and those committed by wolf pack attackers. Additionally, the consequences of the findings are also noted as well as a plan to deal with attacks that resemble the Paris tragedies.

Literature Review: Following Studies of Terrorists and Their Tactics

Struggling with the Definition of Terrorism

Despite the prevalence of terror attacks labeled “lone wolf” cases, there are few studies on this subject (Pantucci 2011), suggesting that the term “freelance terrorism” might be better. Perhaps this is because “terrorism is commonly viewed as essentially a collective, organized activity and, as a consequence, scholars focus predominantly on group dynamics and collective socialization to explain individual pathways into terrorism” (Spaaij 2010). This could account for why governments like the United States are so intent upon stopping large organized groups that they overlook the solitary attacker or the small group of terrorists.

Another reason for the lack of such studies is because critics argue that the concept itself is difficult to define. According to Barnes (2012), there is a debate

³ For a common term to encompass lone wolves and wolf pack attackers, Columbus State University professor Thomas Dolan suggested the term “Freelance Terrorism” at our GPSA conference presentation. This would fit not only these small groups, but also individuals who feel allegiance to a broader cause but not a deep, personal connection to a bigger organization.

within the United Nations about the semantics of what a terrorist is and what a “freedom fighter” is.⁴ As a result, he contends that there is no standard international definition of terrorism. Sedgwick (2010) also finds that even terms like “radicalization” are a nebulous concept at best. Gruenewald, Cherman, and Frelich (2013) agree that lone wolf terrorism is difficult to define. Their measure of homicides, for example, required political motivation as a rationale for inclusion in their own database. Spaaij (2010) also makes the argument that lone wolf is a “fuzzy” concept that is difficult to distinguish from other crimes.

A good start to overcome this “conceptual paralysis” would be to include the U.S. government definition of terrorism, as it is used in investigations and prosecutions of such events. The FBI defines the domestic variety of terrorism (Title 22 of the U.S. Code, Section 2656f(d) as a case that “Involve(s) acts dangerous to human life that violate federal or state law, appear (i) to intimidate or coerce a civilian population; (ii) to influence the policy of a government by intimidation or coercion; or (iii) to affect the conduct of a government by mass destruction, assassination or kidnapping; and occur primarily within the territorial jurisdiction of the U.S.” (Federal Bureau of Investigation 2015).

Barnes concurs, noting that such definitions are designed to “expand the reach of criminal liability, increase criminal punishments, and augment the legal authority of U.S. government officials” (Barnes 2012, 1620). What is important about this definition is that terrorism is characterized by the acts, and not the beliefs of those committing the acts, improving the chances of removing political bias from the equation. Moreover, the definition can capture the solo attacker or small group carrying out such actions, and not just large groups. Such a definition can address “the phenomenon of individuals who become radicalized without significant physical interaction with or financial assistance from others and engage in violent acts on behalf of a perceived ideological or political goal” (Barnes 2012). Attacks on behalf of any ideology, not just a particular one, are the key. But it does not require the person or people involved to swear some allegiance to a terror group previously identified by the U.S. State Department.⁵

The Evolution of Terrorists and Terror Groups

Another reason why so few studies have focused on lone wolf attackers, or small group attackers like “wolf packs,” is because the types of terrorists and attacks have changed over time. Kaplan, Loow, and Malkki (2014) contend that

⁴ The difficulty in defining what a terrorist is for the United Nations has not stopped the organization from adopting nearly 20 “Suppression of Unlawful Acts” conventions that define what acts of terrorism violate international law. These SUA conventions range from attacks on civil aviation and taking hostages to financing terrorism and nuclear terrorism adopted over four decades (United Nations 2016).

⁵ Perhaps Dolan’s term “freelance terrorist” might be a more applicable term for lone wolves and wolf pack members unaffiliated with a major terrorist organization.

the first freelance terrorist, Phineas (grandson of the Prophet Moses's brother Aaron), traces back to biblical times, when this fervently devout Hebrew killed one of his own, as well as a foreign woman, for being in an interethnic relationship, possibly averting "God's wrath" that the couple might have caused, according to the believers. It is therefore interesting that one of our analyzed cases channeled the story of Phineas. Larry Steven McQuilliams attacked the Mexican Consulate in Austin, Texas, as well as a nearby police station, in November 2014. McQuilliams had written that he was a member of the "Phineas Priesthood" (Hoffberger and King 2014).⁶

Barnes (2012) claims that there have been four "waves" of terrorism, starting with anarchists targeting the political system, like Russians attempting to overthrow the czars. The next wave came from groups seeking to separate themselves from the state, ranging from anticolonial cases to those involving the IRA and PLO seceding from states to form their own. The third wave emerged with ideological groups attacking the policies of their government, like leftist organizations such as the Red Brigades, Weather Underground, and the Red Army Faction, primarily in developed states. Finally, Barnes (2012) claims the fourth group is religious, including Islamist groups targeting the Soviets in Afghanistan, or those sponsored by the Iranian government. Many of these cases involved direct or indirect sponsorship by states. This led the problem to be assigned to entities like the State Department and Defense Department, instead of domestic law enforcement. But with the decline in state-sponsored terrorism, the wisdom of leaving it primarily to those whose mission is focused abroad can be called into question.

For some, this new trend is somewhat of a "transitory phase," where autonomous individuals and groups are the current style of attack, but one not likely to endure for very long (Crone and Harrow 2011). But Barnes (2012) is not so sure. He claims the reason for the changes come because terrorists change their behavior, not just who they fight. "Terrorists learn from experience and modify their tactics and targets to exploit perceived vulnerabilities and avoid observed strengths" (Barnes 2012). The newest variety of terrorism practices asymmetric warfare, where noncombatants are targeted on the front lines of terrorism because they lack the skills and abilities to resist the attackers. These

⁶ An interesting contribution to this subject comes from Levitas (2002). His book *The Terrorist Next Door: The Militia Movement and the Radical Right* covers a timeline and details about a number of domestic terrorists associated with right-wing causes. But where Levitas (2002) differs from others is in linking the anti-Semitism to an event often overlooked in domestic terrorism studies: the farm crisis. "Some farmers facing ruin seized upon the false hope of saving their farms through legal mumbo jumbo," Silk (2002) writes in his review of Levitas. "Foreclosure sales offered occasions for violently confronting the state. ... 'The Terrorist Next Door' offers evidence that class—or at least economics—is still relevant in the postindustrial age."

include terror groups like Al Qaeda (Barnes 2012) and others practicing a particular ideology that seeks attention for a cause, more than bringing down a particular leader, changing a government's behavior, or seceding. As Michael (2014) adds, "the lone wolf trend should be contextualized in the evolution of conflict and strategy in which smaller and smaller entities figure prominently." The only question is whether the small entity is limited to one attacker as the term "lone wolf" connotes, or whether it could encompass a small clique of terrorists that certainly do not fit the term "lone." This is where the distinctive group "wolf pack" might be more applicable.

It is not just the change in targets and tactics that challenges those seeking to stop what has been called "lone wolf terrorism." Single attackers (or, just as likely, a small team of attackers) are harder to track down than a large network. Terrorism expert Bruce Hoffman says that this is no accident; the new strategy of terror groups "is to empower and motivate individuals to commit acts of violence completely outside any terrorist chain of command" (as quoted in Gibbs 2009). Pantucci (2011) adds that this is the case because of the changing society, where "social loners" can carry out lone terror attacks through inspiration via the Internet.

Reid and Yakeley (2014) find that what is termed "lone wolf terrorism" is all the more terrifying because of the difficulty of identifying the single attacker. Additionally, the "lone wolf" attacker is not directly associated with any particular group or terrorist organization and can strike at any given time or place. "Lone wolves identify with the perceived suffering of others, which, in turn, provides emotional fuel for a personal grievance" (Reid and Yakeley 2014). Both authors cite the Oklahoma City bomber and the Fort Hood shooter as examples, as well as an abortion clinic attacker who had been ousted by his church.

It is becoming increasingly clear that the term "lone" in lone wolf is an inapplicable term for every single attack by unaffiliated terrorists. We discover that small, independent groups, who share an ideology with a bigger network like Al-Qaeda, are operating much in the same fashion as those who are self-directing individuals. In writing about the London bombers of the mid-2000s, Kirby (2007) finds that not only are these groups autonomous, unconnected (other than the Internet) to larger networks like Al-Qaeda in anything but ideological motivations for attacks (yet willing to let the big group get the credit), but they also do not fit the profile of networks that counterterror groups employ in their analyses.

The sheer randomness of what the press labels "lone wolf attacks" makes analysis of such an event seem impossible. Pantucci (2011) claims that such events include not only a limited number of attackers, but also a relatively small number of cases. "Nonetheless, it is possible to draw some useful preliminary thoughts that could be expanded and clarified using a broader dataset" (Pantucci

2011, 9). And that is exactly what is needed: an analysis of those cases considered involving a solo attacker, or a small group, known in the literature as a “wolf pack.”

Prior Analyses of Lone Wolf Terrorism

While there are few studies of lone attackers and small-group terror attacks (Pantucci 2011), these have revealed some illuminating findings. Gill, Horgan, and Deckert (2014) have looked at all “lone wolf” cases from 1990 through 2012. Other studies have also examined the relationship between a given factor, like demographic characteristics of the attacker, and details of the attack. From these studies, we developed a list of variables about solo and small-group attackers to analyze.

Writing in the *Journal of Forensic Sciences*, Gill, Horgan, and Deckert (2014) look at 119 cases from 1990 to 2012, coding data on a number of variables related to gender, age, family, education, employment, criminal activity, mental health, ideological justifications, awareness of intentions, pre-event behaviors, social isolation, behaviors within a wider network, and links to a wider network, as well as attack and plot-related behaviors.

Attacker Characteristics

When it came to determining the number of participants in a terrorist event, just under half of all attackers are seen as unconnected (McCauley and Moskalkenko 2014). The connections to groups, as Kirby (2007) advises, show the importance of looking at more than just the solo individual, or “lone wolf” as this terrorist type has not always been identified particularly well. Our research has examined a number of socioeconomic factors: age, family life, mental health, gender, education, economic success, connection to crime, motivation for the attack, and the presence of pre-event behaviors for potential terrorists.

Gill and coauthors discovered that terrorists in America tend to be older than those in other countries, ranging from the PIRA in Ireland (Gill and Horgan 2013; Horgan and Gill 2011) to Colombian guerrillas (Florez-Morris 2007). Gender is another common variable studied. Even though such terrorists are often thought to be only male (Berko, Erez, and Globokar 2010; Pickering and Third 2003), there were several female attackers in Gill, Horgan, and Decker’s (2014) dataset, though it is a small number (4 percent).

Porter and Keibell (2011) examined the social attachments/family life of terrorists in their analysis of the radicalization of these attackers in Australia. The status of one’s relationships seems to matter, as Gill, Horgan, and Deckert (2014) found that a little more than half of the terrorists in their sample were single. But the marital status of the terrorist is not the only family factor analyzed. King, Noor, and Taylor (2011) follow family attachments and terrorism, finding that relatives are more likely to support terror activities of

their kin, in a study of Jema'ah Islamiyah, an Indonesian terror group. Terrorists can be supported by someone related to them, and not just a spouse.

Mental health is an issue that is frequently identified as a causal agent in the actions of freelance terrorists (McCauley and Moskalenko 2014), and possibly a missed step in apprehending the person, as a record of being diagnosed or committed is ignored. Reid and Yakeley (2014), in particular, devote their research to applying psychoanalytical theory to so-called "lone wolf terrorists." Gill, Horgan, and Deckert (2014) found a number of examples of mental illness being a factor in attacks, in their own survey of cases. Yet the authors admit that their cases include those diagnosed after the attack.⁷

Analysts seem to agree that education is an important variable, though findings on the factor are mixed. The *Economist* ("Teacher, Don't Leave Them Kids Alone" 2007) reported that U.S. counterterrorism strategy is based upon keeping the uneducated from joining terror groups, while Zuckerman's (2005) terrorism profiles contend that these attackers tend to be educated. Lee (2011) found that terrorists were more educated than the general population, but less so than the non-violence movement leaders. Goolsbee (2006) adds that perhaps the terrorists tend to be highly educated, but are unable to achieve economic success.

Economic success is often linked to a subject's job status. Pittel and Rubbelke (2012) look at the link between a potential terrorist's employment in the economy, and possibly by a terror group. Agathangelou (2012) notes the role of large numbers of jobless youth joined by contemporary communication sources in the uprisings the Middle East and North Africa, which later descended into civil war and terror attacks. When the Obama administration claimed a connection between unemployment and terrorism, political opponents and Keating (2015) critiqued this link. Keating cites Abadie (2004), who finds that political freedom matters more for studies of terrorism than poverty. In particular, Abadie finds that poverty, when controlling for a number of factors, is not significantly related to the presence of terrorism in countries. On the other hand, countries with a moderate level of political freedom are more likely to experience terrorism (Abadie 2004).

One's connection to crime is often considered an important factor. In his analysis of Abdulhakim Mujahid Muhammad, the attacker of the Little Rock, Arkansas, U.S. military recruiting station in 2009, Gartenstein-Ross (2014) examined the role of criminal activities that led Muhammad into trouble when he was known as Carlos Bledsoe.⁸ Bledsoe sought out Islam as a way to divert

⁷ Ours include only those found to have been deemed mentally ill before the attack.

⁸ Of course, having a criminal record would make it more difficult to purchase a weapon, and even assemble some bomb-making material. But lax control over cross-border lists can hamper law enforcement. In the case of Rusty Houser, a Georgia man procured a weapon in Alabama to kill theatergoers in Louisiana (Williams 2015), enabling him to attack two hated targets of his: women

his energies into something that would keep him away from crime, even though he would eventually become a violent jihadist through his own personal understanding of his newly chosen faith (Gartenstein-Ross 2014).⁹

As for motivations that people have for conducting terror attacks or for joining groups that carry out these attacks, McCauley and Moskalenko (2014) find that their study of “lone wolf” terrorists shows that individuals can assess the suffering of other people and seek a method of revenge. A political ideology can point the finger at who should be blamed, and therefore targeted. Not all actually engage in ideological attacks (Gill, Horgan, and Deckert, 2014). Bartlett and Miller (2012) contend that becoming a terrorist is not just a “rational” choice, but an emotional one as well. It is not just about political and religious thoughts. It is also about one’s current social status, and what happens to the subject personally. Wilner and Dubouloz (2010) contend that specific “triggering factors” can help generate the radicalization that makes a citizen of a wealthy democracy become a lone wolf terrorist, or wolf pack member, ready to kill for a belief, and perhaps a personal setback.

For Gill and coauthors, pre-event behaviors are also fairly important for determining the activities of these terrorists, something echoed by other researchers (Dingley and Mollica 2007; Pape 2006). Pape (2003), for example, finds that suicide terrorism is hardly random phenomenon by individuals so blinded in their hatred: “Most suicide terrorism is undertaken as a strategic effort directed toward achieving particular political goals; it is not simply the product of irrational individuals or an expression of fanatical hatreds. The main purpose of suicide terrorism is to use the threat of punishment to coerce a target to change policy” (22). Of course, Pape (2003) is focusing on pre-event behaviors relevant to a group (leading to demands and a policy to use suicide terrorism to achieve those outcomes), like Hezbollah’s decision to use suicide attacks against Israeli forces to get them to withdraw from southern Lebanon. Dingley and Mollica’s (2007) research on the similarities between hunger strikers and suicide terrorists focused on general political and religious trends, as well as specific events happening to groups like the North Irish Catholics, Palestinians, and Spanish

and Hollywood movies. Freelance terrorists working in small networks (so someone with a “clean” record can buy the weapon) enable such attackers to use these weapons.

⁹ Gartenstein-Ross (2014) writes that in this conversion to Salafism, a strict fundamentalist interpretation of Islam, “Carlos Bledsoe and Abdulhakim Mujahid Muhammad were ‘different people,’” an observation supported by his parents. His entire life changed, from taking down pictures (graven images) off his walls and getting rid of his dog, thanks to that narrow interpretation of what it meant to be a Muslim. At the same time, he began to regard family, relatives, and others as “enemies of Allah” for not making a similar conversion. As an English teacher in Yemen, he described English as “the language of the Enemy.” Subsequent military training and a constricted interpretation of jihad led him to his terror attack on the military recruiting station.

Basques, that led to the starvations and terror attacks. Our research looks at how prior events shape the individual terrorist or small-group attack.

The Role of Planning

Planning by terrorists is a central feature discussed in the literature. LaFree et al. (2012) conducted their research on the Basque group ETA to determine how prepared terrorists were in their attacks. Gill, Horgan, and Deckert (2014) found that in a majority of cases, the person had manuals on how to build bombs or obtain guns; engaged in training, making dry runs, or something other than an impulsive act; or, in the case of a mentally challenged person, was incapable of distinguishing right from wrong. Researchers have also looked at what weapons the terrorists have employed in their attacks. Jackson and Frelinger (2008) discovered that the top two weapons of choice for terrorists worldwide in their study were bombs (45 percent) and firearms (29 percent), with fire and/or some accelerant finishing third (with 7 percent). Romyne and Keibell (2014) discuss a simulation that used both military and civilians in a scenario that focused on the tactics of the terrorist. Interestingly, participating groups, regardless of background, focused on identifying targets first, before doing anything else, even picking weapons and training in their use.

In closer examination by Charles and Maras (2015) of several successful and unsuccessful terror attacks, they found that terrorists who failed accidentally exposed themselves to law enforcement when seeking funding for their activities. “Supportive community institutions and their effective use made plot detection difficult” (Charles and Maras 2015). Dahl (2011) and Gill, Horgan, and Deckert (2014) examined success rates. Gill et al. concluded that these types of attacks had only a 51.2 percent success rate. This demonstrates the dangers of assuming that solitary actors or “lone wolves” as small groups can overcome these problems that lead individual or big group terror attacks to fail.

The Design of the Study

Our research looks at the variables they analyze to see if similar results appear for cases in 2013, 2014, and 2015, as well as a few factors Gill and his coauthors, and other terrorism researchers, did not study. We look at some factors not covered by other lone wolf studies listed here. These include whether the terrorist experienced any “big change” and what the big change might be (in political motivation, school, religion, family relationship, job status, or a recent brush with the law). While others look at whether there has been a pre-event behavior, we provide more specifics as to what such an event might be. In addition, we look at the weapon of choice for a terrorist, whether a target has been identified, and whether it is a person or property, as well as whether the

target is in the same area as the terrorist's location (or whether the attacker traveled to a place to hit the target). We look at whether others were aware of the plot, whether there was an attack plot behavior (or if the attack was spontaneous, with little or no planning), whether the terrorist was socially isolated, whether the plot was executed, whether the terrorist killed himself or herself, and whether any regrets were issued by the terrorist.

We also focused on more recent cases since 2012 (from 2013 through 2015), starting with President Obama's reelection and concluding with the San Bernardino shootings in California.

The dataset we built includes cases from the *New York Times* from 2013 through 2015, supplemented by other terror attacks documented by *Forbes* magazine (McNab 2014) and the Southern Poverty Law Center (2015). Our analysis looked at 60 freelance terrorists from 48 freelance terror attacks. But while others treat all cases as "lone wolves," our study is unique in that we look at the difference between those that truly involved only one individual, and those that involved two or more terrorists working as a team. We also compare the simple percentages for the results in each category, to compare the two groups of terrorists as Gill, Horgan, and Deckert (2014) did, as well as provide results for a difference of means test of the averages for lone wolf terrorists and wolf pack terrorists. The results are listed after each variable, and in Table 2. The variables suggested by the literature are listed in Table 1. Their values, for how we coded each variable, are also included.

Cases Labeled a "Lone Wolf" Attack

We found there was a definite tendency to label terror attacks as committed by "lone wolves." This was the case in 88.5 percent of cases in our sample (see Figure 1). Yet, as our research also shows, it is an applicable label in less than half of all cases. The others, dubbed "lone wolves" in the media, are actually more closely associated with "wolf packs" or small groups of attackers.

So now we know that there are a few more "wolf packs" or small groups of attackers than lone wolf terrorists, despite media reports to the contrary. But are both types of terrorists similar in terms of who the attackers are, and how they attack? In this research, we look at this very subject, comparing lone wolves and wolf packs on a number of variables, looking for similarities and differences.

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We compared "lone wolves," to "wolf pack" attackers in terms of age of the terrorists (see Figure 2). A majority of these wolf pack attackers were between 25

Table 1: Variables and Their Values in Our Terror Analysis

Variable	Values
Age	(0) Under 25, (1) 25-45, (2) 46 or Older
Relationship Status	(-1) Divorce, (0) Single, (1) Married
Education	(0) High School or Lower, (1) College or Higher
Mental Health	(0) No, (1) Yes
Criminal Background	(0) No, (1) Yes
Employment	(0) No, (1) Yes
Kids	(0) No, (1) Yes
Gender	(0) Female, (1) Male
Political Activity Change	(0) No, (1) Yes
School Change	(0) No, (1) Yes
Religion Change	(0) No, (1) Yes
Family Relationship Change	(0) No, (1) Yes
Location Move	(0) No, (1) Yes
Job Status Change	(0) No, (1) Yes
Recent Brush with the Law	(0) No, (1) Yes
Big Change	(0) No, (1) Yes
Pre-Event Behavior	(0) No, (1) Yes
Weapons of Choice	(0) Gun, (0.5) Gun and Bomb, (1) Bomb, (2) Other
Attack Target	(0) Different Location, (1) Same Location
Others Aware	(0) No, (1) Yes
Social Isolation	(0) No, (1) Yes
Attack Plot Behavior	(0) No, (1) Yes
Target Identified	(0) No, (1) Yes
Target People	(0) No, (1) Yes
Target Property	(0) No, (1) Yes
Execute Plot	(0) No, (1) Yes
Suicide	(0) No, (1) Yes
Regrets	(0) No, (1) Yes

Figure 1: Lone Wolves in the Media vs. Lone Wolves in Reality

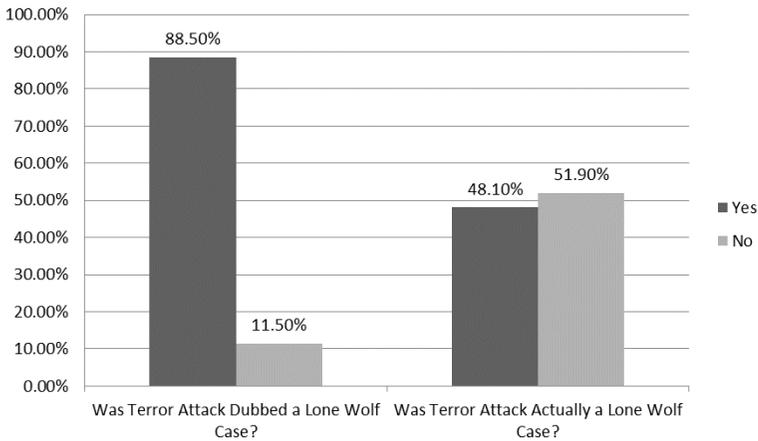
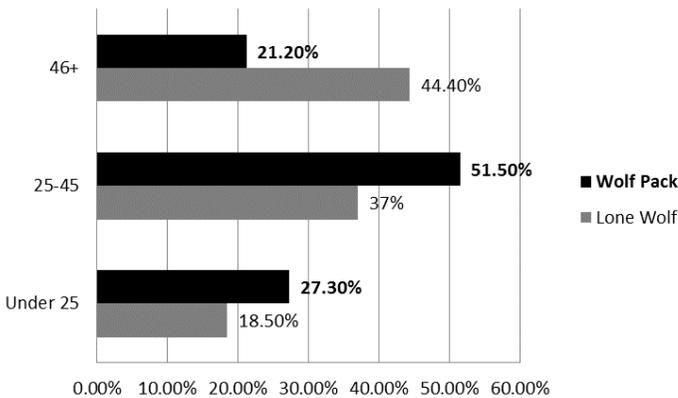
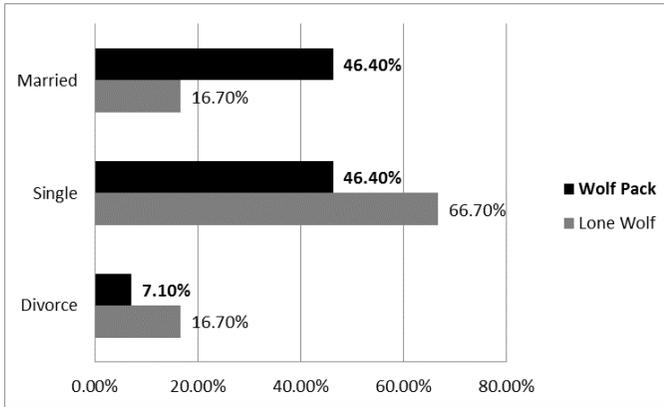


Figure 2: Comparing Lone Wolves to Wolf Packs: Age of Attackers



and 45, with the next largest category involved those under the age of 25. Barely 20 percent were over 46, a market contrast to the lone wolf finding, where closer to half were over in the oldest age category. The results of a difference of means test showed that the averages for both were significantly different, though barely so (at the .10 level, rather than the .05 level).

Figure 3: Comparing Lone Wolves to Wolf Packs: Relationship Status

Like the age of the attacker, there are some strong differences between the real lone wolves and those whom the media thinks are lone wolves, who really attack in packs. As one might expect, most lone wolves (two-thirds) are single (see Figure 3). At the same time, for wolf pack attackers, the modal category is “married,” at nearly 50 percent. Lone wolves are nearly twice as likely to be divorced as wolf pack attackers. The difference between the means for lone wolves and wolf pack terrorists is statistically significant at the .05 level.

The education of terrorists, however, does not show a strong difference (see Figure 4). A narrow majority of all cases involving lone wolves and wolf pack attackers reveals a high school education or less. A slightly higher number of lone wolves are college educated, but it is not a large difference. The difference between the means for lone wolves and wolf pack terrorists is not significant for the education variable.

As for other attacker characteristics, we find a mix of cases (see Figure 5). Some, like whether the terrorist has kids, shows wolf pack attackers to be slightly more likely to have kids than lone wolves. In some cases, the kids participate in the attack or its preparations, such as a shooting of Alaska law enforcement officers (McNab 2014). The difference between the means for lone wolves and wolf pack terrorists is not significant for the variable that examines whether the attacker had any children.

Differences between both groups of terrorists and the percentage suffering from mental health are also slight, with wolf pack attackers making up a slightly

Figure 4: Comparing Lone Wolves to Wolf Packs: Education

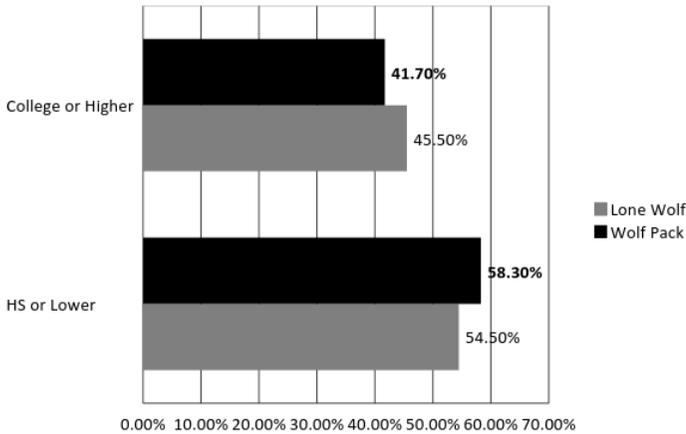
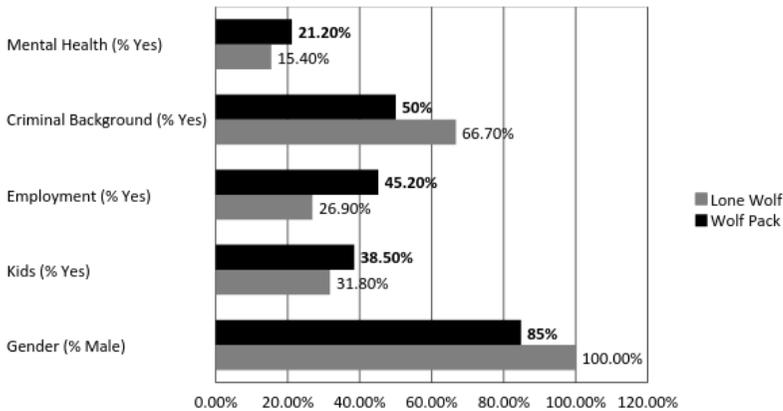


Figure 5: Comparing Lone Wolves to Wolf Packs: Attacker Characteristics



larger share of the data. The difference between the means for lone wolves and wolf pack terrorists is not significant for the education variable.

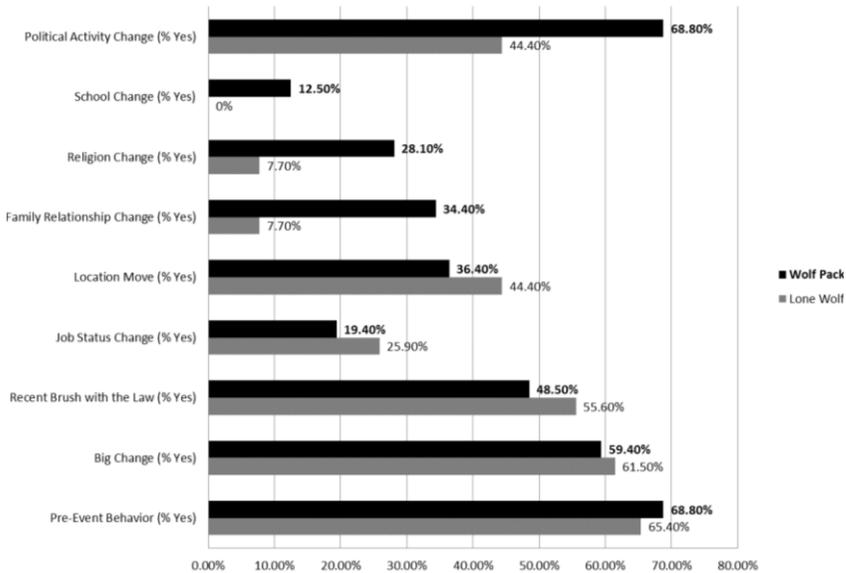
On the other hand, there are also some sizeable differences. Lone wolves are far more likely to have a criminal background (two-thirds of all cases, as

opposed to half of all wolf pack attackers), though the difference between the means for lone wolves and wolf pack terrorists is not significant for the criminal background variable. Wolf pack attackers are slightly more likely to be employed than lone wolf attackers, though the difference between the means for lone wolves and wolf pack terrorists is not significant for the employment variable. And while all lone wolf attacks in our survey are male, there are a few cases of female terrorists who attack using the wolf pack tactic, such as one of the two shooters (Tashfeen Malik) at the San Bernardino Christmas party. The difference between the means for lone wolves and wolf pack terrorists is significant (at the .05 level).

The presence of spouses and offspring participating in the acts, from a Las Vegas spree (McNab 2014) to the San Bernardino shootings (Myers and Pritchard 2015) show a newer, perhaps more disturbing trend that reveals a distinctly non-lone wolf attacker can use a partner, even a small network, to achieve aims. The tragedies in Paris in 2015 reveal how family and friends can be the new terror cell, rather than a group intimately connected with a terror leader's headquarters for a large organization. This means the wolf pack terrorist enjoys all of the advantages of a team (help, moral support) without the disadvantages of being connected to a bigger network that can be identified with the capture of a connected cell.

Figure 6 reveals similarities and differences between lone wolves and wolf packs when it comes to changes in their lives just before initiating an attack. For example, nearly two-thirds of both types of terrorists did experience some pre-event behavior, with 60 percent for both facing a big change, though the difference between the means for lone wolves and wolf pack terrorists is not significant for the big change or pre-event behavior variable. Both lone wolves and wolf pack attackers had a recent brush with the law before deciding to attack, though lone wolves were somewhat more likely to experience this (55.6 percent to 48.5 percent). A change in one's job status before making a terror attack is rare for both groups, but more likely to happen to lone wolves (25 percent to 19.4 percent). Lone wolves are also more likely to have moved from one location to another before the terror attack, as opposed to those considered part of a wolf pack. The difference between the means for lone wolves and wolf pack terrorists is not significant for the "recent brush with the law," job status, or location move variables.

But there are cases where wolf pack attackers are more likely to experience a pre-attack change (as noted in Figure 6). Such wolf pack attackers are a lot more likely to experience a change in relationship status (34 percent to 7 percent for lone wolves). Wolf pack attackers were also four times more likely to undergo a religious transformation before the violence, and more likely to change schools before the attack. Finally, more than two-thirds of all wolf pack attackers changed

Figure 6: Comparing Lone Wolves to Wolf Packs: Changes in Attacker Lives

their political activity, as opposed to less than half of all cases for lone wolves. The difference between the means for lone wolves and wolf pack terrorists is significant for these four variables: family relationship change, school change, religion change, and political activity change.

Wolf pack attackers also have differences in the types of weapons they use in their attack, as shown in Figure 7. Nearly three-quarters of all lone wolf attackers prefer to use a gun when they kill. Wolf pack attackers are more likely to use a variety of weapons, including cases of guns and bombs, bombs, and other types of deadly weapons, ranging from a knife to a truck that would emit a radiation beam at residents within buildings (Stanglin and Winter 2013). But the difference between the means for lone wolves and wolf pack terrorists is not significant for the weapons variable.

In Figure 8, we examine more details about the planning of a terror event, and its aftermath. As with other variables, some show relative similarities between lone wolves and wolf pack attackers. In particular, both types of terrorist are likely to attack a nearby target, rather than one in a different location (81 percent for wolf pack attackers, 77.8 percent for lone wolves). Both are likely to identify their target, rather than randomly select one (78.1 percent for wolf pack

Figure 7: Comparing Lone Wolves to Wolf Packs: Weapons of Choice

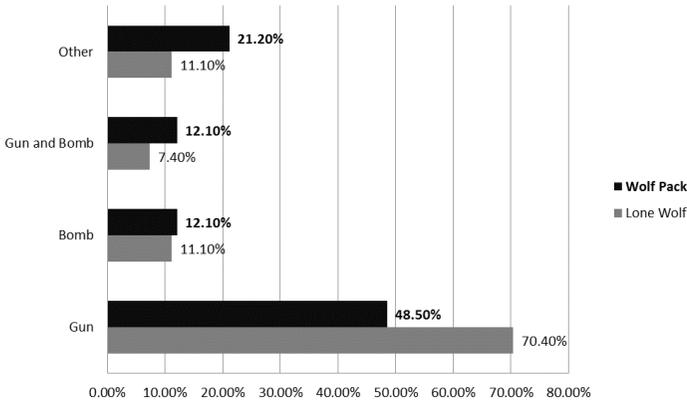
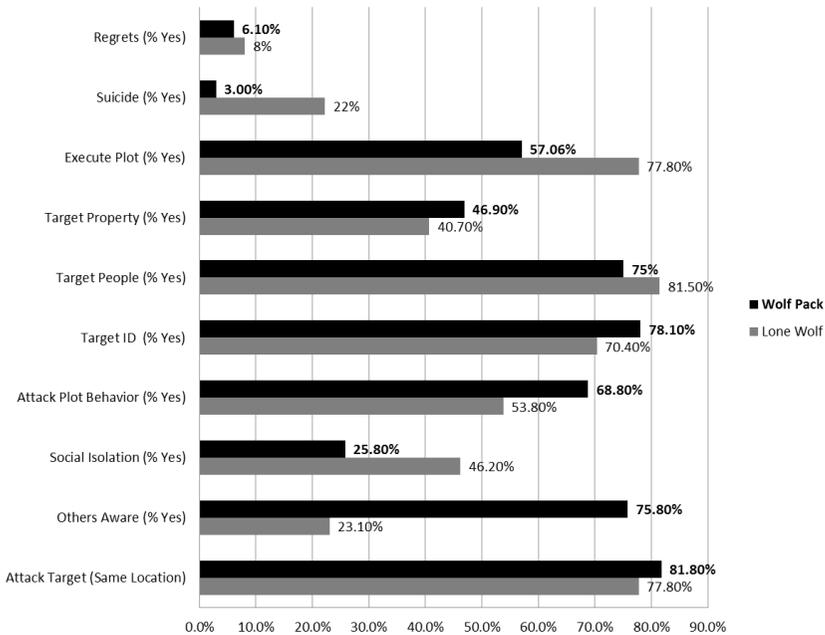


Figure 8: Comparing Lone Wolves to Wolf Packs: Attack Planning and Aftermath



attackers and 70.4 percent for lone wolf cases). Both terror types in our sample chose to attack certain types of people (a little more than three-quarters for both cases), or certain types of property (just under 50 percent for both classifications of attacker). The difference between the means for lone wolves and wolf pack terrorists is not significant for whether the attacker strikes closer to home or not, whether a target is identified, and whether the target is a person or property.

But lone wolves are far more likely to execute their terror attack, at a 77.8 percent clip, as opposed to wolf pack attackers, who are successful only a little more than half the time (57.06 percent). Readers will not be surprised to learn that lone wolves are more likely to experience “social isolation” (46.2 percent to 25.8 percent), though it is interesting that there are not more lone wolves experiencing a social disconnect, or so many wolf pack attackers feeling lonely. Lone wolves are also more likely to commit suicide (22 percent) than the percentage of wolf pack attackers who kill themselves (3 percent). The difference between the means for lone wolves and wolf pack terrorists is significant for suicide (.05 level) and for social isolation and executing the plot (though only at the .10 level).

However, wolf pack attackers are more likely to engage in activities that make others suspicious or at least aware that such an event is likely to occur (75.8 percent of all cases, as opposed to 23.1 percent of all cases for lone wolves). The difference between the means for lone wolves and wolf pack terrorists is significant for the variable that examines cases of whether or not others were aware of the attack. Wolf pack attackers are more likely to plan out in detail their attacks (68.8 percent of all cases), with surveillance, manuals, training, etc., than lone wolves will (only 53.8 percent of all cases). Both types of terrorists are also unlikely to express any regrets, at similar rates (between 6 and 8 percent for both groups). An example of such a rare moment came when Mamdouh Mahdmu Salim expressed his regrets for stabbing a jail guard to steal his keys (Weiser 2002). Usually, publicly reported regrets mean a lament from the terrorists that the attack did not succeed, as noted in Salim’s foiled attack on Fort Dix (Spencer 2009). However, the difference between the means for lone wolves and wolf pack terrorists is not significant for variables that include attack/plot behaviors, as well as the presence or absence of regrets.

Conclusion

Whether it is a lone wolf attacker or a small “wolf pack” terror group, both types can be more dangerous at times than members of large groups like ISIS or any Al-Qaeda affiliate. “An unmanageably large number of potentially violent extremists—many of whom might be well-known to security services while others remain off the radar—that hamper governments’ ability to effectively

monitor but also deter and disrupt them,” writes the Soufan Group (2015). They add, “Given the logistics, manpower intensity, and costs of surveillance, even a relatively small number of suspects can quickly tax even well-equipped services if the suspects stay below legal thresholds for detention.”

Given the danger both groups pose, what have we discovered about the two types of terror groups and their attacks upon Americans, at home and abroad? First, contrary to many media reports, not all terror cases dubbed as “lone wolves” are actually solo attackers. In slightly more than half of all cases, these types of attacks involve a wolf pack or a pair, a clique, or a small network of friends who carry it out. Second, there are some similarities between the lone wolves and wolf pack attackers, but also some differences. Third, there is no definitive trend in similarities and differences between lone wolves and wolf packs. We looked to see if perhaps the lone wolves and wolf pack attackers had similarities on demographic characteristics and differences on how attacks are plotted. But there were no broader categories of variables that were more likely to fit one type of attacker.

That does not mean nothing is to be learned about such terrorism by single attackers, and those who use multiple individuals. As Table 2 illustrates, while there are some similarities between the lone wolf and the member of the wolf pack, there are cases of sharp differences between both types of terrorists, and these distinctions are not related to a particular type of variable (demographic characteristics, type of target, etc.).

In addition to the difficulty in detecting such small and loose “freelance terror” groups, there is another added consequence of battling them. Whereas Al-Qaeda had a leader and base to strike against, and ISIS can be hit where their fighters capture territory or hold their oil revenue source of income, the lone wolf terrorist or wolf pack terrorist group presents a significant problem. There is nothing much to hit, other than an apartment, a shop, or some other place where the terror group meets. It would be no more effective than wiping out all right-wing terrorists by bombing one Aryan Nation compound or one KKK meeting.

The greatest priority is to ensure that while “lone wolf” and “wolf pack” have been disruptive and deadly, they do not get worse. As Ellis (2014) points out, “Future ‘over the horizon’ threats, such as the proliferation of new biotechnologies and amateur do-it-yourself capabilities, pose a risk that lone wolves could develop weapons at a time when travel, access to knowledge, and dual-use technologies, in the globalizing environment, make lone wolf terrorists more dangerous.” Examples employed in the last three years include ricin-laced letters, and the upstate New York “radiation gun” to be used against worshippers in mosques (Stanglin and Winter 2013). Ellis (2014) explores the efficacy of existing countermeasures against individual or small-group terrorists (what we call lone wolves and wolf packs) using these potential WMDs.

Table 2: A Summary of the Findings of Similarities and Differences between Lone Wolves and Members of a Wolf Pack*Variables with Significant Differences Are Noted in Italics*

Variable	Findings
<i>Age</i>	The biggest age category for a terrorist was 25–45. Wolf pack attackers are significantly more likely to be younger. Lone Wolf attackers are more likely to be older.
<i>Relationship Status</i>	The modal category for terrorists was “single.” Lone Wolf attackers are, significantly more likely to be single and divorced. Wolf pack attackers are significantly more likely to be married.
Education	Slightly more terrorists have a high school education or less. Little difference exists between lone wolves and wolf pack attackers; the difference of means is not statistically significant.
Mental Health	Few terrorists have diagnosed mental health concerns. Little difference exists between Lone Wolves and Wolfpack attackers; the difference of means is not statistically significant.
Criminal Background	A majority of terrorists have a criminal background. Lone wolves are only slightly more likely to have a criminal background; the difference of means is not statistically significant.
Employment	Some terrorists are employed. Wolf pack attackers are slightly more likely to be employed; the difference of means is not statistically significant.
Kids	Some terrorists have children. Wolf pack attackers are only slightly more likely to have children; the difference of means is not statistically significant.
<i>Gender</i>	Most terrorists are male. In fact, all lone wolf attackers in our survey are male. A few wolf pack attackers (12%) are female. The difference in the averages of lone wolves and wolf pack terrorists is statistically significant.
<i>Political Activity Change</i>	A majority of all terrorists experience a political activity change. Wolf pack attackers are significantly more likely to experience a political activity change.

Table 2 (cont.)

Variable	Findings
<i>School Change</i>	Few terrorists experience a school change. Wolf pack attackers are significantly more likely to experience a school change.
<i>Religion Change</i>	Few terrorists experience a religion change. Wolf pack attackers are significantly more likely to experience a religion change.
<i>Family Relationship Change</i>	Few terrorists experience a family relationship change. Wolf pack attackers are significantly more likely to experience a family relationship change.
Location Move	Some terrorists experience a location move. Lone wolf attackers are slightly more likely to experience a location move; the difference of means is not statistically significant.
Job Status Change	Few terrorists experience a job status change. Lone wolf attackers are only slightly more likely to experience a job status move; the difference of means is not statistically significant.
Recent Brush with the Law	A slight majority of all terrorists have a brush with the law. Lone wolf attackers are only slightly more likely to experience a recent brush with the law; the difference of means is not statistically significant.
Big Change	A majority of terrorists experience a big change. There is little difference between lone wolves and wolf pack attackers; the difference of means is not statistically significant.
Pre-Event Behavior	A majority of terrorists experience a pre-event behavior. There is little difference between lone wolves and wolf pack attackers in the likelihood of pre-event behaviors; the difference of means is not statistically significant.
Weapons of Choice	Guns are the most used weapon for terrorists. Lone wolves are slightly more likely to use guns. Wolf pack attackers are slightly more likely to use other weapons; the difference of means is not statistically significant.

Table 2 (cont.)

Variable	Findings
Attack Target (Same vs. Different Location)	Most attackers choose a target in the same location. There is little difference between lone wolves and wolf pack attackers; the difference of means is not statistically significant.
<i>Others Aware</i>	In roughly half of all cases, others are aware of the terror attack being planned. Wolf pack attackers are significantly more likely to make others aware of their intentions.
<i>Social Isolation</i>	In some cases, the terrorist is socially isolated. Lone wolves are significantly more likely to be socially isolated.
Attack Plot Behavior	In more than half of all cases, attacks are plotted by terrorists. Wolf pack attackers are only slightly more likely to plot their attacks than lone wolves; the difference of means is not statistically significant.
Target Identified	In many cases, a target is identified. Wolf pack attackers are only slightly more likely to identify their target; the difference of means is not statistically significant.
Target People	In many cases, a target of a person or persons is identified. Lone wolves are only slightly more likely to target people; the difference of means is not statistically significant.
Target Property	In some cases, a property target is identified. Wolfpack attackers are only slightly more likely to target property; the difference of means is not statistically significant.
<i>Execute Plot</i>	A majority of plots are executed. Lone wolves are significantly more likely to successfully execute their plots.
<i>Suicide</i>	Suicide cases are rare. Lone wolves are significantly more likely to commit suicide during or after their terror attacks than wolf pack attackers.
Regrets	Few express regrets. There is little difference between lone wolves and wolf pack attackers; the difference of means is not statistically significant.

Hewitt (2014) focused his study on so-called “lone wolf” domestic terror attacks and strategies to neutralize them. He found that standard police

surveillance and use of informers were best employed against these freelance terrorists operating in groups, while information gleaned from the public was the most effective against such terrorists operating alone (Hewitt 2014). Charles and Maras (2015) also agree that undercover agents and informants are effective as counterterrorism policy. Dahl (2011) found that “Humint” contributed to 60 percent of 176 foiled terror attacks. He also recommends traditional police tactics to stop terrorism, eschewing proposed “high-tech” solutions.

An additional solution is to remember that in a war of ideology, battles are not won with bombs or taking of territory. One side prevails when it demonstrates it has a superior idea, and the opponent’s views do not fit with the beliefs of so many. Seeking to demonize all Muslims hardly seems the wisest course, painting a target on so many innocents, who mostly disagree with the attackers. It would be as effective as blaming all white Americans or Christians in general for right-wing terrorism in the United States, hardly a rational strategy. Just as the image of so many whites embracing racial tolerance defeats the arguments of the intolerant, giving greater weight to the voices of so many Muslims who condemn the Paris attacks provides the path for one idea to beat another idea.

A final improvement would be to scrutinize the terror cases more closely. Media reports list terror attacks as either a “lone wolf” or directed by some global organization. Using this characterization spreads the belief that random loners or large sprawling groups are behind all events. Instead, we have found a fair number of cases of small, relatively well-connected groups, or wolf packs, which reinforce each other, and can overcome obstacles in planning, fund- raising, weapons procurement, etc., in ways that tend to hamper solitary would- be attackers. Yet these small wolf packs can fly under the surveillance radar better than larger organized groups with extensive networks that can be easier to detect and penetrate. And our research shows that lone wolves and members of these “wolf packs” are hardly carbon copies of each other. They are often very distinct in factors concerning who they are, and what they do. It is a mistake perhaps made in Paris in 2015. And unless the thinking on terrorism changes to recognize this distinction, it is an error likely to be repeated in the United States.



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Questions in Politics

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WTF (What the Flip)?

Preliminary Results of a Flipped-Hybrid Classroom Model on Student Success

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For at least the last decade, universities and colleges across the nation have been seeking ways to improve the student learning experience. Specifically, educational scholars have been addressing problems of low retention, progression, and graduation rates (RPG). Within this realm, literature focuses on improving student study skills, improving institutional resources to identify and help improve at-risk students, and improving student engagement. The key seems to be that the more engaged a student is, the better that student will perform. The purposes of this article are to investigate students' engagement, satisfaction, and performance in a "Flipped-Hybrid classroom." Specifically, this article addresses the question: Does the flipped classroom experience improve student engagement, satisfaction, and performance? We expect our preliminary results from a pilot study to find that students will be more engaged, that there will be fewer withdrawals and D's/F's, and that end-of-course A/B rates will be higher than non-flipped control classes.

The scholarship of teaching and learning (SOTL) is at its apex in producing both quality and quantity of manuscripts. Within this literature, a

plethora of scholarship focuses on student persistence and institutional retention rates (Gansemmer-Topf 2013; Seidman 2012); student satisfaction (Holinka 2015; Johnson, Cascio, and Massiah 2014); and student success and performance (Roggow 2014; Xu and Jaggars 2014). These topics all fall generally within what seems to be the most important topic for universities, administrators, professors, and students: student engagement. Engagement literature is varied and seemingly exhaustive, spanning myriad disciplines and subfields, focusing on differing conceptualizations of engagement (Korobova and Starobin 2015); different measurements of student engagement (Goldspink and Foster 2013; Handelsman, Briggs, Sullivan, and Towler 2005; Lane and Harris 2015); and different classroom pedagogies aimed at improving student engagement (Abreu and Knouse 2014; Barber, King, and Buchanan 2015).

The general tendency of these results seems to follow Ahlfeldt, Mehta, and Sellnow's (2005) findings that "This study demonstrates the pattern of higher engagement occurring more frequently in upper level, smaller classes." But the authors also contend that "instructors should be engaging students at high levels in all class sizes and class levels" (2005, 18). Additionally, Handelsman, Briggs, Sullivan, and Towler (2005, 184) note, "We found general agreement that engaged students are good learners and that effective teaching stimulates and sustains student engagement." Thus, it can be asserted that engaging the student works as a successful pedagogy to increase student success. This begs the question, however: how *best* to engage the student? The article aims to investigate the relationship between student engagement and the flipped-hybrid pedagogy within an introductory American government classroom.

Specifically, this article addresses the question, does a flipped-hybrid classroom model improve student engagement, satisfaction, and performance? We expect to find that this model does indeed improve student satisfaction and performance by increasing the level of student engagement. We also expect a high correlation between the flipped-hybrid model and an increase in student satisfaction and student engagement, measured by a decrease in D's, F's, and student withdrawals (DFW) rates and an increase in student performance measured by end-of-course grades (A's and B's particularly, or AB rates). Last, we expect the findings to show that students in this pedagogical environment improve their general knowledge content at a level higher than students taking the same course, but with a traditional lecture format.

Essentially, we contend that the flipped-hybrid model engages students far better than other classroom techniques and argue that to increase student persistence rates, end-of-course grades, and general content knowledge, and to decrease DFW rates, this pedagogy should be more widely implemented, especially in required core classes. It is also suggested that this method be applied more generally to political science as a field. In an era defined by

institutional pressures to create better environments for student success, political science courses at lower and upper levels can benefit from innovative pedagogy. Thus, this article's findings ought to be applied beyond the test class, Introduction to American Government, to all classes in political science. It is relevant not just to professors of introductory political science classes, but to the teaching professor more generally, and thus, we contend this method should be applied discipline wide.

Our discussion has five main sections. The first section contains a brief review of the literature pertinent to the flipped-hybrid classroom pedagogy. The second section discusses the methodology and research design, and the pilot course design. The third delivers the preliminary results of the pilot course, and the fourth discusses the results. The last section provides generalized and relevant conclusions and suggests directions for future research.

The Flipped-Hybrid Classroom Model

Broadly across the university environment, in essentially every discipline and major, flipping has become a major teaching innovation. Any basic scholarly search returns results demonstrating generally positive reports from the flipped model, usually utilized through hybrid technology—that is, integrating outside of classroom activities through technological foundations such as university learning management systems. The specific tools implemented range anywhere from online discussion posts (Murphy and Fortner 2014; Williams and Lahman 2011); to video lectures students watch before class (D Souza and Rodrigues 2015)—typically accompanied with the in-class utilization of higher-order thinking techniques processed through Socratic dialogue or other collaborative or learning-centered methods; to online assessment assignments and modules (Mzoughi 2015); to complete computer to user interactive interaction (Sundar, Bellur, Oh, Xu, and Jia 2014).

The flipped or “inverted” method proved successful transdisciplinary, yielding at least similar results, but usually more positive effects on student learning and engagement than traditional lecture-based classrooms, in fields including but not limited to: calculus (Alpaslan, Cavlazoglu, and Zeytuncu 2015); chemistry (Yestrebsky 2014); history (Murphree 2015); nursing (Harrington, Vanden Bosch, Schoofs, Beel-Bates, and Anderson 2015); physical therapy (Murray, McCallum, and Petrosino 2014); and programming (D Souza and Rodrigues 2015), to name a few. Even library services faculty have seen positive results from the flipped context in a continuing education program (Conte et al. 2015). Positive results were also recorded in the international arena (Danker 2015). The overall conclusion: flipping works. But, precisely what is meant by the concepts “flipping” and “hybrid,” and how have they generally been utilized?

A flipped learning model can afford instructors and learners increased access to technologies as well as differentiation and personalized learning. The flipped model focuses on assigning the major information context to the student to complete outside of the classroom setting. In other words, the lecture or major information for the class is completed at home. These assignments are generally meant to prepare students for a wide range of in-class techniques that engage the student more actively, therefore keeping students' interest high, which seemingly results in greater student satisfaction and thus better performance. Alternatively, some assign a video lecture outside of class to view and take notes. While in the class they complete difficult assignments with the professors looming, engaging the students, allowing real-time intervention strategies for those having difficulty with the assignments. For instance, Touchton (2015) flipped an advanced statistics class by assigning the reading for homework but also requiring the students to watch mini-lectures and slideshows outside of class.

In-class activities included having the students complete what are usually homework problem sets and lab exercises. This allowed the professor to give break out mini-lectures when it was noticed that students were having difficulty with the material (Touchton 2015). Additionally, in this instance, class time was devoted to allowing students to write research papers in the classroom setting, once again allowing for ample instructor intervention strategies if some difficulties were observed (Touchton 2015). The overall results of this class are in line with the general results of flipping: flipping the statistics class resulted in higher student performance and satisfaction. Generally, flipping means that homework is completed in class, and what is considered traditional class work is completed at home: hence the name, flipping. The formal definition of flipped learning used for this paper comes from the Flipped Learning Network (2014): "a pedagogical approach in which direct instruction moves from the group learning space to the individual learning space, and the resulting group space is transformed into a dynamic, interactive learning environment where the educator guides students as they apply concepts and engage creatively in the subject matter."

The four pillars of F-L-I-P include *Flexible environment*, *Learning culture*, *Intentional content*, and *Professional educator* (Flipped Learning Network, 2014). Specifically, a flexible environment provides students with different ways to learn content and allows for a variety of learning mechanisms. The second pillar, learning culture, is met by allowing students to engage in meaningful activities without the teacher being the primary source of information. Finally, the last pillars reference educators prioritizing concepts, curating relevant resources, and differentiating (intentional content), as well as serving as an observer, assessor, and collaborator (professional educator) (Flipped Learning Network, 2014).

Hybrid, or blended, learning involves combining face-to-face learning with online learning. The hybrid or integrated classroom focuses on putting assignments online for students to complete before or after class, therefore reinforcing information learned, or preparing students for more in-depth classroom activities. Usually, the hybrid environment is a type of flipped classroom, in which the flipped elements are integrated into an online format. Hybrid activities are generally more complex than the typical flipped assignments and are designed to further or deepen student knowledge rather than just to provide information. Hybrid elements range from discussion posts, to interfacing technology, to online simulations, to the traditional lecture capture, and to other formative assessment techniques.

Together, the flipped-hybrid model is a classroom in which students complete an assortment of assignments online preparing them for classroom activities. Since classroom preparation techniques are moved to the online format, class sessions are free to investigate issues in a more learning-centered, interactive way, usually trying to focus on higher-order learning, which is not usually possible in the traditional classroom lecture format. Classroom techniques also usually involve active learning, games, and simulations. Important conceptual knowledge is not lost during these classroom activities, because they are completed beforehand online. For instance, active learning through simulations engages the students, but as Lightcap (2009) observes, not every class or professor has three to four weeks to dedicate toward a highly engaged, interactive simulation. If that amount of time is dedicated toward learning the simulation, important traditional student learning objectives will not be met. By using a flipped-hybrid model, however, one can place all the traditional information online to be completed by the student outside of the classroom, and class time can be devoted to a month-long simulation.

In the traditional setting, students sit in class and generally listen to a lecture on the subject of the day in which they may be exposed to some technology inside the classroom such as PowerPoint or other smartboard technologies. They may have a few moments of interaction through question-and-answer sessions or other deliberative assignments. These assignments are generally short, however, and are not fully developed or utilized enough to stimulate student engagement. The focus is on the lecture, which students then memorize for assessment purposes. Student learning is passive and unengaged. As Damron and Mott (2005) write, “In the end, lecture-dominant courses ... tend to curtail student opportunities to talk about, to collectively process and to apply the ideas and concepts presented to them” (370). The flipped-hybrid model inverts this method, freeing class time for simulations, deep Socratic dialogue, and other more engaging methods (some to be discussed below) on a daily basis. One can postulate that this daily interaction between the professor and students and peer-

to-peer activities typical in this pedagogy create a better learning environment than the traditional classroom settings in which these methods are implemented only on a limited basis, if at all. Again, the focus for innovation seems to be on engagement. As Ahlfeldt, Mehta, and Sellnow (2005) report, “The new paradigm is to actively engage students with the material and one another” (5). But what does this mean, and how and why is it instrumental for learning-centered approaches?

There is no lack of debate for conceptualizing student engagement and/or student engagement techniques and testing its relationship to student success. Barkley (2010, 8) states that student engagement is a product resulting from a process of interaction between motivation and active learning. In this context, motivation is a theoretical construction explaining the reasons we engage in which active learning is characterized by the mind being active, as opposed to passive as in the traditional lecture classroom. To be active, Barkley (2010, 9) suggests that students are dynamic participants in the learning process, both reflecting and monitoring their learning. Therefore, “An engaged student actively examines, questions, and relates new ideas to old, thereby achieving the kind of deep learning that lasts” (Barkley 2010, 17). For Barkley, engaging the student means that the student must be active within the classroom environment and beyond. Results from a meta-analysis of 225 studies demonstrate that this type of engaged environment proves very successful. Freeman et al. (2014) demonstrate that average examination scores improve by 6 percent in an active learning class environment, and students are 1.5 times more likely to fail in a traditional lecture setting than an active learning format. Although the meta-analysis performed herein applied only to STEM classes, one can assume that results can be more generalized from the data.

The National Survey of Student Engagement (NSSE) developed perhaps the most heavily relied-upon understanding of student engagement. Kuh (2003) argues that student engagement is a twofold approach, “the time and energy students devote to educationally sound activities inside and outside of the classroom, and the policies and practices that institutions use to induce students to take part in these activities.” Kuh later refines this conceptualization: “Today engagement is the term usually used to represent constructs such as quality of effort and involvement in productive learning activities” (2009, 6). NSSE measures student engagement through five categories: student behaviors; institutional actions and requirements; reactions to college; student background information; and student learning and development (Kuh 2009).

It is outside the scope of this article to examine each of these parameters in detail, but it must be noted that each parameter is deemed essential to student engagement according to NSSE. NSSE generally looks at the institutional setting as a whole and how students “experience” college in particular. Originally, NSSE

also broke down student engagement into five distinct categories including level of academic challenge, active and collaborative learning, student-faculty interaction, enriching educational experiences, and supportive campus environment (Kuh 2009). All of these are indicators of student engagement institution-wide, are based on the broad conceptualization of student engagement mentioned above, and are expected to have an effect on student success. In fact, according to analysis from McCormick, Gonyea, and Kinzie (2013), different NSSE researchers have uncovered positive relationships between engagement and both grades and persistence from freshman to sophomore years; between engagement and grades, credit-hour accumulation, persistence, and degree attainment; and engagement and retention. These results demonstrate promising relationships between student success and engagement. However, these are all measured institution-wide, and not at the class-specific level. For this type of data, several measurements exist, including one evolving from NSSE called CLASSE.

CLASSE is a student survey that asks students to reflect on their experiences and behavior of a particular class (Ouimet 2011). Importantly, CLASSE also developed survey responses for the faculty as well, called CLASSE Faculty, as a way to assess how much faculty in each class measured valued student activities and to see how those scores aligned with student scores (Ouimet 2011). Of particular importance for this measurement was student evaluation and faculty evaluation of engagement activities. Essentially CLASSE is used as a faculty development tool, to help faculty see what students value as important, and thus, hopefully, to evolve individual classes based on these responses. As Ouimet (2011) writes, “Identifying the connections and gaps between what faculty value and what students are doing can help improve faculty members in the diagnosis of their classroom learning environment” (119). Because CLASSE is specific to faculty development, and contains more indicators than student engagement measures, it is not perfect for the present study.

A more personal and class-specific measurement, devoted to strictly assessing student engagement, is the Student Course Engagement Questionnaire (SCEQ) (Handelsman et al. 2005). That study defines engagement as “a global quality that students have in relation to elements such as level of academic challenge and supportive campus environment” (2005, 184). This mechanism measures students across four categories of student engagement, including skills engagement, emotional engagement, participation/interaction engagement, and performance engagement (2005). The study also found some correlation between engagement and course grades, though limited as the authors themselves acknowledge. Although a well-designed questionnaire, SCEQ does not take into account hybrid or online activities.

Dixson (2010) sought to resolve this deficiency in the SCEQ by developing a survey instrument for online student engagement. Rather than replacing the SCEQ, Dixson redesigns it to fit nicely within an online course environment and keeps it as the foundation, including all four elements of engagement: skills, emotional, participation/interaction, and performance, noting that, “These factors make not only intuitive sense as indications of a student’s active pursuit of learning in a course, but are grounded in theories of motivation, self, and mastery/performance orientations by students” (Dixson 2010, 4). However, for the present purposes, Dixson’s study takes the SCEQ too far in the opposite direction, making it only useful for online classes. Thus, there is not a survey that fits nicely with a flipped-hybrid course. This will be the work of future research. With this stated, the present paper uses Kuh’s definition of engagement as the quality of effort and involvement of the student in productive learning activities (2009, 6).

Classroom Design, Research Design, and Methods

Before discussing this article’s research design and methodology, it is first necessary to describe how the flipped-hybrid model was used in this particular class. The decision to try a flipped-hybrid approach grew out of two faculty development events. First, the authors’ university hosted an event on faculty development, including a small grant for authors to develop methods to increase engagement, reduce DFW rates, and increase persistence and retention. It was during particular workshop sessions that the principal investigator (PI) was exposed to the positive effects of flipping courses. Additionally, and as a part of the grant from the University’s Office of Faculty Development and Teaching Excellence, the PI attended the 2015 American Political Science Association’s Teaching and Learning Conference held in Washington, D.C. At this conference several papers and panels discussed the positive relationships between engagement and consequential results from high rates of engagement and flipping the classroom.

During the same time, academic year 2015, the PI held a faculty fellowship through the University of Georgia’s Institute of Higher Education Governor’s Teaching Fellowship Program. A condition of the award required fellows to develop a project that would redesign their classroom experience. After several sessions on engagement and flipping, along with the other above-mentioned events, the decision was made to redesign an introductory American government course through the flipped-hybrid method, in order to investigate its effects on engagement, DFW rates, and student satisfaction. After receiving support from the Department of Political Science, the PI designed and piloted

the flipped-course methodology to implement during the spring 2015 semester. The results in this present study are from this redesign.

Learning from best practices in the literature, the PI decided to implement the flipped-hybrid design in several ways. First, all course lectures were recorded via video, but rather than recording an actual lecture, the professor recorded voice-over PowerPoint presentations (PPP). The decision was made to keep these around the 20-minute mark in order to keep the students' attention. Learning from faculty development workshops that low-impact assessments helped keep students engaged as well as providing formative assessments for targeting at-risk students thereby allowing for timely intervention, the PI decided to create very short, multiple-choice online assessments of the PPP. There would be one assessment per PowerPoint lecture totaling about 20 for the entire semester, which would account for 10 percent of the final grade, thus achieving the low-impact conceptual marker. The PI additionally provided the written notes upon which the lectures were based, though they were not complete (for example, specific examples provided in the lectures were not recorded in the notes, therefore giving reasons for students to watch the presentations rather than just reading the notes).

Additionally, students were required to discuss three topics via the course's online learning management system, Desire2Learn. The three topics were the lectures, current events, and the readings. These posts counted toward 5 percent of the final course grade, again being low impact, and were graded on the number of quality posts. The rubric for number of posts required per letter grade was provided to the students in the syllabus so they would know beforehand how much participation was required for them to receive an A on this portion of the class. It also softly required engagement. The readings consisted of typically fifteen pages per class night of Alexis de Tocqueville's *Democracy in America*, which recent research has demonstrated to achieve higher student success and satisfaction in introductory American government classes than using traditional textbooks or other sources (Albert and Ginn 2014). The students were quizzed in class on the readings, usually once per week. At the beginning of the semester the quizzes focused on details, main ideas of the pages for that day, and main topics. Later in the semester, the quizzes focused on higher-order thinking through critical analysis of the readings and through trying to make Tocqueville relevant in the current political setting. These quizzes accounted for another 10 percent of the final grade, once again being low impact.

Class time was then spent mainly in Socratic dialogue, encouraging debate and understanding from the lectures and the readings, though more time was devoted to the readings than lecture, believing that so doing would help develop more higher-order thinking. In order to force students to be engaged and to bring technology into the classroom, which has been demonstrated to help in-class

engagement (Heiberger and Junco 2011), the PI used an iPhone application (*ILeap Pick-a-Student*) to randomly call on students to answer professor-guided discussion questions on the lectures and readings. Once the original respondent provided an answer (or could not provide an answer), the PI allowed random students to participate. In so doing, the PI forced students that may not otherwise pay attention in class or participate to be on their toes constantly anticipating the random student generator. It also, however, allowed the more ambitious students ample time to express themselves.

Additionally, the PI tried to incorporate real-time polling in the classroom, which has also been demonstrated to increase student engagement (Burkhardt and Cohen 2012). To save money and to make it more interactive, the professor utilized another phone application, *Polleverywhere*. This application allows the PI to create several types of polls, including open-ended questions, multiple-choice, and true-false, and is projected onto the screen for students to view. They then vote either through their phones or other online platforms such as laptop or touchpad, and can respond via the website itself linked by the professor, via text or Twitter account, which has also been demonstrated in the literature to promote student engagement and motivation (Lederer 2012; Mazer, Murphy, and Simonds 2009). It must be noted that these in-class techniques would not be possible in the Socratic fashion without teaching through a flipped-hybrid method. It is precisely this method that allowed different pedagogical practices to occur during class time to also focus on engagement. Thus, the class focused on increasing engagement online and during actual face-to-face time. In-class participation counted for an additional 5 percent of the final grade, again being low impact to achieve maximum engagement and utility. The remaining course grades were divided between four in-class exams in short-answer or essay format, which cover the readings and lecture information as well as some current events.

All four pillars of F-L-I-P are addressed through the model described above. The PI was flexible with providing a variety of ways for students to demonstrate mastery. Giving frequent feedback and engaging in the Socratic dialogues in which the students are central to the learning created the learning culture, pillar two. Selections of videos addressing important content and allowing students to access information on their own are the tenets of intentional content. Furthermore, the PI was available for students and used formative assessments during class time to fulfill the role of professional educator (Flipped Learning Network, 2014). If it proves successful, the above course template should be adapted into more courses, especially at the upper levels, in order to improve student engagement throughout the major. Further, assessments should be made in each political science course to determine whether this above classroom pedagogy works, how, and why it may or may not each setting.

Research Design and Methods

This paper's research question is, "does a flipped-hybrid classroom model improve student engagement, satisfaction and performance?" To investigate this question, we posed three hypotheses.

Hypothesis 1: The flipped-hybrid pedagogical model increases student satisfaction of course material more than traditional lecture-based classes.

Hypothesis 2: The flipped-hybrid pedagogical model increases student performance in the course more than traditional lecture-based classes.

Hypothesis 3: The flipped-hybrid pedagogical model increases student engagement more than traditional lecture-based classes.

To test these hypotheses, the authors needed to test the experimental course described above (run in spring 2015) against the same professor's classes run in previous years not using the flipped-hybrid model. The investigators also needed to test the hybrid course against the rest of the department's introductory American government classes run in Spring 2015 and against the entire department's introductory American government classes in the previous two years. To test the first hypothesis, we used DFW rates as a measure of student satisfaction. Certainly course withdrawals have a direct relationship with student satisfaction. Therefore, a decrease in course W's would demonstrate a higher rate of student satisfaction. Additionally, it has been demonstrated that a final grade of a D or F by a student is partly correlated to dissatisfaction or lack of motivation by the student for the course. Therefore, it can be surmised that a decrease in the number of D's and F's in a course corresponds to an increase in student satisfaction. We expected to find that the flipped-hybrid model increased student satisfaction of the experimental course over all control courses, including department-wide and professor-specific controls.

To test the second hypothesis, the authors compared end-of-course grades of either an A or B in the experimental course to the same controls described above. It is expected that the flipped-hybrid model will result in an increase in AB rates when compared to all control courses, including department-wide and professor-specific courses, thus demonstrating that the experimental course improves student performance when compared to traditional lecture-based classes. For the third hypothesis, the authors expected that the flipped-hybrid model will increase student engagement more than the control courses. The authors wanted to test this by using the end-of-class evaluation instruments with embedded engagement questions included. However, the PI's college moved to

an online evaluation method for which spring 2015 was the pilot semester. The college could not get enough students to respond to the evaluations to run any tests that would have statistical significance; in addition, all results for the additional engagement questions that were added to the traditional student course evaluations were lost by the online management system. Therefore, results for Hypothesis 3 could not be obtained, and discussion for this instance is omitted for the remainder of this article and will be the focus of future research. However, although the added questions for student engagement were lost and there were not enough respondents to the survey to test at any level of significance, the end-of-course evaluations still provide useful qualitative data that can help better understand the relationship of the flipped-hybrid pedagogy and the other two hypotheses tested.

Quantitative and Qualitative Results and Analysis

Grade distribution data from the sections of Introduction to American Government from the fall 2013, fall 2014, and spring 2015 semesters was obtained from the university's database. The fall 2013 and fall 2014 data is control data in the sense that all sections of the course, including those taught by the PI, were taught using a traditional lecture format. In the spring 2015 semester, the course was taught by the PI using the flipped-hybrid model. Hypothesis tests comparing two sample proportions were performed comparing the PI's DFW and AB rates to the corresponding rates from the rest of the Introduction to American Government instructors from that department for each semester's data. Two proportion hypothesis tests were also done comparing the PI's DFW and AB rates from the semester in which the PI used a traditional approach to the rates from the semester the PI used the flipped-hybrid model. In all tests, a two-sided alternative hypothesis was used.

One can see from the data in Table 1 that the DFW rates for the PI's sections of Introduction to American Government are higher than the rates for the other instructors in the department. However, none of the differences are great enough to be considered statistically significant at a 5 percent significance level. In particular, the DFW rate from the flipped-hybrid sections was not less than that of the rate for other sections taught using the traditional lecture approach.

As shown in Table 2, the PI's DFW rate from spring 2015 when the PI used the flipped-hybrid model was lower than the fall 2013 rate but greater than the fall 2014 rate. However, once again the differences are not great enough to be considered statistically significant.

Table 3 provides a summary of withdrawal rates from the semesters under consideration. There is considerable fluctuation in these withdrawal rates. The rate for the flipped-hybrid sections in spring 2015 is lower than that of the PI's

Table 1: DFW Rate Comparison: PI versus Other American Government Instructors

		# of Students	# of DFWs	Rates	Test results
Fall 2013	PI	61	15	24.6%	z = 1.47 p = 0.141
	Rest of Dept.	507	86	17.0%	
Fall 2014	PI	70	13	18.6%	z = 1.38 p = 0.166
	Rest of Dept.	555	70	12.6%	
Spring 2015	PI-Experiment	51	12	23.5%	z = 1.81 p = 0.070
	Rest of Dept.	306	42	13.7%	

Table 2: PI DFW Rate Comparison: Flipped-Hybrid vs. Traditional

Semesters Compared	Flipped DFW Rate	Traditional DFW Rate	Test Results
Spring 2015 vs. Fall 2013	23.5%	24.6%	z = -0.13 p = 0.896
Spring 2015 vs. Fall 2014	23.5%	18.6%	z = 0.67 p = 0.506

Table 3: Withdrawal Rates

		PI	Rest of Department
Fall 2013	# of withdrawals	1	21
	Percentage	1.6%	4.1%
Fall 2014	# of withdrawals	10	12
	Percentage	14.3%	2.2%
Spring 2015	# of withdrawals	5	21
	Percentage	9.8%	6.9%

**Table 4: AB Rate Comparison:
PI vs. Other American Government Instructors**

		# of Students	# of ABs	Rates	Test Results
Fall 2013	PI	61	37	60.7%	$z = -0.56$
	Rest of Dept.	507	326	64.3%	$p = 0.576$
Fall 2014	PI	70	50	71.4%	$z = 0.17$
	Rest of Dept.	555	391	70.5%	$p = 0.866$
Spring 2015	PI-Experiment	51	32	62.8%	$z = -1.08$
	Rest of Dept.	306	215	70.3%	$p = 0.282$

sections in fall 2014 when the traditional lecture format was used. However, it is much higher than fall 2013 when there was only one withdrawal. The withdrawal rate for the flipped-hybrid sections is higher than the rate for other sections taught that semester, but the difference is not great enough to be considered significant.

Looking at AB rates (Table 4), one sees they range from 60.7 to 71.4 percent. When the PI taught the course using a traditional lecture format, in fall 2013, the AB rate was lower than that of the rest of the department, and in fall 2014, the rate was higher than the rest of the department. In neither case was the difference statistically significant, as indicated by the relatively high p-values of 0.576 and 0.886. When the PI used the flipped-hybrid method, the AB rate was lower than that of the rest of the department, but not enough to be statistically significant. This analysis suggests that at this point the PI's AB rates are similar to those of the rest of the department regardless of the teaching method employed.

When we compare the AB rates of the PI's flipped-hybrid sections to the rates from PI's traditional sections (Table 5), no clear differences emerge. The AB rate for the flipped-hybrid sections taught in spring 2015 is higher than the lecture format courses the PI taught in fall 2013 but lower than those taught in fall 2014. When compared statistically, the differences do not come out as statistically significant.

Qualitative Analysis of Results

Qualitative analysis of coding and categorization of student evaluation data provided a deeper understanding of students' levels of satisfaction with the flipped-

Table 5: PI AB Rate Comparison: Flipped-Hybrid vs. Traditional

Semesters Compared	Flipped AB Rate	Traditional AB Rate	Test Results
Spring 2015 vs. Fall 2013	62.8%	60.7%	$z = 0.23$ $p = 0.821$
Spring 2015 vs. Fall 2014	62.8%	71.4%	$z = -1.01$ $p = 0.313$

hybrid model in the spring 2015 semester. Initially, Strauss and Corbin’s (1990) open coding system was used to write down any ideas that surfaced while reading the open-ended responses. From there, codes were applied that resulted in categories, then themes. We used a combination of content and thematic analysis (Ezzy 2002) because at times the categories were predetermined (i.e., satisfaction), yet other categories emerged from the data.

When students were asked if they would recommend the PI to other students and why, the results were unanimously positive. Specifically, of the 31 respondents, 17 said that the course was challenging, 7 wrote that the PI was “passionate,” and 6 said the professor “cares.” These characteristics overwhelmingly indicate student satisfaction with the course. Other adjectives used to justify why students would recommend the PI to others is that he made the class “enjoyable” and requires “critical and analytical thinking,” as well as “interesting,” “relevant,” and “fun.” Additionally, when students were asked which aspect of the course they liked the most, the most popular response (with 15 out of 31) was the instructor’s flipped teaching style. An additional 10 students cited the online discussions, which are an aspect of the flipped-hybrid model; therefore, in all, the vast majority (25 of 31) of student respondents liked the flipped-hybrid model in this course. The open-ended questions showed strong positive reactions to both the flipped style as well as the discussions. To quote one student evaluation response, “I really enjoyed the flipped classroom teaching method. It was really effective in opening up time in class to clarify concepts.” Similarly, a student wrote, “I liked the flipped classroom he had. It always made class interesting,” and another commented by writing, “I like how the lectures were online and the students discuss what we read in the classroom to get a good understanding.”

Although the current investigators understand that student evaluation comments are not solely sufficient to determine the success of a course, they do help add useful evidence that illustrate student satisfaction with the overall

course design. Thus, while the quantitative data yields no statistically significant results to support the hypotheses, the qualitative results demonstrate some support for Hypothesis 1, that the flipped-hybrid model increases student satisfaction. This satisfaction is clear in the words of this student who wrote, “Discussions were very interesting and his teaching style, which is the flipped classroom style, is very effective and helps the student be more involved and therefore more able to grasp and understand all concepts.”

Discussion

Based upon the statistical tests above, one can see that in both testable hypotheses, 1 and 2, the results did not support the expected results. For Hypothesis 1, there were no statistically significant results, but of the results not significant, it was demonstrated that no major difference in results exists between the experimental course and the control course, nor with those derived by department-wide evaluations. Therefore, the tests do not demonstrate any meaningful difference in student satisfaction of the course. The same applies to Hypothesis 2. There were no statistically significant results, but of the nonsignificant results, no major differences were illustrated between the experimental course and the control courses, whether taught by the PI or department wide. Thus, we do not have quantitative evidence that the flipped-hybrid model yields any meaningful difference in student performance. However, the qualitative results show that student satisfaction does exist in the PI’s experimental course. There are two main reasons, closely related, why the quantitative results did not support the hypotheses.

First, this marked the PI’s initial experience working within a flipped-hybrid environment. There seems to be a significant learning curve on how to manage this type of course properly. The course was designed over winter break and was implemented in a hurried pace. Additionally, the PI did not take into account the amount of time students would need to spend outside of class working on the new material. In other words, the professor kept an incredibly heavy reading load (15–25 pages per class night) of a very dense book of political philosophy. Based on casual conversations, the professor approximates that the typical student generally needed two hours to complete this amount of reading. Therefore, even if the students were more engaged in the class or retained a better grasp of the material, many could not keep up with the workload and thus either withdrew from the course or performed at low levels given the additional work. An important lesson is learned from this experimental course: one must keep in mind how much time students can devote to outside-of-class work. As Touchton (2015) expresses, flipping the classroom requires an additional 90 minutes of classwork for students outside of the classroom (32).

Assuming this number is accurate, on top of the reading load, students would typically be spending between four and five hours per class night trying to complete the reading, watching the PowerPoint lectures, and completing the online assessments.

Second, the PI put strict time limits on online assignments. For instance, for a six- to eight-question multiple-choice assessment on the PowerPoint lecture video, a time limit of about eight minutes was placed. Thus, although intending to force the students to watch the video and take superb notes in order to do well on the assessments, the time limit actually caused stress and anxiety during the assessments. The stress and anxiety, along with the short time to complete the questions thoughtfully, caused lower-than-expected assessments. Even though these were low-impact quizzes intended to help retain information and increase engagement and overall performance, this might have had countereffects, affecting the current study's results. However, this can be adjusted and taken into account in future revisions of the course. Finally, the results of the qualitative data indicate positive results that do not present themselves through quantitative data.

Although the statistical results do not support the hypotheses, this study still has merit. First, it demonstrates how much care and thought needs to be put into redesigning a course from scratch. Even with the best intentions, all negative consequences cannot be thought of beforehand and often need to be addressed during the semester. For instance, after giving midterm evaluations, the PI realized the workload was negatively affecting student performance and satisfaction and took measures to redress this by reducing the reading load by half. Unfortunately, the damage was already done but may have helped keep the rates similar to control classes.

Nonetheless, this study demonstrates that even with the lack of data on engagement, the flipped-hybrid design is no worse than the traditional lecture format and, for this reason, is worth pursuing further future research after a significant course redesign. In an era of administrative pushes to increase student AB rates and decrease DFW rates, professors need to be cognizant and cautious of stretching the student too thinly, causing opposite results. This research demonstrates that future results are very promising. The study shows the need for mixed methods research studies to provide the richest data. Using both quantitative and qualitative methods helps strengthen the results of a study or providing another lens from which to view the hypotheses. Lastly, the study sets up the basic course template for a flipped-hybrid methodology for professors to use not just in introductory level classes, but also throughout the broad array of courses taught within political science. The methods and lessons learned can be applied and used by all political science professors.

Conclusion and Next Steps for Research

Research has shown that students are more successful when they are engaged in university courses. Unlike traditional, lecture-based courses, flipped classes provide opportunities for deeper engagement with course materials through out-of-class activities that allow for more interactive, higher-order thinking questions to be explored with instructor support during class time. More specifically, through flipped-hybrid courses, these “out-of-class activities” that occur in flipped classes are put in an online format and are generally more complex than paper-based flipped assignments.

In the current study, an Introduction to American Government course utilized the flipped-hybrid model, and results were compared to previous non-flipped-hybrid courses taught by the same instructor as well as to the same course taught by other instructors in the department. Use of the flipped-hybrid model allowed the PI to guide the students in Socratic dialogue, debates, and simulations that would not have been possible if the course were taught in the traditional, lecture-based format. The three hypotheses were that the flipped-hybrid pedagogical model increases student (1) satisfaction, (2) performance, and (3) engagement more than traditional, lecture-based classes. DFW and AB rates were compared across experimental and control courses. Quantitative results indicated that the first two hypotheses were not clearly supported, with undetermined results for the third due to incomplete data. No significant differences were found between the control and experimental groups related to any of the two variables. Despite these “negative results” statistically, qualitative data showed student satisfaction with the flipped-hybrid model. For example, one student on a course evaluation wrote, “I have to say, I am a fan of the flipped class. The lectures and reading were not as time consuming as I first thought, and I liked being able to discuss them in class, rather than just have a professor who gives notes and basically reads them back to me in a lecture.”

Although the quantitative results were not as anticipated, much can be learned from this study, and the results are an important contribution to the growing body of literature on student engagement and the flipped-hybrid classroom model. First, the current study shows that in this case, using a flipped-hybrid model, no negative outcomes occurred. This study can add to the larger body of literature on engagement to include a course that has not previously been studied, one in a political science department, thus also contributing specifically to the political science professor something that has been missing from the literature. In addition, through the PI’s reflections and anecdotal discussions with students, reasons for the lack of improvement in the anticipated areas can be explained. The students were exposed to more material and more engaged with the content, but the overwhelming amount of readings and

requirements did not allow for this learning to show up as improved grades of A or B due to time constraints. This pilot study has provided the body of research on flipped-hybrid classrooms with important aspects to keep in mind when planning to implement this type of course, such as modifying or eliminating previously used assignments. Flipped-hybrid courses most likely will not be successful when the out-of-class hybrid elements are added onto an already full load of requirements. Care should be taken to investigate the amount of outside of class time that is required of students. Results from this study should not be cause to abandon the flipped-hybrid model. With adjustments, this model has merit even in the context described in this study.

The next steps in our research are to redesign the experimental, flipped-hybrid course with what we now know based on the current study. Course requirements will be modified to ease the amount of time students would need to spend reading and complete out-of-class online assignments. This redeveloped course will allow students to experience the positive aspects of the flipped-hybrid model without becoming overwhelmed with the course expectations. The next study will include richer data because of the addition of both a knowledge test (pre and post) and an engagement survey (pre and post). These instruments will be an important improvement to help gain data about not only how engaged students are more accurately, but also to see if their knowledge of the subject matter increases with the flipped-hybrid model. As discussed earlier, no engagement survey that fits the needs of this study exists, so one is in the process of being developed. This new survey will be class specific (rather than focused on an institution), will look at student engagement (rather than focusing on faculty), and will ask questions specifically about a hybrid model (rather than existing surveys that focus on only face-to-face or only online courses).

The improved research model will be implemented with more students over time. This will produce a pattern with more significant results. Finally, increased qualitative data, including interviews, observations, and open-ended survey questions of both students and faculty from experimental and control groups, could strengthen the current findings. Researchers should continue to investigate the possibilities inherent in this important, innovative model of instruction in order to add the political science discipline to the list of many others that have already found positive results with flipped-hybrid classrooms. Further, the use of the flipped-hybrid method should be studied in multiple course settings, including upper-level classes, capstone courses, and more generally through the broad spectrum of political science. The current research suggests the model is promising and thus relevant to the entire discipline.



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