The Political Theory License

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Abstract

My purpose here is to argue that political theorists have a kind of professional permit to move back and forth between the academic and political worlds and to expound and defend particular political positions. I then describe my own engagements, political and theoretical, and the books and articles that have come out of them—about war, social justice, pluralism, social criticism, and nationalism (with Zionism the key example of the last of these).

Keywords

just war, distributive justice, social criticism, cultural reproduction
INTRODUCTION

I was born into a family of left-wing Jews. My parents were not on the far left; they weren’t politically active; they weren’t ideologically doctrinaire. But they believed in equality; they didn’t cross picket lines; they voted for the American Labor Party (in New York in the 1940s). They read PM, the popular front daily, and subscribed to I.F. Stone’s Weekly—in-depth Washington reportage from a brilliant old-left journalist. I literally learned to read by reading PM and Izzy Stone. When I went to Brandeis University, then in its early years, its faculty included many liberals and leftists who couldn’t get jobs elsewhere, and its student body was full of “red-diaper babies.” At Brandeis, the politics of the 1960s began in the 1950s. I was a student of Irving Howe and Lewis Coser, who founded Dissent in 1954 as a magazine of the “democratic left.” Howe and Coser despised PM and the culture of the popular front; they were fiercely anti-Stalinist leftists, and I was quickly convinced that theirs was the right political position. I am still convinced of that.

I have a reason for beginning this way, for it was my political commitments that led me to choose political theory as an academic discipline. Theory is a very special field because it provides a license to do something that academics generally are not supposed to do: that is, defend a political position in the classroom and in the learned journals. I worked hard during my teaching years to distinguish what I said in the classroom from what I said at political meetings. But the distinction was not substantive; it was more a matter of style or of what these days is called “discourse.” In the classroom, I tried to describe political positions opposed to my own as fairly as I could, in their strongest versions. I felt no need to do that at political meetings.

I began writing for Dissent in the summer after my senior year at Brandeis. I spent that summer doing research for Howe and Coser’s history of the American Communist Party (I read every issue of the Daily Worker from the 1920s through the 1940s—it was my only experience of archival research). My first Dissent article was a piece on the American Communist Party’s response to the 1956 Khrushchev speech that criticized Stalin’s rule, and my second, written while on a Fulbright scholarship to England, was on the British left’s response to the Hungarian revolution. I have written regularly for the magazine ever since, several hundred articles, long and short, in the course of its 59-year history (which isn’t over yet). I have written about many different subjects, as political intellectuals are supposed to do—ideological debates on the left, the “democratic wall” in China, the lunch-counter sit-ins in North Carolina, the stories of J.D. Salinger, schooling in America, draft resistance and conscientious objection, the Israel-Arab conflict, community organizing, multiculturalism, social justice, and much more—and the range of my academic work hasn’t been much narrower. I have been happy to be a jack of all trades; I never worried much about the second half of the proverb.

Many of my Dissent articles could have been published, with only minor changes, in academic journals, and many of my journal articles could have been published, with changes in reverse, in Dissent. A good number of my books are collections of essays, and they have included pieces published in both places. Of course, there are also differences. In Dissent, and also over the years in The New Republic and The New York Review of Books, I have often commented on current events and joined political arguments in progress. My more academic pieces may be on the same subjects, but they are written from a distance, looking back, as Wordsworth said about poetry, “in tranquility”—well, not quite tranquility, since I am still politically engaged when I am writing them, even after the fact, and in any case politics tends to be repetitive. My book about just and unjust wars came out almost a decade after my involvement in the campaign against the Vietnam war, but there were wars after that about which I wrote from up close and with greater urgency, invoking the argument of the book.
Without that license to move back and forth, to write and talk inside and outside the academic world about the political questions that interested me, I don’t think that I could have survived either as a student or as a professor.

REVOLUTION, WAR, AND DISTRIBUTIVE JUSTICE

I did not claim the political theory license at the very beginning of my academic career. Political theory at Harvard in the late 1950s, when I was a graduate student, was primarily historical; it was closer to the history of ideas than to what came to be called “normative” theory. So, in that time and place, I chose a historical topic for my dissertation. I wanted to write about revolutions, and my first choice was the French Revolution. But my French wasn’t good enough for serious academic work, so I fell back on my English and on the English Puritans of the 1640s—and wrote The Revolution of the Saints, my thesis and first book (1965). I focused on Calvinist radicalism, which seemed to me to resemble Jacobin and Bolshevik radicalism, and I mostly ignored the sects, including the Levellers and the Diggers, who are more often celebrated as ancestors by contemporary leftists. I was interested less in the theological doctrines of the various groups (critics pointed out that the book pretty much ignored the Calvinist God) than in the discipline of the Puritan “saints,” which was critical to the revolution’s success. The book was meant to suggest that contemporary leftists needed to worry about the connections between repression and revolution. But that suggestion is muted in The Revolution of the Saints; I made it more explicit in “The Revolutionary Uses of Repression” (1970a) and “A Theory of Revolution” (1979). My essay on “dirty hands,” the most frequently cited and reprinted of my essays (1973a), is a later effort to deal with a closely related issue: cruelty and deception in political life.

Nine years after writing about the English saints, having greatly improved my French, I managed to produce a book about the French Revolution—or, rather, about one revolutionary moment: the trial and execution of Louis XVI (1974). I edited a selection of the speeches at the trial (they were beautifully translated by Marian Rothstein) and wrote a long introduction defending both the trial, which the Jacobins opposed and the Girondins insisted on, and the execution. The book came out during the Watergate controversy, when the impeachment of a president was widely discussed, and it was reviewed almost as if it were a contribution to the discussion. In fact, it was a work of history, my last for more than a decade. But it was also an argument for a politics like that of the Gironde and the Mensheviks and unlike that of the Jacobins and the Bolsheviks, who treated the czar (and his family) the way the Jacobins had wanted to treat the king.

It was in the years between those two historical books that I began to lay claim to the political theory license. My first teaching job after graduate school was at Princeton, which had a department rather like Harvard’s in that theory, still thought of historically, was regarded as a serious subject alongside the newer, more “scientific,” versions of political science. I taught the history of political thought (Machiavelli to Marx) and a seminar on Rousseau, but I was spending more and more of my time with philosophers like Stuart Hampshire, Robert Nozick, and Thomas Nagel, and it was my discussions with them that led me to try my hand at normative theory. My first attempt was “The Obligation to Disobey,” which was later the lead piece in Obligations: Essays on Disobedience, War, and Citizenship (1970b). I read an early version of this essay at a Princeton philosophy colloquium, and Hampshire’s encouraging comments were critically important in helping me decide that this was the sort of writing that I wanted to do—and that I could do.

Most of the essays in Obligations were first read and discussed at meetings of the Society for Ethical and Legal Philosophy (SELF—also the Society for the Elimination of Lousy Philosophy), a small discussion group that I joined after returning to Harvard in 1966. The group included
Nozick and Nagel, who were, I think, its founders, and also John Rawls, Thomas Scanlon, Judith Jarvis Thomson, Marshall Cohen, Charles Fried, Owen Fiss, and Ronald Dworkin (others joined later). Meeting monthly with these people—that was my philosophical education. I was certainly the only member of SELF who needed a philosophical education, but I don’t think that I ever actually became a philosopher. Abstract thinking and hypothetical examples were not, and are not, my strong point. I learned a great deal from SELF meetings, but I was groping in those years for a style of my own, a way of arguing that would suit the readers of Dissent as well as the readers of the journal that SELF soon produced: Philosophy and Public Affairs.

The first issue of that journal carried an article of mine (1971), written for a symposium on the 25th anniversary of the end of the Second World War: “World War II: Why Was This War Different?” Martin Kessler, then the senior editor at Basic Books, heard the talk and read the article and suggested that I write a book about war and morality. It was exactly the right time—I had been active in the antwar movement of the late 1960s, running around the country arguing against our engagement in Vietnam—and Kessler was exactly the right editor. Over the next five years, he helped me shape the book, Just and Unjust Wars: A Moral Argument with Historical Illustrations (1977). The title was mine, the subtitle Kessler’s; he had suggested that I work the argument through historical examples rather than hypothetical ones, and I found this approach entirely congenial. I spent five years reading military history, the memoirs of soldiers, and all the novels and poems I could find that dealt with the experience of war. I also read Catholic just war theory; my book was a secular version of a very old doctrine, but its distinctive feature was its commitment to history—not the history of the doctrine but the history of war.

Just war theory is now a small academic industry, and I am sometimes credited with having had a hand in its renewal. But most of the current writers are philosophers who, it seems to me, are much more interested in moral philosophy than they are in war; they have certainly not read in the same way that I did. Judging from their footnotes and bibliographies, they mostly read each other and work at complicating each other’s hypothetical examples. There are exceptions, of course, but I don’t recognize my hand in most of the theoretical work about war and morality that I read, or try to read, today.

As soon as the war book was finished, I began work on a book about distributive justice, once again with encouragement from Martin Kessler. The project had both political and academic sources—the arguments about justice and equality generated by the New Left of the 1960s and the arguments provoked by John Rawls’ A Theory of Justice (published in 1971, but its chapters had been circulating in mimeographed form for years). In the fall of 1970, Robert Nozick and I taught a course in the Harvard Philosophy Department called “Capitalism and Socialism.” It was a semester-long argument: I defended socialism; Nozick defended capitalism. Out of this course came Nozick’s Anarchy, State, and Utopia (1974) and, years later, my Spheres of Justice: A Defense of Pluralism and Equality (1983). “In Defense of Equality” (1973b) was a more immediate product of the course and anticipated the argument of the book.

Spheres was meant to be a companion to Just and Unjust Wars; it was argued in the same way, with many historical and contemporary examples of distributive arrangements, just and unjust. But there was one big difference between the two books. Because wars are fought across state borders and cultural boundaries, the moral principles that govern warfare have to be universal. At least, they have to be comprehensible and, more than that, recognizably just, to people with very different histories and ways of life. They have to be part of what Rawls called the “overlapping consensus” of different societies and civilizations. And so the argument of Wars was meant to apply to any state, to any army, and to any insurgent group that is contemplating a war or fighting one, anywhere, any time. In this sense, it was a conventional moral argument of the sort that students
are taught to make in Philosophy 101, and my colleagues in SELF, although they disagreed about some points, acknowledged the enterprise as being similar to their own.

Spheres, by contrast, was focused on the sorts of distributive questions that arise within states; I wasn’t writing in that book, although I have written since, about global justice. My subject was the distribution of welfare, taxes, education, political power, hard work, leisure time, public respect, and social recognition—and for all these the critical arena was the modern state. That is where the most important distributive decisions were made—and still are made. And with regard to those decisions, I defended a kind of relativism, which was quickly taken to be relativism tout court, as if I had never taken Philosophy 101 (I never did, actually).

In fact, the argument of Spheres had its own universalism. My claim was that the answer to all the standard distributive questions—who delivered what goods to which people for what reasons—should follow from the meaning of the goods in the common life of a particular society. Just distributions were relative to the social meaning of the distributed goods. But this was true everywhere, in all societies, all the time. Injustice began when goods were distributed for the wrong reasons (my argument owed a lot to a famous essay by Bernard Williams (1973) on right reasons)—for example, in the United States, when medical care went to the rich rather than to the sick or when professional positions went to politically connected men and women rather than to those who were smart and competent. I intended a critical argument, because distorted distributions, as in those two examples, are so common. But my emphasis on social meaning was taken by many critics to be deeply conservative. Ronald Dworkin, in a brutal review in The New York Review of Books, accused me of making social criticism impossible; I was just inviting every society to look admiringly in the mirror.

I responded by invoking Shakespeare’s Hamlet, whose invitation to his mother to look in the mirror is not meant to elicit admiration but revulsion. A mirror is a critical instrument. Still, I worried about the criticism of my argument, which came also from some feminist writers, including my former student and friend Susan Okin. So I began thinking about social criticism as a project: How did it work? Where did its standards come from? When was it strongest and most successful? Was it indeed inhibited or undermined by the argument of Spheres? From these worried reflections came three books: Interpretation and Social Criticism (1987), The Company of Critics (1988), and Thick and Thin: Moral Argument at Home and Abroad (1994a).

The second of these was my favorite—another case of an argument worked through examples. In Company, I wrote about some twentieth-century social critics who got the project right or mostly right (Benda, Bourne, Buber, Gramsci, Silone, Orwell, Camus, and Breytenbach) and about others who seemed to me to go wrong or partly wrong (Beauvoir, Marcuse, and Foucault). The book was a defense of “connected criticism”—that is, criticism from within the cave, written by critics who were committed to the well-being of the society they criticized, who were holding the mirror up to their fellow-citizens and saying, “You know what you pretend to be, to value, and to love—and here is what you really are; here is what you really do.” This was, of course, what I thought I was saying in Spheres, so my defense of connection was itself defensive. Still, I continue to believe that critical distance should be measured in inches, and that critics who climb the mountain in order to look down on the rest of us and tell us what we are doing wrong are not only arrogant but, often, politically dangerous—too ready, that is, to force us to be free, or virtuous, or just. The distance of critics from the people they criticize is like the distance of tyrants from the people they rule.

There is, however, a second argument in these books and in a number of articles written at the same time. It is perhaps most clear in Thick and Thin. The essays in that book are meant to explain the difference between the morality of wars and the morality of distributions, which I took to be roughly the same as the difference between a thin, universal code and a culturally thick and particularist understanding of moral life. During the years when I was writing about
connected criticism, I was also trying to explain the universal code. I never managed (actually, I never tried) to produce a systematic account that coheres with everything else that I have written or thought about. Sometimes, as in Thick and Thin, I put the particularist understandings first and argued that the universal code was simply abstracted from all of them. To paraphrase a famous line from George Orwell, in every thick morality there is a thin morality struggling to get out. Sometimes, as in my Tanner Lectures at Oxford, “Nation and Universe” (1990), I put the universal principles first and argued that ideas like “self-determination,” meant to apply to individuals and groups everywhere, would naturally produce and legitimize cultural difference—because each self would determine itself in its own way. But why do human beings engaged in this kind of thick cultural creation again and again come up with the same small number of (mostly negative) moral principles? I have always assumed that there must be a naturalistic explanation for this, but I have never been interested in joining the philosophical search for the rock-bottom foundation of all our moralities.

My pluralist commitments, manifest in my preference for plural titles like Obligations, Wars, and Spheres, led me to write a series of essays in the 1980s and 1990s on the voluntary and involuntary associations that constitute civil society, on multiculturalism in schools and states, and on ethnicity and nationalism. Some of these were collected in What It Means to Be an American (1994b) and in Politics and Passion (2004). In these essays, I defended a “soft” multiculturalism, in tune with the needs of an immigrant society like our own, where ethnic groups don’t have clear-cut boundaries and nobody’s identity is policed by the state. And I also defended a liberal nationalism, which was the political/theoretical expression of my feelings about Zionism and the state of Israel.

THE JEWISH POLITICAL TRADITION

I need to backtrack now and deal with another side of my intellectual history. Political theory, I strongly believe, should be a reflection upon political experience. My theoretical arguments about equality were generated, in part, by my participation in the civil rights movement of the early 1960s. My arguments about war, as I have already said, came out of my participation in the antinuclear movement of the later 1960s and early 1970s. My arguments about nationalism came out of my lifelong engagement with Zionist politics, here in the United States and also, vicariously, in Israel, where I have spoken and written in support of the political positions of my social democratic and peacenik friends. I wrote many articles, mostly in The New Republic and Dissent, about the politics of the Middle East. I never pretended to be a scholar of the Middle East. But this engagement did lead me to become, fairly late in life, something of a scholar in Jewish Studies.

It all started playfully. Reading the sermons of the English Puritans for my dissertation, I discovered that many seventeenth-century preachers referred to the story of the Exodus of the Israelites from Egypt and, more particularly, to the incident of the golden calf—which is the portion of the bible that I read at my bar mitzvah in 1948. I began collecting references to Exodus 32—a chapter that I could once recite by heart in Hebrew and English. From this collection, I produced one of my earliest articles (1968) published in the Harvard Theological Review, on the uses of the golden calf story (which culminates in the killing of the idol worshippers) to justify religious repression and revolutionary purges. Theology was never an interest of mine, but I was fascinated by the effects of religion on politics, and it may well be that my bar mitzvah portion was the source or first sign of this fascination.

When I went to the South in 1960, I listened to contemporary sermons by Black Baptist preachers on the same biblical theme—and in a language that owed a lot to the King James version of the bible. I promised myself then that one day I would write a book about the Exodus and its
influence on the politics of liberation. But I didn’t get to this task until after I finished my books on wars and distributions. *Exodus and Revolution* (1985) was first a series of Christian Gauss lectures at Princeton. The response to the lectures was encouraging enough, although many of my friends didn’t see the point of what I was doing. I was arguing that the Exodus text contains an account of two different kinds of liberation politics—the first is a politics of holiness and repression (the killing of the idol worshippers is its key moment), and the second, which I identified with the dream of “milk and honey,” is a more materialist politics. I dared to call it “social-democratic.” I meant, obviously, to defend the second kind of politics. Still, I was a bit nervous about my argument, so I took the lectures with me to Jerusalem and asked Moshe Greenberg, a great biblical scholar and a sweet and generous man, to read them. He not only did that but also studied the book of Exodus with me, and he gave me a second license—to write not only about politics but also about biblical politics.

In the early 1980s, I began attending an annual conference on Jewish philosophy organized by David Hartman, first in Canada, then in Israel. At these conferences, we studied Talmud in the morning, philosophy in the afternoon, and politics after dinner. After a couple of years, I decided that I wanted to undertake a project on the Jewish political tradition. I circulated a memo to participants in the Hartman conferences proposing a volume of texts and commentaries. The texts—biblical and talmudic, medieval and modern—would be organized topically, on central political themes; the commentators, contemporary philosophers and political and legal theorists, would join the argument of the texts. I imagined one volume; as of 2012, two have been published (2000, 2003), and two more are on the way.

The first volume deals with authority: Whose rule is legitimate in the Jewish world? What are the rival claims to rule? The second volume deals with membership: Who is a Jew? What is the meaning of conversion, apostasy, and heresy? What are the ranks and orders of Jewish society? The third volume will deal with community: How was welfare provided in the exilic communities? How were the burdens of taxation allocated? How did courts and assemblies function without a state? The last volume will deal with the world-historical questions: land, war, exile, and redemption. My coeditors, Menachem Lorberbaum and Noam Zohar, were with me at the earliest Hartman conferences; we have been working together now for over 20 years.

Making the selections for the volumes of *The Jewish Political Tradition* was a second education for me. I had moved from Harvard to the Institute for Advanced Study in Princeton in 1980, looking for more time to read and write. *Spheres of Justice* and *Exodus and Revolution* were early products of that move. But the best use that I made of the free time that the Institute afforded was nothing like what I expected in 1980. For years I sat with scholars from Israel reading Jewish texts—chiefly the Talmud and medieval rabbinic responsa—that I had never read before. Jewish writers over many centuries produced a legal and political literature that was decisively shaped by the experience of statelessness. This literature did not include political theory, a Greek invention. Nonetheless, it is the reflection in print of an extraordinary political achievement, for the Jews sustained a national life for almost 2,000 years without sovereignty or territory and, for most of that time, without coercive power. The texts collected for our four volumes are meant, in part, to explain that achievement.

But the project also has a larger agenda—here I speak only for myself; my coeditors have agendas of their own. For many years now, I have been worrying about what might be called the cultural reproduction of the left. No doubt, as Gilbert and Sullivan wrote, society and culture will “contrive/That every boy and every girl/That’s born into the world alive/Is either a little Liberal/Or else a little Conservative.” As the bible says, the poor will always be with us, and if that is true, so will the left. But in comparison with the different religious communities, the secular left does not seem able to pass on to its next generations a rich intellectual culture or an engaging
popular culture. The tradition is thin. I worried about this with regard to the American left and also, in greater anxiety, with regard to the Zionist left.

Indeed, the problem is general. I tried to illustrate this, and to begin to explain it, in a series of lectures that I gave a few years ago at Northwestern University Law School (which I hope to revise and expand in the near future). The lectures compared three national liberation movements—in India, Israel, and Algeria. In each case, the movement was secular and leftist; in each case, it succeeded in establishing a secular state; and in each case, this secular state was challenged some 30 years later by religious zealots. Three different religions but three similar versions of zealotry: modernized, politicized, ideological. The leaders of the secular liberationists, people like Nehru, Ben-Gurion, and Ben Bella, were convinced that secularization was inevitable—the disenchantment of the social world. But they did not succeed in creating a rich cultural alternative to the old religion. They thought they didn’t have to do that; modern science was the alternative. Modern science, however, does not produce emotionally appealing life-cycle celebrations or moving accounts of the value and purpose of our lives. That’s what religion does, and secular leftism, though often described on analogy with religion, has not been similarly creative.

In the Zionist case, the secular character of the Labor left was most powerfully revealed in its call for “the negation of the exile.” The real target here was Judaism itself, or at least orthodox Judaism, which was the religion of exile. But Judaism was also the culture of the people for whom the state was being created, and a politics of negation, although there were many good reasons for it, left too little cultural material out of which to construct something new and emotionally attractive to those people. Here was another problem of connection.

So the Jewish political tradition project, for me, is an intellectual effort to overcome the negation, to reconnect with the tradition. The connection has to be critical—I am still a secular leftist—and that requirement determined two features of our project. First, we present the tradition in the same way Oliver Cromwell told the state portraitist he wanted to be painted: “warts and all.” The presentation is in no way apologetic; we include the texts that make us most uncomfortable. Second, the commentaries regularly engage the arguments of the texts, supporting them, rejecting them, revising them. They aren’t, as the saying goes, “merely academic.” The overall aim is to deny that orthodox Jews have a monopoly on the tradition. Insofar as it is, as it should be, a living tradition, it has to be open to refinements, rejections, amendments, and improvements. And the long-term hope is that all this will eventually produce a stronger, thicker, and more appealing version of liberationist culture.

While working on The Jewish Political Tradition, I have been writing and have now finished a book of my own—a political theorist’s reading of the Hebrew bible (2012). Unlike the Exodus book, this is not an account of the reception and use of biblical texts. It is an effort to get at the political views of the biblical writers. They believed in an omnipotent God whom they often described as a political ruler: “king of all the earth” and “lord of hosts” (i.e., armies). What did politics mean to these writers? Where was there room for human politics “in God’s shadow” (which is the title of the book)?

TEACHERS AND FRIENDS

Writing now about books and articles that I’ve written over the years, I realize that I’ve failed to mention a number of people who were crucial to my intellectual development. My arguments with Rabbi Hyam Goren Perelmuter over the golden calf story (when I was studying for my bar mitzvah) had consequences neither of us expected. I took a course with Frank Manuel in each of my four years at Brandeis; it was Frank, himself a fine historian, who urged me to apply to Harvard’s Government Department for my graduate work (and probably got me in). During my
Fulbright year in England, my Cambridge tutor was Geoffrey Elton, with whom I read sixteenth- and seventeenth-century English history; Geoffrey didn’t believe in intellectual history but let me do it and helped me think about what I was doing. At Harvard my chief mentor and protector was Sam Beer, with whom I wrote my dissertation and who allowed and encouraged me to do it my way. My closest intellectual friends at Harvard were Judith Shklar and Stanley Hoffmann, who were also my most engaged critics. For pretty much my whole life, I have been talking and arguing with Martin Peretz about politics. At the Institute for Advanced Study, I met almost every day with Clifford Geertz; anyone who knows Cliff and who reads the books I wrote after 1980 will recognize the extent of my debt to him. I still write with these people, and some of the others mentioned in these pages (most importantly, Irving Howe), looking over my shoulder. Sometimes I imagine them shaking their heads in sorrow, and then I go back and rewrite.

DISCLOSURE STATEMENT

The author is not aware of any affiliations, memberships, funding, or financial holdings that might be perceived as affecting the objectivity of this essay.

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Contents

The Political Theory License
   Michael Walzer .......................................................... 1

Reconsidering Judicial Preferences
   Lee Epstein and Jack Knight ........................................ 11

Social Networks and Political Participation
   David E. Campbell ......................................................... 33

Why Social Relations Matter for Politics and Successful Societies
   Peter A. Hall and Michèle Lamont .................................. 49

Distributive Politics Around the World
   Miriam Golden and Brian Min ........................................ 73

Media and Political Polarization
   Markus Prior .............................................................. 101

Media Bias by the Numbers: Challenges and Opportunities in the
   Empirical Study of Partisan News
   Tim Groeling .............................................................. 129

The Political Economy of the Euro
   Paul De Grauwe .......................................................... 153

Empowerment of the European Parliament
   Simon Hix and Bjørn Høyland ........................................ 171

The Use and Misuse of the “Minorities at Risk” Project
   Simon Hug ................................................................. 191

Looking Back to See Ahead: Unanticipated Changes in Immigration
   from 1986 to the Present and Their Implications for American
   Politics Today
   Michael Jones-Correa and Els de Graauw .......................... 209

The Changing Landscape of US Unions in Historical and Theoretical
   Perspective
   Michael Goldfield and Amy Bromsen ............................... 231

Annual Review of Political Science
Volume 16, 2013
The Analytical Foundations of Collective Action Theory: A Survey of Some Recent Developments
   Luis Fernando Medina ...................................................... 259

Retrospective Voting Reconsidered
   Andrew Healy and Neil Malhotra ........................................... 285

Cooperative Survey Research
   Stephen Ansolabehere and Douglas Rivers ............................... 307

Regime Change Cascades: What We Have Learned from the 1848 Revolutions to the 2011 Arab Uprisings
   Henry E. Hale ................................................................. 331

Terrorism and Democracy
   Erica Chenoweth ............................................................... 355

Humanitarian Governance
   Michael N. Barnett ............................................................ 379

Green Clubs: Collective Action and Voluntary Environmental Programs
   Matthew Potoski and Aseem Prakash ....................................... 399

Climate Change Politics
   Thomas Bernauer ............................................................... 421

The Politics of Energy
   Llewelyn Hughes and Phillip Y. Lipscy .................................... 449

Indexes

Cumulative Index of Contributing Authors, Volumes 12–16 ................ 471
Cumulative Index of Article Titles, Volumes 12–16 ............................ 473

Errata

An online log of corrections to Annual Review of Political Science articles may be found at http://polisci.annualreviews.org/