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Notes from the Editors

IN THIS ISSUE

Of this issue's ten articles, the first six deal with aspects of politics in democracies, while the last four ask how rights are asserted or maintained against all regimes—but in particular, less democratic, or even genocidal ones.

Democratic politics. The first two articles cover corruption—its incidence, detection. and prosecution—among elected politicians; the second two ask whether, and how, parties position themselves ideologically; and the final pair focuses on maneuvering, and the policies ultimately adopted, within legislatures.

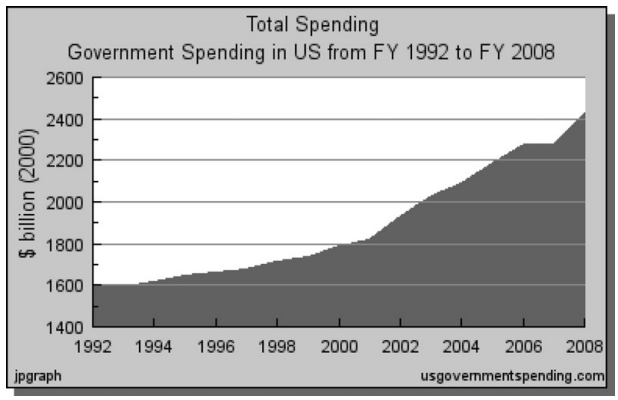
Does corruption diminish as democracies grow wealthier and more stable, or does it just take subtler forms? In a lead article that may inspire lurid headlines in the British press, Andrew C. Eggers and Jens Hainmueller advance strong evidence for the latter proposition. Even in the ancient and honorable "Mother of Parliaments," they show in "MPs for Sale? Returns to Office in Postwar British Politics," that election to office roughly doubles a Conservative MP's wealth over subsequent years, mostly through lucrative jobs in the private sector—which, in the UK, are perfectly legal to hold, so long as they are disclosed during one's term of office. (The proof is in an ingenious matching strategy—unanimously praised by our usually hypercritical referees—which compared the wealth of Conservatives narrowly elected to Parliament with that of Tory candidates who narrowly failed of election). Presumably the employers of these MPs were animated less by charity than by the hope of access to current officeholders and senior civil servants; and that presumption, Eggers and Hainmueller show, is borne out by a considerable amount of anecdotal and documentary evidence. Intriguingly, no such effect on wealth prevailed among Labour MPs. (Our cover illustration, graciously suggested to us by the authors, fittingly skewers Neil Hamilton, then a Conservative Minister, who was brought down by the far crasser 1994 "cash-for-questions" scandal.)

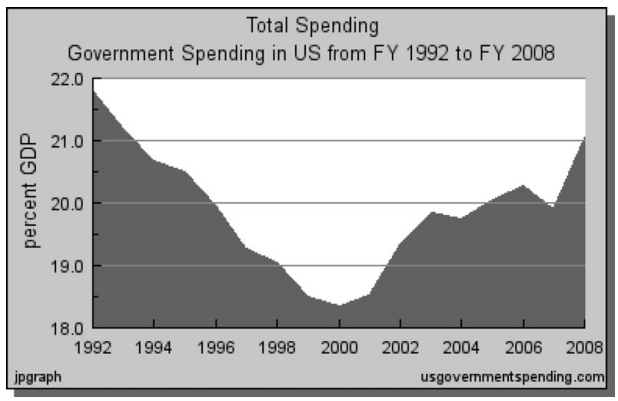
"But what about corruption on this side of the Atlantic?," Americans may ask, unwilling to be outdone in these matters (see, most recently and reliably, Illinois). In the UK, at least, the Crown Prosecution Service is politically independent, and decisions about whether to prosecute suspected corruption are usually seen as unbiased. In the U.S., the Attorney General's position as a political appointee raises the fear that U.S. Attorneys may persecute the President's enemies or shield his supporters. These fears, Sanford C. Gordon shows in "Assessing Partisan Bias in Federal Public Corruption Prosecutions," are well grounded. Again employing a clever and innovative empirical approach, hinging on the insight that weaker cases should lead to lower sentences, Gordon finds substantial evidence of biased prosecutions under both Presidents Clinton and G. W. Bush. Such bias, Gordon speculates, diminishes in periods of divided government but faces only weak constraints when a strong majority in Congress supports the President.

From comparison to contrast: Clinton's frugality and G. W. Bush's almost riotous prodigality caused many Americans, not least on the Right, to question whether conservatism still meant "fiscal conservatism."[1] That doubt, Margit Tavits and Natalia Letki argue in "When Left is Right: Party Ideology and Policy in Post-Communist Europe," is considerably amplified in post-Communist countries, where indeed Leftist governments have been reliably more frugal than Rightist ones. The Leftist electorate, they explain, is more stable, and the Left must do more to convince domestic and international actors of its fiscal probity. Thus the Left is both able and willing to keep the purse strings tight. The Right's more volatile electorate impels it to spend freely in pursuit of popular support.

Whatever the specific issues, Left and Right have strongly diverged in recent years: The chatter about "Red" and "Blue" America is echoed in polarized Italy, France, and Latin America. But anyone of a certain age can easily recall the era of *convergence*, when

[1] In constant dollars, Federal spending grew by about one-eighth during Clinton's two terms, but by more than one-third between 2000 and 2008. Expressed as a percentage of GDP, the contrast between the two administrations' spending is even sharper. (Graphs prepared at www.usgovernmentspending.com from data compiled by Christopher Chantrill. Used with permission.)





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Britons lamented "Butskellism" and American third-party candidates (George Wallace, Ross Perot) saw "not a dime's worth of difference" between Republicans and Democrats. In "The Case for Responsible Parties," Dan Bernhardt, John Duggan, and Francesco Squintani hone these intuitions into an informative formal model. When parties do not know voters' preferences precisely, and when parties differ even moderately in ideology, all voters prefer responsible (i.e., at least partially policy-oriented) parties to purely opportunistic ones; and there is a socially optimal degree of platform divergence between parties. Moreover, the benefits of office can be manipulated, by institutional design, to achieve this first-best outcome. Paradoxically the optimum-achieving benefits of office will increase with parties' ideological polarization. Empirically, we should expect party platforms to converge more where the benefits of office are greater (typically, in larger units) or where voters' preferences are known with greater certainty (e.g., because of more accurate surveys or shorter campaigns). The implications, as they note, are both normative and positive and offer us some insight into recent trends toward polarization.

But do even responsible and disciplined parliamentary majorities enact exactly the policies they want? No, at least not in the U.S. Senate, even in what all now see as the epochal legislative struggles of recent U.S. history. In "Closing the Deal: Negotiating Civil Rights Legislation," Gyung-Ho Jeong, Gary J. Miller, and Itai Sened argue that, contrary to received wisdom, none of the four major civil and voting rights acts between 1957 and 1974 involved a disciplined majority steamrollering its opponents to get just what it wanted. (Most of us probably envision the 1965 Voting Rights Act, in particular, in this way.) Neither, as some would have it, did the 1957 Act result from chaotic maneuvering. Rather, at least in any policy space involving two or more dimensions, one can predict the ultimate outcome as being within the uncovered set, and in all of these cases that outcome was some distance from the ideal point of the winning coalition. Their paper offers both a significant corrective to our historical understanding and evidence that procedures—or "institutionally induced equilibrium"—may matter less for legislative outcomes than we have thought.

In disciplined parliamentary systems, we often suppose, the range of possible outcomes is different: Willing backbenchers simply delegate their powers to ministers and, with rare exceptions, vote as their leaders have decided. A neat test of this claim is offered by varying domestic responses to a common "treatment," namely the need to transpose European Union directives into domestic law in each of the member states. In "Legislative Involvement in Parliamentary Systems: Opportunities, Conflict, and Institutional Constraints," Fabio Franchino and Bjørn Høyland find that in the typical multiparty coalition, MPs delegate transposition responsibilities only to the extent that coalition partners and ministers agree, or that the directive itself offers little room for discretion. All else equal, MPs involve themselves more in the transposition as a) ministers and coalition partners disagree; b) the directive allows greater latitude; and c) the government's "institutional advantage" over parliament (e.g., to set parliament's agenda) increases. So here institutions still matter, but the effect varies with the extent of intra-coalitional conflict.

Asserting and maintaining rights. In "Deference, Dissent, and Dispute Resolution: An Experimental Intervention Using Mass Media to Change Norms and Behavior in Rwanda," Elizabeth Levy Paluck and Donald P. Green evaluate a heroic effort to change political culture in post-genocide Rwanda—in particular, to erode apparent norms of excessive deference that had allowed Hutu leaders to orchestrate the mass killings of Tutsi compatriots. A series of radio dramas offered scenarios that discouraged blind obedience and set examples of independent thought and collective deliberation. As a control, a comparable group of listeners heard similar dramas on HIV prevention. Randomly presented to subjects from particularly important groups—among them both survivors and imprisoned perpetrators of the genocide—the anti-deference broadcasts seemed, through a great variety of both quantitative and qualitative evaluative techniques, to have had a substantial effect on listeners' willingness to dissent and to act collectively, but little impact on their expressed beliefs and attitudes. This represents to us a pioneering attempt to evaluate scientifically (we use the word advisedly, Senator Coburn) whether and how one can inculcate, in a culture that was fatally deferential, a greater readiness to disagree and deliberate.

Some dictatorships, however, tolerate a surprising amount of dissent, including relatively free mass media. Why? In "Why Resource-poor Dictators Allow Freer Media: A Theory and Evidence from Panel Data," Georgy Egorov, Sergei Guriev, and Konstantin Sonin hypothesize that loosely fettered media serve as a cheap and fairly reliable way for dictators to monitor subordinates, e.g., by exposing corruption, incompetence, or even disloyalty. (Secret police or political commissars could do it more quietly, but might themselves be corrupted to turn a blind eye.) One implication is that resource-rich dictators, less concerned about quality of government, will tolerate open dissent less. That result is intuitive, but remarkably enough it shows up equally clearly, with all the usual controls, in panel data. Even in the short run, an increase in a dictatorship's oil reserves—or simply in the price of oil—diminishes media freedom, the effect being more pronounced the more dictatorial the regime.

Turning from media rights to the collective rights of workers, Brian Greenhill, Layna Mosley, and Aseem Prakash revisit the much-debated question of whether openness to trade expands or contracts labor rights in less-developed countries, in "Trade-based Diffusion of Labor Rights: A Panel Study, 1986–2002." What matters less, they find, is *how much* a country trades rather than *with whom* it trades. Particularly in the realm of "black-letter" legal rights of workers, a "California effect" seems to prevail: The more a nation trades with

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countries that themselves have high labor standards, the likelier it is to incorporate such rights in its own written laws. (Conversely, trading a lot with countries that have low labor standards does nothing to expand formal rights at home.) While this effect on formal law seems strong, the "California effect" on actual *practices* seems much weaker. Less developed countries, in short, emulate the codified labor rights of countries with which they trade, but follow much less the actual practices of those more rights-oriented nations.

Finally, in "Claiming Rights across Borders: International Human Rights and Democratic Sovereignty"—dedicated to Jürgen Habermas on the occasion of his 80th birthday—Seyla Benhabib addresses the diffusion of human rights more generally, particularly through judicial reliance on other nations' laws and rulings.[2] Does growing judicial importation of human rights from other countries lead us toward "global constitutionalism," or does it violate democratic sovereignty? To the extent that judges in younger democracies affirm rights that prevail elsewhere, might this universalization of human rights actually be seen as a neocolonialist enterprise? Rejecting constitutional globalist as well as democratic sovereigntist claims, Benhabib focuses on the "jurisgenerativity of law." The diffusion of human rights can improve democratic self-rule, but cosmopolitan norms must be contextualized and interpreted by self-governing peoples.

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[2] As Benhabib observes, the U.S. Supreme Court has invoked what the dissenting Justice Scalia called "alien law" in deciding that the execution of juveniles violated the Constitutional prohibition on "cruel and unusual" punishments.

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