Affirmative: Transparency & Virtue

By Josiah Hemp

Resolved: In democratic elections, the public’s right to know ought to be valued above a candidate’s right to privacy.

The right to know can not only help voters make more informed decisions, but it can also cultivate virtue in politics. This argument has appeal because we all know that to some extent it is true. As a small child, you may have been less likely to do something wrong if your mother was watching you. The same can be applied to candidates. Not only will voters be able to choose the virtuous politician, politicians will choose to become more virtuous.  
One important note: in order to better understand the ‘why’ behind the rejection of the standard definition of the right to know in this case, See Csoros, Mark. “KNOWLEDGE VS. PRIVACY: RESOLUTIONAL OVERVIEW.” Monument Publishing, August 3, 2020. https://club.monumentmembers.com/ncfca-lincoln-douglas/download-info/s21-ld-ncfca-01-overview/. Pages 6-8.

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Affirmative: Transparency & Character

Former Coast Guard Commandant Admiral Thad Allen once said, “Transparency of information breeds self-correcting behavior.” It is because virtue is necessary for good government and transparency builds virtue that I ask you to affirm that: In democratic elections, the public’s right to know ought to be valued above a candidate’s right to privacy.

DEFINITIONS

Right of Privacy

Merriam-Webster Legal Dictionary, “Right of privacy.” <https://www.merriam-webster.com/legal/right%20of%20privacy> Accessed 27 Jul. 2020.

“The right of a person to be free from intrusion into or publicity concerning matters of a personal nature.”

Right to Know

Most definitions of the right to know go something like this…

Dictionary.com “Right-to-know” [https://www.dictionary.com/browse/right-to-know](about:blank)

“Of or relating to laws or policies that make certain government or company data and records available to any individual who has a right or need to know their contents.”

Unfortunately, we can’t use these standard definitions for this debate. In this debate we are not arguing about the adjective “right to know” as it describes a particular type of laws. Instead, we are talking about the noun the right to know. We mean the right to information about candidates, not “right to know” laws.

VALUE: Virtue

Definition

Noah Webster’s 1828 Dictionary (The original Webster’s Dictionary. The first American Dictionary.) “Virtue” <http://webstersdictionary1828.com/Dictionary/virtue>

“Moral goodness; the practice of moral duties and the abstaining from vice, or a conformity of life and conversation to the moral law. In this sense, virtue may be, and in many instances must be, distinguished from religion. The practice of moral duties merely from motives of convenience, or from compulsion, or from regard to reputation, is virtue as distinct from religion. The practice of moral duties from sincere love to God and his laws, is virtue and religion. In this sense it is true,

“That virtue only makes our bliss below.”

CONTENTION 1: Virtue is necessary for Democracy

The Founders believed virtue is necessary for democracy (1)

J. David Gowdy, 2011 (B.A. Kansas State University; J.D., J. Reuben Clark Law School at Brigham Young University, Cum Laude. Has practiced law in Texas and California, and has been a co-founder and director of several businesses. Founded The Washington, Jefferson & Madison Institute (WJMI) in Virginia in 2004 and The George Washington Center for Constitutional Studies (GWCCS) in Virginia in 2017. Has taught continuing education courses on U.S. History and the American Founding to secondary school teachers in Virginia for the past 11 years and is the author of “Seven Principles of Liberty," “Thomas Jefferson and James Madison’s Guide to Understanding and Teaching the Constitution,” and “The Constitutional Thought of J. Reuben Clark, Jr.”) “No Liberty without Virtue” The Washington, Jefferson, & Madison Institute. April 3, 2011. <http://wjmi.blogspot.com/2011/04/no-liberty-without-virtue.html> Accessed August 10, 2020.

“To our Founding Fathers it was obvious, or “self-evident,” that self-government, or a democratic republic, could only be perpetuated by the self-governed. Reflecting these precepts, a contemporary German writer to the Founders, J. W. von Goethe, stated: "What is the best government? -- That which teaches us to govern ourselves." And, a later, prominent 19th Century minister, Henry Ward Beecher, simply said: “There is no liberty to men who know not how to govern themselves.” Self-governance consists of self-regulation of our behavior, ambitions and passions. To this end, the Founders fundamentally believed that the ability to govern ourselves rests with our individual and collective virtue (or moral character).

John Adams stated it this way, “Public virtue cannot exist in a Nation without private Virtue, and public Virtue is the only Foundation of Republics.” In this regard, the revolutionary war was as much a battle against “the corruption of 18th century British high society,” as it was against financial oppression. While the Founders and American colonists were very concerned with their civil liberty and economic freedom, demanding “no taxation without representation,” they were equally concerned with their religious liberty, particularly in preserving their rights of individual conscience and public morality. With respect to the vital need for virtue in order to establish and maintain a republic, the Founders were in complete harmony:

George Washington said: “Virtue or morality is a necessary spring of popular government,” and “Human rights can only be assured among a virtuous people.”

Benjamin Franklin said: “Only a virtuous people are capable of freedom.”

James Madison stated: “To suppose that any form of government will secure liberty or happiness without any virtue in the people, is a chimerical [imaginary] idea.”

Thomas Jefferson wrote, “No government can continue good but under the control of the people; and … their minds are to be informed by education what is right and what wrong; to be encouraged in habits of virtue and to be deterred from those of vice … These are the inculcations necessary to render the people a sure basis for the structure and order of government.”

Samuel Adams said: “Neither the wisest constitution nor the wisest laws will secure the liberty and happiness of a people whose manners are universally corrupt. He therefore is the truest friend of the liberty of his country who tries most to promote its virtue.”

Patrick Henry stated that: “A vitiated [impure] state of morals, a corrupted public conscience, is incompatible with freedom.”

John Adams stated: “We have no government armed with power capable of contending with human passions unbridled by morality and religion. Avarice, ambition, revenge, or gallantry would break the strongest cords of our constitution as a whale goes through a net. Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other.”

Virtue ennobles individual character and lifts society as a whole. Virtuous principles eschew prejudice and discrimination, confirming that “all men are created equal.” Virtue encompasses characteristics of goodwill, patience, tolerance, kindness, respect, humility, gratitude, courage, honor, industry, honesty, chastity and fidelity. These precepts serve as the cornerstones for both individual happiness and societal governance.”

The Founders believed virtue is necessary for democracy (2)

Dr. Robert Spinney 2019 (BA, Harvard; MA Vanderbilt; PhD Vanderbilt. Professor of History, Patrick Henry College) The History of the United States: A Christian Perspective, Third Edition. StahrSpin Publishing. Page 98.

“For the Founders, a republican government required a virtuous citizenry. The public must have some sense of basic morality if it will be electing powerful men. In particular, a successful republic requires that citizens subordinate their own self-interest to the public good. This is because the people themselves exercise political power and set the political agenda; if they deemphasize the public good, there is no one else (e.g., a king or nobility) to counteract their self-centeredness. On its own, the public must think first in terms of the commonwealth, not each his own wealth”

I could go on, but I think it is clear that virtue is important for democracy. If the leaders of the nation lack virtue, the country will crumble.

CONTENTION 2: Transparency leads to virtue

Transparency forces candidates (and potential candidates) to improve their behavior

Thad Allen, former U.S. Coast Guard Commandant quoted in Russ Linden, 2010 (management consultant, educator and author. His major areas of expertise include change management, performance improvement and collaboration. He has written five books, his most recent being Leading Across Boundaries: Creating Collaborative Agencies in a Networked World. His clients have included several intelligence, natural-resources and defense agencies; the departments of State, Treasury, Interior, Veterans Affairs, and Education; more than 40 state and local government agencies; and nonprofits in the U.S. and Israel.) “Transparency Breeds Self-Correcting Behavior” Governing.com, January 13, 2010. <https://www.governing.com/columns/mgmt-insights/Transparency-Breeds-Self-Correcting-Behavior.html>

“The L.A. restaurant story is a good example of one of my favorite quotes: "Transparency of information breeds self-correcting behavior." It comes from Thad Allen, Commandant of the U.S. Coast Guard, and influenced this column. In the L.A. example, the "self-correcting behavior" took place at two levels. Restaurants self-corrected by changing their health practices, and consumers changed their behavior. Sixty-five percent of consumers reported being influenced by a restaurant's grades, which is reflected in their move from lower-grade to higher-grade restaurants.”

Exposure and transparency leads to virtue

John Calvin, (famous reformer and theologian) quoted in Marvin Olasky, 2019 (Editor in chief of WORLD Magazine, dean of the World Journalism Insitute, and author of twenty-two books. BA Yale, 1971; PhD University of Michigan, 1976. Professor at the University of Texas at Austin from 1983 to 2007, provost of The King's College in New York City from 2007 to 2011, and Patrick Henry College's distinguished chair in journalism and public policy from 2011 to 2019. He is a senior fellow at the Acton Institute.) Reforming Journalism. P&R Publishing.

“John Calvin’s point on Ephesians 5:11-12 is also good. Would evildoers

‘lay aside all shame, and give loose reins to their passions if darkness did not give them courage, if they did not entertain the hope that what is hidden will pass unpunished? But do you, by reproving them, bring forward the light, that they may be ashamed of their own baseness. Such shame, arising from an acknowledgment of baseness, is the first step to repentance.”

Application: L.A. Restaurants

Russ Linden, 2010 (management consultant, educator and author. His major areas of expertise include change management, performance improvement and collaboration. He has written five books, his most recent being Leading Across Boundaries: Creating Collaborative Agencies in a Networked World. His clients have included several intelligence, natural-resources and defense agencies; the departments of State, Treasury, Interior, Veterans Affairs and Education; more than 40 state and local government agencies; and nonprofits in the U.S. and Israel.) “Transparency Breeds Self-Correcting Behavior” Governing.com, January 13, 2010. <https://www.governing.com/columns/mgmt-insights/Transparency-Breeds-Self-Correcting-Behavior.html>

“In 1997, a film crew took a hidden camera into several Los Angeles restaurants because of reports of poor health practices. They filmed rats in storage areas, food that wasn't refrigerated, waiters "re-serving" food from one customer to another. When the video aired, people were outraged. The result: The Los Angeles County Board of Supervisors passed a law requiring every restaurant to post the letter grade it received from the county's health inspection. The grades had to be prominently posted in the front window, next to the menu. A restaurant that doesn't get at least a C is closed.

“Follow-up studies showed that business at the "A" restaurants went up and that "C" restaurants lost revenue after the system took effect. Over the next decade, the percentage of restaurants receiving A grades went from 25 percent to 50 percent of all county establishments, while the percentage of C restaurants declined from 18 percent to less than 2 percent. Most significantly, there was a 20 percent reduction in the number of people hospitalized for food-related illnesses.”

Now of course we are not debating about restaurants. But it logically follows that the same practices could also improve the character of candidates.

But should we dig into something that is private and supposedly irrelevant? Yes, because even private virtue has public effects.

Public figures’ wrongs have public effects

Marvin Olasky, 2019 (Editor in chief of WORLD Magazine, dean of the World Journalism Insitute, and author of twenty-two books. BA Yale, 1971; PhD University of Michigan, 1976. Professor at the University of Texas at Austin from 1983 to 2007, provost of The King's College in New York City from 2007 to 2011, and Patrick Henry College's distinguished chair in journalism and public policy from 2011 to 2019. He is a senior fellow at the Acton Institute.) Reforming Journalism. P&R Publishing.

“But what about those situations in which a Christian brother who was engaged in personal rather than public offenses has acknowledged his sin following a confrontation and shows signs of repentance and reconciliation? This is where it is helpful to remember the title of the first American newspaper, *Publick Occurrences Both Forreign and Domestick.* A news publication should emphasize public occurrences, not private affairs, unless those affairs have public ramifications. A minister’s adultery, for example, can have an effect on a congregation different from that produced by the waywardness of a regular church member. For people in public positions who are supposed to model virtue and elicit trust, every offense has public ramifications.”

CONCLUSION:

When someone knows that what they do will be revealed to the world and might impact their future success or their chances at election, they will be more likely to do the right thing.

As Calvin pointed out, exposure leads to shame, and shame leads to repentance.

By affirming the resolution, you can make the future of democracy possible. When candidates’ actions are open to public view, citizens can have the chance to choose to elect candidates who are virtuous, and those who want to run for office will respond by improving their character.

Negative Counter-Brief: The People Don’t Care

This Counter-Brief acknowledges the problem of a lack of virtue but argues that transparency will not solve the problem because the problem is rooted deeper. To be clear, it is not arguing that morality does not matter in politics. Instead, it is arguing that in the current political climate transparency will not improve morality in politics. Because voters do not consider character to be an important factor in their voting, even if they knew about a candidates lack of virtue that would only give them another piece of tabloid entertainment.  
Because this argument naturally is disappointing (who wants to hear that virtue in their country’s government is a lost cause?) it may be helpful to point out that we should work for more virtue—just that we should use other methods.  
  
IMPORTANT NOTE: in order to show that the *current* political climate lacks virtue, current examples are used in this brief. Be cautious in presenting contentious political issues. It may be best to not use the most recent applications concerning presidential candidates. Use your best judgment as to whether bringing up these examples will bring light to the debate or just add heat. I personally would not recommend the use of those particular examples. I included them because I would be remiss to not point out these relevant examples in this brief.  
Finally, it is also important for debaters to use discretion when discussing the particulars of candidates’ immoral behaviors. Take even more precaution if Junior competitors are observing the debate round. It may be best to summarize the actions or even forgo the argument entirely if that is necessary given the audience.

The wrong solution

H. L. Mencken (American journalist, essayist, satirist, cultural critic and scholar of American English.) “H.L. Mencken Quotes.”Goodreads.com <https://www.goodreads.com/quotes/8639959-for-every-complex-problem-there-is-an-answer-that-is>. Accessed August 11, 2020.

“For every complex problem there is an answer that is clear, simple and wrong.”

Voters do not care about candidates’ virtue

While more morality and virtue in politics would certainly be a great thing, transparency will not solve the problem. Even when candidates’ immorality is exposed, it often has no real result.

Application: Bill Clinton

William J. Bennet, (former Director of the Office of National Drug Control Policy, former Secretary of Education, former Chairman of the National Endowment for the Humanities. BA, Philosophy, Williams College; doctorate in political philosophy, University of Texas; law degree, Harvard. Former John M. Olin Distinguished Fellow in Cultural Studies at the Heritage Foundation.) The Death of Outrage: Bill Clinton and the Assault on American Ideals. Published by The Free Press, a division of Simon and Schuster Inc. 1998. Print. Page 10.

“Once in a great while a single national event provides insight into where we are and who we are and what we esteem. The Clinton presidency has provided us with a window onto our times, our moral order, our understanding of citizenship. The many Clinton scandals tell us, in a way few other events can, where we are in our public philosophy. They reveal insights into how we view politics and power; virtue and vice; public trust and respect for the law; sexual morality and standards of personal conduct.”

Later in his book, (page 15) he describes the arguments that the Clinton administration made,

“Clinton supporters argue that the public’s apparent indifference to the Clinton scandals, as supported by the polls, is a sign that we are becoming more tolerant and grounded—a sophisticated sensibility long ago achieved by the Europeans. Actor and sometimes political adviser Warren Beatty put it this way: ‘Maybe America is becoming less reluctant to sweep it [sex][[1]](#footnote-1) under the rug, more accepting of its own sexual difficulties. America is becoming more like the countries that America came from.’ In other words, the ho-hum reaction to possible presidential misconduct reflects a wiser understanding of human nature and the ways of the world, a welcome liberation.”

He points out that Clinton defenders argued that issues of morality should not be publicized and should certainly not be relevant to evaluation of politicians.

Although Bennett persuasively argues in his book that morality really does matter in politics, he ended up being on the losing side of the battle for the public’s opinion.

CNN “Poll: Clinton's approval rating up in wake of impeachment.” December 20, 1998. <https://www.cnn.com/ALLPOLITICS/stories/1998/12/20/impeachment.poll/> Accessed August 27, 2020.

“(AllPolitics, December 20) -- In the wake of the House of Representatives' approval of two articles of impeachment, Bill Clinton's approval rating has jumped 10 points to 73 percent, the latest CNN/USA Today/Gallup poll shows.”

“That's not only an all-time high for Clinton, it also beats the highest approval rating President Ronald Reagan ever had.”

Application: Roy Moore

Amelia Thomson-DeVeaux, 2017 (Senior writer for FiveThirtyEight.) “The Values That ‘Values Voters’ Care About Most Are Policies, Not Character Traits.” FiveThirtyEight. November 20, 2017. <https://fivethirtyeight.com/features/the-values-that-values-voters-care-about-most-are-policies-not-character-traits/>. Accessed August 11, 2020.

“Roy Moore has been abandoned by Republican leadership in Congress, the Republican National Committee and even some national evangelical leaders. But the embattled Alabama Senate candidate, who is facing allegations that he sexually assaulted, harassed or made sexual advances toward teenagers, still appears to have the support of a big chunk of his base ahead of the special election being held on Dec. 12: Alabama’s white evangelical Protestants.

A JMC Analytics and Polling survey conducted in the immediate aftermath of the first set of allegations found that most evangelicals (71 percent) said they wouldn’t dissuade them from voting for Moore. A week after the initial allegations were leveled, Moore appeared at a news conference with a group of national Christian conservative leaders. During the conference, they presented a letter praising Moore as a “man of integrity who has never wavered from his valiant defense of the unborn, the Ten Commandments, and the Constitution.

In a state where 35 percent of the population identifies as white evangelical Protestant, the continued support of this constituency will be essential for Moore, who so far has refused calls from party elders to leave the race. Moore has lost some support among Alabama evangelical voters since the allegations surfaced, but not a lot — he dropped by only 6 percentage points among evangelicals in the JMC poll. This constituency’s loyalty to a man who is accused of preying on teenage girls might seem like a head-scratcher, or even hypocritical, coming as it does from the ranks of “values voters,” who place issues related to traditional sexual morality at the heart of their political agenda. But there are several reasons that are consistent with their political history and worldview that explain why they’ve decided — so far — to double down on Moore.”

Trump’s immoral behavior did not affect his popularity

Annemarie S. Walter (PhD Political Science, University of Nottingham Research Fellow (School of Politics and International Relations). & David P. Redlawsk (PhD Political Science, MBA. James R. Soles Professor and Chair (Political Science and International Relations), University of Delaware). 2019 “Voters’ Partisan Responses to Politicians’ Immoral Behavior.” Political Phycology. March 27, 2019. <https://doi.org/10.1111/pops.12582>. Accessed August 11, 2020.

“Immoral behavior by politicians is nothing new. The candidacy and subsequent election of Donald Trump to the U.S. presidency seems to suggest that in the current American political environment, moral violations may be more rule than exception. During his campaign, Trump was accused of sexual misconduct as a tape surfaced where he talked about “grabbing them by the pussy,” while a number of women came forward accusing Trump of inappropriate and sexually harassing behaviors that in other times would have doomed his candidacy. Trump routinely verbally violated a wide range of moral norms during his campaign, for example, mocking a reporter for his disabilities and referring to a former Miss Universe contestant campaigning for Hillary Clinton as “Miss Piggy.” Even after the election, Trump continued to violate basic moral positions that might have sunk other presidents. Recently, Stormy Daniels, a pornographic movie star, alleged that she had had an affair with Trump and he paid her to cover it up just before the November 2016 vote. Unlike John Edwards, the 2008 Democratic presidential candidate whose campaign was doomed when an affair came to light, Trump continues with little obvious impact on his favorability ratings.”

UNQUOTE. They go on to describe his immoral behavior before and after the election and then state, QUOTE,

“Immoral behavior by politicians is nothing new. The candidacy and subsequent election of Donald Trump to the U.S. presidency seems to suggest that in the current American political environment, moral violations may be more rule than exception. During his campaign, Trump was accused of sexual misconduct as a tape surfaced where he talked about “grabbing them by the pussy,” while a number of women came forward accusing Trump of inappropriate and sexually harassing behaviors that in other times would have doomed his candidacy. Trump routinely verbally violated a wide range of moral norms during his campaign, for example, mocking a reporter for his disabilities and referring to a former Miss Universe contestant campaigning for Hillary Clinton as “Miss Piggy.” Even after the election, Trump continued to violate basic moral positions that might have sunk other presidents. Recently, Stormy Daniels, a pornographic movie star, alleged that she had had an affair with Trump and he paid her to cover it up just before the November 2016 vote. Unlike John Edwards, the 2008 Democratic presidential candidate whose campaign was doomed when an affair came to light, Trump continues with little obvious impact on his favorability ratings.”

The impact

The problem is that the culture at large does not care about morality. Because the people don’t care, transparency will not fix anything. A major shift in the morality of the people at large is necessary.

If the problem was that politician were secretly bad people, and the public cared about virtue but lacked information, then transparency could help. But many politician’s immorality is public, and the people still do not care. Thus, transparency cannot achieve virtue.

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H. L. Mencken (American journalist, essayist, satirist, cultural critic and scholar of American English.) “H.L. Mencken Quotes.”Goodreads.com https://www.goodreads.com/quotes/8639959-for-every-complex-problem-there-is-an-answer-that-is. Accessed August 11, 2020.

William J. Bennet, (former Director of the Office of National Drug Control Policy, former Secretary of Education, former Chairman of the National Endowment for the Humanities. BA, Philosophy, Williams College; doctorate in political philosophy, University of Texas; law degree, Harvard. Former John M. Olin Distinguished Fellow in Cultural Studies at the Heritage Foundation.) The Death of Outrage: Bill Clinton and the Assault on American Ideals. Published by The Free Press, a division of Simon and Schuster Inc. 1998. Print. Page 10.

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1. Bracketed phrases in original [↑](#footnote-ref-1)