



Freedom in the World 2017

United States Profile

FREEDOM STATUS: FREE

Freedom in the World Scores

Aggregate Score



(0=Least Free, 100=Most Free)

Freedom Rating: 1/7

Political Rights



Civil Liberties



(1=Most Free, 7=Least Free)

Quick Facts

Population:	323,900,000
Capital:	Washington, DC
GDP/capita:	\$56,116
Press Freedom Status:	Free
Net Freedom Status:	Free



U.S. democracy suffered some erosion in 2016, finds the latest @FreedomHouseDC #FreedomReport <http://freedomhou.se/2jou8aU>

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Overview:

The United States is arguably the world's oldest democracy. Its people benefit from a vibrant electoral system, a strong rule-of-law tradition, robust freedoms of expression and religious belief, and a wide array of other civil liberties. The United States remains a major destination point for immigrants and has largely been successful in integrating newcomers from all backgrounds. However, in recent years the country's democratic institutions have suffered some erosion, as reflected in legislative gridlock, dysfunction in the criminal justice system, and growing disparities in wealth and economic opportunity.

Key Developments:



Clinton received the most votes at the national level, Trump won the presidency by securing a decisive majority in the state-based Electoral College.

- Beginning in October, U.S. intelligence agencies officially accused Russia of interfering in the election process, in part by hacking into the computer systems of the Democratic Party and leaking its internal communications.
- Supreme Court justice Antonin Scalia died in February, but Republican leaders in the Senate refused to hold confirmation hearings for outgoing president Barack Obama's nominee to replace him, arguing that the next president should make the appointment. The vacancy remained open at year's end.

Executive Summary:

Celebrity real-estate developer Donald Trump, an outsider candidate with no previous political experience, won the November presidential election after a year-and-a-half campaign. He secured the Republican Party's nomination in July after defeating a large field of opponents, including several seasoned politicians, in the primary elections. He then scored a major upset in the general election against Democratic Party nominee Hillary Clinton, a former first lady, senator, and secretary of state. Republicans also maintained their majorities in the Senate and the House of Representatives, meaning one party would control both the presidency and Congress for the first time since 2010.

The hard-fought electoral campaign reflected a country that is deeply polarized, not only along party lines, but also along lines of race, gender, geography, and education. Trump ultimately prevailed by winning over white working-class voters in key states, defeating a Clinton coalition that relied more on college-educated white voters and racial and ethnic minorities.

The campaign was also notable for Trump's use of a personal social media account, live rallies, and other means of communicating directly with voters instead of costly television advertising, the typical centerpiece of campaign messaging in recent elections. The news media challenged the veracity of many of Trump's campaign statements, most notably his assertion that the election system was rigged in Clinton's favor.

The election was marred by alleged Russian interference, with U.S. intelligence officials citing strong evidence that hackers tied to the Kremlin had stolen documents from the Democratic Party and leaked them over the course of the campaign period. Clinton's bid was separately hampered by a federal investigation into her improper use of a private e-mail server during her tenure as secretary of state, though investigators eventually decided against filing charges.

Throughout 2016, President Barack Obama's legislative agenda continued to be stymied by Republican opposition in Congress. As a result, Obama used executive authority to advance his priorities in areas including the environment, foreign policy, and health and labor



with eight members.

Political Rights

Political Rights : 36 / 40

A. Electoral Process : 11 / 12

- A1. Is the head of government or other chief national authority elected through free and fair elections?
- A2. Are the national legislative representatives elected through free and fair elections?
- A3. Are the electoral laws and framework fair?

The United States is a presidential republic, with the president serving as both head of state and head of government. Cabinet secretaries and other key officials are nominated by the president and confirmed by the Senate, the upper house of the bicameral Congress. Presidential elections are decided by an Electoral College, making it possible for a candidate to win the presidency while losing the national popular vote. Electoral College votes are apportioned to each state based on the size of its congressional representation. In most cases, all of the electors in a particular state cast their ballots for the candidate who won the statewide popular vote, regardless of the margin. Two states, Maine and Nebraska, have chosen to divide their electoral votes between the candidates based on their popular-vote performance in each congressional district. In 2016, Trump won the Electoral College vote, 304 to 227, while finishing nearly three million votes behind Clinton in the popular ballot. The 2016 election marked the second time since 2000 that the candidate with the most popular votes lost in the Electoral College.

The Senate consists of 100 members—two from each of the 50 states regardless of population—serving six-year terms, with one-third coming up for election every two years. The lower chamber, the House of Representatives, consists of 435 members serving two-year terms. All national legislators are elected directly by voters in the districts or states that they represent. In a practice known as gerrymandering, the boundaries of House districts, and those for state legislatures, are often drawn to maximize the advantage of the party in power in a given state. The capital district, Puerto Rico, and four overseas U.S. territories are each represented by an elected delegate in the House who can perform most legislative functions but cannot participate in floor votes.

In the 2016 congressional elections, Republicans retained control of the Senate with 52 seats. Democrats hold 46 seats, and there are two independent senators who generally vote with the Democrats. Republicans also retained their majority in the House, taking 241 seats, versus 194 for the Democrats. Republicans currently control the majority of state governorships and legislatures. Turnout for the 2016 general elections was approximately 55 percent of voting-age citizens, roughly in line with past elections.



have been hailed by some as a reflection of the openness of the U.S. system. However, they have also been criticized on the grounds that they can lead to incoherent governance, undermine representative democracy, and weaken the party system. In 2016, referendums in various states resulted in the legalization of recreational use of marijuana, curbs on plastic shopping bags, and increases in the state minimum wage, among many other topics.

B. Political Pluralism and Participation :

14 / 16 (-1)

- B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system open to the rise and fall of these competing parties or groupings?
- B2. Is there a significant opposition vote and a realistic opportunity for the opposition to increase its support or gain power through elections?
- B3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?
- B4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

The intensely competitive U.S. political environment is dominated by two major parties, the right-leaning Republicans and the left-leaning Democrats. The country's "first past the post" or majoritarian electoral system discourages the emergence of additional parties, as do a number of specific legal and other hurdles. However, the two parties' primary elections allow for an array of views and candidates to enter the political system. Trump, himself an unorthodox Republican, defeated not only mainstream politicians but also opponents whose positions ranged from libertarian to Christian conservative. Clinton won her party's nomination after a powerful challenge by Senator Bernard Sanders, a socialist who subsequently secured changes to the party platform.

On occasion, independent or third-party candidates have significantly influenced politics at the presidential and state levels, and a number of newer parties, such as the Green Party or groups aligned with organized labor, have modestly affected politics in certain municipalities in recent years. In the 2016 presidential election, Libertarian Party candidate Gary Johnson received 3.3 percent of the popular vote, while Jill Stein of the Green Party received 1 percent.

Election campaigns in the United States are long and expensive. The two main parties and the constituency and interest groups that support them have used an array of methods to circumvent legal restrictions on campaign spending, and the Supreme Court on several occasions has struck down such restrictions, finding that they violated free-speech rights. In the 2016 campaign, Clinton and her supporters spent more than \$1 billion, about twice the amount spent by Trump and his allies, according to some estimates. In previous campaigns, candidates relied heavily on television advertising, especially in states where competition was expected to be close. Trump relied less on such expensive purchases, instead conveying



The theft and disclosure of Democratic Party communications, which U.S. intelligence agencies attributed to hackers linked to the Russian government, attracted ample media attention and was believed to have damaged the campaigns of Clinton and other Democratic candidates, though there was no firm evidence that it actually shifted voter allegiances. Trump, who advocated a more cooperative policy toward Russia, repeatedly expressed doubt that Moscow was to blame for the hacking.

A number of important laws are designed to ensure the political rights of racial and ethnic minorities. However, in 2013 the Supreme Court invalidated portions of the Voting Rights Act of 1965, a measure adopted to deal with entrenched racial bias in the political process. Subsequently, many states enacted laws that required voters to present certain forms of identification, rolled back innovations like early voting that contributed to high rates of minority participation, or altered polling locations in ways that could disproportionately harm minority voters. Some of these state laws were struck down by federal courts, but 14 states had new restrictive voting laws in place for the 2016 elections—the first presidential vote since the 2013 ruling. There were 868 fewer polling stations in states formerly subject to special scrutiny under the Voting Rights Act, with one county in Arizona providing a single polling place for every 21,000 voters. Sponsors of such legislation say the intent is to cut expenses or combat voter fraud, though studies by experts and the bipartisan testimony of election officials indicate that election fraud is a negligible problem in the United States.

Religious groups and racial or ethnic minorities have been able to gain a political voice through participation in the two main parties. Leaders of both parties have traditionally made an effort to appeal to all segments of the population and address issues of concern to each, or at a minimum to avoid alienating any major demographic group. The 2016 elections stood out for the unusually divisive rhetoric of the Republican presidential nominee. Trump made statements that were widely seen as offensive to Latinos, Muslims, people with disabilities, and women, among others. His ability to do so without suffering significant political repercussions raised fears that these groups' interests would not be represented in the new administration.

C. Functioning of Government : 11 / 12

(+1)

- C1. Do the freely elected head of government and national legislative representatives determine the policies of the government?
- C2. Is the government free from pervasive corruption?
- C3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?

Federal policymaking and government have been hampered in recent years by partisan gridlock in Congress, and between Congress and the executive branch. Impasses over taxation, federal debt, and spending bills have repeatedly threatened to halt government



majority of his legislative proposals. In response, he sought to push through his agenda through various executive and regulatory actions, bypassing Congress. Obama issued significant changes in environmental standards, health and safety regulations, and the treatment of undocumented immigrants. Some of these actions were invalidated by federal courts.

American society has a tradition of intolerance toward government corruption, and the media are aggressive in reporting on such malfeasance. Cases of corruption at the federal level have been relatively rare or small in scale in recent years. The most serious abuses have instead been uncovered among state and local officials.

The United States was the first country to adopt a Freedom of Information Act (FOIA). A substantial number of auditing and investigative agencies function independently of political influence. Such bodies are often spurred to action by the investigative work of journalists. Federal agencies regularly place information relevant to their mandates on websites to broaden public access.

Early in his administration, Obama instructed federal agencies to adopt a cooperative attitude toward public information requests. During much of his tenure, however, he encountered criticism for engendering an environment of excessive secrecy. The Justice Department initiated nine prosecutions of leakers or whistle-blowers, more than in all previous administrations combined. Prosecutors have at times sought to compel journalists to reveal the sources of leaked national security information, and the administration was accused of implementing an aggressive policy to discourage government officials from having contact with the media.

In a change over the last two years, the administration has refrained from efforts to compel testimony from journalists in leak cases and issued guidelines to limit such actions. While federal agencies' responses to FOIA requests remained problematic, according to data for the 2015 fiscal year, Obama signed the FOIA Improvement Act in June 2016, codifying a presumption of disclosure and reducing procedural barriers for requesters, among other reforms.

Civil Liberties

Civil Liberties : 53 / 60 (-1)

D. Freedom of Expression and Belief : 16 / 16 (+1)

D1. Are there free and independent media and other forms of cultural expression?

D2. Are religious institutions and communities free to practice their faith and express themselves in



D4. Is there open and free private discussion?

The United States has a free, diverse, and constitutionally protected press. While newspapers have been in economic decline for a number of years, the media environment retains a high degree of pluralism. Internet access is widespread and unrestricted, and news websites now constitute a major source of political news, along with cable television networks and talk-radio programs. News coverage has also grown more polarized, with particular outlets and their star commentators providing a consistently right- or left-leaning perspective. Several journalists were arrested while covering demonstrations during 2016, including four who faced serious charges after filming incidents linked to protests against an oil pipeline in North Dakota; those charges were later dropped. In October, the Committee to Protect Journalists declared Trump a threat to media freedom, citing his verbal attacks on individual reporters, his campaign's denial of credentials to critical outlets, and his call to expand the scope of U.S. libel laws. Other freedom of expression groups issued similar statements of concern about the incoming administration. After the election, Trump stepped back from his proposal on libel laws.

The United States has a long tradition of religious freedom. The constitution protects the free exercise of religion while barring any official endorsement of a religious faith, and there are no direct government subsidies to houses of worship. The debate over the role of religion in public life is ongoing, however, and religious groups often mobilize to influence political discussions on the diverse issues in which they take an interest. The Supreme Court regularly adjudicates difficult cases involving the relationship between church and state.

The academic sphere features a substantial level of intellectual freedom. In one potential threat to freedom of expression on campus, university officials have been criticized for giving in to pressure from student activist groups that object to speakers who have been invited to campus events. Speakers have regularly been disinvited or decided to withdraw from appearances after protests were launched. Students have also mounted protests over issues related to gender, race, ethnicity, and other identity categories, sometimes demanding changes to teaching and hiring practices.

Americans generally enjoy open and free private discussion, including on the internet. Civil libertarians, many lawmakers, and other observers have pointed to the real and potential effects of National Security Agency (NSA) data collection and other forms of government monitoring on the rights of U.S. citizens. However, the USA Freedom Act of 2015 banned the bulk collection of citizens' telephone and internet records, and in 2016 the FBI abandoned a controversial attempt to force the technology firm Apple to break through its own security features—designed to protect user communications—as part of a terrorism investigation. A broader debate about possible restrictions on encryption technology remains unresolved. Concerns about state surveillance were displaced during 2016 by new attention on foreign hacking as well as user intimidation on social media.



Rights : 10 / 12 (-1)

- E1. Is there freedom of assembly, demonstration, and open public discussion?
- E2. Is there freedom for nongovernmental organizations?
- E3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

In general, officials respect the right to public assembly. Demonstrations against government policies are frequently held in Washington, New York, and other major cities. In response to acts of violence committed in the course of some past demonstrations, local authorities often place restrictions on the location or duration of large protests directed at meetings of international institutions, political party conventions, or targets in the financial sector. During 2016, a number of protesters attending Trump campaign rallies were intimidated or physically attacked by Trump supporters, at times with the encouragement of the candidate. The year's major demonstrations—focused on improper police use of force against black civilians, a controversial oil pipeline near indigenous land in North Dakota, and Trump's election victory—were largely peaceful but featured episodic clashes with police or security guards, leading to scores of injuries and arrests.

The United States gives wide freedom to trade associations, nongovernmental organizations, minority rights advocates, and issue-oriented pressure groups to organize and pursue their civic or policy agendas.

Federal law guarantees trade unions the right to organize and engage in collective bargaining. The right to strike is also guaranteed. Over the years, however, the strength of organized labor has declined, and just 6.4 percent of the private-sector workforce is currently represented by unions. While public-sector unions have higher rates of membership, with 34.4 percent in 2016, they have come under pressure from officials concerned about the cost of compensation and pensions to states and municipalities. The overall unionization rate in the United States is 10.7 percent. The country's labor code and decisions by the National Labor Relations Board (NLRB) during Republican presidencies have been regarded as impediments to organizing efforts, although the board was sympathetic to unionization during the Obama presidency. Union organizing is also hampered by strong resistance from private employers. In 2016, West Virginia became the 26th state to adopt "right to work" legislation, which weakens unions by allowing workers who benefit from union bargaining efforts to opt out of paying union dues or fees.

F. Rule of Law : 12 / 16 (-1)

- F1. Is there an independent judiciary?
- F2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?
- F3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?
- F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?



judiciary as one of the country's strongest democratic institutions. Concern has been raised about a trend toward the politicization of judicial elections in some states. Much attention has also been paid to the ideological composition of the Supreme Court, which has issued a series of major decisions by a one-vote margin and is currently seen as having a conservative majority. In 2016, the Republican majority in the Senate refused to hold hearings or schedule a confirmation vote on Merrick Garland, a federal judge named by President Obama to fill the Supreme Court vacancy created by the death of Justice Antonin Scalia in February. The Republicans asserted that Obama's successor should fill the vacancy, with some arguing that Scalia, a staunch conservative, should be replaced with another conservative. The delay left the court with eight justices, meaning it was unable to reach majority decisions on a number of issues during the year.

While the United States has a strong rule-of-law tradition, the criminal justice system's treatment of minority groups has long been a problem. Black and Latino inmates account for a disproportionately large percentage of the prison population. Civil liberties organizations and other groups have also argued more broadly that there are too many Americans in prison, that prison sentences are often excessive, that too many prisoners are relegated to solitary confinement or other maximum-security arrangements, and that too many people are incarcerated for minor drug offenses. A broad left-right political coalition calling for reform on the last issue has emerged despite increased partisan rancor on other matters. Although the U.S. incarceration rate has declined somewhat in recent years, it remains easily one of the highest in the world. Additional calls for prison reform have focused on the incidence of violence and rape behind bars.

Many critics of the incarceration problem point to abuses and deficiencies at other stages of the legal process. Media reports and analyses in recent years have drawn new attention to the extensive use of plea bargaining in criminal cases, with prosecutors employing the threat of harsh sentences to avoid trial and effectively reducing the role of the judiciary; the practice of imposing court fees or fines for minor offenses as a means of raising budget revenues, which can lead to jail terms for those who fail to pay; deficiencies in the parole system; and long-standing funding shortages for public defenders, who represent low-income criminal defendants.

The increased focus on the criminal justice system has coincided with a series of widely publicized incidents in which police actions led to the deaths of black civilians. A number of the confrontations were captured on video, and some recordings appeared to show unjustified use of force by the officers in question. Even as more cases emerged in 2016, individual black gunmen shot and killed police officers in Dallas and Baton Rouge in July, in what were seen as revenge attacks. The Justice Department has launched investigations into police practices and imposed reforms in a number of municipalities. Because officers often avoid indictments for controversial shootings, critics have called for sweeping changes to the grand jury system and the appointment of special prosecutors for such cases. Some jurisdictions have enacted policies requiring police to wear body cameras and record interactions with civilians.



formally abolished by 19 states; in another 16 states where it remains on the books, executions have not been carried out for the past five years or more. The most recent federal execution was in 2003. Of particular importance in this trend has been the exoneration of some death-row inmates based on new DNA testing, as well as legal challenges to the constitutionality of the prevailing methods of lethal injection. The Supreme Court has effectively ruled out the death penalty for crimes other than murder and in cases where the perpetrator is a juvenile or mentally disabled, among other restrictions. In 2012, the court further decided that juvenile offenders could not be subjected to mandatory sentences of life imprisonment without the possibility of parole.

Among Obama's principal goals on assuming office in 2009 was the closure of the offshore U.S. detention facility at Guantanamo Bay, Cuba, which has been used to hold terrorism suspects captured abroad in the early 2000s, in many cases without formal charge or trial. While Obama succeeded in repatriating or resettling 179 people, reducing the population of detainees to 59 by the end of 2016, he was unable to shut down the facility, largely because Congress expressly forbade the transfer of detainees to the U.S. mainland.

Islamist terrorist attacks and other mass shootings remained a concern during 2016, as did rising murder rates in certain cities, especially Chicago. However, the overall homicide rate, 4.9 per 100,000 inhabitants as of 2015, remains relatively low by regional and historical standards. The country's most deadly attack in 2016 occurred in June, when a gunman who declared allegiance to the Syria-based Islamic State militant group killed 49 people at a nightclub in Orlando, Florida.

The United States is one of the world's most racially and ethnically diverse societies. In recent years, residents and citizens of Latin American ancestry have replaced black Americans as the largest minority group, and the majority held by the non-Latino white population has declined. An array of policies and programs are designed to protect the rights of minorities, including laws to prevent workplace discrimination. However, the black population and some other groups continue to suffer from disparities in overall economic standing, educational attainment, and other social indicators. In 2016, the Supreme Court again confirmed the constitutionality of considering race or ethnicity as one of many factors in university admissions to ensure student diversity, but several states have banned the practice outright through referendums.

Federal antidiscrimination legislation does not include LGBT (lesbian, gay, bisexual, and transgender) people as a protected class, though many states have enacted such protections. The government bans discrimination based on sexual orientation or gender identity in federal employment and among federal contractors. The rights of transgender people became a subject of court battles and national debate in 2016 after North Carolina passed a law requiring individuals in public buildings to use restrooms that correspond with the gender on their birth certificate. The Obama administration issued legal guidelines in May that instructed school districts to allow transgender students to use bathrooms that



The United States has generally maintained liberal immigration policies in recent decades. Most observers believe that the country has struck a balance that both encourages assimilation and permits new immigrants to maintain their religious and cultural customs. Many Americans remain troubled by the large number of immigrants in the country illegally, however, and the government has responded by strengthening border security and stepping up deportation efforts. The Obama administration focused its enforcement policies on criminals and other high-priority categories of migrants while explicitly sparing groups like those who entered the country illegally as children. During the 2016 presidential campaign, Trump pledged to build a “wall” along the southern border and accelerate deportations. Responding to concerns about terrorism and the Obama administration’s efforts to take in greater numbers of Syrian refugees, Trump also publicly considered a variety of measures to limit or monitor the presence of refugees, Muslim immigrants, or Muslims in general.

G. Personal Autonomy and Individual Rights : 15 / 16

- G1. Do individuals enjoy freedom of travel or choice of residence, employment, or institution of higher education?
- G2. Do individuals have the right to own property and establish private businesses? Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?
- G3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?
- G4. Is there equality of opportunity and the absence of economic exploitation?

Citizens of the United States enjoy freedom of movement and a high level of personal autonomy. The right to own property is protected by law, and business entrepreneurship is encouraged as a matter of government policy.

Women have made important strides toward equality over the past several decades. They now constitute almost half of the American workforce and are well represented in professions like law, medicine, and journalism. In 2015, the Defense Department announced that all combat roles in the military were open to women. Although women with recent university degrees have effectively attained parity with men, the average compensation for female workers is roughly 80 percent of that for male workers. In the past several years, a number of new state laws have been designed to restrict women’s access to abortion without breaching prior court decisions, and some have survived initial judicial scrutiny, adding to state-by-state variation in access.

In 2015, the Supreme Court found that all states must allow same-sex marriage. The practice had already become legal in most states through court decisions, legislative action, or referendums, but the new ruling invalidated laws in a minority of states that still barred same-sex couples from marrying.



country's identity, and voters tend to favor government policies that enhance equality of opportunity. Recently, however, studies have shown a widening inequality in wealth and a narrowing of access to upward mobility. One key driver of inequality is the widening gap between Americans with university degrees and those with a high school degree or less. A number of states and municipalities have enacted substantial hikes in the minimum wage, but wages overall have remained stagnant for many years, and the number of well-compensated jobs for the less-educated have fallen steeply.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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