

Conformity, polarization, and democratic dialogue in times of pathogen threats. Germany and the United States during Covid-19

Björn TOELSTEDE*

Abstract

Conformity and polarization are two reactions to pathogen threats like the Covid-19 pandemic. This article discusses the dilemma between protecting public health as well as preserving the democratic dialogue and constitutional rights. I compare two countries which reacted very differently to the pandemic. While Germany was marked by high social conformity levels, in the United States political polarization was predominant. The analysis focuses on the time between March and November 2020. I show, first, the differences and interactions between conformity and polarization. Second, societies seem to be more aware and concerned about polarization than about conformity. Third, I show that both reactions, high conformity and polarization levels are detrimental for the democratic dialogue and constitutional rights.

Keywords: conformity, polarization, pathogen threat, Covid-19, democratic dialogue, constitutional rights

Introduction

This article deals with a sudden pathogen threat in the form of Covid-19 in 2020 and its impact on *conformity* and *polarization* levels in politics and society. Democracies require diversity of opinions and critical dialogue to find consensus on what is best for them. If *conformity* is too high, no critical dialogue takes place as too many people assimilate and pre-emptively consent to any given proposal. If *polarization* is too high, people get locked in contrary positions with little to no readiness to dialogue and to find consensus. Pathogens and their influence on socio-political systems have been discussed before. They foster collectivism (Fincher *et al.*, 2008; Cashdan and Steele, 2013), *conformity* (Murray and Schaller, 2012; Wu and Chang, 2012), and decrease tolerance towards risk (Prokosch *et al.*, 2019) as

* Björn TOELSTEDE is research fellow at the Linköping University, Linköping, Sweden; e-mail: toelstede_bjoern@hotmail.com. ORCID: 0000-0001-6802-7734

well as *nonconformity* (Murray and Schaller, 2012; Murray *et al.*, 2011). Further, they increase moral vigilance (Murray *et al.*, 2019), authoritarianism (Murray *et al.*, 2013) and specifically right-wing authoritarianism resulting from increased in-group favoritism (Cashdan, 2012; Hruschka *et al.*, 2014). A pandemic represents the sudden presence of a new public good – health protection – whose importance stands in competition with constitutional rights (= another public good). During Covid-19, many countries had to weigh between these goods. I shall show that the social and political reactions to the Covid-19 pandemic in Germany and the United States were fundamentally different. Thereby, I distinguish between reactions in the executive, legislative and judicial body, the citizens, and the media including ad-hoc academic positions.

The United States had, from the beginning of the pandemic, a more *polarized* (Brinkbäumer and Havertz, 2020) debate. This *polarization* was seen as one reason for the lower American performance in managing the disease (Chenghao, 2020; Kerr *et al.*, 2021). On the contrary, Germany was praised for its handling of the crises (Oltermann, 2020) and ‘the way it communicated scientific and epidemiological knowledge to the population’ (CNBC, 2020). Comparing the results of both countries in fighting Covid-19, Germany had significant lower infection and fatality rates than the U.S. However, I will show that Germany “bought” this success with very high *conformity* levels, and it limited constitutional rights significantly. As much as parts of the U.S. downplayed the pathogen threat, parts of Germany ignored or uncritically accepted the harm to their constitutional rights and civil liberties in favor of pandemic protection.

Societies with higher *conformity* and efficient government actions reacted more efficiently on the pathogen threat (Gelfand *et al.*, 2020). However, pluralism (= lower *conformity*) is not necessarily correlated to lower disease handling performance (Biondo *et al.*, 2020) if the quality of dialogue is high (*ibid.*). Germany proactively limited constitutional rights extensively, while the U.S. respected to a greater extend their constitutional limits. As a result of the increased *conformity* and despite the imposed constraints, Germany’s government approval ratings increased (Schnell, 2020; Allensbach, 2020; Forschungsgruppe Wahlen, 2020) while in the U.S. they were rather constant (FiveThirtyEight, 2020). In accordance with earlier studies on disease salience (Chilton *et al.*, 2020), also during Covid-19 people were ready to sacrifice civil liberties for protective political measures – in Germany more than in the United States.

The contrary pandemic reactions of Germany and the United States allow to include the two countries in this comparative analysis. I define theoretically different social opinions ranging from *conformity* to *polarization*. After that, I present the reactions of the two countries following this *conformity-polarization* differentiation. I thereby show, first, the differences and interactions between *conformity* and *polarization*, namely, that *polarization* can be an offspring of *conformity* as simulations have indicated (Siedlecki *et al.*, 2016). Second, societies seem to be

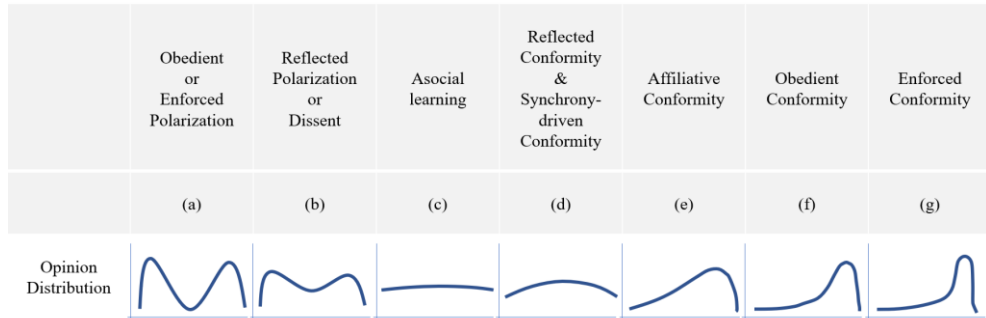
more aware and concerned about potential *polarization* than about *conformity*. Third, I show that not only *polarization*, but also *conformity* can be bad for the democracy as both undermine critical and consensual dialogues. Finally, I discuss dilemma between disease protection and constitutional rights preservation. Where applicable, I measure the time between the start of constitutional rights limitations and the moment where the citizens, parliamentarians or tribunals refuse to support them, the so-called ‘*contribution delay*’ (Toelstede, 2020b). That measure is important as it indicates how much and how long the executive body can exceed its constitutional limits (albeit for supposedly good reasons) before it loses the support from the other political actors.

1. Methodology

The study concentrates on the time between disease outbreak and vaccine discovery – the months of the most acute threat. This time was/is the most critical to fight the disease but also to preserve – as much as possible – constitutional rights and democratic dialogue. A dilemma and high-wire act for societies and politics alike. It is this period where political decisions and social actions are marked by uncertainty, time pressure and fear. The intention of this article is to shed light on the immediate and non-reflected reactions during this acute period rather than doing a retrospective all-is-well-what-ends-well analysis. This is to provide an unfiltered introspection into the political debate of that time, and to show how tense and trapped opinions in both countries had become. The analysis stops with the discovery of the vaccine, as political tensions continuously eased since then. The study is widely observational, descriptive, and conceptual. It proposes a terminology scheme to distinguish better between different forms of *conformity* and *polarization*. It describes the reactional patterns of the two countries and provides an inductive baseline for theoretical studies that might analyse the underlying socio-psychological reasons of the observed reactions.

2. Conformity and polarization

In the following, I present different forms of opinion distributions about a hypothetical topic following Toelstede (2019b, p. 13). It ranges from *conformity* to *polarization*. The strength is given by the decreasing consensus and the increasing obedience and enforcement towards either extreme of Figure 1. I define *polarization* as a two-sided in-group *conformity* with both groups diametrically and (apparently) irreconcilably opposed to each other. Between the *conform(-ed)* and *polarized* situations is a consensus by ‘deliberation’ (Sunstein, 2019, p. 80) which sometimes is less stable than the previous two (Siedlecki *et al.*, 2016).

Figure 1. Opinion distribution about a hypothetical topic

Source: Authors' representation

Conformists tend to stigmatize persons deviating from the conformist opinion (Täuber, 2018). This hinders the society from reaching deliberative consensus out of diverging positions. Since *polarization* and *conformity* are path-dependent, they drive the groups into opposite directions. The only way to break *conformity* is to confront individuals with information that is completely different from the original one (Benoît and Dubra, 2014). In social conflicts, dialogues normally follow a “on-the-one-hand...on-the-other-hand” dialectic. *Conformity*-advocates as well as *polarization*-advocates usually deny the other side, respectively. That’s what makes them ‘*orthogonal*’ (Benoît and Dubra, 2014, p. 20) to each other. Deliberation advocates are trapped in the middle evaluating all on-the-one-hand and on-the-other-hand views. Normally, deliberation advocates do have a consensus-building role as opinion influencers (Siedlecki *et al.*, 2016), but not necessarily in an emotionally charged environment.

Enforced *conformity* does not only ignore the *on-the-other-hand* argument, it also punishes those advocating the same. So, deliberation advocates will be subdued. The only possibility of having a different opinion, is to advocate the *on-the-other-hand* argument only and ignore the conformists’ position – this offspring results in *polarization*. *Polarization* offers its own justificational construct which allows to ignore or reject conformist viewpoints. This can include conspiracy myths. The argumentative concepts are rather simple, which helps to attract a critical mass of non-*conformists* (*polarized*). Introducing the different opinion distributions, I start from the center of Figure 1. to more extreme positions on both sides. The intention is not to present a deep-rooted analysis but a terminology scheme to distinguish better between different forms of *conformity* and *polarization*.

In *reflected Conformity* (Figure 1 (d)), consensus is achieved by a ‘...dialogical morality, where all the affected parties have a voice in an open dialogue...’ (Habermas, 2009; Wenzel *et al.*, 2008, p. 385;). A dialogue between equal participants morally constitutes and legitimizes the rules of a society

(Toelstede, 2020a). In an unexpected and complex threat situation, this form of *conformity* is difficult to achieve in short-term. Reflected *polarization* (Griskevicius *et al.*, 2006) (or: dissent, Figure 1(b)), however, follows from an incomplete dialogical process. In this case, consensus is achieved by a dialogical process only within the respective subgroups, but not yet between them. This *polarization* can be rational following limited available information or rationally ignorant agents (Singer *et al.*, 2019). This *dissent* does not automatically lead to more extreme positions once deliberation begins (Brown, 1985; Sunstein, 2019, p. 80). The situation might just remain static at a certain level of *dissent* (Sunstein, 2005). Actual, obedient or enforced *polarization* starts when the Brown-Sunstein condition is not fulfilled, and the different positions diverge.

Individuals pursuing *asocial learning* (Figure 1 (c)) acquire their knowledge independently; they do not ‘allow an alien thought to climb secretly over the wall’ (Nietzsche, 2004, p. 28). However, by intuition, theoretical proof, or empirical experiences, we assume others’ knowledge as valuable. Hence, no rational individual will apply this method over a long period. However, it is an important short-term epistemological instrument, for example, to avoid cascades.

Synchrony (Figure 1 (d)) follows from independent, self-interested and pragmatic decisions resulting in synchronous actions or positive feedback loops (Strogatz, 2012). They appear to be conformity but are decentrally triggered. However, the repetitive exertion can result in a habitual conformity. Thereby, the actions can acquire a meaning or intentionality (e.g. customs or rituals) for the related people. Non-reflected or spontaneous conformity can result from ‘copying the most observed’ (Carpenter, 2004), ‘copy when uncertain’ or ‘copy if better’ (Laland, 2004) and cascades. Kuran and Sunstein’s (1998) describe ‘availability cascades’ as a self-reinforcing process of convictions. ‘Availability cascades’ are a good instrument to awaken dormant conformity inclinations in a society. The ‘availability’ can be centrally triggered, especially in social hierarchies where the government can influence the public debate, or by ‘availability entrepreneurs’ (Kuran and Sunstein, 1998) who ‘manipulate the content of public discourse’ (*ibid.*). Even though the affiliation is not openly enforced, the available alternatives [might] have been manipulated by a coercer (Hayek, 2013, p. 200) to reduce the individuals’ options. This manipulative reduction progresses the more the individuals forget the original variety of options. Further, ‘mutual assured delusions’ (MAD) (Bénabou, 2013) or confirmation biases (Wason, 1960) can occur. Both the content manipulation and the reduction of available alternatives show the unconscious transition from a decentral (non-)reflected conformity to a centrally manipulated or enforced conformity (Figure 1 (e-f-g)). Spontaneous or non-reflected polarization occurs when the described process primarily occurs within different in-groups. But this does not necessarily result in irreconcilably polarized positions; it is rather that the in-group dialogue is stronger than the inter-group dialogue.

Affiliative *conformity* can result from collectivism (Bond and Smith, 1996), groupthink (Solomon, 2006) or fear (Schachter, 1959). Here, *conformity* itself has a value (Toelstede, 2019b, p. 17) and affiliation is the means to achieve it. Consensus is not achieved by a dialogical process but by the desire to be part of a group following from tribalistic or identity motivations (Fukuyama, 2018; Toff and Suhay, 2019). Affiliative motivations and in-group information cascades strengthen the *conformity*. Thereby the affiliation desire increases the biased information selection in cascades. Affiliative *conformity* has a long legacy in humans and even primates, increasing social efficiency and easing group conflicts (Dunbar, 1991; Lehmann *et al.*, 2007). Affiliative *polarization* results in two groups with high in-group *conformity*. In comparison to *affiliative conformity*, *affiliative polarization* has more deliberation (Sunstein, 2019, p. 81) as group members recognize and evaluate the opposite group, respectively. *Affiliative polarization* can follow from existing group membership (Abrams *et al.*, 1990) like bi-partisan *polarization* (Badger and Quealey, 2020; Brownstein, 2020), and result in an emotionally entrenched ‘*affective polarization*’ (Iyengar, 2020).

Obedient and enforced *conformity* (Figure 1. (f-g) start with the affiliation to groups and the acceptance of their rules in exchange for higher payoffs (Güerer *et al.*, 2006). These payoffs are even higher if the subjects can endogenously choose the group (Cobo-Reyes *et al.*, 2019). Groups can exert horizontal (peer punishment) and hierarchical (institutional punishment) pressure on the individuals. In obedient *conformity*, peer pressure is predominant (Schkade *et al.*, 2000; Schkade *et al.*, 2007). Obedient and enforced *conformity* (and *polarization*) co-emerge with stereotypy (Toelstede, 2019b, p. 11). In the case of obedient *conformity*, individuals reject rational arguments contrary to the group-theme as they fear about their relationships with group members (Jost *et al.*, 2007). The step from obedient to enforced *conformity* is almost entirely in the hands of the political leaders equipped with power asymmetries (Toelstede, 2020a). Here, the hierarchical pressure (institutional punishment) is higher than in the obedient *conformity*. Peer punishment does not disappear and can co-act with the increased institutional punishment. This co-acting occurs when peers act as passive ‘bystanders’ (Darley and Latané, 1968) legitimizing the institutional punishment. Further, they can be “agentic peer punishers” acting as multipliers of the institutional punisher whose rules are conveyed to the agentic peers by an ideology. The passive bystanders and the active agentic peer punishers shield the institutional punisher against delegitimizing complaints and uprising. Individuals arguing against the predominant ideology or trying to leave its sphere of influence get punished by either agentic peer punishment and/or institutional punishment. Thus, agentic peer punishers and bystanders play a decisive role. If ‘consensus is produced by conformity, the social process is polluted’ (Asch, 1955, p. 34). Obedient and enforced *conformity* turns societies into ‘single-belief systems’ (Linz, 2000, p. 113), marked by intolerance (Feldman, 2003) and power asymmetries (Toelstede, 2019b; 2020a). Information

cascades might be promoted by those enforcing the obedient *conformity*. The moralization does not follow from a dialogical bottom-up process, but from top-down imposition. This can occur by ‘moral suasion’ (Bos *et al.*, 2020) with positive impact on collective disease prevention behavior (ibid.) but negative effects on the political dialogue.

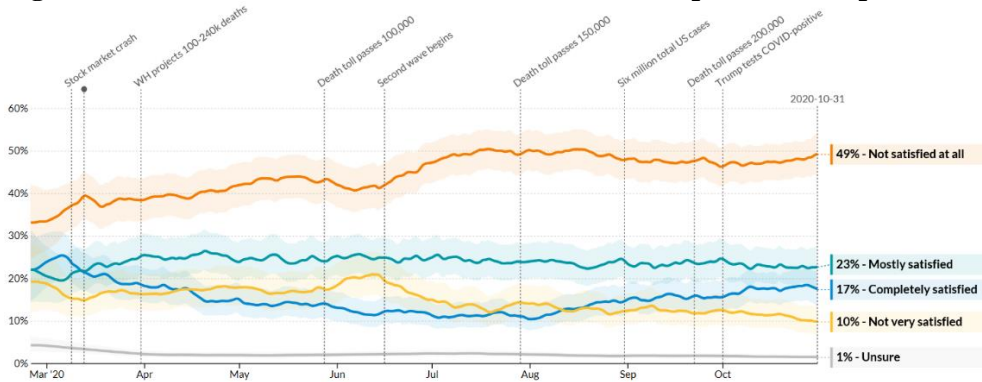
Strong moralization in highly conformist societies can lead to *polarization* (Täuber, 2018); that also happened in the case of Covid-19 (Prosser *et al.*, 2020). Obedient or even enforced *polarization* exists in the form of in-group *conformity* (Täuber, 2018). If the level of coercion is high, the change of group affiliation is difficult and costly. However, the opposite pole in a *polarization* continuously serves as ‘*orthogonal information*’ Benoît and Dubra (2014, p. 20) which can cause people to revise their viewpoints. Hence, in *polarization* the social constraints or ‘*structural lock-ins*’ (Toelstede, 2019b) of the political dialogue should be less strong than in *conformity*.

In the following, I will discuss the pandemic reactions in Germany and the United States and indicate where I observed ‘signs of’ (short: →) the described *conformity* and *polarization* types.

3. Reactions in the United States

3.1. The executive body

The Federal Government applied an extreme passiveness which exceeded the constitutional limitations (8th and 10th Amendment) for which it was criticized (Baker, 2020; Evanega *et al.*, 2020), and which potentially contributed to the Federal Government’s decreasing reputation (Figure 2). Most of the pandemic countermeasures came from the federal states who reacted differently to the threat (Tellis *et al.*, 2020). The governors’ political affiliation played an important role on the readiness to order lockdowns (ibid.), the lockdown duration and opening policies (McGowan, 2020) (→ affiliative and eventually obedient *polarization*). Besides the governments’ hesitancy to order Covid-19 measures, the police had constitutional concerns to enforce the measures (Wilson, 2020). However, there were also social learning and cascades between the states, and the respective threat situation as well as economic aspects influenced the governors’ acting (Tellis *et al.*, 2020; McGowan, 2020). This initial *dissent* and turned into reflection about the decisions of other states (‘*orthogonal information*’) and eased the *polarization* over time (→ Brown-Sunstein condition of deliberation was fulfilled).

Figure 2. Satisfaction with U.S. Federal Government's pandemic response

Source: Civiqs 2020, Coronavirus: Outbreak concern, Registered Voters¹

3.2. The legislative body

House and Senate members were strongly polarized (Green *et al.*, 2020, Pickup *et al.*, 2020) along the party lines. The *polarization* within the legislative body was high and robust over time, and consensus-building became very difficult (Hulse, 2020) (→ affiliative, obedient and eventually enforced *polarization* as no reaffiliation or ease could be observed). This might also result from a pre-election *polarization* hype (→ Brown-Sunstein condition of deliberation (→ was not fulfilled).

3.3. The judicial body

With the beginning of the first wave (spring 2020), the U.S. judicial decisions were more diverse (Oprysko, 2020) than the German ones during that time. There were decisions in favor of the protection measures and in disfavor of constitutional rights (Barnes, 2020 [California Supreme Court]; Sweet, 2020 [Illinois Supreme Court]; Breslow, 2020 [Kansas Supreme Court after an online hearing²]; Miller, 2020 [Oregon Supreme Court overruling a County Court] as well as Nevada and Pennsylvania). On the other side, courts also ruled against the pandemic measures and in favor of constitutional rights (Cassens-Weiss, 2020 [Wisconsin Supreme Court]; Najmabadi, 2020 [U.S. 5th Circuit Court of Appeals]). The Wisconsin Supreme Court risked being held responsible for any possible Covid-19 rebound, but a study found no connection (Dave *et al.*, 2020). The U.S. court ruling was followed by a critical debate in the media (Chemerinsky, 2020; Kruzel, 2020). Also the public

¹ Civiqs 2020, Coronavirus: Outbreak concern, Registered Voters, retrieved from https://civiqs.com/results/coronavirus_concern?uncertainty=trueandannotations=trueandzoomIn=trueandsumTotals=trueandtrendline=true.

² Retrieved from <https://www.youtube.com/watch?v=OhnQYvyZXgY>.

perceived the courts to play an active and corrective role in the Covid-19 debate (Berman, 2020) (→ strong signs of reflected *polarization*, an intensive dialogical process radiating into other society areas (e.g. the citizens and the media)). In Michigan, the Legislators sued the Governor who extended the state-of-emergency. The governor was backed by the Supreme Court, but soon after started easing the measures gradually (National Law Review, 2020). The case was joined by partly armed civil protests. Later in autumn, the Supreme Court ruled against the Governor's state-of-emergency declaration (Slotkin, 2020).

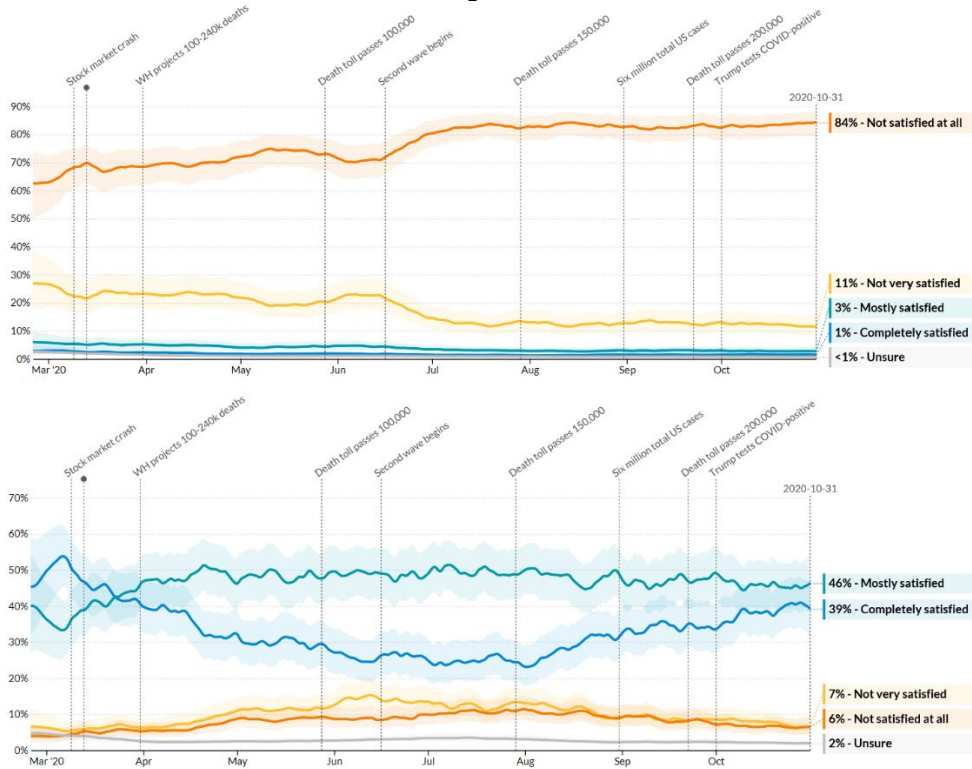
3.4. The citizens

American citizens supported the pandemic policies at the expense of civil liberties, but their support depended on the expected effectiveness (Chilton *et al.*, 2020) (→ deliberation). Democrats were generally more concerned about Covid-19 than republicans (Allcott *et al.*, 2020; Badger and Quealey, 2020; Brownstein, 2020; Pickup *et al.*, 2020; Rodriguez *et al.*, 2020). The *polarization* occurred, partly, along party lines (Benoît and Dubra, 2014; Fryer *et al.*, 2019) (see Figure 3 or Pickup *et al.*, 2020) and ideological convictions (Kerr, 2021) (→ reflected or affiliative *polarization*). The partisan element of the *polarization* in the U.S. population was not as strong as in the executive and legislative body (Pennycook, 2020).

The vigilantism (Levy and Kilgour, 2020) was lower than in Germany (→ lower levels of agentic peer punishment). The opinions and *polarization* levels shifted over the time. Interestingly, *polarization* in online communication increased (Jiang *et al.*, 2020; Stroud, 2010), while *polarization* in opinion surveys decreased (Badger and Quealey, 2020) over time. I suspect that the anonymity of opinion polls allowed the interviewees to discretely change position (→ deliberation in an originally reflected *polarization*) meanwhile tweeted positions in social media are harder to abandon (→ obedient *polarization*). Further, *polarization* decreased with increasing Covid-19 cases (Druckman *et al.*, 2020; Jiang *et al.*, 2020) (→ orthogonal information and deliberation).

Another reaction to the imposed restrictions were rising gun sales following the (possible) closure of gun-shops (Coleman, 2020). The gun-shops closure, together with the state-of-emergency declarations, were interpreted as an elevation in *power asymmetries* between government and citizens. The concern was that during a state-of-emergency social unrest (Collins and Yaffe-Bellany, 2020; Toelstede, 2020b), or anti-social policing (Toelstede, 2019a) could arise. This indicates a 'contribution delay' (Toelstede, 2020b) of zero days as the reaction was immediate.

Figure 3. Satisfaction with the U.S. Federal Government's pandemic response. Above: Democratic voters. Below: Republican voters



Source: Civiqs, 2020

3.5. The media

The U.S. media was said to be *'polarized'* (Hart *et al.*, 2020; Ponizovskiy *et al.*, 2020). However, I could find numerous deliberative voices reflecting a higher and more critical diversity than in the German media debate (Knauer, 2020; Tribe, 2020). Following my personal media observation, I perceived more *polarization* and lower argumentative differentiation in mass media and tabloid newspapers (→ non-reflected and affiliative *polarization*) than in high-level newspapers (→ reflected *polarization* and more dialogue). The opinions were diverse including calls for more *conformity* (Van Bavel, 2020), more centralized government action and the questioning of the federalist structure (Kettl, 2020).

4. Reactions in Germany

4.1. The executive body

There was a high degree of *conformity* within the governments and the coalition parties. This contributed to the efficient handling of the pandemic, but it significantly reduced the democratic dialogue. Voices for a greater deliberation were rather small and got silenced (Von Marschall and Ismar, 2020) (→ enforced *conformity*). Chancellor Merkel (CDU/CSU) declared an ‘*every live counts*’-policy (N-TV, 2020) which was frequently repeated by different politicians (Christine Lambrecht, Federal Minister of Justice, SPD (Berlin direkt, 2020); Olaf Scholz, Federal Finance Minister and later Chancellor, SPD (Vorwärts, 2020)). This policy line contained a moral imperative which created a ‘*frame*’ (Tversky and Kahneman, 1981) and a ‘*goal*’ (Packer *et al.*, 2021) that influenced the opinions and actions of many people (→ moral suasion as a frame for obedient *conformity*). It contributed to curb the pandemic, but it also protected politicians against critique regarding the taken countermeasures. This ‘*preference homogenization*’ (Heydari and Heydari, 2021) contributed to the stability of the ‘*coalition*’ (ibid.); however, it also harmed the democratic dialogue. From the very beginning of the pandemic, there were strong voices for greater *conformity* among the federal states (Tagesschau, 2020). Only at the end of the first wave, the *conformity* among the federal states crumbled, and not without conflict and despite continued calls to maintain *conformity* (Roßbach, 2020).

During the pandemic, Germany held regular conference calls (MinP+FED) between all State Governments and the Federal Government, which resulted in a ‘*Coordinated Federalism*’ (Saurer, 2020). An inequality aversion (Thöni, 2011) was notable in the reopening debate and verbal punishment of those advocating the opening. Around mid-April, Armin Laschet (MinP of NRW, CDU/CSU) presented his ‘*Plan of cautious opening*’ to be discussed in the MinP+FED calls. He got criticized by some of his peers (especially the Bavarian MinP, CDU/CSU) and finally silenced by the Chancellor (CDU/CSU) (Feldenkirchen, 2020). This was an expression of (enforced) ‘*coalition monotonicity*’ (Heydari and Heydari, 2021) (→ enforced *conformity*; impossibility of a deliberative offsprung).

There was a northwest-southeast inclination observable in the severity of the measures. Bremen (northwest) was the only federal state which did not invert the right of free assembly (Art. 8 of the German Constitution: public assemblies are allowed unless an authority has a justified interdiction). All remaining federal states inverted this right; meaning that all public assemblies were forbidden unless the respective government allowed them (Schindler, 2020). North-Rhine Westphalia (Northwest) was the first state to propose an exit plan; Bavaria (Southeast) slowed it down. The first states to declare masks as compulsory were Saxony (East), Thuringia (East), Saxony-Anhalt (East) and Bavaria (Southeast) (Focus Online, 2020; Der Spiegel, 2020) following Austria and Czech Republic (in the east of Germany).

More importantly, the Bavarian Government introduced the mask obligation in combination with the temporary suspension of kindergarten fees (Der Spiegel, 2020). There was no objection from the population and no negative impact on the government's popularity. The government could have introduced the mask obligation in combination with the abolishment of some previously imposed restrictions like the inversion of the right of free assembly, but it did not. This shows a lack of 'democratic affection' (Huhe and Tang, 2017) in the population which alters the way people 'weigh between economic and political goods' (ibid. p. 175) (→ obedient *conformity*). The Bavarian Government (south-east) declared, as the only federal state, the 'case-of-disaster' (state-of-emergency) – an ambiguous political instrument in the German history (Merkel, 2020) (→ elevated *power asymmetries*). The center-left Sueddeutsche Zeitung reported this step non-critically and judged the 'rule-of-law condition as fulfilled' (Blatz and Stroh, 2020). Lastly, the governments used fear (Augstein, 2020) to influence rule compliance (Harper *et al.*, 2020, Twardawski *et al.*, 2020) (→ enforced *conformity*). A cyclic rhetoric of fear allusion, protective solution and politicians which use scientific worst-case scenarios as the bases for their 'governance by fear' (Merkel, 2020; Jacobsen, 2020).

4.2. The legislative body

Most legislative Covid-19 decisions were marked by a high unanimity and little parliamentary debate (Merkel, 2020). Calls to abolish federal structures during emergencies were frequent (Presseportal, 2020). In Bavaria, for instance, the Government ordered a curfew by using a general act (→ elevated *power asymmetries*). A Bavarian citizen (and not a Member of Bavarian Parliament! (→ obedient *conformity*)) sued the Bavarian Government for this self-empowerment arguing that it should have consulted the parliament to achieve authorization for a legal decree (ordinance), instead. The Administrative Court accepted the lawsuit and ordered the Government to consult the parliament.

4.3. The judicial body

During the pandemic, numerous administrative and constitutional impeachments against the Covid-19 measures were presented (De Jure, 2020). Many of them were rejected for not meeting the formal requirements (ibid.). Further, it was argued that, given the novelty and complexity of Covid-19, the courts did not have the consultative expertise to judge about the proportionality of the political countermeasures (Kinkel, 2020). However, the courts could have put the burden of proof for the proportionality on the governments. Gertrude Lübbe-Wolff (Former Judge of the Federal Constitutional Court) wrote that 'not a single constitutional law has been abrogated in the sense that one could not effectively refer to it' (Lübbe-Wolff, 2020). This might be formally correct, but it is debatable whether only the

complete ‘*abrogation*’ of constitutional rights is problematic and not already their partial limitation.

The Federal Constitutional Court with its initial decision in March (De Jure, 2020; BVerfG 1 BvR 661/20 of March 20, 2020) potentially created a path for the States’ Constitutional Courts to follow (Daughety and Reinganum, 1999); a ‘precedential cascade’ (Talley, 1999) of court decisions (Volkman, 2020; Papier in Kissler, 2020) (→ affiliative/obedient conformity). The April 17 decision of the Federal Constitutional Court was the first major court ruling in favour of constitutional rights. It came right ahead of the April 20 date set by the executive body as possible ending of the strict lockdown. Henceforth and ‘following the societal critique and public debate’ (Uwe Volkman in Balbierer, 2020) (→ orthogonal information), the administrative and constitutional courts became more critical on the governments’ measures. Thus, the judicial body supported the government with its ruling in favour of the pandemic measures from March 16 (the Chancellor’s lock-down declaration) till April 17; then it became more critical. This indicates a ‘contribution delay’ (Toelstede, 2020b) of the judicial body vis-à-vis the government’s empowerment of one month.

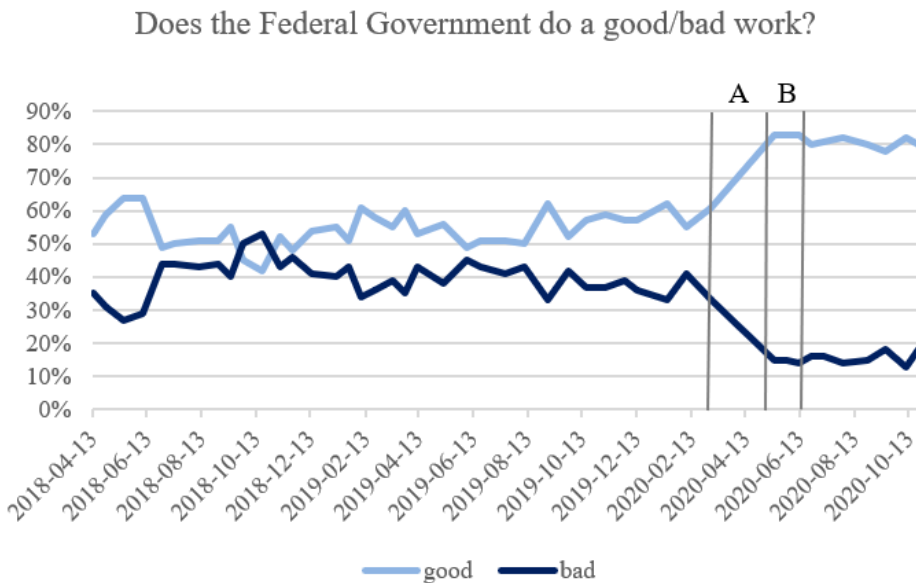
4.4. The citizens

The pandemic caused a shift in democratic preferences (Bol *et al.*, 2020; Tepe *et al.*, 2020). The voter support for the Federal Government (Figure 4) and some State Governments increased significantly. Beginning of April, Markus Söder (MinP Bavaria, south-east, CDU/CSU), a defender of strong anti-Covid measures, reached approval ratings in his state of 94% (Schnell, 2020) (→ obedient *conformity* and elevated *power asymmetries*). The large support of the citizens lasted until beginning of May 2020 (Merkel, 2020, p. 4) which corresponds to a ‘contribution delay’ (Toelstede, 2020b) of about one and a half months.

Significant levels of vigilantism were observable. On March 26, the Bavarian Public Radio (south-east) wrote that ‘the citizens eagerly report [to the police] infringements against the Coronavirus rules’ (BR24, 2020). About 47% of the Bavarian police charges against Covid-19 rules followed from denunciations (*ibid.*). For Leipzig (Saxony, east), the Public Radio reported that 27% of the Covid-related police charges followed from denunciations (MDR, 2020). The Saxonian Police stated that the citizens’ reports ((→ agentic peer punishment and institutional punishment) would be ‘very important’ to increase the Police’s efficiency (*ibid.*) (→ obedient/enforced *conformity*, elevated *power asymmetries*). Thomas Strobel (Interior Minister Baden-Württemberg (south-west), CDU/CSU) encouraged the people in Germany’s prime tabloid newspaper *Bild* ‘to report citizens who violate Corona rules ... it is about saving lives...vigilant citizens are my most favorites’ (*Bild*, 2020). This position was echoed by Winfried Kretschmann (MinP Baden-Württemberg, GREEN) (*Stuttgarter Nachrichten*, 2020) (→ agentic peer

punishment, obedient/enforced *conformity*), elevated *power asymmetries*). This situation of enforced *conformity* might have contributed to the *polarization* offspring (see the social media criticism (MDR, 2020)) resulting in the different anti-Covid movements.

Figure 4. German society's perception of the Federal Government's performance, April 2018 to August 2020. (A) Strict National Covid Lock-down. (B) Stepwise Opening.



Source: Forschungsgruppe Wahlen (2020)³

4.5. The media

Many news outlets supported the executive body by advocating social *conformity* and rule compliance. Deviations of this narrow position were immediately criticized. For instance, Anne Will, a leading talk show host, critically interviewed Markus Söder (MinP Bavaria, CDU/CSU). She was prompted by a Bavarian newspaper with ‘Talk show host tries to divide’ (Bruckner, 2020) (→ agentic peer punishment and enforced *conformity*). During the lock-down, only few observers remarked the use of too much fear in the political debate (Augstein, 2020),

³ Forschungsgruppe Wahlen, Politik II (retrieved from https://www.forschungsgruppe.de/Umfragen/Politbarometer/Langzeitentwicklung_-_Themen_im_Ueberblick/Politik_II/#Arb_Reg).

too much self-empowerment of the governments (Casdorff, 2020) and increased *conformity* (Merkel, 2020, Weidemann, 2020). Even in October 2020, seven months after the first wave, ‘the conformity to the pandemic rules...’ was valued as ‘an expression of the [individual’s] ability of sensibleness’ (Allert, 2020) (→ moralized *conformity* advocated by agentic peer punishment and not by deliberation or dialogical morality).

In summer 2020, academic studies analyzed the media during the lock-down. They criticized parts of Germany’s journalism as ‘*dominated by almost fearful reticence*’ (Meier and Wyss, 2020) and a too narrow focus on the negative sides of the pandemic (Gräf and Hennig, 2020; Merkel 2020; Jacobsen, 2020). My personal observation is that there was stronger *conformity* in mass media and tabloid newspapers and a greater opinion diversity in high-level newspapers, but still smaller than in U.S. high-level newspapers.

Conclusions

Following the outbreak of Covid-19, the U.S. tended to *polarization* and Germany to *conformity* (Figure 5) in line with their historic prevalence, respectively (Fincher *et al.*, 2008; Sommer and Rappel-Kroyzer, 2021). During the pandemic, the democratic consensus in Germany was achieved by *conformity* and strong executive acting and not through dialogue (Baum, 2020; Scally, 2020). The predisposition for *conformity* requires and causes more central political action and communication which increases social distancing (Shadmehr and de Mesquita, 2020). However, too much *conformity* in decision making and actions can be suboptimal (Aubrecht *et al.*, 2020; Schippers *et al.*, 2020). In the U.S., large part of the *polarization* occurred along party lines (Brownstein, 2020). Apart from the *polarization*, the U.S. had a considerable variety of opinions with a more intense dialogical process (1st argument of this article).

The *polarization* awareness in the American debate was higher than the *conformity* awareness in the German debate (Allcott *et al.*, 2020; Druckman *et al.*, 2020; Green *et al.*, 2020; Hart *et al.*, 2020; Jiang *et al.*, 2020; Rodriguez *et al.*, 2020; Tellis *et al.*, 2020; Van Bavel, 2020 for the United States and Weidmann, 2020 for Germany). This indicates that *polarization* is a deliberate act (Sunstein, 2019, p. 81) while *conformity* is rather unconscious (*ibid.*). It also shows that the political observers were more concerned with the first than with the latter (Van Bavel, 2020). People might historically consider social *conformity* as an ‘important means of limiting infection risk’ (Murray and Schaller, 2016, p. 16). The opposite pole in a *polarization* continuously serves as ‘orthogonal information’ Benoît and Dubra (2014, p. 20). On the contrary, people in *conformity* situations are not confronted with this ‘orthogonal information’ (*ibid.*) as everybody thinks uniformly. Thus, they lose the awareness about the strength of their own *conformity* (2nd argument of this article).

Both countries were confronted with the dilemma to weigh between protecting public health as well as preserving the democratic dialogue and constitutional rights. Which of the two policies is recommendable for other countries? The epistocratic/technocratic path that Germany had chosen delivered good results in curbing the pandemic. However, this path caused temporary high conformity levels and concentration of political power demand a strong social contract between politicians (agents) and citizens (principals). It must withstand the elevated power asymmetries and not disrupt the principal-agent chains i.e. the democratic connection of control between citizens and politicians (Toelstede, 2020a). If the principal-agent-chains disrupt, the citizens lose control over the political agents. The mentioned contribution delays indicate that the executive body was losing the other actors' trust in some cases very quickly (zero days in case of gun-shop closures in the U.S.) and in others very slowly (one and a half months in case of the German citizens in the first lock-down). A long contribution delay allows strong and effective health protection measures, but it also bears the risk of power abuse by the government (Toelstede, 2020b) – a difficult dilemma for any society.

Figure 5. The reactions to Covid-19 in Germany and the United States

| | Germany | United States |
|------------------|---|--|
| Executive body | conformity | polarization |
| Legislative body | conformity | polarization |
| Judicial body | conformity over one month; than more proportional (deliberative) | proportional (deliberative) |
| Citizens | initial conformity; later, a polarized offspring was observable | initial polarization; in high-infection regions, polarization decreased |
| Media | tabloid media: stronger conformity; broadsheet outlets: deliberative / weak conformity | tabloid media stronger polarization; broadsheet outlets: deliberative / weak polarization |

Source: Authors' representation

Germany has shown that high levels of obedient and enforced *conformity* undermine any dialogical process to find consensus for political problems; thus, *polarization* might be its offspring. Deliberative offsprings are – as shown – not possible in this strong *conformity* situation. High *conformity* levels deprive the society from valuable information (Sunstein, 2005), narrows or even strangles the democratic dialogue and promote 'structural lock-ins' (Toelstede, 2019b). To avoid that, a society should not restrict the public debate too much and allow a certain variety of opinions.

Germany adapted the constitution to its actions (Stelzenmüller and Denney, 2020). There was no major debate in the German population (in comparison to the U.S.) of which I dare to say that it might result from Sunstein's thesis that conformist societies are not aware of their high *conformity* (Sunstein, 2019, p. 81). Given the unawareness about its own *conformity* and the insouciance regarding the ad-hoc dealings of its constitution, a broader debate on Germany's constitution would be helpful. The dialogue in the U.S. has shown more respect for the constitution, but it tended into *polarization* and a low performance in the pandemic handling. The passiveness of the federal government and the *polarization* of the legislative body contributed to this performance. The political discussion, even though partly polarized, was more controversial than Germany's *conformity*. However, it did not successfully include the polarized part of the population and, hence, did not prevent the Capitol Hill riots later in January 2021.

In both countries, the media reinforced the basic inclination for *conformity* (Germany) and *polarization* (U.S.). Both societies need to think about how to weigh liberty and safety in case of a pathogen threat. For the U.S., a greater federal coordination between the states could make the national response more efficient without transferring power to the federal government (8th and 10th Amendment). For Germany, the 'coordinated federalism' (Saurer, 2020) was very effective, but the high *conformity* levels and exclusion of parliaments were harmful for the democratic dialogue. Determined executive acting should be no substitute for parliamentary debates and decisions. Further, Germany might reconsider the relationship to its constitution. The repeated adaption of the constitution to political preferences will erode the same (Stelzenmüller and Denney, 2020).

Lastly, both high *conformity* and *polarization* levels are detrimental for the democratic dialogue (3rd argument of the article). High *conformity* levels deprive the society from valuable information, narrows or even strangles the democratic dialogue and promote structural lock-ins as an increasing number of persons is or feels obliged to have the same opinion. *Polarization*, in turns divides the society in diametrically opposed groups with similar in-group constraints (structural lock-ins) as in the *conformity* scenario. While the high *conformity* in Germany caused a situation where political decisions could be taken unchecked and without adequate democratic dialogue, the *polarization* in the United States caused a political gridlock that hindered many political decisions.

References

- Abrams, D., Wetherell, M., Cochrane, S., Hogg, M.A. and Turner, J. C. (1990), Knowing what to think by knowing who you are: Self-categorization and the nature of norm formation, conformity and group polarization, *British journal of social psychology*, 29(2), pp. 97-119. <https://doi.org/10.1111/j.2044-8309.1990.tb00892.x>

- Allcott, H., Boxell, L., Conway, J., Gentzkow, M., Thaler, M. and Yang, D.Y. (2020), Polarization and public health: Partisan differences in social distancing during the Coronavirus pandemic, *NBER Working Paper*, w26946.
- Allensbach (2020), Zweitstimmen Wahlabsicht Deutscher Bundestag [Second votes intention to vote German Bundestag], *IFD Allensbach* (retrieved from <https://www.ifd-allensbach.de/studien-und-berichte/sonntagsfrage/gesamt.html>).
- Allert, T. (2020), Erstarrte Begegnungen mit maskiertem Gesicht [Frozen encounters with masked faces], *Frankfurter Allgemeine Zeitung (F.A.Z.)*, October 26 (retrieved from <https://www.faz.net/aktuell/feuilleton/debatten/soziologe-tilman-allert-zum-miteinander-in-der-corona-krise-17018989.html>).
- Asch, S.E. (1955), Opinions and social pressure, *Scientific American*, 193(5), pp. 31-35.
- Aubrecht, P., Essink, J., Kovac, M. and Vandenberghe, A.S. (2020), Centralized and Decentralized Responses to COVID-19 in Federal Systems: US and EU Comparisons, *SSRN*. <https://dx.doi.org/10.2139/ssrn.3584182>
- Augstein, J. (2020), Angst frisst Demokratie [Fear eats democracy], *Der Spiegel*, April 8, (retrieved from <https://www.spiegel.de/politik/deutschland/corona-krise-angst-frisst-demokratie-a-ad8799db-8941-4c40-9a50-1dfff591ffb6>).
- Badger, E. and Quealey, K. (2020), Red vs. Blue on Coronavirus Concern: The Gap Is Still Big but Closing, *The New York Times*, March 21 (retrieved from <https://nyti.ms/2xjUuCz>).
- Baker, R.K. (2020), Donald Trump's laissez faire federalism is as toxic as Covid-19, *USA Today*, July 14, (retrieved from <https://eu.usatoday.com/story/opinion/2020/07/14/donald-trump-federalism-coronavirus-covid-19-response-column/5424862002/>).
- Balbierer, T. (2020), Die Gesellschaft erobert ihre Freiheiten zunehmend zurück [Society is increasingly reclaiming its freedoms], *Süddeutsche Zeitung*, April 30, 2020 (retrieved from <https://www.sueddeutsche.de/politik/grundrechte-coronavirus-lockerungen-1.4892342>).
- Barnes, R. (2020), Supreme Court, in rare late-night ruling, says California may enforce certain restrictions on religious gatherings, *The Washington Post* (retrieved from https://www.washingtonpost.com/politics/courts_law/supreme-court-considers-churches-demands-that-states-lift-pandemic-restrictions/2020/05/29/af07b918-a1b2-11ea-81bb-c2f70f01034b_story.html).
- Baum, G. (2020), Dann sind das laufende Verfassungsverstöße [Then there are ongoing constitutional violations], *Die Welt*, October 29, (retrieved from <https://www.welt.de/politik/deutschland/article218849434/Corona-Gerhart-Baum-warnt-vor-laufenden-Verfassungsverstoessen.html>).
- Bénabou, R. (2013), Groupthink: Collective delusions in organizations and markets, *Review of Economic Studies*, 80(2), pp. 429-462. <https://doi.org/10.1093/restud/rds030>
- Benoît, J.P. and Dubra, J. (2014), A theory of rational attitude polarization, *SSRN*. <https://dx.doi.org/10.2139/ssrn.2754316>

- Berlin direkt (2020), Berlin direkt Interview with Federal Ministers of Justice, Christine Lambrecht (at 5:46 min.), *Berlin direct (ZDF)*, April 19 (retrieved from <https://www.zdf.de/politik/berlin-direkt/berlin-direkt-vom-19-april-2020-100.html>).
- Berman, D. (2020), Supreme Court social-distances from coronavirus decisions, *Cable News Network (CNN)*, August 14, (retrieved from <https://edition.cnn.com/2020/08/14/politics/supreme-court-covid-19-voting-church-lawsuit/index.html>).
- Bild (2020), Anruf bei der Polizei schadet nie [Calling the police never hurts], *Bild.de*, March 30, (retrieved from <https://www.bild.de/video/clip/news-inland/ba-wue-innenminister-strobl-ein-anruf-bei-der-polizei-schadet-nie-69716468-69719010.bild.html>).
- Biondo, A.E., Brosio, G., Pluchino, A. and Zanola, R. (2020), Authoritarianism vs. democracy: Simulating responses to disease outbreaks, *Physica A: Statistical Mechanics and its Applications*, 594, 126991. <https://doi.org/10.1016/j.physa.2022.126991>
- Blatz, A. and Stroh, K. (2020), Was der Katastrophenfall für Bayern bedeuten kann [What the disaster can mean for Bavaria], *Süddeutsche Zeitung*, March 16 (retrieved from <https://www.sueddeutsche.de/bayern/bayern-coronavirus-katastrophenfall-erklaerung-1.4846803>).
- Bol, D., Giani, M., Blais, A. and Loewen, P.J. (2020), The effect of COVID-19 lockdowns on political support: Some good news for democracy?, *European Journal of Political Research*, 60(2), pp. 497-505. <https://doi.org/10.1111/1475-6765.12401>
- Bond, R. and Smith, P.B. (1996), Culture and conformity: A meta-analysis of studies using Asch's (1952b, 1956) line judgment task, *Psychological bulletin*, 119(1), pp. 111-137. <https://psycnet.apa.org/doi/10.1037/0033-2909.119.1.111>
- Bos, B., Drupp, M.A., Meya, J. and Quaas, M. (2020), Moral Suasion and the Private Provision of Public Goods: Evidence from the COVID-19 Pandemic, *Environmental and Resource Economics*, 76, pp. 1117-1138. <https://doi.org/10.1007/s10640-020-00477-2>
- Breslow, J. (2020), Kansas Supreme Court Upholds Governor's Order Limiting The Size Of Easter Services, *National Public Radio (NPR)*, April 12, 2020 (retrieved from <https://www.npr.org/sections/coronavirus-live-updates/2020/04/12/832644243/kansas-supreme-court-upholds-governors-order-limiting-the-size-of-easter-service>).
- BR24 (2020), Bürger melden eifrig Verstöße gegen Corona-Regeln [Citizens eagerly report violations of Corona rules], *Bayrischer Rundfunk*, March 26 (retrieved from <https://www.br.de/nachrichten/bayern/buerger-melden-eifrig-verstoesse-gegen-corona-regeln,RuGXp1h>).
- Brinkbäumer, K. and Havertz, R. (2020), Die polarisierten Staaten von Amerika [The polarized states of America], *Die Zeit*, May 28, 2020 (retrieved from <https://www.zeit.de/politik/ausland/2020-05/donald-trump-coronakrise-usa-polarisierung-ok-amerika>).
- Brown, R. (1985), *Social Psychology*, Second Edition, Red Globe (Palgrave MacMillan).

- Brownstein, R. (2020), Red and Blue America Aren't Experiencing the Same Pandemic, *The Atlantic*, March 20, (retrieved from <https://www.theatlantic.com/politics/archive/2020/03/how-republicans-and-democrats-think-about-coronavirus/608395/>).
- Bruckner, J. (2020), Eine Moderatorin versucht zu spalten, *Süddeutsche Zeitung*, March 23, (retrieved from <https://www.sueddeutsche.de/medien/anne-will-soeder-coronavirus-1.4853068>).
- Carpenter, J.P. (2004), When in Rome: conformity and the provision of public goods, *The Journal of Socio-Economics*, 33(4), pp. 395-408. <https://doi.org/10.1016/j.socec.2004.04.009>
- Casdorff, S.A. (2020), Die Regierung ermächtigt sich in der Corona-Krise selbst – zulässig ist das nicht, *Tagesspiegel*, April 1, (retrieved from <https://www.tagesspiegel.de/politik/parlament-gibt-kontrolle-aus-der-hand-die-regierung-ermaechtigt-sich-in-der-corona-krise-selbst-zulaessig-ist-das-nicht/25701884.html>).
- Cashdan, E. (2012), In-group loyalty or out-group avoidance? Isolating the links between pathogens and in-group assortative sociality, *Behavioral and Brain Sciences*, 35(2), pp. 82-82. <https://doi.org/10.1017/S0140525X11001373>
- Cashdan, E. and Steele, M. (2013), Pathogen prevalence, group bias, and collectivism in the standard cross-cultural sample, *Human Nature*, 24(1), pp. 59-75. <https://doi.org/10.1007/s12110-012-9159-3>
- Cassens-Weiss, D. (2020), Wisconsin Supreme Court strikes down state stay-at-home order issued by health official, *ABA Journal*, May 14 (retrieved from <https://www.abajournal.com/news/article/wisconsin-supreme-court-strikes-down-state-stay-home-order-issued-by-state-health-officials>).
- Chemerinsky, E. (2020), Op-Ed: Yes, the government can restrict your liberty to protect public health, *The Los Angeles Times*, April 20 (retrieved from <https://www.latimes.com/opinion/story/2020-04-20/government-can-restrict-your-liberty-to-protect-public-health-courts-have-made-that-clear>).
- Chenghao, S. (2020), Political polarization will hamper US capability to combat COVID-19, *China Daily*, April 13 (retrieved from <http://global.chinadaily.com.cn/a/202004/13/WS5e93c4bca3105d50a3d15ad8.html>).
- Chilton, A.S., Cope, K.L., Crabtree, C. and Versteeg, M. (2020), *Support for Restricting Liberty for Safety: Evidence During the COVID-19 Pandemic from the United States, Japan, and Israel*, Japan, and Israel (May 2, 2020).
- CNBC (2020), *Germany's coronavirus response is a master class in science communication*, July 21, 2020 (retrieved from <https://www.cnn.com/2020/07/21/germanys-coronavirus-response-masterful-science-communication.html>).
- Cobo-Reyes, R., Katz, G. and Meraglia, S. (2019), Endogenous sanctioning institutions and migration patterns: Experimental evidence, *Journal of Economic Behavior and Organization*, 158, pp. 575-606. <https://doi.org/10.1016/j.jebo.2018.12.029>
- Coleman (2020), Gun sales surge as coronavirus grips US, *The Hill*, March 16 (retrieved from <https://thehill.com/policy/finance/487804-gun-sales-surge-as-coronavirus-grips-us>).

- Collins, K. and Yaffe-Belany, D. (2020), *About 2 Million Guns Were Sold in the U.S. as Virus Fears Spread*, *The New York Times*, April 1 (retrieved from <https://www.nytimes.com/interactive/2020/04/01/business/coronavirus-gun-sales.html>).
- Darley, J.M. and Latané, B. (1968), Bystander intervention in emergencies: diffusion of responsibility, *Journal of personality and social psychology*, 8(4p1), pp. 377-383. <https://doi.org/10.1037/h0025589>
- Daughety, A.F. and Reinganum, J.F. (1999), Stampede to judgement: Persuasive influence and herding behavior by courts, *American Law and Economics Review*, 1(1), pp. 158-189. <https://doi.org/10.1093/aler/1.1.158>
- Dave, D.M., Friedson, A.I., Matsuzawa, K., McNichols, D. and Sabia, J.J. (2020), Did the Wisconsin Supreme Court Restart a COVID-19 Epidemic?, Evidence from a Natural Experiment, *IZA Discussion Paper* No. 13314, National Bureau of Economic Research. <https://dx.doi.org/10.2139/ssrn.3620628>
- Der Spiegel (2020), Söder kündigt Maskenpflicht in Bayern an [Söder announces mask requirement in Bavaria], *Der Spiegel*, April 20, 2020 (retrieved from <https://www.spiegel.de/panorama/gesellschaft/coronavirus-in-bayern-markus-soeder-kuendigt-maskenpflicht-an-a-cc0e9c1a-6a5c-44b9-9cca-e6ce3e9152fb>).
- De Jure (2020), Rechtsprechung zur COVID-19-Pandemie [German Covid-19 jurisdiction], *De jure website* (retrieved from <https://dejure.org/corona-pandemie#rechtsprechung>).
- Druckman, J., Klar, S., Kkrupnikov, Y., Levendusky, M. and Ryan, J.B. (2020), The Political Impact of Affective Polarization: How Partisan Animus Shapes COVID-19 Attitudes, *PsyArXiv*. <https://doi.org/10.31234/osf.io/ztgpn>
- Dunbar, R.I. (1991), Functional significance of social grooming in primates, *Folia primatologica*, 57(3), pp. 121-131. <https://doi.org/10.1159/000156574>
- Evanega, S., Lynas, M., Adams, J., Smolenyak, K. and Insights, C.G. (2020), Coronavirus misinformation: quantifying sources and themes in the COVID-19 ‘infodemic’, *JMIR Preprints*, 19(10).
- Feldenkirchen, M. (2020), Der Rest soll schweigen [The rest should be silent], *Der Spiegel*, April 24 (retrieved from <https://www.spiegel.de/politik/deutschland/der-rest-soll-schweigen-kolumne-a-00000000-0002-0001-0000-000170604435>).
- Feldman, S. (2003), Enforcing social conformity: A theory of authoritarianism, *Political psychology*, 24(1), pp. 41-74. <https://doi.org/10.1111/0162-895X.00316>
- Fincher, C.L., Thornhill, R., Murray, D.R. and Schaller, M. (2008), Pathogen prevalence predicts human cross-cultural variability in individualism/collectivism, *Proceedings of the Royal Society B: Biological Sciences*, 275(1640), pp. 1279-1285. <https://doi.org/10.1098/rspb.2008.0094>
- FiveThirtyEight (2020), How (un-)popular is Donald Trump?, *ABC News* (retrieved from <https://projects.fivethirtyeight.com/trump-approval-ratings/>).
- Focus Online (2020), Alle Bundesländer führen Maskenpflicht ein - ab wann sie wo gilt, *Focus Online*, April 28, 2020 (retrieved from <https://amp.focus.de/finanzen/recht/>

maskenpflicht-in-deutschland-ab-wann-sie-wo-gilt-bundeslaender-im-ueberblick_id_11906207.html).

- Fryer Jr, R.G., Harms, P. and Jackson, M.O. (2019), Updating beliefs when evidence is open to interpretation: Implications for bias and polarization, *Journal of the European Economic Association*, 17(5), pp. 1470-1501. <https://doi.org/10.1093/jeaa/jvy025>
- Fukuyama, F. (2018), *Identity: The demand for dignity and the politics of resentment*, Farrar, Straus and Giroux: New York.
- Gelfand, M.J., Jackson, J.C., Pan, X., Nau, D., Dagher, M.M., Lange, P.V. and Chiu, C. (2020), The Importance of Cultural Tightness and Government Efficiency For Understanding COVID-19 Growth and Death Rates, [Preprint], *PsyArXiv*. <https://doi.org/10.31234/osf.io/m7f8a>
- Gräf, D. and Hennig, M. (2020), Die Verengung der Welt. Zur medialen Konstruktion Deutschlands unter SARS-CoV-2 und Covid-19 anhand der Formate ARD Extra und ZDF Spezial [The narrowing of the world. On the media construction of Germany under SARS-CoV-2 and Covid-19 using the formats ARD Extra and ZDF Spezial], *Magazin des Graduiertenkollegs Privatheit der Universität Passau*, (14), pp. 14-22.
- Green, J., Edgerton, J., Naftel, D., Shoub, K. and Cranmer, S.J. (2020), Elusive consensus: Polarization in elite communication on the COVID-19 pandemic, *Science Advances*, 6(28), eabc2717. <https://doi.org/10.1126/sciadv.abc2717>
- Griskevicius, V., Goldstein, N.J., Mortensen, C.R., Cialdini, R.B. and Kenrick, D.T. (2006), Going along versus going alone: When fundamental motives facilitate strategic (non) conformity, *Journal of personality and social psychology*, 91(2), pp. 281-294. <https://psycnet.apa.org/doi/10.1037/0022-3514.91.2.281>
- Gürerk, Ö., Irlenbusch, B. and Rockenbach, B. (2006), The competitive advantage of sanctioning institutions, *Science*, 312(5770), pp. 108-111. <https://doi.org/10.1126/science.1123633>
- Habermas, J. (2009), *Diskursethik* (Vol. 3), Suhrkamp.
- Harper, C.A., Satchell, L.P., Fido, D. and Latzman, R.D. (2020), Functional fear predicts public health compliance in the COVID-19 pandemic, *International journal of mental health and addiction*, 19, pp. 1875-1888. <https://doi.org/10.1007/s11469-020-00281-5>
- Hart, P.S., Chinn, S. and Soroka, S. (2020), Politicization and Polarization in COVID-19 News Coverage, *Science Communication*, 42(5), p. 1075547020950735. <https://doi.org/10.1177/1075547020950735>
- Hayek, F.A. (2013), *The constitution of liberty: The definitive edition* (Vol. 17), Routledge.
- Heydari, B. and Heydari, P. (2021), *When Do Coalitions Survive Over Time?*, *Stationary Stability in Dynamic Cooperative Games. Stationary Stability in Dynamic Cooperative Games* (August 16), SSRN. <https://dx.doi.org/10.2139/ssrn.3909107>
- Hruschka, D., Efferson, C., Jiang, T., Falletta-Cowden, A., Sigurdsson, S., McNamara, R., Sands, M., Munira, S., Slingerland, E. and Henrich, J. (2014), Impartial institutions, pathogen stress and the expanding social network, *Human Nature*, 25(4), pp. 567-579. <https://doi.org/10.1007/s12110-014-9217-0>

- Huhe, N. and Tang, M. (2017), Contingent instrumental and intrinsic support: exploring regime support in Asia, *Political Studies*, 65(1), pp. 161-178. <https://doi.org/10.1177/0032321715622791>
- Hulse, C. (2020), Congress Was Already Broken. The Coronavirus Could Make It Worse, *The New York Times*, July 25 (retrieved from <https://www.nytimes.com/2020/07/25/us/congress-broken-partisanship-coronavirus.html>).
- Iyengar, S., Lelkes, Y., Levendusky, M., Malhotra, N. and Westwood, S.J. (2019), The origins and consequences of affective polarization in the United States, *Annual Review of Political Science*, 22, pp. 129-146. <https://doi.org/10.1146/annurev-polisci-051117-073034>
- Jacobsen, L. (2020), Ich nenne das: Regieren durch Angst [I call this: governing through fear], *Die Zeit*, October 14 (retrieved from <https://www.zeit.de/politik/deutschland/2020-10/corona-politik-demokratie-angela-merkel-regierung-pandemie-wolfgang-merkel>).
- Jiang, J., Chen, E., Yan, S., Lerman, K. and Ferrara, E. (2020), Political polarization drives online conversations about COVID-19 in the United States, *Human Behavior and Emerging Technologies*, 2(3), 200-211.
- Jost, J.T., Ledgerwood, A. and Hardin, C.D. (2008), Shared reality, system justification, and the relational basis of ideological beliefs, *Social and Personality Psychology Compass*, 2(1), pp. 171-186. <https://doi.org/10.1111/j.1751-9004.2007.00056.x>
- Kerr, J., Panagopoulos, C. and van der Linden, S. (2021), Political polarization on COVID-19 pandemic response in the United States, *Personality and Individual Differences*, 179, p. 110892. <https://doi.org/10.1016/j.paid.2021.110892>
- Kettl, D.F. (2020), States Divided: The Implications of American Federalism for Covid-19, *Public Administration Review*, 84(4), pp. 595-602. <http://dx.doi.org/10.1111/puar.13243>
- Kinkel, E. (2020), Karlsruher Jurist zu Corona: „Sehr viele Regelungen nicht verhältnismäßig“ [Karlsruhe lawyer on Corona: “Many regulations not proportionate”], *Badische Neueste Nachrichten*, May 19 (retrieved from <https://bnn.de/lokales/karlsruhe/karlsruher-jurist-zu-corona-ich-gehe-davon-aus-dass-sehr-viele-regelungen-nicht-verhaeltnismaessig-sind>).
- Kissler, A. (2020), Der ehemalige Bundesverfassungsrichter Hans-Jürgen Papier warnt: «Auch wer die Gesundheit der Bevölkerung schützen will, darf nicht beliebig in die Grundrechte eingreifen» [Former federal constitutional judge Hans-Jürgen Papier warns: “Even those who want to protect the health of the population must not arbitrarily interfere with fundamental rights.”], *Neue Zürcher Zeitung NZZ*, October, 20 (retrieved from <https://www.nzz.ch/international/hans-juergen-papier-warnt-vor-aushoehlung-der-grundrechte-ld.1582544>).
- Knauer, N.J. (2020), The COVID-19 Pandemic and Federalism: Who Decides?, *New York University Journal of Legislation and Public Policy*, 23(1), <http://dx.doi.org/10.2139/ssrn.3599239>

- Kruzel, J. (2020), Legal challenges to stay-at-home orders gain momentum, *The Hill*, May 16 (retrieved from <https://thehill.com/regulation/court-battles/498096-legal-challenges-to-stay-at-home-orders-gain-momentum>).
- Kuran, T. and Sunstein, C.R. (1998), Availability cascades and risk regulation, *Stanford Law Review*, 51(4), p. 683. <http://dx.doi.org/10.2307/1229439>
- Laland, K.N. (2004), Social learning strategies, *Animal Learning and Behavior*, 32(1), pp. 4-14. <https://doi.org/10.3758/BF03196002>
- Lehmann, J., Korstjens, A.H. and Dunbar, R.I.M. (2007), Group size, grooming and social cohesion in primates, *Animal Behaviour*, 74(6), pp. 1617-1629. <https://doi.org/10.1016/j.anbehav.2006.10.025>
- Levy, K and Kilgour, L. (2020), Don't Make College Kids the Coronavirus Police, *The New York Times*, April 12, 2020 (retrieved from <https://nyti.ms/33Mx6vU>).
- Linz, J.J. and Linz, J.J. (2000), *Totalitarian and authoritarian regimes*, Lynne Rienner Publishers. <http://dx.doi.org/10.1515/9781685850043>
- Lübbe-Wolff, G. (2020), Warum wir nicht in einem Notstandsregime leben [Why we don't live in an emergency regime], *Frankfurter Allgemeine Zeitung*, May 27 (retrieved from <https://www.faz.net/aktuell/feuilleton/debatten/corona-krise-warum-wir-nicht-in-einem-notstandsregime-leben-16787095.html>).
- McGowan, J.R. (2020), Factors Related to State Lockdown Policies: a Comparison of Jobs Lost with Deaths from COVID-19 by State, *SSRN*. <https://dx.doi.org/10.2139/ssrn.3594892>
- MDR (2020), Wenn Nachbarn trotz Corona grillen: Bürger-Anruf oder Anschwärzen bei der Polizei Sachsen? [When neighbors barbecue despite Corona: citizen call or blackening with the Saxony police?], *Mitteldeutscher Rundfunk (MDR)*, April 6, (retrieved from <https://www.mdr.de/sachsen/corona-buerger-anrufe-polizei-anschwaerzen-denunzieren100.html#sprung1>).
- Mearsheimer, J.J. (2013), *Why leaders lie: The truth about lying in international politics*, Oxford University Press.
- Meier, K. and Wyss, V. (2020), Journalismus in der Krise: die fünf Defizite der Corona-Berichterstattung [Journalism in crisis: the five deficits in corona reporting], *Meedia.de*, April 9 (retrieved from <https://meedia.de/2020/04/09/journalismus-in-der-krise-die-fuenf-defizite-der-corona-berichterstattung/>).
- Merkel, W. (2020), Who Governs in Deep Crises?: The Case of Germany, *Democratic Theory*, 7(2), pp. 1-11. <https://doi.org/10.3167/dt.2020.070202>
- Miller, E. (2020), Oregon Supreme Court Orders Decision From Baker Co. Judge On COVID-19 Restrictions, *Oregon Public Broadcasting (OPB)*, May 26 (retrieved from <https://www.opb.org/news/article/oregon-supreme-court-orders-decision-baker-co-judge-covid-19-restrictions/>).
- Murray, D.R., Kerry, N. and Gervais, W.M. (2019), On disease and deontology: multiple tests of the influence of disease threat on moral vigilance, *Social Psychological and Personality Science*, 10(1), pp. 44-52. <https://doi.org/10.1177/1948550617733518>

- Murray, D.R. and Schaller, M. (2012), Threat (s) and conformity deconstructed: Perceived threat of infectious disease and its implications for conformist attitudes and behavior, *European Journal of Social Psychology*, 42(2), pp. 180-188. <https://doi.org/10.1002/ejsp.863>
- Murray, D.R., Schaller, M. and Suedfeld, P. (2013), Pathogens and politics: Further evidence that parasite prevalence predicts authoritarianism, *PLoS One*, 8(5), p. e62275. <https://doi.org/10.1371/journal.pone.0062275>
- Murray, D.R. and Schaller, M. (2016), The behavioral immune system: Implications for social cognition, social interaction, and social influence, in: *Advances in experimental social psychology*, 53, pp. 75-129, Academic Press. <https://doi.org/10.1016/bs.aesp.2015.09.002>
- Murray, D.R., Trudeau, R. and Schaller, M. (2011), On the origins of cultural differences in conformity: Four tests of the pathogen prevalence hypothesis, *Personality and Social Psychology Bulletin*, 37(3), pp. 318-329. <https://doi.org/10.1177/0146167210394451>
- Najmabadi, S. (2020), Federal appeals court allows medication abortions in Texas during coronavirus pandemic, *The Texas Tribune*, April 13, 2020 (retrieved from <https://www.texastribune.org/2020/04/13/texas-abortion-ban-medication-abortions-allowed-during-coronavirus/>).
- National Law Review (2020), Michigan Court Rules Gov. Whitmer's Unilateral State Of Emergency Extension As Valid, *National Law Review*, May 28 (retrieved from <https://www.natlawreview.com/article/michigan-court-rules-gov-whitmer-s-unilateral-state-emergency-extension-valid>).
- Nietzsche, F.W. (2004), *Ecce Homo: How One Becomes what One is; The Antichrist: a Curse on Christianity*, Algora Publishing.
- N-TV (2020), Was ist dem Land das Leben wert?, *N-TV*, March 31 (retrieved from https://www.n-tv.de/politik/politik_kommentare/Was-ist-dem-Land-das-Leben-wert-article21682557.html).
- Packer, D.J., Ungson, N.D. and Marsh, J.K. (2021), Conformity and reactions to deviance in the time of COVID-19, *Group Processes and Intergroup Relations*, 24(2), pp. 311-317. <https://doi.org/10.1177/1368430220981419>
- Pennycook, G., McPhetres, J., Bago, B. and Rand, D.G. (2020), Predictors of attitudes and misperceptions about COVID-19 in Canada, the UK, and the USA, *PsyArXiv*, 10, pp. 1-25.
- Oltermann, P. (2020), Germany's devolved logic is helping it win the coronavirus race, *The Guardian*, April 5 (retrieved from <https://www.theguardian.com/world/2020/apr/05/germanys-devolved-logic-is-helping-it-win-the-coronavirus-race>).
- Oprysko, C. (2020), Democratic governors hit with flurry of legal challenges to coronavirus lockdowns, *POLITICO*, May 17 (retrieved from <https://www.politico.com/news/2020/05/17/democratic-governors-coronavirus-lockdown-legal-challenges-261428>).
- Pickup, M., Stecula, D. and van der Linden, C. (2020), Novel coronavirus, old partisanship: COVID-19 attitudes and behaviors in the United States and Canada, *Canadian*

- Journal of Political Science/Revue canadienne de science politique*, 53(2), pp. 357-364. <https://doi.org/10.1017/S0008423920000463>
- Ponizovskiy, V., Grigoryan, L. and Hofmann, W. (2022), Why is right-wing media consumption associated with lower compliance with COVID-19 measures?, *Journal of Media Psychology: Theories, Methods, and Applications*. <https://doi.org/10.1027/1864-1105/a000337>
- Presseportal (2020), Lauterbach fordert Föderalismusreform als Konsequenz aus Corona-Krise [Lauterbach calls for federalism reform as a consequence of the Corona crisis], *Presseportal*, March 13 (retrieved from <https://www.presseportal.de/pm/30621/4546061>).
- Prokosch, M.L., Gassen, J., Ackerman, J.M. and Hill, S.E. (2019), Caution in the time of cholera: Pathogen threats decrease risk tolerance, *Evolutionary Behavioral Sciences*, 13(4), pp. 311-334. <https://psycnet.apa.org/doi/10.1037/ebs0000160>
- Prosser, A.M., Judge, M., Bolderdijk, J.W., Blackwood, L. and Kurz, T. (2020), ‘Distancers’ and ‘non-distancers’? The potential social psychological impact of moralizing COVID-19 mitigating practices on sustained behaviour change, *British Journal of Social Psychology*, 59(3), pp. 653-662. <https://doi.org/10.1111/bjso.12399>
- Rodriguez, C.G., Gadarian, S.K., Goodman, S.W. and Pepinsky, T.B. (2022), Morbid Polarization: Exposure to COVID-19 and Partisan Disagreement about Pandemic Response, *Political psychology*, 43(6), pp. 1169-1189. <https://doi.org/10.1111/pops.12810>
- Roßbach, H. (2020), Ende der Einigkeit [End of unity], *Süddeutsche Zeitung*, May 4 (retrieved from <https://www.sueddeutsche.de/politik/kampf-gegen-die-corona-pandemie-ende-der-einigkeit-1.4896336>).
- Saurer, J. (2020), COVID-19 and Cooperative Administrative Federalism in Germany, *The Regulatory Review*, May 13 (retrieved from <https://www.theregview.org/2020/05/13/saurer-covid-19-cooperative-administrative-federalism-germany/>).
- Scally, D. (2020), Schäuble demands that Bundestag reclaim Covid-19 initiative, *The Irish Times*, October 21 (retrieved from <https://www.irishtimes.com/news/world/europe/schauble-demands-that-bundestag-reclaim-covid-19-initiative-1.4387287>).
- Schachter, S. (1959), *The psychology of affiliation: Experimental studies of the sources of gregariousness*, Stanford Univer. Press.
- Schindler, F. (2020), Überbordender Aktionismus bei Aushebelung von Grundrechten, *Die Welt*, April 15 (retrieved from <https://www.welt.de/politik/deutschland/article207255685/Corona-Ueberbordender-Aktionismus-bei-Aushebelung-von-Grundrechten.html>).
- Schippers, M.C. and Rus, D.C. (2021), Optimizing decision-making processes in times of COVID-19: Using reflexivity to counteract information-processing failures, *Frontiers in psychology*, 12. <https://doi.org/10.3389/fpsyg.2021.650525>
- Schkade, D., Sunstein, C.R. and Hastie, R. (2007), What happened on deliberation day, *California Law Review*, 95(3), pp. 915-940. <http://dx.doi.org/10.2139/ssrn.911646>

- Schkade, D., Sunstein, C.R. and Kahneman, D. (2000), Deliberating about dollars: The severity shift, *Columbia Law Review*, 100, pp. 1139-1175. <http://dx.doi.org/10.2307/1123539>
- Schnell, L. (2020), Söder dank Corona-Krise so beliebt wie nie [Thanks to the Corona crisis, Söder is more popular than ever], *Süddeutsche Zeitung*, April 8 (retrieved from <https://www.sueddeutsche.de/bayern/corona-bayern-markus-soeder-umfrage-1.4872092>).
- Shadmehr, M. and de Mesquita, E.B. (2020), Coordination and Social Distancing: Inertia in the Aggregate Response to COVID-19, University of Chicago, *Becker Friedman Institute for Economics Working Paper*, 2020-53. <https://dx.doi.org/10.2139/ssrn.3586839>
- Siedlecki, P., Szwabiński, J. and Weron, T. (2016), The interplay between conformity and anticonformity and its polarizing effect on society, *arXiv preprint arXiv:1603.07556*. <https://doi.org/10.48550/arXiv.1603.07556>
- Singer, D.J., Bramson, A., Grim, P., Holman, B., Jung, J., Kovaka, K., Ranginani, A. and Berger, W.J. (2019), Rational social and political polarization, *Philosophical Studies*, 176(9), pp. 2243-2267. <https://doi.org/10.1007/s11098-018-1124-5>
- Solomon, M. (2006), Groupthink versus the wisdom of crowds: The social epistemology of deliberation and dissent, *The Southern Journal of Philosophy*, 44(S1), pp. 28-42. <https://doi.org/10.1111/j.2041-6962.2006.tb00028.x>
- Sommer, U. and Rappel-Kroyzer, O. (2022), Pandemic Politics in the United States: COVID-19 as a New Type of Political Emergency, *Political Psychology*, 43(4), pp. 769-792. <https://doi.org/10.1111/pops.12792>
- Stelzenmüller, C. and Denney, S. (2020), *COVID-19 Is a Severe Test for Germany's Postwar Constitution*, Lawfareblog.com April 16, 2020 (retrieved from <https://www.lawfareblog.com/covid-19-severe-test-germanys-postwar-constitution>).
- Strogatz, S.H. (2012), *Sync: How order emerges from chaos in the universe, nature, and daily life*, Hachette UK.
- Stroud, N.J. (2010), Polarization and partisan selective exposure, *Journal of communication*, 60(3), pp. 556-576. <https://doi.org/10.1111/j.1460-2466.2010.01497.x>
- Stuttgarter Nachrichten (2020), *Winfried Kretschmann bittet um das Melden von Corona-Verstößen* [Winfried Kretschmann asks for the reporting of corona violations], Stuttgarter Nachrichten, March 31 (retrieved from <https://www.stuttgarter-nachrichten.de/inhalt.ministerpraesident-im-suedwesten-winfried-kretschmann-bittet-um-das-melden-von-corona-verstoessen.3ab5ee66-8303-4f18-9fd9-e186891cdeae.html>).
- Sunstein, C.R. (2005), *Why societies need dissent* (vol. 9), Harvard University Press. <https://doi.org/10.4159/9780674267657>
- Sunstein, C.R. (2019), *Conformity: the power of social influences*, NYU Press. <http://dx.doi.org/10.18574/nyu/9781479896585.001.0001>
- Slotkin, J. (2020), Michigan Supreme Court Rules Against Governor's Emergency Powers, *National Public Radio NPR*, October 3 (retrieved from

- <https://www.npr.org/sections/coronavirus-live-updates/2020/10/03/919891538/michigan-supreme-court-rules-against-governors-emergency-powers>).
- Sweet, L. (2020), Surprise: Justice Kavanaugh sides with Gov. Pritzker over Illinois Republican organizations in COVID-19 crowd restriction case, *Chicago Sun-Times*, July 5 (retrieved from <https://chicago.suntimes.com/columnists/2020/7/5/21314083/surprise-justice-kavanaugh-sides-with-gov-pritzker-over-illinois-gop-in-covid-crowd-restriction-case>).
- Talley, E. (1999), Precedential cascades: An appraisal, *Southern California Law Review*, 73(1), pp. 87–137.
- Tellis, G.J., Sood, N. and Sood, A. (2020), Why did US governors delay lockdowns against COVID-19? Disease science vs learning, cascades, and political polarization. Disease Science vs Learning, Cascades, and Political Polarization, *USC Marshall School of Business Research Paper*. <https://dx.doi.org/10.2139/ssrn.3575004>
- Täuber, S. (2018), Moralized health-related persuasion undermines social cohesion, *Frontiers in psychology*, 9, p. 909. <http://dx.doi.org/10.3389/fpsyg.2018.00909>
- Tepe, M., Vanhuyse, P., Jankowski, M., Juen, C.M. and Erlbruch, F. (2020), *Pandemic Balancing Acts: Early COVID-19 lockdown changes how Germans trade off lives and weigh constitutional powers*. <https://doi.org/10.31219/osf.io/geu52>
- Tagesschau (2020), *Kritik an Bayerns Alleingang*, tageschau.de, March 21, 2020 (retrieved from <https://www.tagesschau.de/inland/spd-gruene-coronavirus-101.html>).
- Thöni, C. (2014), Inequality aversion and antisocial punishment, *Theory and decision*, 76(4), pp. 529-545. <https://doi.org/10.1007/s11238-013-9382-3>
- Toelstede, B. (2019a), Democracy interrupted: the anti-social side of intensified policing, *Democracy and security*, 15(2), pp. 137-149. <https://doi.org/10.1080/17419166.2018.1493992>
- Toelstede, B. (2019b), How path-creating mechanisms and structural lock-ins make societies drift from democracy to authoritarianism, *Rationality and Society*, 31(2), pp. 233-262. <https://doi.org/10.1177/1043463119840040>
- Toelstede, B. (2020a), Social hierarchies in democracies and authoritarianism: The balance between power asymmetries and principal-agent chains, *Rationality and Society*, 32(3), pp. 334-366. <https://doi.org/10.1177/1043463120904051>
- Toelstede, B. (2020b), The Absence of Policing and the Political Economy of Contribution and Defection, *Democracy and Security*, 16(4), pp. 1-20. <https://doi.org/10.1080/17419166.2020.1756264>
- Toff, B. and Suhay, E. (2019), Partisan conformity, social identity, and the formation of policy preferences, *International Journal of Public Opinion Research*, 31(2), pp. 349-367. <https://doi.org/10.1093/ijpor/edy014>
- Tribe, L. (2020), Don't let coronavirus failures shake your faith in federalism, *The Boston Globe*, April 29, (retrieved from <https://www.bostonglobe.com/2020/04/27/opinion/not-learning-wrong-lessons-coronavirus/>).

- Tversky, A. and Kahneman, D. (1985). The Framing of Decisions and the Psychology of Choice, in: Wright, G. (ed.), *Behavioral Decision Making*, pp. 25-41, Boston, MA.: Springer. https://doi.org/10.1007/978-1-4613-2391-4_2
- Twardawski, M., Steindorf, L. and Thielmann, I. (2021), Three pillars of physical distancing: Anxiety, prosociality, and rule compliance during the COVID-19 pandemic, *Collabra: Psychology*, 7(1), p. 22511. <https://doi.org/10.1525/collabra.22511>
- Van Bavel, J.J. (2020), In a pandemic, political polarization could kill people, *The Washington Post*, March 22 (retrieved from <https://www.washingtonpost.com/outlook/2020/03/23/coronavirus-polarization-political-exaggeration/>).
- Von Marschall, Ch. and Ismar, G. (2020), Ältere und Kranke werden ihre Kontakte deutlich länger reduzieren müssen [Older and sick people will have to reduce their contacts for a much longer period of time], *Der Tagesspiegel*, March 28 (retrieved from <https://www.tagesspiegel.de/politik/kanzleramtschef-erteilt-rascher-lockerung-eine-absage-aeltere-und-krank-werden-ihre-kontakte-deutlich-laenger-reduzieren-muessen/25690036.html>).
- Volkman, U. (2020), Wenn die Justiz der Herde folgt [When justice follows the herd], *Frankfurter Allgemeine Zeitung F.A.Z.*, May 6 (retrieved from <https://www.faz.net/aktuell/feuilleton/debatten/wenn-die-justiz-der-herde-folgt-wieder-zeitgeist-die-rechtsprechung-beeinflusst-16755465.html>).
- Vorwärts (2020), Scholz zur Corona-Politik: „Gesundheit hat oberste Priorität [Scholz on Corona policy: “Health has top priority], *Berliner vorwärts Verlagsgesellschaft* (vorwaerts.de), April 22 (retrieved from <https://www.vorwaerts.de/artikel/scholz-corona-politik-gesundheit-hat-oberste-prioritaet>).
- Wason, P.C. (1960), On the failure to eliminate hypotheses in a conceptual task, *Quarterly journal of experimental psychology*, 12(3), pp. 129-140. <https://doi.org/10.1080/17470216008416717>
- Weidemann, Ch. (2020), Das Virus der Konformität [The virus of conformity], *TAZ Die Tageszeitung*, March 27, 2020 (retrieved from <https://taz.de/Sprache-in-der-Corona-Krise/15670654/>).
- Wenzel, M., Okimoto, T.G., Feather, N.T. and Platow, M.J. (2008), Retributive and restorative justice, *Law and human behavior*, 32(5), pp. 375-389. <https://doi.org/10.1007/s10979-007-9116-6>
- Wilson, J. (2020), US sheriffs rebel against state mask orders even as Covid-19 spreads, *The Guardian*, July 31 (retrieved from <https://www.theguardian.com/us-news/2020/jul/31/us-sheriffs-mask-orders-covid-19-blm>).
- Wu, B.P. and Chang, L. (2012), The social impact of pathogen threat: How disease salience influences conformity, *Personality and Individual Differences*, 53(1), pp. 50-54. <https://doi.org/10.1016/j.paid.2012.02.023>