

ELECTIONS 2008





Cover: For over a hundred years, campaign buttons have adorned the lapels of American voters, a testament to the vitality of the presidential election spectacle.

*Opposite page:
The White House,
Washington, D.C.*

CONTENTS

page 2 POLITICAL PARTIES IN THE UNITED STATES

BY JOHN F. BIBBY

page 7 PRESIDENTIAL NOMINATIONS AND AMERICAN DEMOCRACY

BY STEPHEN J. WAYNE

page 12 U.S. ELECTION PROCEDURES

BY MICHAEL W. TRAUGOTT

page 16 ELECTIONS 2004 TIMELINE

page 18 INTERVIEW: CAMPAIGN 2004, WITH THOMAS MANN

BY PAUL MALAMUD

page 22 CONGRESSIONAL ELECTIONS

BY JOHN H. ALDRICH

page 27 THE POLLS, THE PUNDITS, & THE ELECTIONS OF 2004

BY JOHN ZOGBY

page 31 THE STATE OF CAMPAIGN FINANCE

BY JOSEPH E. CANTOR

page 35 ELECTIONS GLOSSARY

page 37 BIBLIOGRAPHY AND WEB SITES

EXECUTIVE EDITOR:

GEORGE CLACK

EDITOR: PAUL MALAMUD

ART DIRECTOR/ DESIGNER:

THADDEUS A. MIKSINSKI, JR.

PHOTO EDITOR: JOANN STERN

REFERENCE SPECIALISTS:

LORNA DOOT

ANITA GREEN

PICTURE CREDITS: CREDITS FROM LEFT TO RIGHT ARE SEPARATED BY SEMICOLONS; FROM TOP TO BOTTOM BY DASHES. ALL ENGRAVINGS COURTESY BUREAU OF PRINTING AND ENGRAVING. COVER AND INSIDE COVER: COURTESY NEW YORK HISTORICAL SOCIETY. 2: © HULTONARCHIVE BY GETTY IMAGES. 3: © HULTONARCHIVE BY GETTY IMAGES. 4: © HULTONARCHIVE BY GETTY IMAGES (4). 5: © HULTONARCHIVE BY GETTY IMAGES (3). 7: © GETTY IMAGES. 8: KRAUSE PUBLICATIONS (2); © BETTMANN/CORBIS. 9: © REUTERS. 10: (GEORGE BUSH); © STEPHEN CROWLEY/THE NEW YORK TIMES. 11: © CORBIS; KRAUSE PUBLICATIONS (2). 12: REPUBLISHED WITH PERMISSION OF THE GLOBE NEWSPAPER COMPANY, INC. - © VINCENT LAFORET/THE NEW YORK TIMES. 13: © REUTERS; © SHANE YOUNG/THE NEW YORK TIMES -- © SUZANNE DECHILLO/THE NEW YORK TIMES -- © ANDREW ITKOFF/THE NEW YORK TIMES -- © ROB CRANDALL/THE IMAGE WORKS. 14: © JENNIFER GIRTMAN/ATLANTA JOURNAL CONSTITUTION -- © JIM WEST/THE IMAGE WORKS. 15: © AFP/CORBIS. 16-17: RICHARD ANDERSON. 23: AP/WIDE WORLD PHOTOS -- © DOUG MILLS/THE NEW YORK TIMES. 25: © DOUG MILLS/THE NEW YORK TIMES; AP/WIDE WORLD PHOTOS (3). 26: AP/WIDE WORLD PHOTOS -- © AFP/CORBIS. 27: © CORBIS -- © BETTMANN/CORBIS -- © PHILIP JONES GRIFFITHS/MAGNUM PHOTOS. 28: © GETTY IMAGES. 29: © BOB DAEMMRICH/THE IMAGE WORKS (2) 30: © BROOKS KRAFT/CORBIS -- COURTESY MEET THE PRESS (2). 31: © PAUL HOSSEFROS/THE NEW YORK TIMES -- © REUTERS. 33: AP/WIDE WORLD PHOTOS -- © REUTERS -- © MARK PETERSON/CORBIS SABA. 34: AP/WIDE WORLD PHOTOS. 37: (GEORGE BUSH PORTRAIT); © NAJLAH FEARNY/CORBIS SABA. BACK COVER: COURTESY NEW YORK HISTORICAL SOCIETY.

United States ELECTIONS

This publication provides an introductory overview of the American electoral process for people who are not familiar with U.S. election practices and traditions. For "U.S. Elections 2004," we have asked seven experts, mostly political scientists, to explain significant aspects of the upcoming elections to international audiences who may have different ways of electing their government.

John F. Bibby begins the discussion by reviewing the role of political parties in the American system. Parties are not written into the U.S. Constitution (1789), but they have evolved since their origins in the early 1800s into a bedrock feature of U.S. democracy. Some have suggested that much of the stability of American government rests on the fact that two parties have been dominant for more than a century.

Next, Stephen J. Wayne explicates the long presidential campaign, in particular the nomination process. Again, several vital features of the American system – party nominating conventions and primary elections – are not provided for in the Constitution, but have resulted from an historical evolution rooted in the early years of the American republic. Michael W. Traugott then describes in detail how electoral institutions ensure fairness, discussing the procedures for registering voters, counting votes, and structuring a ballot.

Our interview with prominent political analyst Thomas Mann, of the Brookings Institution, deals most explicitly with the upcoming election. Speaking several months before the first presidential nominating caucus (in January 2004), Mann concentrates on what to watch for as the upcoming election unfolds. John H. Aldrich

reminds us that more than a presidential election occurs in 2004. All 435 seats in the House of Representatives and one-third of the 100 Senate seats will be in play as well. Governors, mayors, and state legislatures will be elected across America. Adding interest to the election is the fact that in the American system it is possible for one party to win the White House while another gains control of one or both houses of Congress. Unlike in parliamentary systems, the executive and legislature are selected independently of each other in the United States.

Finally, we consider two aspects of the process that have become crucial in modern elections: public-opinion polling and campaign-finance laws. Pollster John Zogby makes the case that opinion polls can be useful to candidates in defining issues that are important to voters, but they can be misused or misinterpreted when attempting to predict outcomes. Joseph E. Cantor then provides a concise explanation of the complex laws regulating contributions and expenditures in U.S. elections – \$607 million was spent on the presidential election alone in 2000. Regulation of political campaigns involves a perceived conflict between two core values for Americans: freedom of speech, as guaranteed in the First Amendment of the U.S. Constitution, and ensuring a fair and open playing field for all candidates.

As several of our authors suggest, the hallmark of the American election system over several centuries has been its fundamental stability, a stability that also responds to the need for modernization and change. We hope that as the events of the 2004 elections play out in coming months, readers worldwide will find this booklet useful as a guide to both the historical context and the unique features of the current campaign.



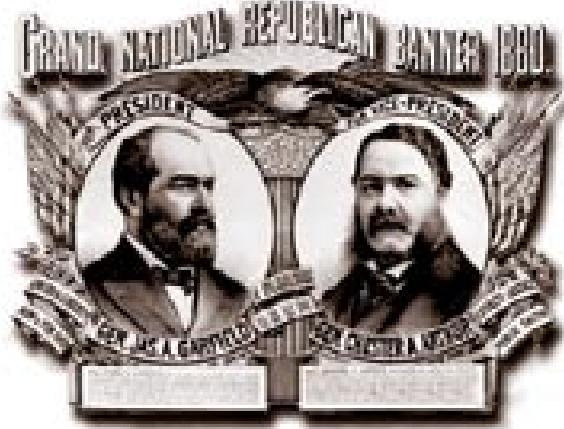
POLITICAL PARTIES IN THE UNITED STATES

BY JOHN F. BIBBY



George Washington,
Federalist
(President, 1789-1797)

Below: Grand National Republican banner, 1880, with portraits of (successful) presidential candidate General James A. Garfield and proposed vice-president, Chester A. Arthur.



When the Founders of the American Republic wrote the U.S. Constitution in 1787, they did not envision a role for political parties in the governmental order. Indeed, they sought through various constitutional arrangements – such as separation of powers, checks and balances, federalism, and indirect election of the president by an electoral college – to insulate the new republic from political parties and factions.

In spite of the Founders' intentions, the United States in 1800 became the first nation to develop parties organized on a national basis and to transfer executive power from one faction to another via an election.

THE EMERGENCE AND PERVERSIVENESS OF POLITICAL PARTIES

The development of political parties was closely linked to the extension of the suffrage as qualifications requiring property ownership were lifted during the early 1800s. With a vastly expanded electorate, a means was required to mobilize masses of voters. Political parties became institutionalized to accomplish this essential task. Thus, parties in America emerged as a part of this democratic expansion, and, by the

1830s, they were a firmly established part of the political firmament.

Today, the Republican and Democratic parties pervade the political process. Approximately 60 percent of Americans consider themselves either Republicans or Democrats, and even those who say that they are independents normally have partisan leanings and exhibit high levels of party loyalty. For example, in the five presidential elections between 1980 and 1996, 75 percent of independents who "leaned" toward the Republicans or Democrats voted for their preferred party's presidential candidate. And in 2000, 79 percent of Republican "leaners" voted for Republican George W. Bush, while 72 percent of Democratic "leaners" cast ballots for the Democratic candidate, Al Gore.

The pervasiveness of partisan influences also extends to the party in government. The two major parties now dominate the presidency, Congress, the governorships, and the state legislatures. Every president since 1852 has been either a Republican or a Democrat, and in the post-World War II era, the two major parties' share of the popular vote for president has averaged 94.8 percent.

After the 2002 congressional and local elections, there was one lone independent senator among the 100 members of the U.S. Senate, and just two of the 435 representatives in the U.S. House of Representatives were independents. At the state level, all 50 governors were either Republicans or Democrats, and only 21 (.003 percent) of more than 7,300 state legislators were elected as other than Republicans or Democrats. It is the two major parties that organize and dominate government at both the national and state levels.

Although American parties tend to be less ideologically cohesive and programmatic than parties in many democracies, they do play a major and often decisive role in shaping

public policy. Indeed, since the 1994 elections, congressional Republicans and Democrats have demonstrated sharp policy differences and an unusually high level of intra-party unity compared to historic norms. The policy disagreements between the two parties exist within a context of congressional and senatorial elections every two years that have real potential to result in a change in partisan control of the House of Representatives and the Senate. The combination of policy divisiveness and intense competition for chamber control has created in recent years a super-heated atmosphere of partisan conflict in both the Senate and the House. And in the run-up to the 2004 elections, the congressional leaders of both parties and the candidates for the Democratic presidential nomination, as well as the Bush administration, have engaged in a continuing series of maneuvers designed to gain electoral advantage.

WHY A TWO-PARTY SYSTEM?

Two-party competition stands out as one of the American political system's most salient and enduring features. Since the 1860s, the Republicans and Democrats have dominated electoral politics. This unrivaled record of the same two parties continuously monopolizing a nation's electoral politics reflects structural aspects of the political system as well as special features of American political parties.

The standard arrangement for electing national and state legislators

in the United States is the “single-member” district system. What this means is that whoever receives a plurality of the vote (that is, the greatest number of votes in any given voting district) is elected. Unlike proportional systems, the single-member district arrangement permits only one party to win in any given district. The single-member system thus creates incentives to form two broadly based parties with sufficient popular appeal to win legislative district pluralities, while condemning minor and third parties to almost perpetual defeat – not a prescription for longevity unless they can combine forces with a major party. Combining forces with a major party, however, is not an option for most minor parties because all but a handful of states ban so-called fusion tickets in which a candidate runs as the nominee of more than one party.

A further institutional nudge toward two-partyism is provided by the electoral college system for choosing presidents. Under the electoral college system, Americans technically do not vote directly for a presidential slate of candidates. Instead, they vote within each state for a slate of “electors” who are pledged to one or another presidential candidate. Election as president requires an absolute majority of the 50 states’ 538 electoral votes. This requirement makes it extremely difficult for a third party to achieve the presidency because the individual states’ electoral votes are allocated under a winner-take-all arrangement. That is, whichever candidate receives a plurality of the popular vote in a state – even if it is just a narrow plurality – wins all of that state’s electoral votes. Like the single-member district system, the electoral college works to the disadvantage of third parties, which have little chance of winning any state’s electoral votes, let alone carrying enough states to elect a president.

With the Democrats and Republicans in control of the

governmental machinery, it is not surprising that they have created other electoral rules that work to the advantage of the major parties. Just getting a new party’s name on the ballot within the states can be an arduous and expensive undertaking. For example, the state of North Carolina requires a petition containing 58,842 voters’ signatures in order for a new party to place its presidential candidate on the state’s ballot for the 2004 election. In addition, the Federal Election Campaign Act bestows special benefits on major parties, including public funding of presidential campaigns at a substantially higher level than is available to minor parties – even those that reached the qualifying threshold of 5 percent of the popular vote in the last election.

America’s distinctive nominating process is an additional structural barrier to third parties. Among the world’s democracies, the United States is unique in its reliance on primary elections to nominate partisan candidates for congressional and state offices and its use of state-level presidential primaries in the selection of presidential nominees. Under this type of nominating system, rank-and-file voters in a primary election select their party’s nominee for the general election. In most nations, partisan nominations are controlled by the party organizations and their leaders. But in the United States, it is the voters who make the ultimate determination of who the Republican and Democratic nominees will be.

Although this system helps create weaker internal party organizations than is the case in most democracies,

this participatory nominating process has also contributed to the Republican-Democratic domination of electoral politics for almost 150 years. By winning party nominations through primary elections, insurgents can gain access to the general election ballot and thereby enhance their chances of general election victories without having to organize third parties. Thus, the primary nomination process tends to channel dissent into the two major parties and makes it generally unnecessary for dissidents to engage in the difficult business of forming a third party. Of course, the system of primary elections to nominate candidates also makes the two major parties highly permeable and occasionally penetrated by



*John Adams,
Federalist
(1797-1801)*

Below: Grand National Democratic banner, 1880, with portraits of the party's presidential candidates.



various “fringe” social movements and “outsider” candidates.

BROAD-BASED SUPPORT AND CENTRIST POSITIONS

American parties are multi-class and broad based in their electoral support. With the exception of African-American voters – 90 percent of whom voted for the Democratic presidential candidate in 2000 – both the Republican and Democratic parties draw significant levels of support from virtually every major socioeconomic group in society. Although members of labor union households, for example, are commonly thought to be Democrats, the Republicans can expect in most elections to receive at least one-third of the labor union



*Thomas Jefferson,
Democratic-Republican
(1801-1809)*

From top to bottom: Banner supporting candidacy of Republican John Fremont and his running mate William Drayton in 1856. Cover of sheet music to the Republican Two-Step, composed in honor of presidential candidate William McKinley. Republican Party campaign poster featuring Ulysses S. Grant and his running mate, Schuyler Colfax, in the election of 1868. Republican poster for election of 1860 featuring Abraham Lincoln and his running mate, Hannibal Hamlin.



*James Madison,
Democratic-Republican
(1809-1817)*

vote, and in 1984, the party received 46 percent of the union vote. In 2000, union households voted 37 percent Republican. Similarly, while support for Democrats normally declines as income levels go up, Democratic presidential candidates can usually expect substantial support from upper-middle-class voters. In 2000, for example, Democratic candidate Al Gore received 43 percent of the vote among persons whose annual family income was more than \$100,000.

Political parties in the United States also exhibit relatively low internal unity and lack strict adherence to an ideology or set of policy goals. Rather, they have

traditionally been concerned first and foremost with winning elections and controlling the personnel of government. Given their broad socioeconomic bases of electoral support and the need to operate within a society that is largely middle-of-the-road ideologically, American parties have adopted essentially centrist policy positions. They have also demonstrated a high level of policy flexibility. This non-doctrinaire approach enables the Republicans and the Democrats to tolerate great diversity within their ranks, and it has contributed to their ability to absorb third parties and protest movements when they have occurred.

It is hard to overstate the extent to which American parties are characterized by decentralized power structures. Historically speaking, within the party-in-the-government, presidents cannot assume that their party's members in Congress will be loyal supporters of presidential programs, nor can party leaders in Congress expect straight party-line voting from members of their party. Within the party organization, the Republican and Democratic congressional and senatorial campaign committees (composed of incumbent legislators) operate autonomously from the presidentially oriented national party committees – the Republican and the Democratic National Committees. In addition, except for asserting authority over procedures for selecting delegates to national nominating conventions, national party organizations rarely meddle in state party affairs.

DECENTRALIZED POLITICAL PARTIES

This level of organizational fragmentation reflects, in part, the consequences of the constitutional separation-of-powers system – the division of powers among the legislative, executive, and judicial branches of government, with each branch selected by different procedures, having different terms of office, and independent of one another. This system of divided governmental powers creates only limited incentives for party unity between legislators and their party's chief executive. This is broadly true whether we are talking about members of Congress vis-à-vis a president of their own party, or a similar relationship between state legislators and a governor.

The constitutional principle of federalism, which has created a layered system of federal, state, and local governments in the United States, further decentralizes the parties by creating thousands of constituencies – also at the federal, state, and local levels – each with

its own officeholders. As previously noted, the use of primary elections to nominate candidates also weakens the party organizations by denying them the ability to control the selection of party nominees. Individual candidates, therefore, are encouraged to build their own personal campaign organizations and electoral followings, first to win the primaries and then the general elections. Even campaign fund-raising is largely the personal responsibility of the individual candidates, since party organizations normally have limited financial resources and are often severely restricted by law in terms of how much money they contribute, especially to federal election campaigns.

AMERICANS' MISGIVINGS ABOUT POLITICAL PARTIES

In spite of the long and impressive evidence of partisanship within the American political system, an ingrained component of the American civic culture is a distrust of political parties. The adoption of the primary system for nominating congressional and state candidates early in the 20th century, and the more recent proliferation of presidential primaries, which have become the determining factor in presidential nominations, are testimony to anti-party sentiment within the public. Americans are uncomfortable with the leaders of their party organizations exercising great power over their government.

Public opinion polls consistently reveal that large proportions of the electorate believe that parties do more to confuse the issues than clarify them – and that it would be better if there were no party labels on the ballot.

Not only do American parties operate in a generally inhospitable cultural climate, but they are also faced with the problem of a substantial number of voters attaching diminished importance to their party identification. One indicator of this weakened sense of partisan attachment on the part of voters is the incidence of ticket-splitting – voting for candidates of different parties in the same election. Thus, in 2000, 20 percent of voters split their ballots by voting for candidates from different parties for president and for the U.S. House of Representatives. As a consequence, 40 of the House of Representatives' districts carried by George W. Bush in the presidential election were at the same time won by Democratic House candidates.

As a result of many Americans having relatively weak partisan commitments, the existence of a sizeable segment of the voters who consider themselves independents, and the tendency of a significant percentage of citizens who engage in split-ticket voting, American politics is candidate centered rather than party centered. This has meant that divided party control of the executive and legislative branches of government has become a commonplace feature of both the national government and the 50 states. Thus, in all but four years since 1980, the presidency and at least one chamber of the Congress have

been controlled by different parties. Twenty-nine states (58 percent) had divided party control after the 2002 elections.

THIRD PARTIES AND INDEPENDENT CANDIDATES

As the accompanying table [following page] indicates, third parties and independent candidates, despite the obstacles discussed previously, have been a periodic feature of American politics. Often they have brought societal problems that the major parties were failing to confront to the forefront of public discourse – and onto the governmental agenda. But most third parties have tended to flourish for a single election and then die, fade, or be absorbed into one of the major parties. Since the 1850s, only one new party, the Republican Party, has emerged to achieve major party status. In that instance, there was a compelling moral issue – slavery – dividing the nation that provided the basis for candidate recruitment and voter mobilization.

Although the table does not provide much support for the long-term viability of third parties, there is evidence that these parties can have a major impact on election outcomes. For example, Theodore Roosevelt's

third-party candidacy in 1912 split the normal Republican vote and enabled Democrat Woodrow Wilson to be elected with less than a majority of the popular vote.

In 1992, H. Ross Perot's independent candidacy attracted voters who, in the main, had been voting Republican in the 1980s, and thereby contributed to the defeat of the incumbent Republican president, George H.W. Bush. In the extremely close 2000 contest between Republican George W. Bush and Democrat Al Gore, it is possible that had Green Party candidate Ralph Nader not been on the ballot in Florida, Gore might have won that state's electoral votes and thereby gained the majority of the electoral votes needed to be elected president.

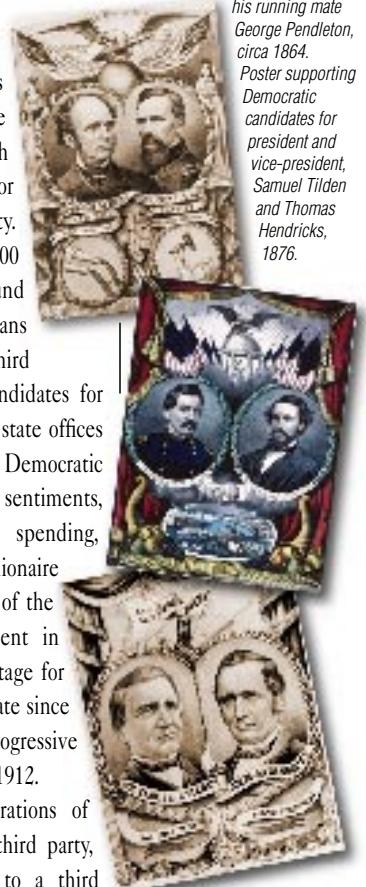
Public opinion surveys since the 1990s have consistently shown a high level of popular support for the concept of a third party. In the run-up to the 2000 election, a Gallup Poll found that 67 percent of Americans favored a strong third party that would run candidates for president, Congress, and state offices against Republican and Democratic nominees. It is just such sentiments, plus lavish campaign spending, that enabled Texas billionaire Perot to gain 19 percent of the popular vote for president in 1992, the highest percentage for a non-major-party candidate since Theodore Roosevelt (Progressive Party) won 27 percent in 1912.

In spite of demonstrations of potential support for a third party, imposing barriers exist to a third party's winning the presidency and even electing a substantial number of senators or representatives. In addition to those noted previously,



*James Monroe,
Democratic-Republican
(1817-1825)*

From top to bottom: 1868 banner supporting Democratic candidates for president and vice-president, Horatio Seymour and Frank Blair. An election poster for Democratic candidates, General George McClellan and his running mate George Pendleton, circa 1864. Poster supporting Democratic candidates for president and vice-president, Samuel Tilden and Thomas Hendricks, 1876.



THE ELECTORAL COLLEGE

When American voters go to the polls to vote for president, many believe that they are participating in a direct election of the president. Technically, this is not the case, due to the existence of the electoral college, a constitutional relic of the 18th century.

The electoral college is the name given to a group of "electors" who are nominated by political activists and party members within the states. On election day, these electors, pledged to one or another candidate, are popularly elected. In December following the presidential vote, the electors meet in their respective state capitals and cast ballots for president and vice president. To be elected, a president requires 270 electoral votes.

It is possible that in a close race or a multiparty race the electoral college might not cast 270 votes in favor of any candidate -- in that event, the House of Representatives would choose the next president.

The electoral college system was established in Article II, Section I, of the U.S. Constitution. While it has been the subject of mild controversy in recent years, it is also seen as a stabilizing force in the electoral system.

HOW THE ELECTORAL COLLEGE WORKS TODAY

★ Registered voters in the 50 states and the District of Columbia cast ballots for president and vice president on the first Tuesday following the first Monday in November in a presidential election year.

★ The candidates who win the popular vote within the state usually receive all the state's electoral votes. (Technically, all the electors pledged to those candidates are elected.)

★ A state's number of electors equals the number of senators and representatives from that state. The District of Columbia, which has no voting representation in Congress, has three electoral votes.

★ The electors meet and officially vote for president and vice president on the first Monday following the second Wednesday in December in a presidential election year. A majority of the vote is required for a candidate to be elected. Since there are 538 electors, a minimum of 270 is necessary to win the electoral college.

★ If no candidate for president receives a majority of the electoral votes, the House of Representatives must determine the winner from among the top three vote-getters in the electoral college. In doing so, members of the House vote by states, with each state delegation casting one vote.

★ If no candidate for vice president receives a majority of the electoral vote, the Senate must determine the winner from among the top two vote-getters in the electoral college.

The president and vice president take their oath and assume office on the next January 20, following the election.

THIRD PARTIES IN AMERICAN HISTORY				
Third Party	Year	Percent of Popular Vote	Electoral Votes	Fate in Next Election
Anti-Masons	1832	7.8	1	Endorsed Whig candidate
Free Soil	1848	10.1	0	Received 5% of vote; provided base of Republican supporters
Whig-American	1855	21.5	8	Party dissolved
Southern Democrat	1860	18.1	72	Party dissolved
Constitutional Union	1860	12.6	19	Party dissolved
Peoples' (Pouliot)	1880	8.5	22	Endorsed Democratic candidate
Progressive (T. Roosevelt)	1912	27.5	88	Returned to Republican Party
Socialist	1912	6.0	9	Received 3.2% of vote
Progressive (R. La Follette)	1924	16.6	13	Returned to Republican Party
States' Rights Democrat	1948	2.4	39	Party dissolved
Progressive (H. Wallace)	1948	2.4	1	Received 1.4% of vote
American Independent (L. Wallace)	1960	13.5	16	Received 1.4% of vote
John B. Anderson	1960	7.1	0	Did not run in 1964
H. Ross Perot	1992	18.9	0	Formed Reform Party and ran again 1996
Ron Paul (Perot)	1996	8.4	0	With Pat Buchanan as nonlinear party received 0.5% of vote
Green (R. Nader)	2000	2.7	0	

the most significant is the fear among voters that if they vote for a third party candidate, they will, in effect, be "wasting" their votes. Voters have been shown to engage in strategic voting by casting ballots for their second choice when they sense that a third-party candidate has no chance of winning. Thus in the 2000 election, 15 percent of voters in a pre-election

survey rated Ralph Nader more highly than either George W. Bush or Al Gore, but Nader received only 2.7 percent of the popular vote. Similarly in 1992, among voters ranking Ross Perot highest, 21 percent defected to other candidates when they actually cast their ballots.

There is also the phenomenon of "protest" voting for third-party candidates. For example, Gallup Polls in 1992 revealed that 5 percent

of Perot's voters said that they would not have voted for him if they thought he could win.

Third-party and independent candidates would also face a potentially daunting post-election problem if they won the presidency. This, of course, is the problem of governing – staffing an administration and then working with a Congress dominated by Republicans and Democrats who would have only limited incentives to cooperate with a non-major-party president. ■

John F. Bibby is a professor emeritus of political science at the University of Wisconsin-Milwaukee, and is the former chairman of the American Political Science Association's political parties subfield. An authority on U.S. politics and government, Bibby has authored Politics, Parties, and Elections in America.

ELECTORAL COLLEGE VOTING STRENGTH BY STATE

Alabama -- 9	Louisiana -- 9	Oklahoma -- 7
Alaska -- 3	Maine -- 4	Oregon -- 7
Arizona -- 10	Maryland -- 10	Pennsylvania -- 21
Arkansas -- 6	Massachusetts -- 12	Rhode Island -- 4
California -- 55	Michigan -- 17	South Carolina -- 8
Colorado -- 9	Minnesota -- 10	South Dakota -- 3
Connecticut -- 7	Mississippi -- 6	Tennessee -- 11
Delaware -- 3	Missouri -- 11	Texas -- 34
District of Columbia -- 3	Montana -- 3	Utah -- 5
Florida -- 27	Nebraska -- 5	Vermont -- 3
Georgia -- 15	Nevada -- 5	Virginia -- 13
Hawaii -- 4	New Hampshire -- 4	Washington -- 11
Idaho -- 4	New Jersey -- 15	West Virginia -- 5
Illinois -- 21	New Mexico -- 5	Wisconsin -- 10
Indiana -- 11	New York -- 31	Wyoming -- 3
Iowa -- 7	North Carolina -- 15	
Kansas -- 6	North Dakota -- 3	
Kentucky -- 8	Ohio -- 20	
		Total -- 538

PRESIDENTIAL NOMINATIONS AND AMERICAN DEMOCRACY

BY STEPHEN J. WAYNE

The system for nominating candidates for the U.S. presidency looks complex, even chaotic, and it is. Ever since the 1970s when the Democratic and Republican parties began to reform the rules for selecting their presidential and vice presidential nominees, the system has been in a state of flux, with the most successful candidates being those who understand the complexities and can maneuver in and around them. But after all, that is what creative politicians do – learn the game of politics and play it hard and skillfully.

THE PARTIES AND THEIR NOMINATIONS: A HISTORY

Unlike the electoral college system for electing the president, the procedures for nominating presidential candidates are not spelled out in the U.S. Constitution. There were no political parties in existence at the time that the Constitution was drafted and ratified in the late 1700s. Parties developed after the government began to function, and as a consequence of the policies pursued by America's first president, George Washington.

Beginning in 1796, members of the U.S. Congress who identified with one of the political parties of the time met informally to agree on their party's presidential and vice presidential nominees. Known as "King Caucus," this system for selecting party candidates continued for almost 30 years. It broke down in 1824, a victim of the decentralization of power within the political parties that accompanied the westward expansion of the United States.

National nominating conventions replaced King Caucus. In 1831, a small and minor party, the Anti-Masons, met in a saloon in the city of Baltimore, Maryland, to choose candidates and a platform (a declaration of the principles and policies adopted by a political party or candidate) on which they would run. The next year, the Democrats met in the same saloon to select their nominees. Since then, the major parties and most minor parties have held national nominating conventions, attended by state delegates, to choose their presidential and vice presidential candidates and to agree on their policy positions.

Throughout the 19th and into

"primary" elections – elections that were scheduled before the general election. By 1916, more than half the states held presidential primaries.

The movement to encourage more people who considered themselves partisans to participate in their party's presidential selection process was short-lived, however. Following the end of World War I, party leaders, who saw the primaries as a threat to their power, persuaded state legislatures to abolish them on the grounds that they were expensive and that relatively few people participated in them. Some potential candidates had also refused to enter the primaries because they already had the support of state



the 20th century, the nominating conventions were controlled by state party leaders who used their influence to handpick their state's delegates and make sure that they voted "correctly" at the convention. The dominance of these party leaders ultimately became an issue within the parties. Those who did not like having entrenched "bosses" dictating the nominees supported reforms that permitted partisans within the states to select convention delegates in

party leaders and did not want to risk losing that support in a popular vote. Besides, in some states the presidential preference vote was only advisory; convention delegates were selected in another manner. By 1936, only a dozen states continued to hold presidential primaries.

But democratizing pressures reemerged after World War II, aided by developments in communications technology. The advent of television provided a medium through which people could now see and hear the political campaigns in their own living rooms. Candidates could use television exposure to demonstrate their charismatic popularity and potential



John Quincy Adams,
Democratic-Republican
(1825-1829)

Left: Democrats wave flags at the 2000 Democratic National Convention in Los Angeles, California.



Andrew Jackson,
Democrat
(1829-1837)

THE IOWA CAUCUS: HOW IT WORKS

1. Caucuses are held in more than 2000 precincts across the state of Iowa to choose more than 1,500 delegates to 99 county conventions.
2. Conventions are held in counties to choose 3,000 delegates to five congressional district conventions.
3. Conventions are held in congressional districts to elect



district-level delegates to national party conventions. The same delegates also attend the state convention.

4. State conventions elect at-large delegates to the national party convention. Democrats also select their state party and elected official delegates.

Above:

Delegate's badge, national Democratic convention, 1908. Below: Ribbon for election of 1876 featuring portrait of (losing) presidential candidate Samuel Tilden and his running mate. Center of page: engraving of Republican convention, 1880.

electability. As candidates, Dwight Eisenhower, John Kennedy, and Richard Nixon all entered multiple state primaries, at considerable cost and effort, to prove to their party that a general, a Catholic, and a once-defeated presidential candidate could win a general election. And they were successful. Each of them subsequently received his party's nomination and was elected president.

In addition, the Vietnam War, which began in the mid-1960s and continued into the 1970s, engendered internal divisions within the Democratic Party, which, in turn, created

nomination process, with the twin goals of encouraging greater party participation in the selection of a Democratic nominee and more equitable representation of the party at its nominating convention. The reforms adopted by the party began a process by which both major parties have democratized the way they select their nominees.

THE PRIMARY AND CAUCUS SYSTEM TODAY

The major reforms that the Democrats instituted have encouraged most of the states, which make the election laws for their residents, to hold

select delegates to represent the state at the national convention. Although this system involves several months, the candidate preferences are essentially determined in the first round of voting.

The actual size of any state's delegation to the national nominating convention is calculated on the basis of a formula established by each party that includes such considerations as the state's population, its past support for the party's national candidates, and the number of elected officials and party leaders currently serving in public office. The allocation formula that the Democrats use results in national conventions that have about twice as many delegates as those of the Republicans.

The U.S. Constitution gives the states the authority to make their own election laws subject to the rules and qualifications that Congress may establish. Although states are free to determine the dates on which their primary and caucus elections may be held, they also have an incentive to conduct their nomination contests in accordance with party rules, since the U.S. Supreme Court has determined that the parties have a right to describe and enforce their own rules for those attending the national conventions. Thus, states that permit selection of party convention delegates in a manner that does not conform to party rules may find their delegates challenged when they get to the national party conventions, or they may find the size of the delegation reduced by the party for violating its rules.

pressures for further reform. The catalyst was the 1968 Democratic nominating process. An anti-war movement split the Democratic Party and produced violent demonstrations in the streets of Chicago, the city that hosted the party's convention that year. Despite the agitation that accompanied its meeting, the party selected Vice President Hubert Humphrey, who had decided not to enter any Democratic primaries and thereby become a target of the anti-war protests.

In an attempt to unify a divided party, the Democratic convention, after it nominated Humphrey, agreed to appoint a committee to reexamine the party's presidential

primary elections. As currently constituted, a primary is an election among supporters of the same party to choose that party's nominees to run in the general election. Depending on the laws of the state, voters may cast ballots for a party's presidential candidates themselves, or indirectly for convention delegates who are "pledged" to those candidates. The only other option that states may have under the current system is to hold a multistaged caucus/convention process in which partisans who live within a relatively small geographic area – a local precinct – get together and vote for delegates who are pledged to support specific candidates. Those delegates, in turn, represent their precinct at a county convention, which chooses delegates to attend the state convention. And the delegates to the state convention



primary elections that are open to all registered or self-identified Democrats or Republicans.

The Democratic Party has imposed a set of national rules on all its state affiliates; the Republican Party has not. The Democratic rules, in effect, require states to hold their presidential nomination contests between the first Tuesday of February and the second Tuesday in June in a presidential election year. The smaller states of Iowa and New Hampshire are given official exemptions to vote earlier because of their tradition of holding the first caucus and primary, respectively. The Democrats – in order to enhance the representation of

■ *More and more states have moved their primaries and caucuses toward the beginning of the electoral process in order to exercise more influence over the selection of the nominees, encourage the candidates to address the needs and interests of the state, and get their campaigns to spend money in them. This is known as “front-loading.”*

■ *In a practice known as “regionalization,” states have cooperated with one another to hold their primaries and caucuses on the same date to maximize the influence of a*

The front-loading and the regionalization of the presidential primary nomination process has benefited nationally recognized candidates, such as incumbent presidents, the governors of major states, and U.S. senators and representatives who have access to money, media, and organizational support.

Consider the preliminaries leading up to the 2004 Democratic presidential nomination, for example. Eight Democratic candidates had raised approximately \$25 million and had spent \$7 million by March 31, 2003, more than 10 months before the first scheduled caucus or primary. Of these candidates, those who hold seats in the Congress raised the most, hired the best-known political consultants, and began to build the largest campaign organizations. The short time frame of the primary process works against those who need primaries and caucuses to be stepping-stones to the nomination, such as Jimmy Carter in 1976 and John McCain in 2000.

The continuing changes in the nomination process affect all the candidates. Even incumbent presidents cannot take their renomination for granted. In 1992, George H.W. Bush suffered some embarrassing defeats in the primaries at the hands of conservative talk show pundit and newspaper columnist Pat Buchanan. In contrast, Bill Clinton in 1996 raised large sums of money early on to discourage a political opponent within his own party from challenging him. Clinton used this money to pursue a strategy of mounting a media-oriented, electoral campaign that extended from the beginning of the caucuses and primaries through the national election.

region.

Both of these trends have forced candidates to begin their campaigns earlier to gain a foothold in the states that hold the initial contests. Candidates also have had to depend increasingly on the mass media, particularly radio and television, and on the endorsements of state party leaders to help them reach voters in the multiple states that may be conducting their primaries on the same day.

minorities that may be concentrated in communities within the state – also require that 75 percent of a state's delegation be elected in districts that are no larger than a congressional district. Moreover, the number of delegates who are pledged to support specific candidates is determined in proportion to the vote they or their candidates receive. The Democrats also have other delegates – party leaders and elected officials – who are not under obligation to support particular candidates even though those candidates may have won primaries in their states. Finally, the Democrats require that state delegations be equally divided between men and women.

Despite the differences in party rules – the Republican defer to their state affiliates and the Democrats do not – two important trends standout:

THE IOWA CAUCUS: PROCEDURES FOR THE FIRST ROUND PRECINCT CAUCUSES

DEMOCRATS: Only registered Democrats who live in the precinct and are eligible to vote may participate. Attendees are asked to join preference groups for candidates. To be viable, a group must consist of at least 15 percent of those present. Nonviable groups are dissolved, and those who were members of them may join viable groups. Much lobbying occurs at this stage of the meeting. Delegates are allocated to candidates strictly on the basis of the group's proportion to the caucus as a whole.

REPUBLICANS: Attendees, who must be eligible to vote but do not have to be registered as Republicans, cast a presidential preference vote by secret ballot. The votes are tabulated on a statewide basis. Delegates to the county convention are then selected by whatever method the caucus chooses, either by direct election (winner-take-all) or proportionally on the basis of a straw vote.



Center: Nine Democratic Party presidential hopefuls at their first debate, in South Carolina, May 3, 2003. From left to right: Congressman Dennis Kucinich, Congressman Richard Gephardt, Rev. Al Sharpton, Senator Joseph Lieberman, former Senator Carol Moseley Braun, former Governor Howard Dean, Senator John Edwards, Senator Bob Graham, and Senator John Kerry.



Martin Van Buren,
Democrat
(1837-1841)

PARTY NOMINATIONS AND DEMOCRACY

Reforms in the presidential nominating process have clearly enlarged the base of public participation. In 1968, before the recent changes in the process, only 12 million people voted in primaries, approximately 11 percent of the voting-age population. In 2000, approximately 35 million participated, about 15 percent of the electorate. In the run-up to the 2000 presidential election, more than 20 million voted in contests between George W. Bush and his Republican opponents, and about 15 million voted in the Democratic contests between Vice President Al Gore and his principal opponent,

former Senator Bill Bradley.

In addition to increasing public participation, the modern nominating process has expanded the representation of the groups comprising each party's electoral coalition. Although demographic representation – in the sense of race and gender – has broadened among the parties' delegates to the nominating conventions, ideological representation has not. The reason for this is that those who have higher participation rates in the nomination process tend to be party activists who are more ideological than the average rank-and-file party identifiers. Thus, the delegates at Republican

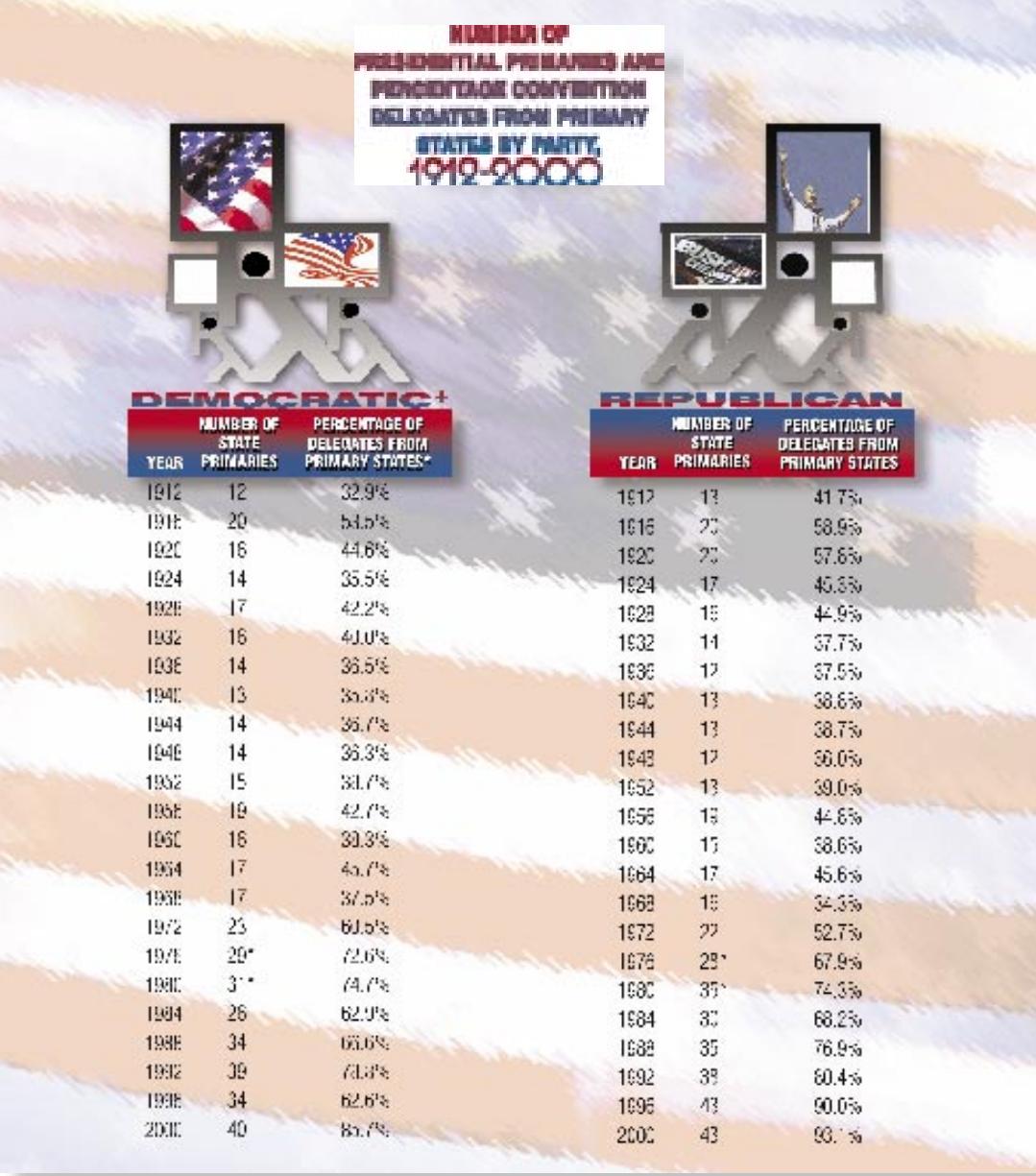
conventions tend to be more conservative and the Democratic delegates more liberal than their respective electorates.

As noted, the reforms have also weakened the power of state party leaders and provided incentives for those seeking their party's nomination to make board-based public appeals. These appeals have strengthened the tie between the candidates and their core base of supporters and have encouraged those who win office to redeem their campaign promises. George W. Bush, in his first year in office, directed his energies toward achieving his principal campaign policy goals of tax relief, educational reform,

+ Includes party leaders and elected officials chosen from primary states.

* Does not include Vermont, which holds nonbinding presidential preference votes but chooses delegates in state caucuses and conventions.

Sources: For 1912-1964, F. Christopher Arterton, "Campaign Organizations Face the Mass Media in the 1976 Presidential Nomination Process" (paper delivered at the Annual Meeting of the American Political Science Association, Washington, D.C., September 1-4, 1977); for 1968-1976, Austin Ranney, *Participation in American Presidential Nominations, 1976* (Washington, D.C.: American Enterprise Institute, 1977), table 1, 6. The figures for 1980 were compiled by Austin Ranney from materials distributed by the Democratic National Committee and the Republican National Committee. The figures for elections since 1980 were compiled by the author from data supplied by the Democratic and Republican National Committees and the Federal Election Commission.



and greater military preparedness, policy initiatives oriented toward his conservative political base.

Although many of the nomination reforms have contributed to a democratization of the nomination process, anomalies still exist. Those who participate in the primary elections tend to be better educated, to have higher incomes, and to be older than the average Republican and Democratic voter. In addition, as always, those who contribute money to the candidates or for their causes tend to be in the higher socioeconomic brackets. Inevitably, they gain a more powerful voice in the election outcome as a result.

Finally, the public and contentious nomination process produces factions within the parties. The more competitive the quest for the nomination, the more likely that these divisions will develop to the point where they must be overcome quickly if a party is to mount a successful presidential campaign for its nominee.

THE IMPACT OF POLITICAL CONVENTIONS

Another consequence of the changes in the presidential nomination process has been the decreasing importance of the party's national nominating convention. Today, the presidential nominee is effectively determined by the voters relatively early in the nomination process. That nominee, in turn, usually indicates his choice for a vice presidential candidate before the convention meets. The winning candidate also controls the drafting

of a party platform. Why, then, should the American people spend time in front of a television set watching the nominating conventions?

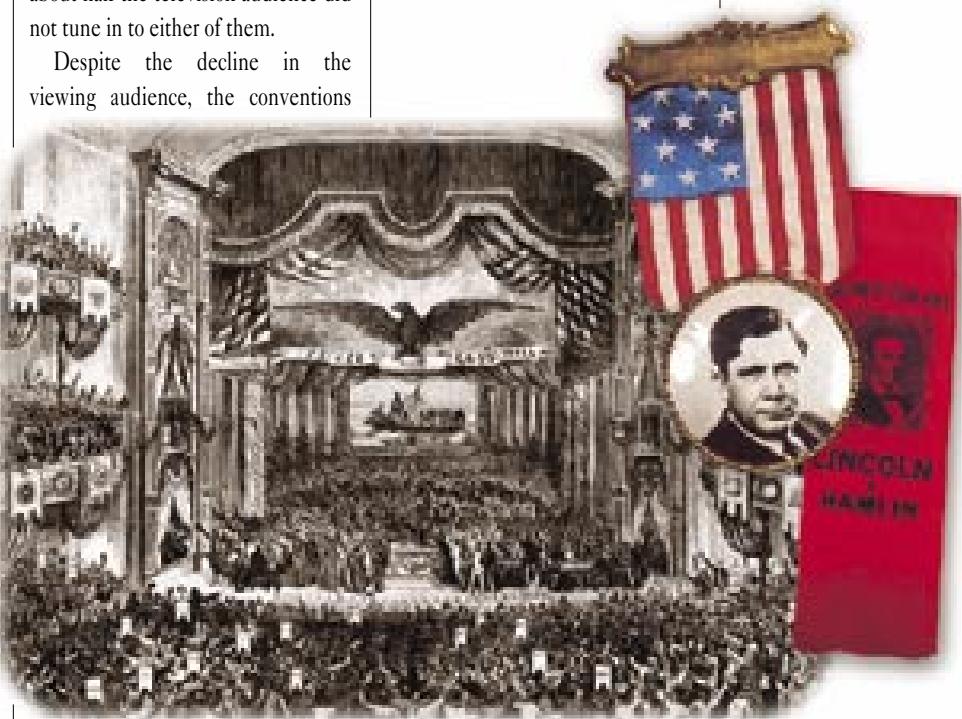
The fact of the matter is that many people do not do so. Convention viewership has declined in recent years, as have the number of hours that the major broadcast networks air the proceedings during prime viewing hours. Surveys conducted by research organizations during the summer of 2000, when both parties held their nominating conventions, found that about half the television audience did not tune in to either of them.

Despite the decline in the viewing audience, the conventions

advantage to candidates who are better known, can raise more money, have the most effective campaign organizations, and generate the most enthusiasm among the voters early in the presidential primary season. ■

*Stephen J. Wayne is a professor of government at Georgetown University in Washington, D.C., and the author of the book, *The Road to The White House 2004* (Thomson/Wadsworth, 2004).*

William Henry Harrison,
Whig
(1841)



still receive attention on news shows and in newspapers. The same surveys indicated that in 2000, public awareness increased during and after the conventions, as did knowledge of the candidates and their policies. Thus, the conventions did serve to inform the voters, shore up support and build enthusiasm among partisans for their party's nominees, and focus the attention of the country on the forthcoming general election.

The presidential nominating process is not perfect, but in recent decades it has enhanced participation, improved demographic representation, and strengthened the tie between the average partisan and the candidates. As constituted, the process gives

*Center: An old engraving showing the National Democratic Convention in session in Baltimore.
Right: 1940 presidential candidate Wendell Willkie pin.
Lincoln/Hamlin ribbon describing Lincoln as "honest old Abe," election of 1860.*

John Tyler,
Whig
(1841-1845)



U.S. ELECTION PROCEDURES

BY
MICHAEL W. TRAUGOTT

In general, American voters have the opportunity to participate in more elections than the citizens of most other democracies.

Some Americans may have five or six opportunities a year to vote, with each ballot filled with different choices for different offices at various levels of government. Because of its federal system, in which both the national government and the state governments have distinct powers, election day in the United States is



political party functions that are run by election administrators.

THE VOTING PROCESS

Because of the local nature of U.S. elections, then, there are thousands

Traditionally, American elections have not had particularly close outcomes. Most offices on a ballot are local, and election district boundaries frequently have been drawn by the party in power, based on historical voting patterns, in ways that make them safe for one political party or the other. However, there are obvious and recent exceptions. The outcome of the 2000 U.S. presidential election – the drawn-out contest to determine a winner in the closest presidential election in



Top: Voters cast ballots in a midterm election on Nov. 5, 2002, in Halifax, Massachusetts. Center:

Voters prepare to cast votes using new electronic voting machines in Miami, Florida, November 4, 2002.

actually the occasion for a series of simultaneous state and local elections, each held under separate administrative procedures.

In the U.S. political system, many offices are elective, and beyond those, there are numerous decisions about financial support for education and for state and local services such as parks and highways that are made by the public at the polls. And more and more policy decisions are being made through these voter referenda and initiatives. Some political scientists have explained that the frequency of elections may help to explain declining voter turnout in the United States over the last 50 years. Americans also select most partisan candidates in primary elections, which are actually

of election administrators responsible for organizing and conducting them, including tabulating and certifying the results. These officials have an important and complex set of tasks – setting the dates for elections, certifying the eligibility of candidates, registering eligible voters and preparing voter rolls, selecting voting devices, designing ballots, organizing a large temporary work force to administer the voting on election day, and then tabulating the votes and certifying the results.

American history – exposed Americans to many of these administrative issues for the first time.

Voting in the United States is a two-step process. There is no national list of eligible voters, so a citizen must first qualify by becoming registered. Citizens register to vote in conjunction with the place they live; if they move to a new location, they typically have to register again. Registration systems have been designed to eliminate fraud. But the procedures for registering voters vary from state to state. In times past registration procedures were sometimes used to discourage certain citizens from participating in elections. Recently, there has been a



*James K. Polk,
Democrat
(1845-1849)*

tendency to ease registration requirements, and the 1993 National Voter Registration Act (the “Motor Voter” law) makes it possible for people to register to vote at the time they renew their drivers’ licenses.

One of the most important functions for election officials is ensuring that everyone who is eligible to vote is on the registration lists but that no one who is unqualified is included. Generally, local election officials err on the side of keeping people on the lists even if they have not voted recently, rather than eliminating potentially eligible voters. When people appear at the polls whose names are not on the lists, they are now given a provisional ballot to record their votes. Their eligibility is subsequently reviewed before their votes are recorded.

THE ROLE OF ELECTION ADMINISTRATORS

In the United States, an election is an administrative exercise – conducted locally on a fixed budget – whose purpose is to measure the preferences of eligible voters in an accurate and timely manner. This means that election administrators – typically a county or city clerk – have a daunting task. They are responsible for registering voters all year long and for determining who is eligible to vote in a particular election. They have to design the ballots for each election, making sure that all certified candidates are listed and all issues up for decision are correctly worded. And they must try to make the ballot as simple and as clear as possible.

Currently, there are no national standards for ballot forms or voting devices. Typically, election officials have to provide for ballots in multiple languages and sometimes even in different forms. In some jurisdictions, the order of the candidates and parties has to be randomly assigned. Ultimately,

local election officials have to select the specific voting machines to use, and the ballots must match the devices. As a response to problems that arose in the state of Florida’s election for the presidency in 2000, Congress passed legislation providing financial assistance to states and counties to adopt the most modern and reliable voting procedures.

In between elections, these officials are responsible for the storage and maintenance of the voting devices, tasks that are usually performed by contractors rather than regular staff. And one of their most difficult tasks is to hire and train a large temporary staff for one long session of work (typically 10 to 15 hours) on election day.

When voting equipment or ballot forms change between elections, this training process can be even more daunting. The logistics of moving machines and hiring and training staff is sometimes so consuming that the checking of voters’ eligibility is left to volunteers supplied by the major political parties. Since the volunteers are usually representatives of the political parties, there are occasional, if inevitable, disagreements about the conduct of some local elections.

THE NATURE OF BALOTTING

The second step in the voting process is public access to a ballot. For most eligible voters, this has meant going to a polling place near their homes to cast a vote. Across the nation, there is wide variation both in terms of the size of precincts geographically and the number of persons eligible and registered to vote in each one.

Decisions about equipment and ballot forms are made at the local level because these systems are paid for lo-

cally. Thus, the way that people vote – the kinds of equipment they use and how well it is maintained – is related to the socioeconomic status and the tax base of their locale. Since local tax revenue also funds schools, police and fire services, and parks and recreation facilities, investments in voting technology often have been given low priority.

A wide variety of voting devices are available in the United States, and the landscape of voting technolo-



gies is continuously changing. Today, there are very few places where regular voting takes place with paper ballots marked with an “X” next to a candidate’s name, as was done in the past, but many computerized systems still depend on paper ballots on which circles are filled in or lines are connected. These ballots are then scanned mechanically to have the votes recorded.

Many jurisdictions still use “lever” machines, on which voters turn a small lever next to the names of the candidates they prefer or the side of an issue they support. Their votes are recorded at the end of this process by pulling a large lever. These machines have not been manufactured in more than 30 years, so they are especially difficult and expensive to maintain. As a result, they are slowly being phased out.

Top left: A town official of Dixville Notch, New Hampshire, casts the symbolic first ballot of the 2000 presidential election.

Right margin, top to bottom: A woman on a bicycle hands her ballot in at an official drop site in Portland, Oregon in the 2000 presidential election. A woman in the Northeast holds her daughter while waiting to vote. Senior citizens vote in the 2000 presidential election at a Florida retirement community.



*Zachary Taylor,
Whig
(1849-1850)*





*Millard Fillmore,
Whig
(1850-1853)*

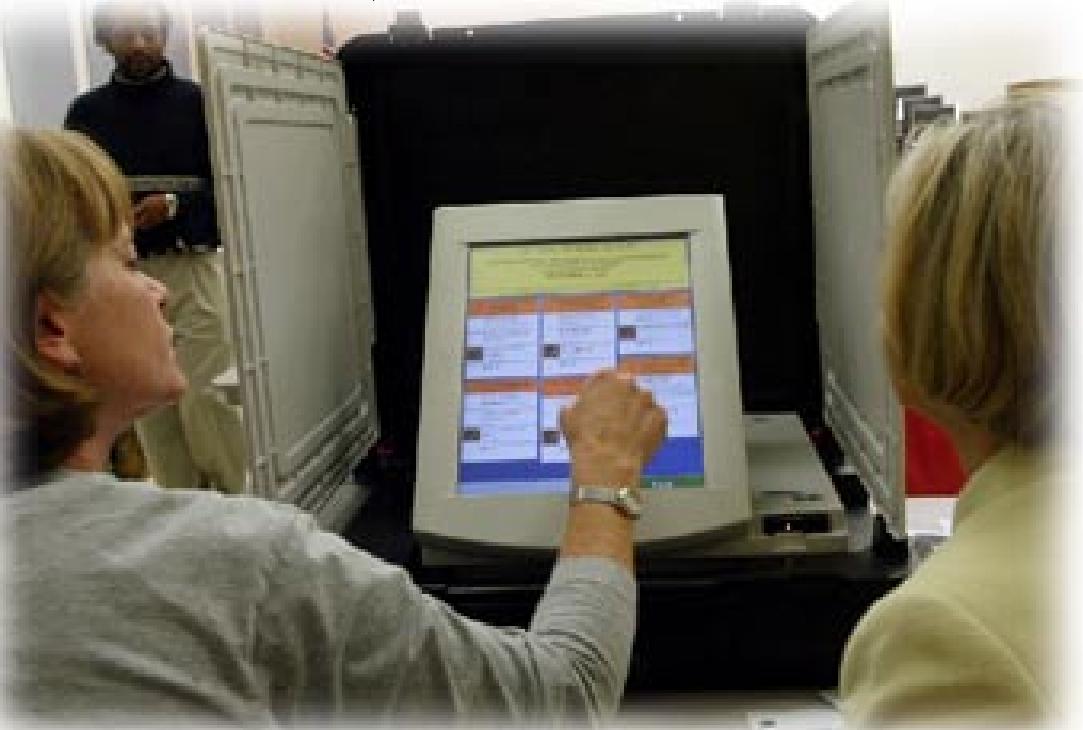
Another very common device is a “punch-card” machine. The ballot is either on a card where holes or punches are made next to a candidate’s name, or the card is inserted into a holder that lines up with a ballot image, and then the holes are punched. This is the form of ballot that caused controversy in counting votes for the 2000 U.S. presidential election in Florida. As a result of that situation, punch-card devices are also being

anticipate being away from their home (and their voting place) on election day. Some locales gradually liberalized this provision, allowing citizens to register as “permanent absentee voters” and routinely have a ballot mailed to their home.

Another new provision is “early voting,” for which voting machines are set up in shopping malls and other public places for up to three weeks before election day. Citizens may stop

COUNTING THE VOTES

As the proportion of citizens casting ballots before election day grows, it will become more appropriate to think of the first Tuesday after the first Monday in November – America’s traditional presidential election day – not as “election day” but as “counting day.” Even though early ballots are becoming more popular, they are not counted until late on election day, so that no information can be released



Center: A county official in Georgia operates a new touch-screen voting machine in October, 2002. The system was being prepared for November elections. Center Bottom: An election official checks voter registrations in Dearborn, Michigan, November 7, 2000.

phased out.

The current trend is toward adoption of direct recording electronic (DRE) devices, which have computerized touch screens that resemble automated banking machines. Although there has been considerable discussion of voting by computer or the Internet to make the process easier – and one such system has been tried in an Arizona primary – security specialists are working to refine these systems, and they are not yet in widespread use.

A significant change in balloting in recent years has been adopting procedures that make ballots available to voters before election day. This trend started with provisions for absentee ballots, which are issued to voters who

by at their convenience to cast their votes. And in some states, citizens are voting by mail. In Oregon, all citizens are mailed a ballot 20 days before election day, and they can return the ballot by mail or drop it off at designated locations in person. Other places – like Seattle and King County in the state of Washington – have adopted voting by mail, but surrounding locales still use DRE or punch-card devices. Across the United States as a whole, more than one-fifth of the electorate cast their ballots before what was formerly known as “election day.”



before the polls close about which candidate is ahead or behind. This sort of advance information could affect campaign styles and effort, as well as voter turnout.

A number of vivid lessons about counting ballots came to light during the 2000 presidential election. The principal problem in Florida, as determined by the U.S. Supreme Court in ruling on the disputed election, was the issue of uniform standards in counting different types of ballots. In some jurisdictions, absentee ballots are different from those that appear in the voting device in the precincts. As a result, more than one set of tabulations might have to be made. And



*Franklin Pierce,
Democrat
(1853-1857)*

absentee ballots are not counted at all in some jurisdictions if there are fewer absentee ballots than the difference in the vote between the two leading candidates.

The 2000 election also revealed that voting machines are like any other kind of electromechanical device: They have a tolerance for error built into them, but they require regular and periodic maintenance in order to function at their most accurate level. If an election is extremely close, the tabulating devices can produce slightly different totals when the votes are counted more than once.

When you have a national election decided by less than 0.5 percent in the popular vote, and the outcome in one state – in this case, Florida – is only 202 votes difference out of the more than 5.8 million votes cast for George W. Bush and Al Gore, the tabulation procedures associated with the particular devices used may become controversial. A large proportion of the votes in Florida were cast with punch-card devices. Maintenance was one issue, and the ability of voters to punch clean holes in their ballots was another. In some locations, the design of the ballots confused voters, especially the elderly, and may have caused some voters to cast a ballot for a candidate other than the one they intended to vote for.

The closeness of the election outcome in Florida – and the fact that it was the last state to be able to complete its vote count made it a special target of both the Bush and Gore forces in the weeks after election day. Because of the local nature of the American election system and the fact that the electoral college assigns its votes by state on a winner-take-all basis, both sides initiated legal actions in the state courts. Each team picked the locales in which they expected to be most successful in terms of the legal issues they raised, as well as in their ability to challenge particular kinds of votes. Neither candidate's team asked for a recount of the entire

state. Ultimately, their case headed to the U.S. Supreme Court for final adjudication, where it was decided that the recounting should be stopped and the Florida Secretary of State's original certification of the result upheld. Thus Florida's 25 electoral votes went to George W. Bush, giving him an electoral college majority and securing him the presidency.

THE REFORM MOVEMENT

One of the distinct lessons of the 2000 election was that the election administration, balloting, and vote-counting issues encountered in Florida could have occurred to some degree in almost any jurisdiction in the United States. Even though they were unlikely to have the same consequence because election outcomes are very rarely as close as the 2000 presidential election, a number of problems were highlighted. Several studies were commissioned, and a variety of panels heard expert witnesses and took testimony about the need for reform. While there were some partisan elements to both the review and the eventual reform proposals, the perceived need for action in advance of the 2004 election outweighed those factors.

In 2002, the 107th Congress passed the Help America Vote Act (HAVA), which includes several notable elements. First, the federal government offered payments to states and localities to replace outdated punch-card and lever voting machines. Second, it established an Election Assistance Commission to provide technical assistance to local election administration officials and establish standards

for voting devices. The Election Assistance Commission will propose voluntary guidelines for voting systems and for the testing and certification of voting system hardware and software. The commission's portfolio also includes the establishment of research programs to study voting machine and ballot design, methods of registration, methods for provisional voting and for deterring fraud, procedures for recruiting and training poll work-



left: American diplomats and their family members cast absentee ballots at the U.S. consulate in Bombay, India, 17 October 2000.

ers, education programs for voters, procedures for determining whether there is a need for more consistency among state recount processes with regard to federal offices, and alternative methods of holding elections for federal offices.

The HAVA represents a significant departure from the past reluctance of the federal government to get involved in what has been seen as a local administrative issue. But in the aftermath of the 2000 election, especially the contest over Florida, this procedural reform effort has helped reconfirm the faith that Americans have in their electoral system. And the costs involved are small when one considers that elections are the legitimizing foundation of a functioning democracy. ■

*Michael W. Traugott is a professor of communication studies and political science at the University of Michigan. He is the co-author of *The Voter's Guide to Election Polls and Election Polls, the News Media and Democracy*. His current research focuses on the effect of election administration reform.*



James Buchanan,
Democrat
(1857-1861)



ELECTIONS 2004 TIMELINE

DATES OF PRESIDENTIAL PRIMARY ELECTIONS, CAUCUSES, AND NOMINATING CONVENTIONS

In the United States party caucuses and primary elections are essential to choosing presidential candidates. This calendar lists currently scheduled presidential primaries and caucuses leading up to the national 2004 election. Caucuses are in italics.

In this context a "caucus" generally refers to a statewide gathering of each party's local political activists during the presidential nomination process. The purpose of the caucus system is to indicate, through delegate choice, which presidential candidate is preferred by each state party's members. Primaries serve a similar function, but they are direct electoral contests held to choose a political party's candidate for a particular public office. Depending on state law, voters cast ballots for the presidential candidate they prefer or for delegates who are "pledged" to support that presidential candidate at the party's convention.



JANUARY 19
Iowa

JANUARY 27
New Hampshire

FEBRUARY 3
Arizona
Delaware
Missouri
Oklahoma
South Carolina (Democratic)
New Mexico (Democratic)
North Dakota

FEBRUARY 7
Michigan (Democratic)

FEBRUARY 8
Maine (Democratic)

FEBRUARY 10
Tennessee
Virginia
District of Columbia (Republican)

FEBRUARY 14
District of Columbia (Democratic)
Nevada (Democratic)

FEBRUARY 17
Wisconsin

FEBRUARY 24
Utah (Democratic)
Hawaii
Idaho

MARCH 2
California
Connecticut
Georgia
Maryland
Massachusetts
New York
Ohio
Rhode Island
Vermont
Washington
Minnesota

MARCH 9
Florida
Louisiana
Mississippi
Texas

MARCH 13
Kansas (Democratic)

MARCH 16
Illinois

MARCH 20
Alaska (Democratic)
Wyoming (Democratic)

APRIL 13
Colorado (Democratic)

APRIL 27
Pennsylvania

MAY 4
Indiana
North Carolina

MAY 6-8
Wyoming (Republican)

MAY 11
Nebraska
West Virginia

MAY 15
Wyoming (Democratic)

MAY 18
Arkansas
Kentucky
Oregon



MAY 25
Idaho

JUNE 1
Alabama
New Mexico
South Dakota

JUNE 8
Montana
New Jersey

JULY 26-29
Democratic National Convention, Boston

AUGUST, 30-SEPTEMBER 2
Republican National Convention, New York City

INTERVIEW WITH THOMAS MANN ON CAMPAIGN 2004

BY
PAUL MALAMUD



Abraham Lincoln,
Republican
(1861-1865)



Andrew Johnson,
Union
(1865-1869)

Q: What are the major issues of Election 2004?

A: Every campaign over its course touches on a wide range of issues, but in the upcoming presidential election it seems very likely that there will be two key issues. One is the well-being of the economy – that means economic growth, jobs, the overall condition of U.S. fiscal policy.

The second issue is security, physical security. That means Americans' sense of well-being vis-à-vis terrorism at home, and it means national security policy, particularly the aftermath of our military engagements in Afghanistan and Iraq.

Q: Do ordinary Americans care about foreign policy issues?

A: Public concerns about foreign policy wax and wane, depending on the international environment. More broadly, there were times during the Cold War when Americans cared very deeply about foreign policy; certainly the Vietnam War became an issue for Americans. The reason, I think, foreign policy will be important in the 2004 election is 9/11. The terrorist attack on the World Trade Center and the Pentagon made clear to Americans that we were not as secure as we thought, and the vast majority of our citizens responded very positively to President Bush's argument that we have to carry the battle to the terrorists.

The events of September 11 mean that Americans now understand there is a clear link between security at home and our policies abroad, and certainly the president's dramatic increase in popularity with the American public, the widespread feeling that he demonstrated decisive leadership, was based upon his foreign policy actions, not domestic initiatives of the administration.

After 9/11 the Republicans opened a huge advantage in opinion polls as the party the public trusts to deal with national security policy, and maintaining that advantage is one of the keys to the President's reelection.



Diminishing that advantage is certainly one of the goals of the Democrats in their effort to reclaim the White House.

The decisive military victories in Afghanistan and Iraq by U.S.-led coalitions have been followed by a much more complicated challenge of postwar reconstruction, providing opportunities for the administration's critics to make this an issue in the campaign.

Q: The previous presidential election, in 2000, was close between Bush and Gore. How does the closeness of that vote influence tactics and strategy in the upcoming election 2004?

A: The 2000 presidential election was resolved with the 5-4 decision of the Supreme Court to terminate the recount in the state of Florida. What's important here is that the outcome in 2000 reaffirmed the overriding reality that we are a 50-50 nation, divided almost equally between Democrats and Republicans at every level of elected office, and at the level of individual voters.

As a consequence, I think both parties' strategies anticipate a close election in 2004. Both parties realize how important it is to turn out their core supporters. So there will be a huge effort to mobilize individual voters. I think you're going to see a fascinating shift in resources from television advertising, although there will still be plenty of that, to voter-identification and "get-out-the-vote" efforts.

Both parties and their allied interest groups will make enormous investments in getting their supporters to the polls. Democrats may use unhappiness among their core supporters over the Florida outcome in 2000 as a motivating force in getting their people to the polls.

It's worth remembering, though,

that in the 2002 midterm elections for seats in Congress, the Republicans won the turnout battle. They were more successful in mobilizing their supporters, and that accounted in large part for their success in the midterm elections.

Q: How do the parties get the voters to turn out?

A: In other countries with either mandatory voting or very high voting participation, these considerations don't arise in the same way. But in the United States, where a turnout of 50 percent of the age-eligible electorate is considered the norm in presidential elections, it matters a lot what is done to try to motivate citizens to turn up at the polls.

Now, if you ask what factors account for Americans voting or not voting, the predominant one tends to be information. Do potential voters actually know there's an election? Do they know who the candidates are? Do they know what differences exist between the candidates and the parties? Secondly, do they have an attachment to one of the parties? Are they linked in some way to the contending forces in the elections?

Third, has anyone asked them to vote? Have they had personal contact with others who have informed them of where the polling places are and when they should turn up to vote and the like? It's this last factor that is the focus of get-out-the-vote efforts.

What these efforts require is building organization at the local level, using computerized files to identify likely supporters, making contact with them by telephone, by direct mail, and, best of all, by personal contact, preferably from a trusted source – someone they work with, someone in their community – and then on election day making follow-up calls to make sure they've gone to the polls, in some cases



offering to transport them to the polls. It's really quite an extraordinary effort.

Q: Naturally, mobilization works best with core constituencies. What are the core constituencies of each party?

A: Demographic analysis by the Center for Political Studies at the University of Michigan [<http://www.umich.edu/~nes/nesguide/nesguide.htm>] suggests differences between the bases of each of the political parties. It turns out the strongest Democratic supporters are African-Americans. They vote typically nine-to-one Democratic. Hispanics also tend to support Democrats, though the margin is two-to-one or less. Union households vote disproportionately Democratic. Lower-income working-class people tend to vote more Democratic, although some of them tend to be social conservatives, and a substantial chunk of them are attracted occasionally to Republican candidates. Social and cultural concerns are largely responsible for working-class and middle-class white males supporting the Republican Party.

Divorced people and families headed by a single parent tend to be more Democratic, while traditional married couples tend to be more Republican. Religious affiliation and religious practice and attendance are powerful predictors of who's in the Republican base. The more frequently one attends religious services, the more likely one is to be a Republican, and to vote Republican. Secularists tend to be Democratic.

Higher-income people are Republican in their orientation. This is especially true of those in commerce: from small business entrepreneurs to corporate executives. And yet, newly minted



professionals -- highly educated and with graduate degrees -- increasingly vote Democratic.

Finally, there's a geographical difference to the base of each of the parties. We call it "red and blue states" -- based on the way the country divided on a television map of the United States after the last presidential election. The blue states on the map voted Democrat; these cluster on the East and West coasts, and in the northern tier of states. The red, or Republican, states tend to be located in the South, in the rural farm and Rocky Mountain states, and in some of the Midwest states.

You can also look at party affiliation within the states. Democrats tend to have their bases within the cities and the inner suburbs. Republicans are stronger in the outer suburbs and in the rural areas.

Democrats increasingly are strong in the growth high-tech areas, Republicans stronger in some of the areas of the country that have actually lost population -- some of the rural areas. Republicans have done very well in Southern suburbs of all kinds, including rapidly growing areas like the one around Atlanta (Georgia).

In sum, Republicans might be thought of as the party of religious and cultural conservatives; business men and women; the South, the mountain states, and the Midwest; and the outer suburbs and rural areas. Democratic supporters include minorities; secularists and social liberals; union households; big-city and low-income residents; and the East and West coasts. Of course, all these classifications are based on general tendencies. Among all demographic groups, there is diversity in political orientation.

Q: What advantages and disadvantages do incumbent presidents face in elections?

A: First of all, it's an historical

fact that most sitting presidents running for reelection have been successful. Not all of course -- in fact, in recent history we've had several that have been unsuccessful. The first President Bush in 1992 and President Carter in 1980 both failed to win reelection. It's also the case that Gerald Ford, who had moved up to the presidency without having been elected to it, also failed in his reelection effort in 1976.

But, in general, presidents tend to win a second term. That's partly because they oftentimes avoid any primary challenge that would harm their candidacy by highlighting their vulnerabilities. However, the first President Bush, President Carter, and President Ford all faced primary campaign challenges. The fact that the current president, George W. Bush, is not facing any competition for the Republican nomination is a tremendous advantage to him.

Secondly, sitting presidents are in a position to dominate what Theodore Roosevelt called "the bully pulpit" -- that is, to set the agenda, and focus the attention of the public on matters that work to their advantage. Occasionally, by taking actions with respect to foreign policy and domestic economic policy, they are in a position to change the reality on the ground so it can work to their advantage in the election itself. They also have an easier time -- as incumbents -- raising money, garnering resources. They have benefits they can distribute to party activists that provide an advantage in the election itself.

Now the disadvantage for an incumbent is that presidents tend to be given credit for good things that happen during their term and blame for the bad things, whether they deserve the credit or blame. So, being in office during good times is a route to reelection. But being the incumbent president when the economy is sour, or when a foreign



*Ulysses S. Grant,
Republican
(1869-1877)*



*Rutherford B. Hayes,
Republican
(1877-1881)*



policy has gone bad is a distinct disadvantage. Elections in many respects are referendums on the perceived performance of the sitting administration.

If times are good, it's an advantage. If times are bad, it's clearly a disadvantage.

Q: Mr. Bush's political base as president is clear. On the other hand, most of the Democratic contenders have held a variety of offices – congressman, senator, governor of a state, general in the military. How do these positions affect their chances of becoming president?

A: It is said that most members of the U.S. Senate, upon awakening each morning and looking in the bathroom mirror, see a potential president. But, as we say, many senators are "called," but few are actually chosen. The last person to win the presidency from the Senate was John Kennedy in 1960. Since then, we've had several senators win the nomination but lose the election. That includes Bob Dole in 1996 and George McGovern in 1972. It turns out that the Senate is not a particularly attractive launching point for a presidential election.

Most candidates who have won the presidency have come either from the vice presidency or from a governorship. The vice presidency is a natural base for running for president, although a sitting vice president is not always successful, as Al Gore learned in 2000.

Governorships have proven to be particularly fertile ground for running for president – most recently, George W. Bush; before him, Bill Clinton, Ronald Reagan, Jimmy Carter. It's really been quite an extraordinary record. A military career provided a fertile recruitment ground for 19th century presidents, but in the modern era only Dwight Eisenhower has moved from military commander to

commander-in-chief.

Q: How will campaign finance laws influence the outcome of this election?

A: George Bush was the first successful presidential candidate to decline matching public (U.S. government) funds in the nominating process in 2000. Therefore, by law, he was not subject to spending limits during that time. As a consequence, he raised in year 2000 over \$100 million and outspent his Democratic opponent. That would not have been permissible if he took public funds. In 2004 as the candidate contribution limits from individuals have doubled according to the law from \$1,000 to \$2,000, the Bush campaign will once again forgo the public matching funds and raise as much as \$200 million during the nominating process.

Without any challenger for the Republican nomination, President Bush's campaign will be able to use that money to help define in their terms the Democratic nominee for president to the public, and to begin to build a get-out-the-vote local organizational effort that will help them in the general elections. That's a tremendous advantage.

None of the Democratic candidates have demonstrated the same ability to raise that amount of money during the party primary season. If they accept the public matching funds, they will be held to spending closer to \$50 million; most of that will be spent in the early primary campaign in 2003 and the early months in 2004 trying to win the nomination. Then, they will basically have little or no money left in the period after a nominee emerges and their party convention. Given this potential disparity, look for one or more of the Democratic candidates to decline matching public funds and raise and spend as much money as they can.

After the primary campaigns are over and the party nominating conventions take place, the candidates make another decision on

whether to accept public funding for the general election. It's expected that both President Bush and the Democratic nominee will accept the public matching funds.

Q: Does money make all that big a difference in the outcome of presidential contests?

A: Money makes more of a difference in some races and under some circumstances than it does in others. It's extremely important in House races, in races for the U.S. Senate, and in races for governorships, because a lot of money is required for challengers to get known to voters and really have an opportunity to break through the veil of anonymity that exists for most of them.

It's important in the presidential nominating process, where most of the candidates are relatively unknown and they need the money to advertise themselves and their platforms and to build organizations. In a general election, it tends to be less important, because there's a certain amount of "free" media attention, due to the importance of the contest at that point. There are televised debates that occur. People rely substantially on their party identification in viewing the candidates. Nonetheless, in a close election, money can still make a difference at the margin.

Q: In 2004, will it be sufficient for the Democratic Party presidential candidate to criticize President Bush as sitting president; or do the Democrats need some kind of positive theme to win the election?

A: For Democrats to be successful, they need two things. By far the most important is they need a reason for voters to deny George Bush a second term. That is not so much an alternative program as a negative referendum on how the country has been doing under George Bush's leadership.

For Democrats to have a chance of regaining the White House and



James A. Garfield,
Republican
(1881)



Chester A. Arthur,
Republican
(1881-1885)

regaining control of the Congress, they're going to need a lot of voters who express something like this: "I feel less secure about my economic well-being and less secure physically because of the ambiguous success in the war against terrorism and the muddled situation in Iraq." That's a necessary though probably not sufficient condition for the Democrats to win the White House in 2004.

Secondly, the Democrats need to pass a threshold of credibility. They need to have a candidate who is trusted by the American people to protect our security and to pursue a policy course that isn't wacky or extreme or seeming to pose more risks than opportunities for Americans.

So, yes, the Democrats have to nominate a candidate who puts forward a plausible national security strategy, a plausible economic and domestic policy strategy. Most Americans are not going to compare President Bush's policy prescriptions directly with the Democrats'. But rather, in the case that Americans decide the President's record does not necessarily merit renewal, they're going to then take a closer look at the Democrats and say, "Can we trust them?" That's where the opposition party has to have a plausible, positive alternative.

Q: There's an old saw that during presidential primaries the candidates take more extreme positions as they pander to their party base – the Democrats on the left, the Republicans on the right. Is that the case and will it influence political behavior over the next year?

A: Successful presidential candidates have not fallen prey to that pattern in recent elections. George Bush in 2000, for example, figured out a way to run for the Republican nomination by offering substantive policy to his conservative base that made them very happy but using a rhetoric of moderation and compassion that prevented him from being characterized as extremely

conservative or right-wing after he won the nomination.

Bill Clinton rejected the traditional left-vs-right approach within his own party and tried to appeal in other ways to both the base and the swing voters. Yes, activists in primaries tend to be more ideologically extreme, to the right for the Republicans, to the left for the Democrats; but it's possible to frame appeals and issues in ways that don't necessarily damage your position in the general election campaign.

Q: Do you see an increased role for the Internet in this presidential election?

A: The way to view the Internet in this context is not as a mode of mass communication, not as a substitute for television advertising. Instead, it has become important as a form of campaign organization – recruiting and organizing volunteers, raising money, coordinating grassroots activities, disseminating information to supporters. Howard Dean has built on John McCain's success in the 2000 election in raising substantial amounts of money over the Internet. Dean and other Democratic Party candidates are using it as a way of building organization.

For their part, the Bush forces also understand its importance. They're making active use of the Internet, using it to raise money, build their local organizations, and to make sure they have a way of communicating with Republican activists in a way that both inspires and efficiently allocates resources.

So in those senses the Internet will be an important force in this election.

Q: Of course, there will be elections in the House and Senate as well, in addition to the presidential election. How do these races look?

A: Right now, we don't see the makings of a landslide election for

either party. It looks more likely to be a close election.

The Republican Party has been the majority party in the House of Representatives since the 1994 election. They also had a narrow Senate majority, which they lost briefly when Republican Senator Jim Jeffords defected from his party and became an Independent. The Republicans regained their Senate majority in the 2002 election. Many analysts looking at the structure of House and Senate elections have concluded that Republicans are likely to hold that majority for the rest of the decade, absent some unforeseen tidal wave moving to the advantage of the Democratic Party.

That's partly a result of the decline of the number of competitive electoral districts in the House of Representatives, which is a consequence of many factors. In recent years, this has resulted in part from the success of the Republicans in using the state-level redistricting process to more efficiently allocate their voters across congressional districts. In this coming election, out of 435 House races, we are likely to have only ten percent seriously contested. And, with the Republican advantage as the incumbent party, raising more money, and having had success in redistricting, the Republicans are the odds-on favorite to hold their majority.

In the Senate, there are more Democratic seats up than Republican seats. Remember, a third of the Senate is up for reelection in any given election year. They have staggered six-year terms. More Democratic seats are up and those Democratic seats tend to be in the "red" (more conservative) states, in states that George Bush won in 2000.

So, only if you have a presidential landslide in favor of the Democrats, would the Democrats have an opportunity to become the majority party in Congress. ■



Grover Cleveland,
Democrat
(1885-1889) (1893-1897)

CONGRESSIONAL ELECTIONS

BY
JOHN H. ALDRICH

While the media will focus most of their attention on the presidential election in 2004, Americans will be voting at the same time to elect thousands of others to a wide variety of offices. Elections for the U.S. Congress in particular may be as competitive and nearly as important as the presidential campaign. At present, the balance of power in the Congress between the two major political parties is quite close. Indeed, the Republicans hold only a 12-seat majority (out of 435) in the lower chamber, the House of Representatives, and just 51 of the 100 seats in the Senate, the upper chamber.

The congressional elections are important because of the central role the Congress plays in making policy. Unlike a parliamentary system, the American system is one of separate powers between Congress and the president. All laws are written in and must be passed by the Congress. Also as opposed to parliamentary systems, party discipline is often less strictly observed. Members of Congress are free to vote on policies as they think best, including what they think best for winning their own reelection. As a result, congressional leaders must put together a winning coalition one member at a time, rather than count on unified support from highly disciplined parties, thus making every congressional victory or defeat

important for both parties.

Having separate and independent elections for every office means that it is possible for one party to control the Congress while a member of the other party is president. This so-called divided government has become very common. Different parties have controlled the House and the presidency for 16 of the last 24 years. The Republicans have held the majority in the House since 1994. They also controlled the Senate from 1994 until 2000, the last six of Democratic President Bill Clinton's eight-year administration.

The 2000 elections ended with the Republicans winning the presidency and keeping their House majority. Both parties, however, held 50 Senate seats. The Constitution gives the vice president (Republican Dick Cheney) the tie-breaking vote in the Senate, so the Republicans held the majority by the very slimmest of margins after the 2000 election, yielding the Republicans unified control of the federal government.

In June 2001, Republican Senator James Jeffords quit the Republican Party, swinging control of the Senate back to the Democrats and re-creating a divided government. The Democrats, in turn, lost that tiny majority in the 2002 election, returning the Republicans to unified control.

HOW THE CONGRESS IS CHOSEN

The House and the Senate have nearly equal powers, but their means of election are quite different. The Founders of the American Republic intended members of the House to be close to the public, reflecting its wishes and ambitions most faithfully in legislating. Therefore, the Founders designed the House to be relatively large and to have frequent (two-year) elections. Originally, a two-year term was considered by some to be too long. Today, it is more common to be concerned that frequent election means that incumbents are always running for reelection and therefore

seldom consider what is best for the nation, only what is best for their electoral fortunes.

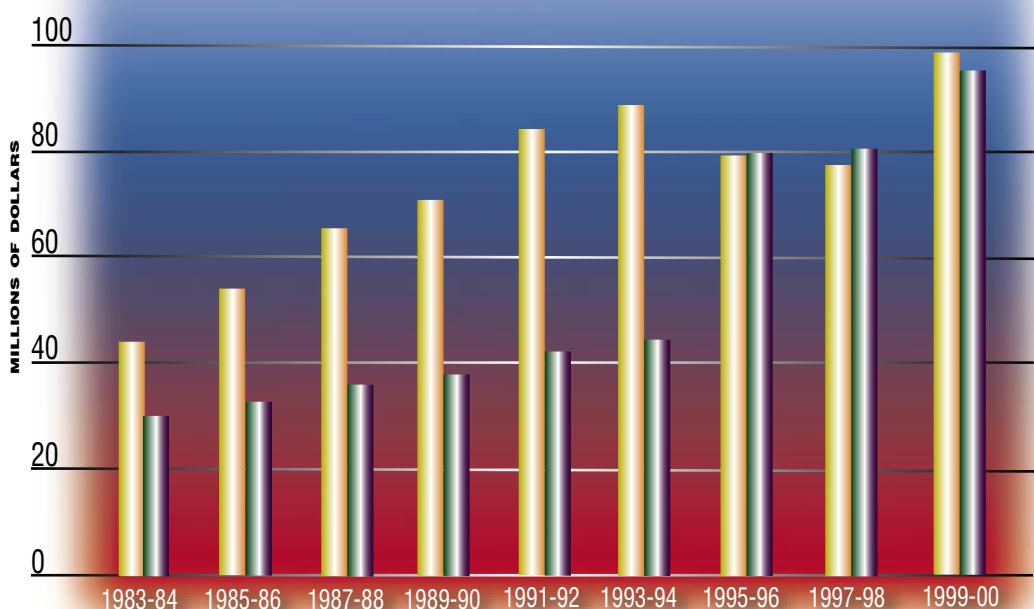
Each House seat represents a geographic constituency, and every member is elected from a unique, or "single-member," district by plurality rule; that is, the candidate with most votes wins election. Each of the 50 states is assured of at least one seat in the House, with the rest allocated to the states by population. Alaska, for example, has a very small population and therefore holds only one seat in the House. California is the largest state and currently holds 53 seats.

The Senate was designed to represent the states and, in fact, senators were originally selected by state legislatures. It was not until passage of the Seventeenth Amendment to the Constitution in 1913 that senators were directly elected by their state's voters. Every state has two senators elected for six-year terms, with one-third of the Senate seats up for reelection every two years. In effect, then, senators are chosen by plurality vote of the electorate, with a state serving as a single-member district.

Elections that are decided by plurality rule, especially from single-member districts, are very likely to result in a system with exactly two major political parties. This is so because any third-party candidate has very little chance of winning. Voters prefer to avoid "wasting" their votes on what they consider to be hopeless campaigns, and candidates who want to win election therefore avoid affiliation with any hopeless party. Since there is no "peripheral representation," minority voices tend to be represented within one of the two strong parties rather than

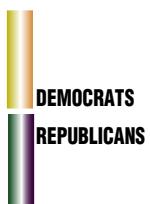


Benjamin Harrison,
Republican
(1889-1893)



**FIGURE 1:
CONTRIBUTIONS TO
U.S. HOUSE
CAMPAIGNS FROM
POLITICAL ACTION
COMMITTEES, BY
PARTY, 1983-2000**

Source: U.S. Statistical Abstract



by splinter groups of less popular opinion. Throughout its history, the United States has never had more than two major parties. Today, even at the height of what are known as "candidate-centered" elections, third parties and candidates may often try, but they very rarely win elections. After the 2002 elections, just two of the 435 members of the U.S. House were independents, and there was only one independent senator in the 100-member Senate. All other seats in both houses were won by members of the Republican Party or the Democratic Party, America's two major parties since 1860.

FACTORS IN CONGRESSIONAL ELECTIONS

Throughout most of U.S. history, congressional elections were "party centered." Because most voters had long-term loyalties toward one political party or the other, they tended to cast their votes along party lines. Members

of Congress were often reelected, sometimes holding their position for decades, because a majority of their constituents supported their party. Their efforts as individual incumbents often only marginally added to or subtracted from their support. In more recent years, candidates' personalities and issues have emerged as forces that add to the impact of party loyalties.

Indeed, since the 1960s, national elections have become increasingly candidate centered. The ability of candidates to campaign over television, to raise huge amounts of money, and to conduct polls and other aspects of modern campaigning has made the voter more aware of the candidate as an individual. As a result, voters tend to consider their impression of the strengths and weaknesses of the two candidates, in addition to weighing their party loyalties.

Candidate-centered voting is a major advantage to incumbent members of Congress. Incumbents, in general, receive far more exposure on television and in newspapers than those challenging them. With greater media exposure and substantial influence over public policy, incumbents are also able to raise far greater sums of money with which to campaign. For these reasons and more, incumbents who run for reelection are very likely to win. In 2002, 398 House members ran for reelection, and only 16 were defeated, while a mere three out of 26 senators running for reelection lost. With a reelection rate of 88 percent for the Senate and 96 percent for the House, it is fair to say that congressional elections are not just candidate centered but incumbent centered as well.

With more money and media coverage, incumbents win because they are known to the electorate,

Vice President Dick Cheney casts a decisive vote in the U.S. Senate on May 23, 2003, in his role as president pro tem of that body.



Veteran Democratic Senator Robert Byrd of West Virginia talks to a group outside the Senate chamber, 2003.

FIGURE 2:
**CONTRIBUTIONS TO
 INCUMBENT AND
 CHALLENGER
 CANDIDATES TO THE
 U.S. HOUSE
 FROM POLITICAL
 ACTION
 COMMITTEES,
 1983-2000**

INCUMBIENTS
 CHALLENGERS

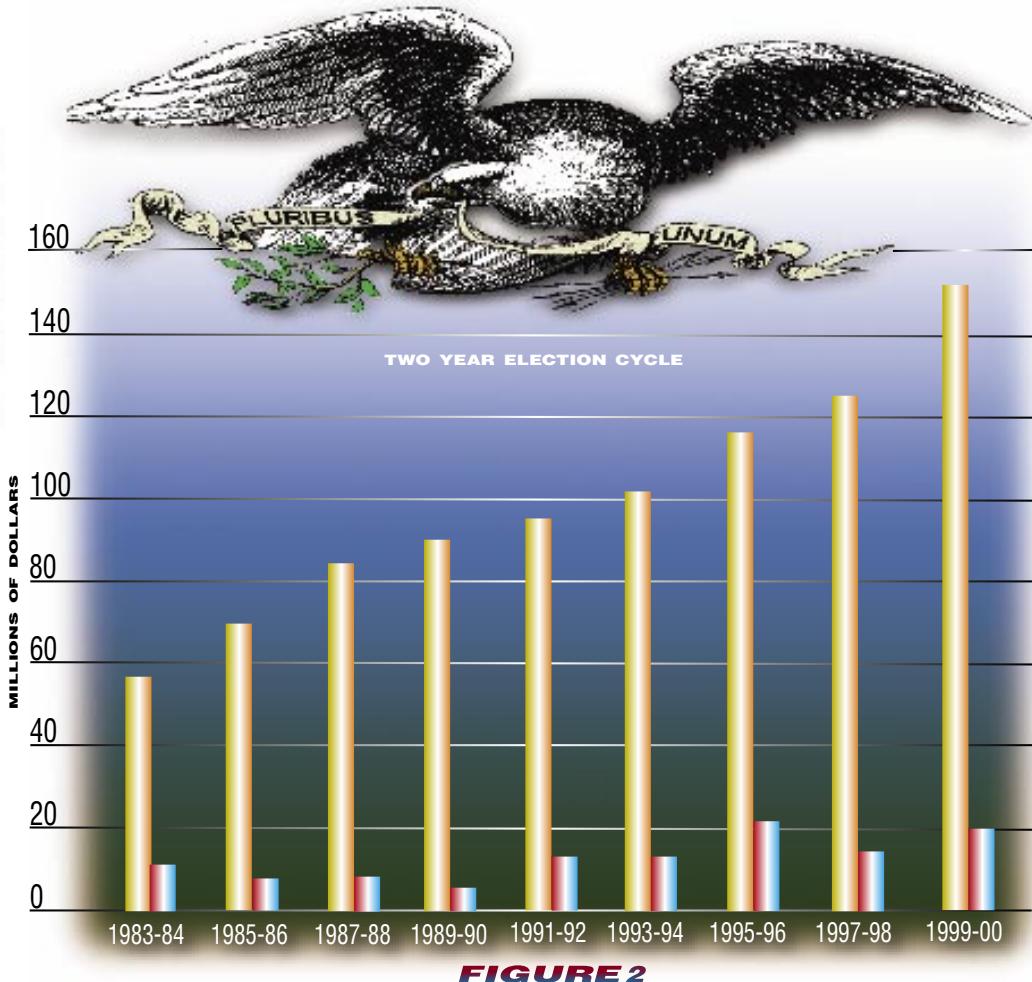


FIGURE 2

while challengers often are not. Surveys have shown that more than nine in ten respondents recognize the name of their House or Senate incumbent, but barely more than half recognize the name of the major challenger, even at the end of the campaign. Because challengers are so little known, they have a very difficult time persuading those with money to give it to them. This leads to an unfortunate cycle in which potentially strong candidates often choose not to run against established incumbents, and those "long shots" who do run cannot raise money to get their campaigns started.

The amount of money contributed to congressional candidates by political action committees (PACs) suggests the importance of money, party, and incumbency in congressional

elections. PAC contributions to the two major parties from 1983 until 2000 (the last year for which such data are available) are shown in figure 1 [see previous page]. This figure illustrates the overall increase in money flowing into elections over this period. Note also that the Democrats held a substantial advantage in PAC support through 1994, that is, during the years when they were the majority party.

In the last three election cycles, the Republicans caught up to the Democrats in PAC support. With such close competition, both parties now receive virtually the same amount of contributions from PACs.

Figure 2 [above] shows PAC donations to incumbents and their challengers over the same time period. The massive advantage incumbents have in fund-raising is apparent every election. Indeed, the amount that PACs contribute to incumbents has increased substantially over the last two decades, while funds going

to challengers have increased much less. This figure alone suggests why such a high proportion of incumbents are reelected.

When challengers do become known to the electorate, voters then are much more likely to treat the two candidates more equally, voting for the candidate with what the voter believes to be the stronger message.

What appeals are most effective in congressional elections? This, too, has changed, especially in the most recent elections.

Until recently, congressional elections were generally decided based on the specific interests and concerns of a district, and not on national issues. This was especially true in "midterm elections," that is, those held in the middle of a president's four-year term, and thus lacking in the inherently national focus of a presidential campaign.



William McKinley,
 Republican
 (1897-1901)

This local focus of elections fit nicely with the rise of candidate-centered elections, enabling the candidates to tailor their appeals to their particular district. The 1994 elections were a watershed. The Republican Party carried a majority in the Senate and won an astonishing 52 seats away from the Democratic Party in the House to emerge with a majority there for the first time in 40 years. Part of the strategy of their leader, Speaker of the House Newt Gingrich, was a ten-point legislative program, called the Contract with America. The contract had been endorsed by a great majority of Republican candidates for the House early in the campaign and became especially important after the election. Gingrich promised – mostly successfully – that the new Republican majority would pass legislation inspired by the contract through the House in an amazingly rapid 100 days. This focus raised the profile of the Republican Party and its leadership. It therefore set a standard by which national issues and something like a national party platform would be a standard part of the midterm campaigns.

The two midterm elections held since 1994 were as surprising as the 1994 elections. In 1998, for the first time since 1934, the party of an incumbent president won seats (in this case, five seats and six seats, respectively) from the opposition party in the House. While the Republicans held on to their majority in Congress, they were perceived as essentially losing the 1998 elections. Many in the party blamed that “defeat” on the party’s failure to adopt a clear national stance on the issues. The Democrats failed to gain seats and win a majority 2002, and once again, whether true or not, many party leaders traced that defeat to failure to outline a partisan *national* platform.

CONGRESSIONAL ELECTIONS IN 2004

The dramatic twists and turns of congressional elections over the last decade make forecasting hazardous. Indeed, the most important points may well be that the old ways in which campaigns were conducted are no longer the most effective and that voters are in the process of changing how they reach their decisions. Still, there are some things to look for in 2004.

The most pressing question for 2004 is whether the Democrats can capture enough seats to regain the

contested by the current occupant. The combination of experienced and effective candidates for the House and a strong campaign by the party’s presidential candidate can create the largest swings in seats between the two parties.

In recent decades, the “length of presidential coattails” – that is, how many voters vote for the same party for Congress as they do for the president – have shortened. The two votes are relatively independent. Besides, in 2000, with the two presidential candidates receiving nearly the same

Center: Rep. Kathleen Harris, R-Fla., shakes hands with Rep. Kendrick Meek, D-Fla., as they prepare for group photo of new members of the House of Representatives in November, 2002. Right margin, top to bottom: Democratic primary congressional candidate Denise Majette thanks supporters, Aug. 2002, in Decatur, Georgia. Texas Republican Senator Kay Bailey Hutchison waves after making acceptance speech outside the Texas State Capitol in Austin, Nov. 7, 2000. Rep. Ernie Fletcher, R-Ky., celebrates his reelection to Congress on the same date.



majority in the House. There are only 34 Senate seats up for election, 19 currently held by Democrats. In addition, fewer Republicans had close races the last time out, and 22 races will be in states that George W. Bush won in 2000. It therefore appears unlikely that the Democrats can anticipate winning any Senate seats. Hence, the Republican Senate majority appears safe, and attention will turn to the House.

Both parties are trying to recruit the strongest possible candidates and to mobilize resources for the House elections. A great deal depends upon recruitment of new candidates for the House, especially those who have electoral experience, such as members of state legislatures. Equally important, however, is the degree to which their party’s presidential nominee strengthens or weakens the chances of House candidates, particularly those running for seats not

vote, this tie could not advantage either party in the congressional races. With an incumbent expected to seek reelection and with such a close balance between the two parties in Congress, the partisan balance in Congress might well depend on the presidential vote. Should President George Bush be able to hold the high approval ratings he received during and immediately after the war with Iraq, he might well strengthen the hold of his party in both House and Senate. Should his approval ratings plummet due perhaps to economic issues, then he conceivably could take the decade-long Republican majority in the House along with him.

If national issues are increasingly important parts of congressional elections, the most important national

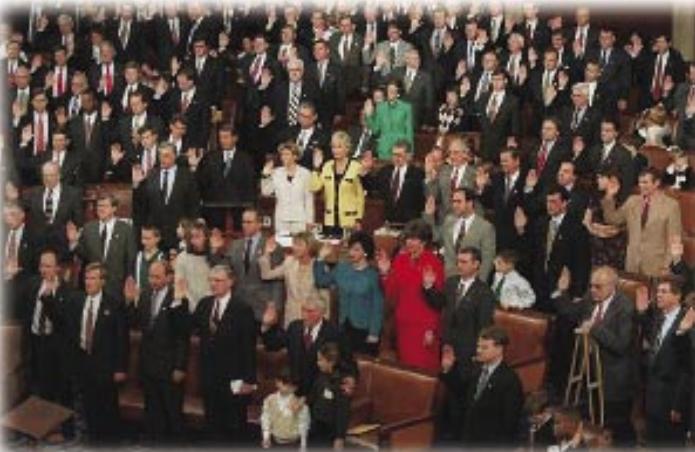


Theodore Roosevelt,
Republican
(1901-1909)

force in 2004 will be the presidential candidates and their policy campaigns. This aspect is the hardest to forecast. On the Democratic side, the presidential nomination race as of this writing is wide open, with numerous candidates seeking the nomination and with no one of them yet emerging as front-runner. At this point, we cannot tell whether a liberal or moderate, or a pro- or anti-war candidate, will be at the top of the Democratic ticket. If, as expected, he chooses to run, we can be

foreign policy issue. It has been some time – since the fall of the Soviet Union – that international concerns have been of major importance in a presidential election, and how the two sides will frame the debate and how the public reacts are highly uncertain. At this moment, however, it appears that the U.S. economy is likely to be the dominant concern among voters. Once again, however, there is great uncertainty, in this case about whether the economy will be (and will be

therefore much at stake for American democracy, as the direction that policy takes will be very different if one party, the other, or neither is in control. To compound that uncertainty, the congressional outcomes may well be determined by the public's reaction to the two presidential candidates; as well as who the Democratic Party candidates will be, what they will espouse, and how the public will react to them. All of this makes watching the 2004 contests unusually exciting. ■



confident that President Bush will win renomination.

It is likely that domestic policies will re-emerge as the central issues in 2004. Still, the war on terrorism is likely to remain the one major

seen to be) improving strongly, and thus favor Republicans, or continue to be weak or even in recession, and thus make the economy an issue for Democratic resurgence.

In sum, partisan control of the House and Senate is at stake in 2004, due to the very close balance between the two parties that has been true over the last decade. There is

John H. Aldrich (Ph.D., Rochester) is Pfizer-Pratt University Professor of Political Science at Duke University. He specializes in American politics and behavior, formal theory, and methodology.

Books he has authored or co-authored include Why Parties?, Before the Convention, Linear Probability, Logit and Probit Models, and a series of books on elections.

His book Change and Continuity in the 2000 and 2002 Elections, was recently published.

Top: Members of the House of Representatives are sworn in January 7, 1997, as the 105th Congress begins.

*Bottom:
President George W. Bush delivers his first address to a joint session of the U.S. Congress February 27, 2001.*



THE POLLS, THE PUNDITS, AND THE ELECTIONS OF 2004

BY
JOHN ZOGBY

Many Americans love political polls. Others love to hate them. Those who love polls enjoy the game of politics – who is ahead, who has a chance to win, who has the most popular position on health care or the economy. These “political junkies” closely watch the job performance ratings of presidents, governors, and mayors. And many voters just seem to like the idea of being connected to others in their community or in the nation. In an era when more and more Americans are atomized in work cubicles or long commutes to and from work, polls give citizens a sense of where they stand in relation to others as part of a national community.

The pollster’s profession is a controversial one. We are often charged with going well beyond simply measuring fluctuations in public opinion with respect to issues and candidates, to manipulating voters, holding a guru’s sway over pliant elected officials, and ultimately affecting voter turnout as a result of elections. But in my two decades of experience as a professional pollster, I have found that those who complain the loudest about

polls are the ones who can quote all the latest numbers most readily.

POLLING THEN AND NOW

There was a time when only one or two polling organizations dominated the center stage. Today, in an era of instant news, the Internet, and 24-hour cable news channels, large news holes are frequently filled with commissioned and non-commissioned opinion polls from various sources.

While the first political poll was conducted in 1824 by the local newspaper in Harrisburg, Pennsylvania, independent polls did not become a staple of media news coverage of political campaigns until the 1930s. The earliest and best modern political polls were conducted by names like Gallup and Roper, and later joined by other U.S. household names such as Sindlinger, Yankelovich, and Harris. In addition, by the 1970s, all three major U.S. television network news operations were offering their own polls for the presidential races, and shortly thereafter for important statewide races for the governor’s office and for the U.S. Congress.

Media polls – those conducted in the name of a news network and a newspaper partner (e.g., CBS/New York Times, ABC/Washington Post, NBC/Wall St. Journal) – differ in many ways from the polls conducted privately for candidates and political parties, and they have become an important part of the political process.

The key difference is that media polls are public and are intended mainly to inform voters of which candidates are in the lead in a political contest.

They are designed to be neutral and independent. This objectivity is particularly important because it prevents candidates from dissembling about their own “private” polls. For example, a candidate once could claim that his private polls showed him ahead, while the conventional wisdom suggested otherwise.

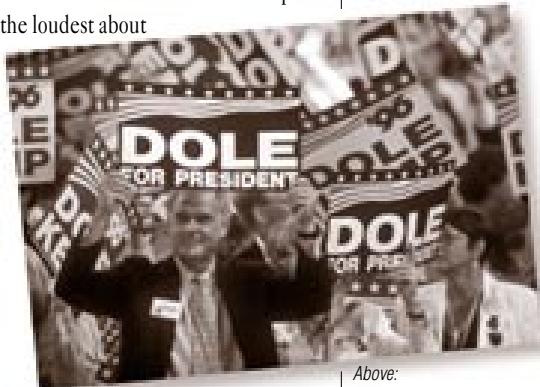
Over the decades, independent political polling has offered an objective look



at election races, an assessment of each candidate’s strengths and weaknesses, and an examination of the demographic groups supporting each candidate. Such independent polling gives reporters and editors the ability to make and report honest assessments of the status of a campaign.

The kind of transparency found in independent polling offers a useful service for readers and viewers. But even independent polling can be problematic. In 1996, former Republican Senate leader Bob Dole challenged President Bill Clinton,

Top to bottom: A man reads the Chicago Tribune, May 1, 1968, announcing President Johnson's decision not to run for reelection. Democratic presidential candidate Eugene McCarthy speaks to students at Cleveland's Case Western Reserve University in April, 1968.



Above:
Republican convention
delegates support Senator
Robert Dole for president,
San Diego, 1996



William Howard Taft,
Republican
(1909-1913)

the incumbent Democrat, for the White House. While most polls showed Dole trailing by as much as 25 points throughout the campaign, my own polls for Reuters showed a significantly closer race – perhaps in the 7- to 12-point range. In that race, however, other organizations' network and major newspaper polls drove the media coverage. Thus, day in and day out, Dole was referred to as the candidate who was "seriously trailing" the president "by as many as 25 points." When only the most lopsided polls are used as the basis for coverage of a campaign, they can seriously skew the reporting, suggest an outcome, and then become a self-fulfilling prophecy. It also does not make it any easier for the candidate to raise money or to receive a fair hearing.

Does this mean that pre-election polls actually affect voter turnout and/or the results? Generally, the short answer is no. Although the Dole-Clinton coverage posed serious problems for Senator Dole, there is no hard evidence that Dole could have won the election. There is also no clear evidence showing that any candidate in a competitive race ever lost because of pre-election polls showing him behind.

Some, however, assert that there is too much polling today – so-called poll-ution. I have alluded to the 24-hour cable news networks and their need to fill large news holes. That is one reason for the proliferation of political polls. Sheer competition among media organizations is certainly another factor. In 2000, there were at least 14 major independent polls during the campaign season, and their results were not always consistent. But voters should not complain – there is

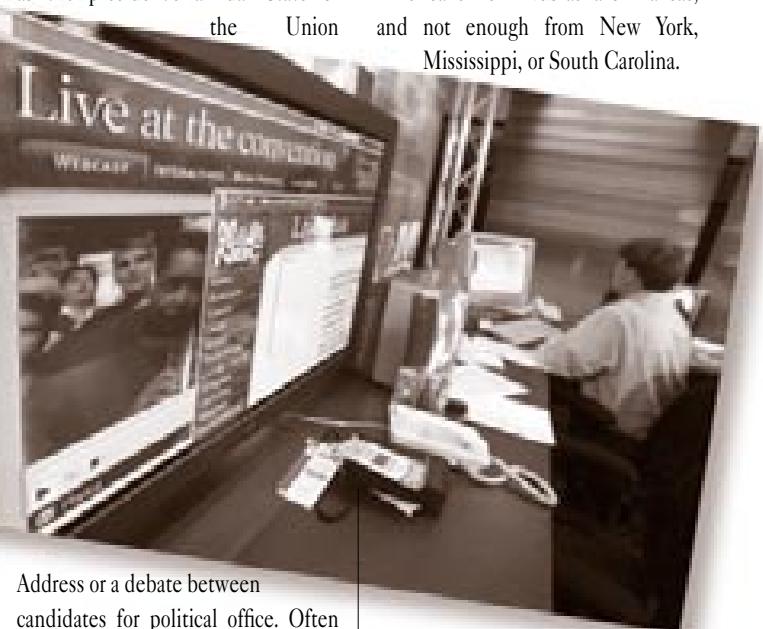
choice, and voters need to be good consumers when viewing polls, just as they should be when they buy a car or a house. There are some basic rules to follow in polling, and here is my guide to how best to look at the polls.

SAMPLE SIZES AND MARGIN OF ERROR

Sometimes, overnight polls are conducted after a major event such as the president's annual State of the Union

people might not have been at home. While pollsters will apply weights to their sample to make it more accurately reflect the demographics of the population, weighting procedures do not always compensate for groups that are substantially underrepresented. For example, an overnight poll could under represent African Americans. Or, on another night, the poll might have contacted too many African Americans from Nebraska or Kansas, and not enough from New York, Mississippi, or South Carolina.

Right:
Media employees
work on
their web site
at the Democratic
convention,
August 17, 2000,
in Los Angeles.



Address or a debate between candidates for political office. Often these polls are done in one night for quick publication the next day and feature a sample of only 500 adults nationwide. While these "overnighters" might offer a fast reading on public reaction, experts believe they are flawed.

First of all, a sample of just 500 citizens is too small for serious consideration in a nation of 280 million people. It may be accurate 95 percent of the time, plus or minus 4.5 percent, but that really is not sufficient in a presidential or major state race. In addition, the 500-sample size, in my view, is not sufficient to produce the statistically significant subgroup analysis required in a national or major state election.

There are other methodological problems as well. A one-night sample means that a broad representation of

Another problem common to rushed polls is that they may survey "adults" instead of "likely voters." The demographics between the two groups can be quite different. Generally, the adults pool includes more minorities, people from lower-income households, and union members. Given that each of these groups leans toward the Democratic Party and its candidates, any overrepresentation in their numbers in a poll can skew the results.

Watch for the sample size and makeup of a poll, then. A good national poll in the United States will pose questions to at least 1,000 likely voters and report a margin of sampling error of no more than plus or minus three points.

WHEN A VICTORY IS NOT A VICTORY

Like the *Mona Lisa* or a great work of fiction, even the most thorough polls are open to interpretation. They also establish a set of expectations for the reporters and pundits who read them. In this way, the pollster and the pundits establish that elusive animal known as “the conventional wisdom.” And both groups love to see candidates defy this conventional wisdom. Thus, there is a rich history of candidates who have risen from the “pack,” contrary to trends suggested by early polling results.

Take, for example, the case of Senator Eugene McCarthy in his crusade against the war in Vietnam and his race against President Lyndon Johnson in 1968. Although anti-war sentiment was developing in the United States, no one thought that a little-known senator from Minnesota could possibly mount a serious challenge to the powerful President Johnson. But when the votes were counted after the first (New Hampshire) primary contest, McCarthy garnered 41 percent of the vote to Johnson’s 49 percent. Although the president’s name was not even on the ballot and had to be written in by those wishing to vote for him, the pundits decided that McCarthy so far exceeded any expectations established in the pre-election polls that they declared him the victor. The McCarthy “victory” stunned the political world, and, within two weeks, President Johnson decided to not seek re-election.

A similar pundit-declared victory occurred in the Democratic primary in New Hampshire in 1972. South

Dakota Senator George McGovern, who had briefly taken up the anti-war mantle in 1968 and then led a reform movement within the Democratic Party, challenged the clear front-runner for the presidential nomination, Senator Edmund Muskie. McGovern’s private polls showed that he could exceed 40 percent of the primary vote in New Hampshire; thus, he wisely suggested to the media that he would be happy with a 35 percent showing. When he scored 43 percent to Muskie’s 48 percent, the press argued that (as in 1968) the challenger had “won” by exceeding pundit expectations. As in 1968, the “victory” gave McGovern what historians argue are the greatest benefits of winning in New Hampshire: media, money, and momentum. McGovern went on to win the Democratic Party nomination for president, although he lost the general election in a landslide to Richard Nixon.

In 1976, former Georgia Governor Jimmy Carter was at first labeled “Jimmy Who” by the Washington press corps. Carter’s 28 percent showing in New Hampshire against five better-known Democratic candidates was enough to propel him into the front-runner status and the

eventual nomination.

Thus, the lesson in all these cases is that pre-election polling potentially can be used to bolster the position of a front-runner or undercut it. Polling does, in fact, establish standards for coverage of campaigns and a sense of the conventional wisdom as to expectations for victory.

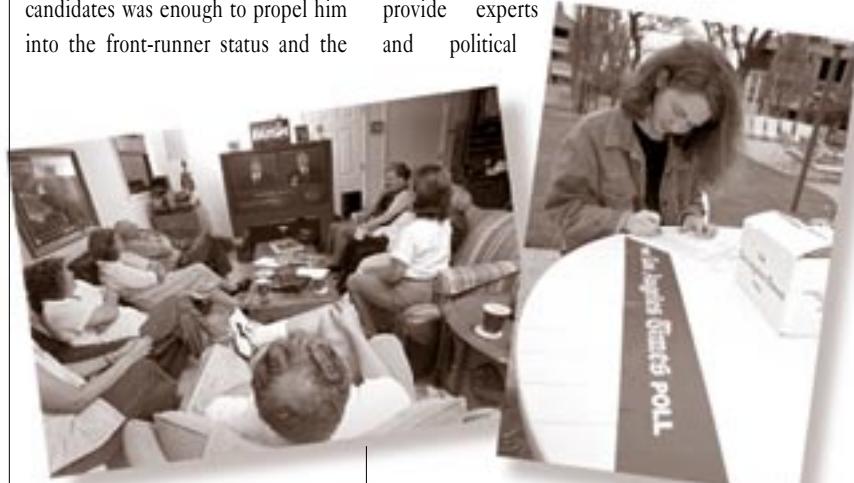
EXIT POLLS

Exit polls have been a major staple in U.S. national and state elections since the 1970s. They also are arguably the most controversial polls conducted today because they attempt to predict election victories beyond the polling place door based on interviews with people who have just voted. Exit polls achieved particular infamy in the 2000 U.S. presidential election, when they were misused by the television networks to make not one, but two, incorrect projections of the winner who had been selected by voters in Florida.

However, exit polls, when used properly, are a vital tool for pollsters, the press, and academics. Above and beyond their use in projecting winners early on election night, they provide experts and political



Woodrow Wilson,
Democrat
(1913-1921)



Left to right. Republicans in Texas gather to watch the first televised debate between Al Gore and George W. Bush in 2000. A Los Angeles woman fills out an exit poll after voting in primary elections.

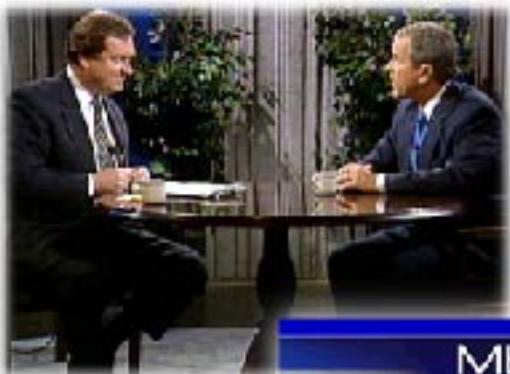
IS THE POLLING INDUSTRY IN A CRISIS?

There is a lot of talk these days about lower polling response rates. When I started working in this profession, response rates averaged 65 percent -- that is, for every three people reached on the phone, two would agree to respond to a survey. Today, average response rates are about 30 percent, and they tend to be much lower in some metropolitan areas. Some

pundits are ready to declare that polls are dead because of this. That is hardly the case. Lower response rates mean that it takes longer to complete polls, but it is still possible to get good samples.

Though much has been made about some polling firms -- my company included -- missing some major election calls, the fact is that we all generally are still able to obtain results well within the margins of sampling error. I think that having reasonable expectations for what polls can and cannot do, combined with the healthy skepticism of the consumer of political information, is the best approach to take as we all prepare for another major election year in 2004. ■

Right: Candidate George W. Bush appears on TV talk show "Hardball with Chris Matthews" during his presidential campaign. Bottom: George W. Bush on TV talk show "Meet the Press."



winner. No matter how good the sampling process involved in an exit poll, it is still sampling, which means that there is a margin of sampling error. This matters less if the election is a landslide, but in a close election, a one- or two-point margin of error looms

but I think that the exit poll crash in November 2000 was a good lesson to learn. We simply do not need to know who won an election before the actual returns come in. The election process will be better served if exit polls are used throughout the evening of the election solely to illuminate who voted and why they voted the way they did.



Warren G. Harding,
Republican
(1921-1923)

Pollster John Zogby is president and chief executive officer of Zogby International, a polling firm he founded in 1984. His firm has conducted surveys for Reuters and for NBC television, among other media. Zogby is the author of *Decision 2002: Why the Republicans Gained*. More information on his background is available at www.zogby.com

THE STATE OF CAMPAIGN FINANCE

BY
JOSEPH E. CANTOR

A prominent American politician once declared that "money is the mother's milk of politics."

This is hardly surprising given that America's democratic form of government is based on free and open elections and a tradition of pluralism whereby competing interests vie to influence public policy. That characterization is especially apt today, as the size of the electorate necessitates reliance at least in elections for major office on mass media to communicate with voters. Broadcast time is an efficient but costly means of reaching mass audiences.

Candidates for public office in the United States typically rely on four sources for campaign funds: (1) individual citizens who make direct contributions; (2) their own political parties; (3) interest groups, often through political action committees (PACs); and (4) their personal and family resources. A fifth source – public funds – has also been available in some elections, most notably presidential elections, since the 1970s.

Growing reliance on the broadcast media and the professionalization of politics have led to increasingly costly election campaigns. Candidates for the presidency spent \$607 million in the 2000 presidential election, while candidates for Congress spent just over \$1 billion. The average winning candidate for the U.S. Senate spent \$7.4 million that year, and the average winning candidate for the U.S. House of Representatives, \$849,000. Spending by candidates, however,



increasingly constitutes less and less of total expenditures to influence elections, as parties and interest groups play a greater role in direct voter communication.

makes it harder to monitor the flow of money in elections, and it has presented policy-makers with particular challenges in seeking to regulate money outside the direct control of candidates.

Critics have long asserted that high spending in U.S. elections, combined with the reliance for funds on private sources, raises concerns about possible undue influence over public policy by wealthy donors and interests.



Top: Rep. Marty Meehan, D-Mass., (left), and Rep. Chris Shays, R-Conn. (right), celebrate following a successful vote in the House of Representatives on campaign finance reform in March, 2002. Center: Sen. Russ Feingold, D-Wis. (left), and Sen. John McCain, R-Ariz. (right), address the press in front of the U.S. Supreme Court in September, 2003, during a court hearing on the constitutionality of the McCain-Feingold campaign finance reform law.

Traditionally, political parties and interest groups focused their resources on monetary contributions to candidates, who spent money on voter contact, both to persuade voters through advertisements, mailings, etc. and to ensure that voters get to the polls to cast their ballots. In contemporary elections, political parties and interest groups both contribute to favored candidates and spend money more directly to maximize their own influence on the election outcome. This phenomenon

Proposed solutions generally involve greater government regulation of money in politics, beginning with improved transparency to facilitate public awareness of election financing and to thus inhibit "special interests" from obstructing the perceived "public interest." "Reformers" have been opposed by those who see election spending as proportionate with both the costs of goods and services in today's economy and the



Calvin Coolidge,
Republican
(1923-1929)

*Herbert Hoover,
Republican
(1929-1933)*



*Franklin D. Roosevelt,
Democrat
(1933-1945)*



size of government budgets. These observers see election spending as the price a democracy pays for electoral competition, with large contributions and expenditures by interest groups as the contemporary expression of America's long-standing pluralism. The judicial branch of government often raises another issue involved in regulating campaign funding – whether restrictions on campaign giving and spending unduly limit donors' constitutionally protected right to free speech in the political arena.

It might be said that the current U.S. system of campaign financing blends the philosophies of reformers, defenders of the existing system, and the judicial rulings that have set parameters on government regulation. It reflects both the laws that have been enacted – and upheld – and the way in which American politics has evolved.

DIFFERENCES IN DEMOCRACIES' POLITICAL SYSTEMS

Comparisons of the American system of election financing with those of other democracies can help us understand some unique aspects of the U.S. political system.

CANDIDATE-CENTERED ELECTIONS

First and foremost is America's departure from the parliamentary system used in most democracies, which places political parties at the center of the process of electing and then running the government. While parties play an important role in American elections, they are far less important than earlier in history, before the many reforms and other

changes that occurred during the 20th century.

The United States has, for better or worse, a candidate-centered, rather than party-centered, electoral system. Candidates tend to be independent agents who do not owe their careers or nominations to party officials, but rather to primary election voters. While this independence has had certain salutary effects in terms of greater openness and accountability, it has undoubtedly added to election costs, as candidates need quasi-independent campaign machinery and funding sources. Likewise, many contemporary voters pride themselves on being independent of party labels, voting "for the person, not the party," and thus placing a further burden on the candidate to communicate effectively as a public figure.

FIRST AMENDMENT

Another unique aspect of the U.S. system is the strong role in political processes of the well-defined rights of free speech and association guaranteed under the First Amendment to the U.S. Constitution. It is the judiciary's role to decide whether enacted statutes are in conflict with those rights. In its landmark 1976 ruling – *Buckley v. Valeo* – the U.S. Supreme Court overturned limitations on amounts that campaigns, political parties, and interest groups could spend to communicate with voters, while permitting restrictions on sources of funds to entities involved in elections. The Court declared that limitations on expenditures to communicate with voters constituted an impermissible restriction on free speech. While the Court recognized that limits on sources (i.e., contributions) also involved curtailment of free speech, it held that *reasonable* limits could be justified by government's need to protect the system from real or apparent corruption arising from *quid pro quo* relationships between campaign donors and candidates. By

equating the right to spend money with the right of free speech, and by differentiating between money given to a candidate and money spent by a candidate, this and subsequent lower court rulings have had a profound effect on the regulation and flow of money in U.S. politics.

GOVERNMENT SUPPORT FOR POLITICS

Other democracies' far greater use of the public treasury in financing elections marks another way in which the U.S. political system is different. Government subsidies to parties are common in the international arena, and free broadcasting privileges are often facilitated by government ownership of major broadcast stations, unlike in the United States. The combined effect of direct subsidies and free broadcast time is reduced pressure on politicians to raise campaign money.

Some Americans have long favored similar government subsidies for election campaigns, as well as having free or reduced-rate broadcast time mandated of private sector broadcasters. And they have had some success in getting their ideas enacted. These policies, however, have met with resistance on philosophical grounds (that is, requiring taxpayers to support candidates whom they may oppose) and on practical grounds (such as how to devise a completely fair system of subsidizing campaigns).

Those who support public funding for candidates succeeded in the 1970s in enacting such a system for presidential elections and for some state and local elections as well, but not for elections of members of the U.S. Congress. Since 1976, major-party presidential nominees have automatically qualified for a substantial



general election subsidy (some \$67 million each in 2000 for Republican George W. Bush and Democrat Al Gore). Parties receive subsidies for their nominating conventions, and, in primary elections, government funds are available to match small individual donations to candidates.

In exchange for receiving funding, candidates must agree to limits on campaign spending, which the Supreme Court permitted because of their voluntary nature. The effectiveness of these limits, however, has been eroded by the ability of interested individuals and groups to spend money to assist candidates in ways that are legal but are beyond the levels envisioned by federal law ("soft money," as discussed below).

MAJOR PRINCIPLES OF FEDERAL LAW

Since the 1970s, three major principles have governed federal campaign finance law in the United States, applying to all elections for president and the Congress. (Each of the 50 states has its own rules for state and local elections.) These principles are as follows.

PUBLIC DISCLOSURE OF FINANCIAL ACTIVITY

Public visibility of money in elections, facilitating scrutiny by opposing parties and candidates and by the media, is seen as the greatest deterrent to corruption that might arise from campaign contributions and expenditures. About this aspect of government regulation, there is largely a consensus, at least in principle. At the federal level, this involves periodic reports, with aggregate totals and detailed breakdowns for amounts above \$200.

PROHIBITIONS ON SOURCES OF FUNDS. *Corporations, national banks, and labor unions have long been prohibited from using funds from their treasuries – corporate profits and union-dues money – to influence federal elections (although many states allow such sources in their elections). These entities may, however, set up political action committees to raise voluntary donations from executives and stockholders and union members, respectively. These funds may be used*

in federal elections, thus bringing the sponsoring corporation's or union's influence to bear. Also prohibited in all U.S. elections are campaign funds from foreign nationals.

LIMITATIONS ON SOURCES OF FUNDS. *Federal law limits the amounts contributed to candidates, parties, and groups involved in federal elections, whether by individuals, PACs, or parties. An individual may give \$2,000 to a candidate in an election and a total of \$95,000 to all candidates, parties, and PACs in a two-year election cycle. A PAC can give \$5,000 per election to a candidate, but there is no aggregate limit on all such contributions from a single entity.*

THE IMPETUS FOR CAMPAIGN FINANCE REFORM

The issues raised by money and politics have made campaign finance reform a perennial topic of debate in the United States. Throughout the 1980s and 1990s, reform advocates sought unsuccessfully to augment the regulatory regime enacted in the 1970s so as to reduce the role and importance of money in the political system.

The law that was finally passed in 2002, however, bore little resemblance to its precursors. Whereas those measures sought to improve the existing federal regulatory system, the goal of the Bipartisan Campaign Reform Act of 2002, or BCRA (familiarly known as McCain-Feingold for the two lead senators who sponsored the law), is to save that system, by bringing under federal regulation activities that proponents saw as circumventing federal campaign finance law.

Beginning in the 1980s, national political parties began to raise money in amounts far beyond what technically was permitted under

federal law, although ostensibly not for use in federal elections per se. This return of the "fat cat" – the powerful, wealthy contributor presumably reigned in under the 1970s reforms – heralded the rise of "soft money" in American elections. The term describes funds that are raised and spent outside the federal election



Top to bottom: Democratic candidate for governor John Baldacci addresses supporters in June, 2002, in Augusta, Maine. The 2002 race was Maine's first where candidates received public funds for their campaigns. President Bush waves to supporters at a fundraiser in Los Angeles in June, 2003. New York State Republican governor George Pataki shakes hands with a supporter during a fundraiser.

*Harry S Truman,
Democrat
(1945-1953)*



*Dwight D. Eisenhower,
Republican
(1953-1961)*



John F. Kennedy,
Democrat
(1961-1963)

assist federal candidates.

Only during the 1996 national elections, however, did the belief that the regulatory system was breaking down become pervasive. Not only was \$900 million in soft money raised by the political parties that year, but interest groups and political parties discovered another way to influence federal elections outside of federal restrictions: election-related issue advocacy. This form of soft money involves communications that discuss candidates in conjunction with particular issue positions, but without explicitly urging the defeat or election of clearly identified candidates.

Because most lower courts have interpreted the *Buckley v. Valeo* ruling as requiring such explicit wording in order to subject communications

to government regulation, groups could present public information that encouraged positive or negative views of public officials who also happened to be candidates in forthcoming elections, without being subject to federal election law restrictions. For 1996 and subsequent elections, it was estimated that tens of millions of dollars were spent in this manner, with accurate levels impossible to determine because little or no

disclosure was required.

THE IMPACT OF MCCAIN-FEINGOLD

After 1996, reformers shifted their focus from limits on PACs and campaign spending and on public financing to closing loopholes they perceived as rendering federal regulation of money in politics increasingly meaningless. The McCain-Feingold law of 2002 generally bans national parties and federal candidates or officials from raising and spending soft money; likewise, it bans state and local parties from spending soft money on what are defined as "federal election activities." With regard to issue advocacy, the new law requires disclosure of all political advertisements referring to clearly identified federal candidates broadcast within 30 days of a primary or 60 days of a general election, and it prohibits sponsorship with union or corporate treasury funds.

Throughout the years of debate preceding passage of McCain-Feingold, the question of constitutionality hung over the discussions. This was perhaps inevitable given the experience of the 1976 *Buckley v. Valeo* ruling, which left in its wake a system not envisioned by Congress but with far-reaching implications for the flow of money in federal elections. The closer the legislation came to enactment, the more the question of constitutionality became the focus of the debate. With campaigning for the 2004 elections already under way and politicians seeking to adapt to the new law, the political community eagerly awaits the expedited judicial review mandated by McCain-Feingold.

On May 2, 2003, the first of these rulings came when the U.S. District Court for the District of Columbia, in *McConnell v. FEC*, struck down the blanket prohibition on soft-money raising by national parties and its use by state and local parties, but retained the bans on public communications that may more directly affect federal elections and on soft-money raising

by federal candidates and officials. In addition, the court struck down the regulation of all broadcast ads referring to federal candidates, based on time period, but surprised observers by allowing regulation based on the more subjective standard of whether an advertisement supported or opposed a federal candidate, regardless of when it was disseminated. This ruling was later stayed, to minimize confusion for those already campaigning for the 2004 elections, pending a final decision by the Supreme Court, which will hear oral arguments in September.

Will the Supreme Court follow its general pattern since the *Buckley v. Valeo* decision and reject the new law's extension of regulation in the free speech arena? Or will it be persuaded by voluminous evidence and years of experience with the former law that the dangers of corruption and excessive influence by wealthy individuals and groups may warrant greater regulation than it might otherwise prefer? What is clear is that the forthcoming Supreme Court ruling will have a profound effect on future efforts to regulate the flow of money in politics. ■



California state assembly
Republicans announce the formation
of a new political action
committee in May, 1999,
designed to promote
Latino participation in the
federal and state
political process.

Joseph E. Cantor is a specialist in American national government at the Congressional Research Service, a department of the Library of Congress. He began his career there in 1973 after completing his Bachelor's Degree from the Johns Hopkins University. He has specialized in campaign finance since 1979, in which capacity he has helped to inform Congress about this subject and to analyze the issues involved and the proposals for changes in relevant law.

ELECTIONS 2004

GLOSSARY

CAUCUS – A meeting, in particular a meeting of people whose goal is political or organizational change. In American presidential politics, the word has come to mean a gathering of each party's local political activists during the presidential nomination process. In a "layered" caucus system, local party activists, working at the precinct level, select delegates to county meetings, who in turn select delegates to state meetings. These state-level conventions select delegates to their party's national nominating convention. The purpose of the caucus system is to indicate, through delegate choice, which presidential candidate is preferred by each state party's members. Its effect is to democratize presidential nominations, since candidate preferences are essentially determined at the precinct level, at the beginning of the process.

COATTAILS – An allusion to the rear panels ("tails") of a gentleman's frock coat. In American politics, it refers to the ability of a popular officeholder or candidate for office, on the strength of his or her own popularity, to increase the chances for victory of other candidates of the same political party. This candidate is said to carry others to victory "on his coattails."

CONSERVATIVE – Any shade of political opinion from moderately right-of-center to firmly right-of-center. Of the two major parties in the United States, the Republican Party is generally considered to be the more conservative. Political conservatives in the United States usually support free-market economic principles and low taxes, and distrust federal, as opposed to state and local, government power.

CONVENTION BOUNCE – An increase in a presidential candidate's popularity, as indicated by public opinion polls, in the days immediately following his or her nomination for office at the Republican or Democratic national convention.

DEBATE – A discussion involving two or more opposing sides of an issue. In American politics in recent years, debates have come to be associated with televised programs at which all candidates for the presidency or the vice presidency present their own and their party's views in response to questions from the media or members of the audience. Debates may also be held via radio or at a meeting place for community members, and they may be held for elective office at all levels of government.

DIVIDED GOVERNMENT – A term that generally refers to a situation where the president is a member of one political party and at least one chamber of Congress (either the Senate or the House of Representatives) is controlled by the opposite party. This situation can also exist at the state level, with one party controlling the governorship, and another controlling the state legislature. Divided government frequently occurs in the U.S. political system. Its historical impact has been to discourage radical change and to motivate politicians of both parties to compromise on proposed legislation.

ELECTORAL COLLEGE – When American voters go to the polls to vote for president, many believe that they are participating in a direct election of the president. Technically, this is not the case, due to the existence of the electoral college, a constitutional relic of the 18th century. The electoral college is the name given a group of "electors" who are nominated by party members within the states. On election day, these electors, pledged to one or another candidate, are popularly elected. In December, following the presidential vote, the electors meet in their respective state capitals and cast ballots for president and vice president. To be elected, a president requires 270 electoral votes.

FEDERAL ELECTION COMMISSION (FEC) – An independent regulatory agency charged with administering and enforcing federal campaign finance law. The FEC was established by the 1974 amendment of the Federal Election Campaign Act of 1971.

FRONT-LOADING – The practice of scheduling state party caucuses and state primary elections earlier and earlier in advance of the general election. By moving their primaries to early dates, states hope to lend decisive

momentum to one or two presidential candidates and thus have a significant influence on each party's nomination.

FRONT-RUNNER – A candidate in any election or nomination process who is considered to be the most popular or likely to win.

GENDER GAP – In recent elections, American women have tended to vote in patterns different from those of men, often preferring Democratic to Republican candidates or candidates on the more liberal side of the political spectrum. The press has dubbed this phenomenon the "gender gap."

HARD MONEY/SOFT MONEY – Terms used to differentiate between campaign funding that is and is not regulated by federal campaign finance law. Hard money is regulated by law and can be used to influence the outcome of federal elections – that is, to advocate the election of specific candidates. Soft money is not regulated by law and can be spent only on activities that do not affect the election of candidates for national office – that is, for such things as voter registration drives, party-building activities, and administrative costs, and to help state and local candidates.

HORSE RACE – Used as a metaphor for an election campaign, "horse race" conveys the feeling of excitement that people experience when watching a sporting event. The term also refers to media coverage of campaigns, which frequently emphasizes the candidates' standings in public opinion polls – as if they were horses in a race — instead of the candidates' stands on the issues.

LIBERAL – In the U.S. political spectrum, "liberals" are said to be slightly left-of-center or somewhat left-of-center. Of the two main political parties, the Democrats are thought to be more liberal, as the term is currently defined. "Political" liberals tend to favor greater federal power to remedy perceived social inequities; in the cultural sphere, liberals tend to support feminism, minority rights, and emphasis on freedoms of personal behavior.



Lyndon B. Johnson,
Democrat
(1963-1969)

Richard M. Nixon,
Republican
(1969-1974)



Gerald Ford,
Republican
(1974-1977)



*Jimmy Carter,
Democrat
(1977-1981)*

MIDTERM ELECTION – An election for seats in the U.S. Senate and House of Representatives that occurs during a presidential term of office – that is, two years into the four-year presidential term. The results are sometimes interpreted as a popular referendum on that president's performance for the first two years of his term. Midterm elections determine some members of the U.S. Senate and all members of the House of Representatives, as well as many state and local officials.

NEGATIVE ADS – Advertisements that try to persuade voters to vote for one candidate by making the opponent look bad, by attacking either the opponent's character or record on the issues.

PLATFORM – In the context of U.S. presidential politics, this term refers to a political party's formal written statement of its principles and goals, put together and issued during the presidential nomination process. In recent years, the party platforms have become less important as television has focused more on each candidate's personality and perceived leadership ability.

PLURALITY RULE – A method of identifying the winning candidate in an election. A plurality of votes is the total vote received by a candidate greater than that received by any opponent but often less than a 50 percent majority of the vote. That is, if one candidate receives 30 percent of the votes, a second candidate also receives 30 percent, and a third receives 40 percent, the third candidate has a plurality of the votes and wins the election.

PRIMARY ELECTION – An electoral contest held to choose a political party's candidate for a particular public office. Primaries may be held at all levels of government, including local contests for mayor, district races for the U.S. House of Representatives, statewide elections for governor or U.S. senator, and president of the United States. In "closed" primaries, only registered members of a party may vote. In "open" primaries, voters of one party (called "cross-over" voters) may vote in another party's primary.

Primaries for presidential candidates are held at the state level to indicate who the people of that state prefer to be the parties' candidates. Depending on state law, voters cast ballots directly for the presidential candidate

they prefer or for delegates who are "pledged" to support that presidential candidate at convention time. State primary elections, if early enough in the political season, can occasionally stop leading presidential candidates in their tracks and create a surge of support for a lesser-known candidate. Note that primaries are an alternative to the "caucus" system of candidate selection.

PROTEST VOTE – A vote for a third- or minor-party candidate made without much hope of electing that candidate but intended to indicate displeasure with the candidates of the two major political parties.

REDISTRICTING – The process of redrawing the geographic boundaries of congressional districts, the electoral districts within states from which members of the House of Representatives are elected. Both Democrats and Republicans at the state level compete to get hold of the legal and political mechanisms of redistricting – usually by controlling the state legislature. By doing so, they can redraw boundaries of congressional districts in ways that will lend an electoral advantage to their own party.

REGIONALIZATION – The 50 United States are unofficially grouped into approximately six regions in which states share certain geographic and cultural traits with each other. During the presidential primary season, "regionalization" refers to the practice of states' joining with other states in their region to maximize the effect of the region on the electoral process, often by holding their primary elections on the same day.

SINGLE-MEMBER DISTRICT – The current arrangement for electing national and state legislators in the United States in which one candidate is elected in each legislative district; the winner is the candidate with the most votes. The single-member system allows only one party to win in any given district. This is directly opposite to the proportional system, in which much larger districts are used and several members are elected at one time based on the proportion of votes their parties receive.

SOUND BITE – A brief, very quotable remark by a candidate for office that is repeated on radio and television news programs.

SPIN DOCTOR/SPIN – A media adviser or political consultant employed by a campaign to ensure that the candidate receives the best possible publicity in any given situation. For example, after a debate between the presidential candidates, each candidate's "spin doctors" will seek out journalists so they can point out their candidate's strengths in the debate and try to convince the press, and by extension the public, that their candidate "won" the debate. When these media advisers practice their craft, they are said to be "spinning" or putting "spin" on a situation or event.

THIRD PARTY – In the United States, any political party that is not one of the two parties that have dominated U.S. politics in the 20th century: the Republican Party and the Democratic Party.

TICKET SPLITTING – Voting for candidates of different political parties in the same election – say, voting for a Democrat for president and a Republican for senator. Because ticket splitters do not vote for all of one party's candidates, they are said to "split" their votes.

TOWN MEETING – An informal gathering of an officeholder or candidate for office with a group of people, often local, where the atmosphere is egalitarian and informal, and where members of the audience can pose questions directly to the officeholder or candidate.

TRACKING SURVEY – A type of public-opinion poll that allows candidates to follow, or "track," voters' sentiments over the course of a campaign. For the initial survey, the pollster interviews the same number of voters on three consecutive nights – for example, 400 voters a night, for a total sample of 1,200 people. On the fourth night, the pollster interviews 400 more voters, adds their responses to the poll data, and drops the responses from the first night. Continuing in this way, the sample rolls along at a constant 1,200 responses drawn from the previous three nights. Over time, the campaign can analyze the data from the entire survey and observe the effect of certain events on voters' attitudes.



*Ronald Reagan,
Republican
(1981-1989)*



*George Bush,
Republican
(1989-1993)*

BIBLIOGRAPHY AND WEB SITES

BOOKS

Abramson, Paul R., John Aldrich, and David Rohde
Change and Continuity in the 2000 and 2002 Elections. CQ Press, 2003, 400pp.

Bibby, John F.
Two Parties – Or More? The American Party System. 2nd. edition. CQ Press, 2002, 168 pp.

Brinkley, Alan, ed. and Davis Dyer, ed.
The Reader's Companion to the American Presidency. Houghton Mifflin, 2000, 368 pp.

Coleman, Kevin J., Joseph E. Cantor and Thomas H. Neale
Presidential Elections in the United States: A Primer. Congressional Research Service, Library of Congress, 2000, 53pp.
<http://fpc.state.gov/documents/organization/22616.pdf>

Flanigan, William H. and Nancy Zingale
Political Behavior of the American Electorate. 10th edition. CQ Press, 2002, 220 pp.

Goldstein, Michael L.
Guide to the 2004 Presidential Election. CQ Press, 2003, 140 pp.

Gregg, Gary L., ed.
Securing Democracy: Why We Have an Electoral College. ISI Books, 2001, 197 pp.

Maisel, L. Sandy
The Parties Respond: Changes in American Parties and Campaigns. 4th edition. Westview Press, 2002, 400 pp.

Moore, John Leo
Elections A-Z. 2nd edition. CQ Press, 2003, 614 pp.

Polsby, Nelson W. and Aaron Wildavsky
Presidential Elections: Strategies and Structures of American Politics. 10th edition. Chatham House, 2000, 352 pp.

Thomas, Norman G. and Joseph A. Pika
“Election Politics” in *The Politics of the Presidency.* 5th edition. CQ Press, 2001, 510 pp.

Thompson, Dennis
Just Elections. University of Chicago Press, 2002, 240 pp.

Traugott, Michael and Paul J. Lavrakas
Election Polls, the News Media & Democracy. Chatham House Publishers, 2000, 368pp.

Traugott, Michael and Paul J. Lavrakas
The Voter's Guide To Election Polls. 2nd edition. Chatham House Publishers, 2000, 192pp.

Wayne, Stephen J.
The Road to the White House. 2004. 7th edition. Wadsworth Publishers, 2003, 336 pp.

Zogby, John
Decision 2002: Why the Republicans Gained. Zogby International, 2003, 234pp.

WEB SITES

Center for Responsive Politics
<http://www.opensecrets.org/home>

Center for the American Woman and Politics
<http://www.rci.rutgers.edu/~cawp>

Center for Voting and Democracy
<http://www.fairvote.org/>

Democracy in Action, P2004,
Race for the Presidency
<http://www.gwu.edu/~action/P2004.html>

Democratic National Committee
<http://democrats.org/index.html>

Federal & State Election Resources
<http://www.llrx.com/columns/roundup25.htm>

League of Women Voters
<http://www.lww.org>

Politics1 – Presidency2004
<http://www.politics1.com/p2004.htm>

Project Vote Smart
<http://www.vote-smart.org>

Republican National Committee
<http://rnc.org>

U.S. Federal Election Commission
<http://www.fec.gov>

Foreign Press Centers Campaign 2004
Web Links
<http://fpc.state.gov/c9752.htm>

Issues of Democracy: Fair and Free
Elections, September 1996
<http://usinfo.state.gov/journals/itdhr/0996/ijde/ijde0996.htm>

ARTICLES

Brooks, David. “One nation, slightly divisible,” *Atlantic Monthly*, Dec. 2001, pp. 53-65.
<http://www.theatlantic.com/issues/2001/12/brooks.htm>

Benenson, Bob. “Special Report, Election 2004,” *CQ Weekly*, August 9, 2003, pp. 2010–2014.

Cantor, Joseph E.
Campaign Financing. Congressional Research Service, Library of Congress, 2002. 14pp.
<http://fpc.state.gov/documents/organization/20708.pdf>

Cook, Charles E. “Sweep or split”, *Washington Quarterly*, Autumn 2003, pp. 213-220
http://www.twq.com/03autumn/docs/03autumn_cook.pdf

Dunham, Richard S. “Election ‘04: Off and Running; With the Presidential primary season now getting into full gear, here are four dynamics that will determine Bush’s re-election.(WASHINGTON WATCH)” Business Week Online, Sept 2, 2003.
http://www.businessweek.com/bwdaily/dnflash/sep2003/nf2003092_1665_db015.htm

Faucheux, Ron. “Early Senate handicapping for ‘04: short of an across-the-board Bush-Republican collapse, Democrats will have their hands full holding the line on what they already have in the Senate. (On the Record). (Elections United States)”, *Campaigns & Elections*, April 2003, p7.

“Taking Aim At 2004: Can Bush win a second term running on a platform of tanks and tax cuts? An inside look at the campaign playbook.(Nation)” *Time*, May 5, 2003, pp. 32.



*Bill Clinton,
Democrat
(1993-2001)*



*George W. Bush,
Republican
(2001-present)*

U.S. DEPARTMENT OF STATE
BUREAU OF INTERNATIONAL INFORMATION PROGRAMS

<http://usinfo.state.gov/>

