

Campaigns, Nominations, and Elections

The People who run for Office

- Presidential Campaigns:
 - First, they need to raise enough money to tour the nation, particularly the states with early primaries, to see if they had enough local supporters.
 - Then they need funds to start up an organization, devise a plan to win primary votes, and win the party's nomination at the national convention.
 - Finally, they need funds to finance a successful campaign for president.

The nomination game

- A nomination is a party's official endorsement of a candidate for office.
- Success in the nomination game generally requires money, media attention, and momentum. Candidates attempt to manipulate each of these elements through campaign strategy.
- Deciding to run:
 - Campaigns are more strenuous than ever, and many strong (perhaps electable) candidates decide not to run.
 - A presidential candidacy in the United States needs to be either announced or an "open secret" for at least a year before the election.
 - Presidential candidates need to be risk takers; they need enough self-confidence to put everything on the line in pursuit of the presidency.

Why they run?

- People who run for office can be divided into two groups:
 - Self Starters – or the volunteers, get involved in political activities to further their careers, to carry out specific political programs, or in response to certain issues or events.
 - » Political office is often seen as the steppingstone to achieving certain career goals.
 - » Issues are important, but self-interest and political goals – status, career objectives, prestige, and income – are central in motivating some candidates to enter political life.
 - Those who are recruited – there are far more opportunities to run for office than there are citizens eager to take advantage of them.
 - » The problem of finding candidates is compounded in states or cities where the majority party is so dominant that the minority-party candidates have virtually no chance of winning.

Who is eligible?

- Who is Eligible? – there are few constitutional restrictions on who can become a candidate in the United States. The formal requirements for a national office are as follows:
 - President – must be a natural-born citizen, at least 35 years old, and be a resident of the country for 14 years by the time elected.
 - Vice President – must be natural-born citizen, at least 35 years old, and not be a resident of the same state as the candidate for president.
 - Senator—must be a citizen for at least 9 years, at least 30 years old, and be a resident of the state from which elected.
 - House of Representative – must be a citizen for at least 7 years, at least 25 years old, and be a resident of the state and district from which elected.

- The qualifications for state legislators are set by the state constitutions and likewise relate to age, place of residence, and citizenship. The legal qualifications for running for governor or other state office is similar.
 - Who Runs? – holders of political office are overwhelmingly white and male. Until this century, politicians were also predominately of Northern European origin, and predominantly Protestant. They are more than likely to be professionals, particularly lawyers.

When are elections held?

- Local, state, and federal laws determine when elections are held. Congress has established that Congressional and Presidential elections will be held on the first Tuesday after the first Monday in November. Congressional elections are held every even-numbered year, and presidential elections are held every fourth year.

- CONGRESSIONAL ELECTIONS:
- Off-Year Elections (Mid-Term Elections) occur during the year when no presidential election is held. Voter turnout in Mid-Term elections is generally low compared to presidential election years.
- During Presidential election years, the popularity of a presidential candidate may create a **coattail effect**, allowing lesser-known or weaker candidates from the presidential candidate's party to win by riding the "coattails" of the nominee.

Running for President: The Longest Campaign

- The presidential election is the culmination of two different campaigns linked by the parties' national conventions. The presidential primary campaign lasts officially from January until June of the election year, and the final presidential campaign heats up around Labor Day.
- Primary elections were first mandated in 1903 in Wisconsin. The purpose of the primary was to open the nomination process to ordinary party members and to weaken the influence of party bosses in the nomination process.

- The road to the White House and the presidency begins months and even years prior to the election. Some candidates begin the process as soon as the previous election is over. Phases of a candidacy include:
 - *Exploration* – in deciding whether to run for president, individuals must determine whether they have enough political and financial support to win against other possible candidates. Often a possible nominee will form an exploratory committee to begin lining up support and finances, as well as to attract media coverage and gain widespread recognition.

- *Announcement* – once a candidate has decided to run, an announcement is generally made in a press conference. This announcement is a formal declaration that the candidate is seeking the party's nomination.
- *Presidential Primaries and Caucuses* – in the past, state party officials would meet in a caucus to endorse the party candidate prior to presidential primaries.
 - Abuses of the caucus system led to many states abandoning its use. Iowa still uses caucuses to nominate presidential candidates; however, today they are open to all members of the party.
 - Most states use the presidential preference primary to determine whom the state delegates to the national party convention will support. Voters vote in a primary election, and party delegates to the conventions support the winner of the primary election. From January to June. 1st one in New Hampshire.

- The new rules require:
 - » That most convention delegates not be nominated by the elites in either party; they must be elected by the voters in the primary elections, in caucuses held by local parties, or at state conventions.
 - » The delegation from each state must also include a proportion of women, younger party members, and representatives of the minority groups within the party

- Types of Primaries – not only do states and state parties use different devices for nominations, but they also may hold different types of primary elections.
 - Closed Primary – the selection of a party's candidates in an election is limited to declared party members (declare their party affiliation when they register to vote or at the primary election).
 - » A closed primary system tries to make sure registered voters cannot cross over into the other party's primary in order to nominate the weakest candidate of the opposing party or to affect the ideological direction of that party.
 - Open Primary – is a primary in which voters can vote in either party's primary without disclosing their party affiliation.
 - » The voter must choose one party's list from which to select candidates.
 - » Places no restrictions on independent voters.

- Blanket Primary – is one in which the voter may vote for candidates of more than one party(Alaska, Louisiana, and Washington have blanket primaries)
 - » Blanket primaries can be more costly because each candidate for every office is trying to influence all the voters, not just those in his or her party.
 - » In 2000, the U.S. Supreme Court issued a decision that will alter significantly the use of the blanket primary.
 - Political parties in California challenged the constitutionality of a 1996 ballot initiative authorizing the use of blanket primary in that state. The parties contended that the blanket primary violated their 1st amendment right of association. Because the nominees represent the party, they argued, party members – not the general electorate – should have the right to choose the party’s nominee
 - The Supreme Court ruled in favor of the parties, holding that the blanket primary violated parties’ 1st amendment associational rights.
 - The question before the states now is how to devise a primary election system that will both comply with the Supreme Court’s ruling yet offer independent voters a chance to participate in the primary elections.

- Run-Off Primary – some states have a two-primary system. If no candidate receives a majority of the votes in the first primary, the top two candidates must compete in another primary, called a run-off primary.

- The Primary as a Springboard to the White House – as soon as politicians and potential presidential candidates realized that winning as many primary elections as possible guaranteed the party's nomination for president, their tactics changed dramatically.
 - Candidates concentrated on building organizations in states that held early, important primary elections.
 - Candidates realized that winning early primaries such as the New Hampshire election in February, or finishing first in the Iowa Caucus meant that the media instantly would label the winner as the **front-runner**, thus increasing the candidate's media exposure and increasing the pace of contributions to his or her campaign fund.
 - The states and state political parties began to see that early primaries had a much greater effect on the outcome of the presidential election, and accordingly, began to hold their primaries earlier in the season to secure that advantage.
 - » The southern states decided to hold their primaries on the same date, known as **Super Tuesday**.

- On to the National Convention – presidential candidates have been nominated by the convention method every election since 1832.
 - The delegates are sent from each state and are apportioned on the basis of state representation.
 - Extra delegates are allowed to attend from states that had voting majorities for the party in the preceding elections.
 - Parties also accept delegates from the District of Columbia, the territories, and certain oversea groups.
 - At the convention, each political party uses a **credentials committee** to determine which delegates may participate. They usually prepare a roll of all delegates entitled to be seated.
 - The typical convention usually lasts only a few days:
 - » The first day consists of speech making, usually against the opposing party.
 - » On the second day there are committee reports
 - » On the third day, there is presidential balloting
 - » On the fourth day, a vice presidential candidate is usually nominated, and the presidential nominee gives the acceptance speech.

The Electoral College

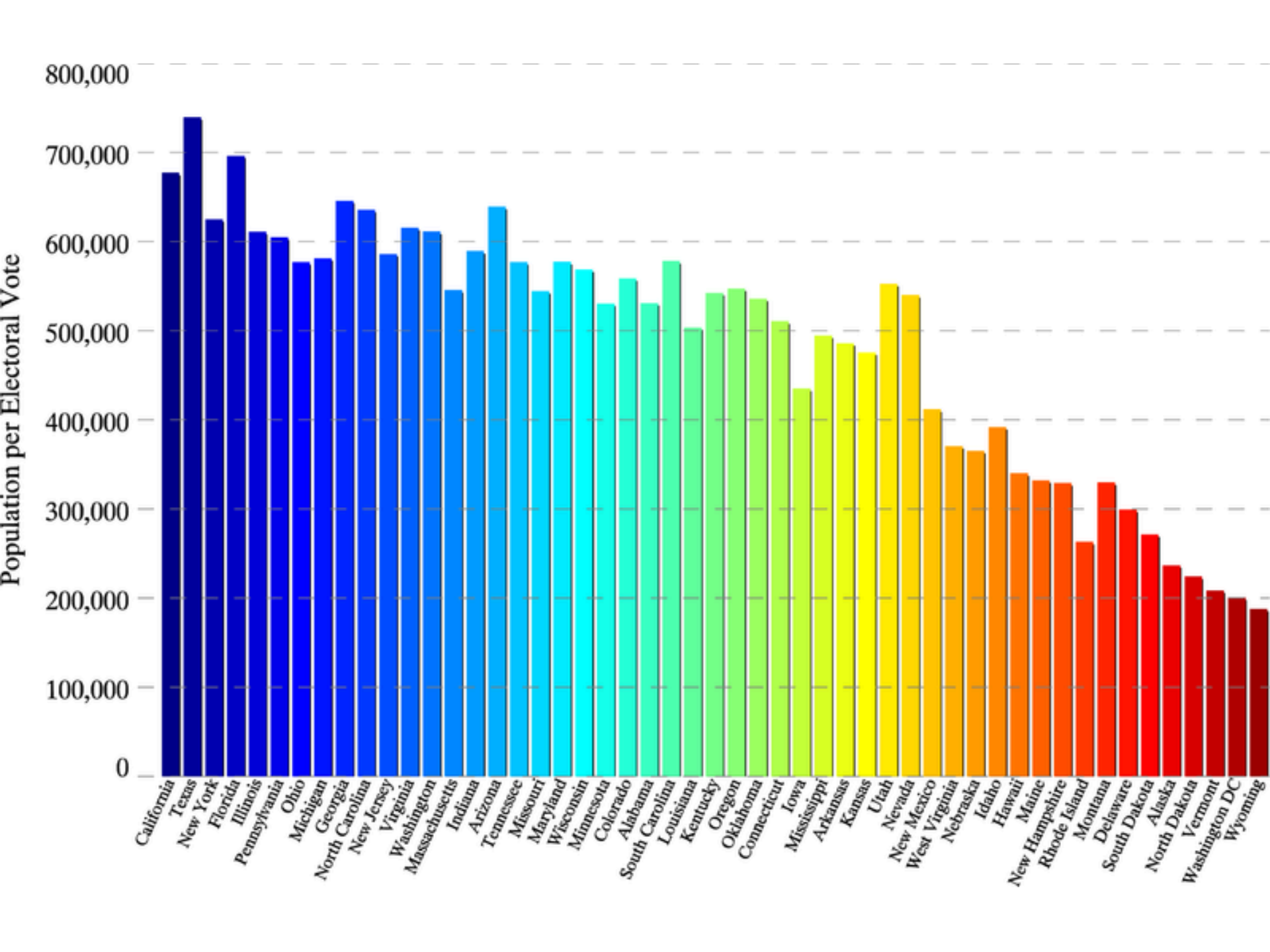
- – most voters who vote for the president and vice president think that they are voting directly for a candidate. Actually, they are voting for **electors** who will cast their ballots in the Electoral College. Article II, Section 1 of the constitution outlines in detail the number and choice of electors for president and vice president.
 - The Choice of Electors – each state's electors are selected during each presidential election year. The selection is governed by state laws and by the applicable party apparatus. After the national party convention, the electors are pledged to the candidates chosen.
 - The total number of electors is 538 – equal to 100 senators, 435 members of the House, plus 3 electors for the District of Columbia.
 - Each state's number of electors equals that state's total number of senators (2) plus its number of House of Representatives

- The Elector’s Commitment – if a plurality of voters in a state chooses one slate of electors, then, those electors are pledged to cast their ballots on the first Monday after the second Wednesday in December in the state capital for the presidential and vice presidential candidates of the winning party.
 - The ballots are counted and certified before a joint session of Congress early in January.
 - The candidates who receives a majority of the electoral votes (270) are certified as president elect and vice president-elect.
 - According to the Constitution, if no candidate receives a majority of electoral votes, the election of the president is decided by the House from among the candidates with the three highest number of votes. Each state having one vote.

- The selection of the Vice President is determined by the Senate in a choice between the two highest candidates, each senator having one vote.
 - Congress was required to choose the president and vice president in 1801 (Thomas Jefferson and Aaron Burr) and the House chose the president in 1825 (John Quincy Adams).
- It is possible for a candidate to become president without obtaining a majority of the popular vote (Lincoln, Wilson, Truman, Kennedy, Nixon (in 1968), Clinton and G.W. Bush). Such an event can always occur when there are third-party candidates.
- It is also possible for a candidate to receive the popular vote and still lose the election (John Quincy Adams in 1824, Rutherford B. Hayes in 1876, Benjamin Harris in 1888, and Al Gore in 2000)

Criticisms of the Electoral College

- Possibility of a candidate becoming president even though his or her major opponent obtains more popular votes.
- Electors are committed to the candidate who has a plurality of popular votes in their state in the general election.
- Giving all the electoral votes of a state to one who wins the plurality vote in a state is unfair to other candidates and their supporters in that state.
 - The current system of voting also means that presidential campaigning will be concentrated in those states that have the largest number of electoral votes and in those states in which the outcome is likely to be close. All other states generally get second-class treatment during the presidential campaign.
- There is a less-populous-state bias in the electoral college



- Why People Do Not Vote

- Political Withdrawal – Ruy A. Teixeira believes that the factor that has contributed most significantly to the decline in voting turnout since 1960 is not the “cost” of voting but the increasing social and political disconnectedness of American society → decline in church memberships, social memberships, and community identity, along with the extraordinary increase in political cynicism and distrust, fewer and fewer citizens feel involved enough in their community to be interested in voting.
- The Rational Ignorance Effect – is a condition in which people purposely and rationally decide not to obtain information; to remain ignorant -- if citizens believe that their votes will not affect the outcome of an election, then they have little incentive to seek the information they need to cast intelligent votes.
- If the cost of voting goes up (in terms of time and inconvenience) the number of eligible voters who actually vote will fall. In particular, bad weather on election day means that on average, smaller percentages of eligible voters will go to the polls.
- Campaign Effects – some suggest that the length of the campaigns and the amount of negative advertising actually drives voters away from the polls.

– Proposed Reforms

- Get rid of the Electoral College completely and allow the candidates to be elected by popular vote directly.
 - Constitutional Amendment proposed by President Jimmy Carter in 1977 – failed to pass and also in 1969.
 - 2001, another attempt at an amendment failed.
- Another proposed reform would eliminate the electors but retain the electoral vote, which would be given on a proportional basis rather than on a unit (winner-take-all) basis.
- The major parties are not in favor of eliminating the Electoral College, fearing that it would give minor parties a more influential role.
- Less populous states are not in favor of direct election of the president, because they feel they would be overwhelmed by the large urban vote.

How are elections conducted?

- the United States uses the **Australian Ballot** – a secret ballot that is prepared, distributed, and counted by government officials at public expense (since 1888 all states have used this method).
 - There are two types of ballots used in the U.S. in general elections:
 - Office-Block Ballot or sometimes called a Massachusetts Ballot – groups all the candidates for each elective office under the title of each office.
 - Politicians dislike the office-block ballot because it places more emphasis on the office than on the party; it discourages straight-ticket voting and encourages split-ticket voting.
 - Party-Column Ballots – or sometimes called the Indiana Ballot -- is a form of general election ballot in which the candidates are arranged in one column under their respective party labels and symbols.
 - It allows voters to vote for all of the party's candidates for local, state, and national offices by simply marking a single "X" or by pulling a single lever.
 - It encourages straight-ticket voting
 - Most states use this type of ballot
 - Increases the coattail effect

- Voting by Mail – has been accepted for absentee ballots for those who are doing business away from home or for members of the Armed Forces, only recently have several states offered mail ballots to all of their voters.
 - Rationale for going to the mail ballot is to make voting easier and more accessible to the voters – in return, higher voting turnout.
 - Criticisms: Voters might be casting an uninformed ballot (since they can cast it anytime before the election), presents an exceptional opportunity for vote fraud.
- Vote Fraud
 - The potential for vote fraud is high in many states, particularly through the use of phony voter registrations and absentee ballots.
 - Election laws in California make it very difficult to remove a name from the polling list even if the person has not cast a ballot for the prior two years – many people are still on the rolls even though they no longer reside in California.
 - » Enterprising political activists can use these names for absentee ballots.

National, State, and Local Elections

- In 2000, there were 200 million eligible voters. Of that number, 101 million actually went to the polls. The participation rate during the 2000 presidential elections was only 50.7% of eligible voters
- When there is a race for governor and U.S. representatives during a presidential election year, voting is higher than off years.
- Voter turnout for local races (mayor, city council, county auditor, and the like) are low (about 25% or less of the electorate vote).

- The Effect of Low Voter Turnout

- Some view the decline of voter turnout as a clear threat to our representative democratic government
- Signals apathy about our political system in general
- May also signal that potential voters simply do not want to take the time to learn about the issues
- Some say it is easier for an authoritarian figure to take over our government
- Some believe low voter turnout simply indicates more satisfaction with the status quo

- Factors Influencing Who Votes

- Age – the voter turnout increases with older age groups – may be due to being more settled in their lives, are already registered, and have more experience in voting as an expected activity.
- Educational Attainment – the more educated you are, the likely you are to vote
- Minority Status – whites vote more than blacks or other minorities
- Income Levels – wealthier people tend to be overrepresented in elections
- Two-party Competition – the extent to which elections are competitive within a state

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How Americans Vote

- Mandate theory of elections.
 - Many journalists and politicians believe the winner of an election has a mandate from the people to carry out the policies he or she promised during the campaign.
 - Conversely, political scientists know that people rarely vote a certain way for the same reasons. Political scientists focus instead on three major elements of voters' decisions: voters' party identification, voters' evaluations of the candidates, and the match between voters' policy positions and those of the candidates and parties (known as policy voting).

- Party identification.
 - Because of the importance of party identification in deciding how to vote, the parties tended to rely on groups that lean heavily in their favor to form their basic coalition.
 - With the emergence of television and candidate-centered politics, the hold of the party on the voter eroded substantially during the 1960s and 1970s, and then stabilized at a new and lower level during the 1980s.
 - Scholars singled out party affiliation as the single best predictor of a voter's decision in the 1950s. Voting along party lines is less common today, particularly in elections for the House of Representatives, where incumbency is now of paramount importance.

- Candidate evaluations.
 - Political psychologists Shawn Rosenberg and Patrick McCafferty show that it is possible to manipulate a candidate's appearance in a way that affects voters' choices (even by substituting a good picture for a bad one).
 - Research by Miller, Wattenberg, and Malanchuk shows that the three most important components of candidate image are integrity, reliability, and competence.
 - In 2000, George W. Bush scored higher than Al Gore in the dimension of integrity.
 - Integrity is not enough; a candidate must also be seen as being reliable, i.e., dependable and decisive. George H. W. Bush's image of reliability suffered when he broke the "no new taxes" pledge made during his 1992 campaign.
 - The personal traits most often mentioned by voters involve competence, i.e., experience, which is one of the reasons it is hard to beat an incumbent president.

- Policy voting: Policy voting occurs when people base their choices in an election on their own issue preferences.
 - True policy voting can take place only when several conditions are met.
 - Voters must have a clear view of their own policy positions.
 - Voters must know where the candidates stand on policy issues.
 - Voters must see a difference between candidates on these issues.
 - Voters must actually cast a vote for the candidate whose policy positions coincide with their own.
- One recurrent problem is that candidates often decide that the best way to handle a controversial issue is to cloud their positions in rhetoric; both candidates may be deliberately ambiguous.
- The media also may not be helpful, as they typically focus more on the “horse race” aspects of the campaign than on the policy stands of the candidates.

– Although it is questionable whether voters are really much more sophisticated now about issues, policy voting has become somewhat easier than in the past. Today's candidates are compelled to take clear stands to appeal to their own party's primary voters. The presidency of George W. Bush was marked by clear, strong positions, which have increased voter polarization. Thus, it is the electoral process that has changed rather than the voters.

Factors that influence voting decisions

- Socioeconomic and Demographic Factors

- Education – having a college education tends to be associated with voting for Republicans, but not always the case. Typically those with less education are more inclined to vote for the Democratic nominee.
- Income and Socioeconomic Status – those of higher socioeconomic status – professionals and businesspersons, as well as white-collar workers – tend to vote Republican. Manual laborers, factory workers, and especially union workers are more likely to vote Democratic. The higher the income, the more likely it is that a person will vote Republican.
- Religion – traditionally Protestants have voted Republican and Catholics and Jews have voted Democrat.
- Ethnic Background – traditionally, the Irish have voted for Democrats, so have voters of Slavic, Polish, and Italian heritages. Anglo-Saxon and northern European ethnic groups have voted for Republican presidential candidates. African Americans voted principally for Republicans until Democratic Franklin Roosevelt's New Deal in the 1930s. Since then they have largely identified with the Democratic party.

- Gender – until recently there seemed to be no fixed pattern of voter preference by gender in presidential elections.
- Age – younger voters tend to vote Democratic, whereas older voters tend to vote Republican.
- Geographic Region – Democrats still draw most of their strength from large northern and eastern cities. Rural areas tend to be Republican (and conservative) throughout the country except in the South, where the rural vote still tends to be heavily Democratic. On average, the West has voted Republican in presidential elections

• Psychological Factors

- Party Identification – with the possible exception of race, party identification has been the most important determinant of voting behavior in national elections. Party affiliation is influenced by:
 - » Family and peer groups
 - » By age
 - » By the media
 - » Psychological attachment
 - Party identification for established voters is an important determinant in voter choice.

- Perception of the Candidates – to some extent, voter attitudes toward candidates are based on emotions (such as trust) rather than on any judgment about experience or policy.
- Issue Preferences – issues make a difference in presidential and congressional elections.
 - » Historically – economic issues have the strongest influence on voter's choices.
 - When the economy is doing well, it is very difficult for a challenger, particularly at the presidential level, to defeat the incumbent.
 - Inflation, rising unemployment, or high interest rates are likely to work to the disadvantage of the incumbent.
 - Foreign policy issues become more prominent in a time of crisis – are truly influential only when armed conflict is a possibility.
 - From time to time, drugs, crime, and corruption become important campaign issues.
 - In general, presidential candidates would prefer to avoid such issues as abortion, the role of women, the rights of lesbians and gay males, and prayer in schools as they are likely to offend the voters if the candidate does not share their views.

Legal Restrictions on Voting

- Historical Restrictions – in colonial times, only white males who owned property with a certain minimum value were eligible to vote.
 - Because many governmental functions are in the economic sphere and concern property rights, and the distribution of income and wealth, our founding fathers felt that only those who had owned property should be allowed to vote because those who didn't own property wouldn't have anything to lose.
 - The writers of the Constitution allowed the states to decide who should vote
 - 19th amendment ratified in 1920 gave women the right to vote
 - 15th amendment gave black males the right to vote – short-lived as the South had Jim Crow Laws
 - 26th Amendment in 1971 gave 18 year olds the right to vote

Current Eligibility and Registration Req.

- Voting requires registration and to register, a person must satisfy the following voter qualifications, or legal requirements:
 - Citizenship
 - Age (18 or older)
 - Residency (the duration varies from state to state and with types of elections)
 - » Since 1972, states cannot impose residency requirements of more than 30 days.
 - » Most states disqualify people who are mentally incompetent, prison inmates, convicted felons, and election-law violators
- Each state has different qualifications for voting and registration – in general, a person must register well in advance of an election, although voters in Maine, Minnesota, Oregon, and Wisconsin are allowed to register up to, and on, election day.
- Some argue that registration requirements are responsible for much of the nonparticipation in our political process.

The Modern Campaign Machine

- – the modern political campaigns are extravagant, year-long events. They are also enormously expensive. Political campaigns exhaust candidates, their staff members, and the journalists covering the campaign.
 - The Changing Campaign – Part of the reason for the increased intensity of campaigns in the last decade is that they have changed from being centered on the party to being centered on the candidate.

- The candidate-centered campaign emerged in response to several developments:
 - Changes in the electoral system.
 - The increased importance of television in campaigns.
 - Technological innovations such as computers.
 - The increased cost of campaigning.
- In order to run a successful and persuasive campaign, the candidate's organization must be able to:
 - Raise funds for the effort
 - Get coverage from the media
 - Produce and pay for political commercials and advertising
 - Schedule the candidate's time effectively with constituent groups and prospective supporters
 - Convey the candidate's position on the issues
 - Conduct research on the opposing candidate
 - Get voters to go to the polls.

- When party identification was stronger among voters and before the advent of television campaigning, a strong party organization on the local, state, or national level could furnish most of the services and expertise that the candidate needed. Political parties provided the funds for campaigning until the 1970s. Parties used their precinct organizations to distribute literature, register voters, and get out the vote on election day.
- Less effort was spent on advertising for a single candidate's positions and character, because the party label communicated that information to many of the voters.
- One of the reasons that campaigns no longer depend on parties is that fewer people identify with them – increase in number of independent voters.

- The Professional Campaign – What is most striking about today's campaigns is that most of the tasks are now put into the hands of paid professionals rather than volunteers or amateur politicians.
 - Political Consultant – who for a large fee, devises a campaign strategy, thinks up a campaign theme, and possibly chooses the campaign colors and candidate's portrait for all literature to be distributed.
 - Monitors the campaign progress
 - Plans all media appearances
 - Coaches the candidate for debates
 - » Political consultants began to displace volunteer campaign managers in the 1960s, about the same time that television became a force in campaigns.
 - » As more and more political campaigns are run exclusively by professional campaign managers, critics worry that the political consultants are more concerned with plotting campaign strategy and developing the candidate's image than with developing positions on issues.
 - » Candidates themselves are changing: most are more interested in sound bites (very brief, memorable comments) than they are in position papers. They are more interested in how to manipulate the message than what the message really is.

The Strategy of Winning

- – In American politics, candidates are guided by this basic wisdom: they seek to capture all the votes of their party members, to convince a majority of the independent voters to vote for them, and to gain a few votes from members of the other party. ** To accomplish these goals, candidates must consider their visibility, their message, and their campaign strategy.
- Candidate Visibility and Appeal – one of the most important concerns is how well known a candidate is. If he or she is a highly visible incumbent, there may be limited need for campaigning except to remind voters of the officeholder's good deeds. If the candidate is an unknown challenger or a largely unfamiliar character attacking a well-known public figure, the campaign must devise a strategy to get the candidate before the public. In the case of the independent candidate or the candidate representing a minor party, the problem of name recognition is serious.

- The Use of Opinion Polls and Focus Groups – One of the major sources of information for both the media and the candidates is the opinion poll. Poll taking is widespread during the primaries. Party nominees depend on polls to fine-tune their campaigns.
- Tracking Polls – as the election approaches, many candidates use tracking polls, which are taken almost everyday, to find out how well they are competing for votes. Tracking polls, by indicating how well the campaign is going, enable consultants to fine-tune the advertising and the candidate’s speeches in the last days of the campaign.
 - Focus Groups – candidates use focus groups to gain insights into public perceptions of the candidate. Professional consultants organize a discussion of the candidate or of certain political issues among ten to fifteen ordinary citizens. The group discusses personality traits of the candidate, political advertising, and other candidate-related issues. The conversation is videotaped. Focus groups are expected to reveal more emotional responses to candidates or the deeper anxieties of voters, feelings that consultants believe are not tapped by more impersonal telephone surveys. The campaign then can shape its messages to respond to these feelings and perceptions.

Financing the Campaign

- except for the presidential campaign in the general election, all of the other money had to be provided by the candidates and their families, borrowed, or raised by contributions from individuals or PACs. For the general presidential campaign, some of the money comes from the federal government.
 - Regulating Campaign Financing – today candidates and political parties, when trying to increase their funding sources, must operate within the constraints imposed by complicated laws regulating campaign financing.
 - Corrupt Practices Acts – designed to regulate campaign financing. The first, passed in 1925, limited primary and general election expenses for congressional candidates. In addition, it required disclosure of election expenses and in principle, put controls on contributions by corporations. Numerous loopholes were found in the restrictions on contributions, and the acts proved to be ineffective.

- The Hatch Act – (Political Activities Act) of 1939 was passed in another attempt to control political influence buying. That act forbade a political group to spend more than \$3 million in any campaign and limited individual contributions to a political group to \$5000.
- The Federal Election Campaign Act of 1971 FECA – essentially replaced all past laws and instituted a major reform.
 - The act placed no limit on overall spending but restricted the amount that could be spent on mass-media advertising, including television.
 - It limited the amount that candidates and their families could contribute to their own campaigns and required disclosure of all contributions and expenditures in excess of \$100.
 - In principle, the FECA limited the role of labor unions and corporations in political campaigns.
 - Provided a voluntary \$1 check-off on federal income tax returns for general campaign funds to be used by major-party presidential candidates (first applied in 1976 campaign)

- Amendments to the FECA passed in 1974 did the following:
 - » Created the Federal Election Commission (FEC) – consists of 6 nonpartisan administrators whose duties are to enforce compliance with the requirements of the act.
 - » Provided public financing for presidential primaries and general elections – any presidential candidate who is able to obtain sufficient contributions in at least 20 states can obtain a subsidy from the U.S. Treasury to help pay for primary campaigns. Major-party candidates have federal support for almost all of their expenses, provided they are willing to accept campaign spending limits.
 - » Limited presidential campaign spending – any candidate accepting federal support has to agree to limit campaign expenditures to the amount prescribed by federal law.
 - » Limited contributions – Citizens can contribute up to \$1000 to each candidate in each federal election or primary; the total of all contributions from an individual to all candidates is \$25,000 per year. Groups can contribute up to a maximum of \$5,000 to a candidate in any election.
 - » Required disclosure – each candidate must file periodic reports with the FEC, listing who contribute, how much was spent, and for what the money was spent on.

- The 1971 act also limited the amount that each individual could spend on his or her own behalf.
 - » The Supreme Court declared the provision unconstitutional in 1976, in *Buckley v. Valeo*, stating that it was unconstitutional to restrict in any way the amount congressional candidates or their immediate families could spend on their own behalf (1st amendment right).
- Further amendments to the FECA in 1976 allowed corporations, labor unions, and special interest groups to set up PACs to raise money for candidates
 - » For a PAC to be legitimate, the money must be raised from at least 50 volunteer donors and must be given to at least 5 candidates in the federal election.
 - » Each corporation or each union is limited to one PAC.

- Campaign Financing Beyond The Limits – new ways to finance campaigns were developed to skirt the reforms and make it possible for huge sums of money to be raised, especially by major political parties.
 - Contributions to Political Parties – candidates, PACs and political parties have found ways to generate **soft money** (campaign contributions to political parties that escape the rigid limits of federal election law).
 - There are no limits on contributions to political parties for party activities such as voter education or voter registration drives.
 - » The parties then spend this money for the convention, for registering voters, and for advertising to promote the general party position.
 - » The parties also spend a great deal of the money to state and local party organizations, which use it to support their own tickets.

- Independent Expenditures – business corporations, labor unions, and other groups discovered that it was legal to make independent expenditures in an election campaign so long as the expenditures were not coordinated with those of the candidate or political party.
 - Although a 1990 Supreme Court decision, *Austin v. Michigan State Chamber of Commerce* upheld the right of the states and the federal government to limit independent, direct corporate expenditures (such as for advertisements) on behalf of candidates, the decision did not stop business and other types of groups from making independent expenditures on issues.
 - » Issue advocacy (spending unregulated money on advertising that promotes positions on issues rather than candidates) has become a prevalent tactic in recent years.
 - » The Supreme Court clarified in a 1996 decision in *Colorado Republican Federal Campaign Committee v. Federal Election Commission* that political parties may also make independent expenditures on behalf of candidates as long as the parties do so independently of the candidate's campaign (cannot coordinate with the candidate) or let the candidate know the specifics of how party funds are being spent.

- Bundling – collecting \$1,000 contributions from a number of individuals in the same firm or family and then sending the quite large check to the candidate of choice.
- ** The effect of all these strategies is to increase greatly the amount of money spent for campaign and party activities.