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A COMMISSION REPORT IN BRIEF

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## **THE TRANSFORMATION IN AMERICAN POLITICS:**

**Implications for Federalism**



ADVISORY COMMISSION ON  
INTERGOVERNMENTAL RELATIONS  
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**The Transformation in  
American Politics:**

**Implications for Federalism**



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INTERGOVERNMENTAL RELATIONS

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# Foreword\*

By the advent of the 1980s, it had become clear to virtually all observers that the traditional role of American political parties had been substantially altered. No longer did parties dominate the political landscape as they had throughout much of the republic's history. Furthermore, the most pronounced decline in party influence occurred at the state and local levels. While the electoral and ideological effects of this change had been extensively analyzed, there was scant literature concerning the implications for federalism. Therefore, in March 1983, the Advisory Commission on Intergovernmental Relations decided to study the transformation of the political party structure and analyze its effect on intergovernmental relations.

This In Brief summarizes that study. It was written by Bob Gleason, ACIR director of communications, based on the work of the staff of the research division of the Commission, under the supervision of David B. Walker, former assistant director. Timothy J. Conlan served as project manager for the study.

Robert B. Hawkins, Jr.  
Chairman

John Shannon  
Executive Director

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\*Representative Ted Weiss dissents from the entire report on the basis that the subject of political parties is not an appropriate topic for Commission consideration.



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# Introduction

Is now the time for all good federalists to come to the aid of the parties? A 1985 Supreme Court decision suggests that it is.

In Garcia v. San Antonio Metropolitan Transit Authority, the Court held that it is the political process, not the judiciary interpreting the Constitution, that affords states and localities their rights in the American federal system. Because Presidents and members of Congress are elected by voters in the states, the Court held, those jurisdictions (and their subdivisions) derive their protection through electoral means. Yet, as a dissent in Garcia notes, though Presidents and members of Congress "are elected from the various States... once in office they are members of the federal government." Where, then, are the institutional pressures forcing federal officials to guard the Constitutional rights of the states?

Is it in the states' participation in the Electoral College? The popular election of Presidents which became universal in the early 1800s rendered that mechanism obsolete.

Is it in the election of U.S. Senators by state legislatures? Adoption of the 17th Amendment to provide for the direct election of Senators terminated that link between the national legislature and the state legislatures.

Is it in the Tenth Amendment's reserving all powers to the states which are not specifically delegated to the national government? The essence of the Garcia decision is that under the "commerce" and "necessary and proper" clauses of the Constitution, Washington can claim any powers it deems appropriate.

This report suggests one method for restoring institutional constraints on the national government is by revitalizing state and local political parties. Revitalized political parties may be able to resume their historical role of helping to maintain the balance of power among different levels of government.

To a significant extent, the story of modern American politics is one of broken political machines--the vanquishment of omnipotent party bosses at the state and local level, concomitant with the emergence of nationalized political

instrumentalities. And while the collapse of the political machines was largely a product of various reform movements, this new reallocation of power is of concern to some modern day reformers who fear a potential dislocation of the political process from the governing process. Specifically, the nationalization of the political process has caused a growing centralization of conflict resolution while our system of government remains organizationally decentralized.

As late as the 1960s, prominent scholars widely credited the decentralized structure of American political parties with primary responsibility for shaping and preserving the decentralized character of the federal system itself. The past 25 years, however, have witnessed not only the withering-away of once powerful political machines, but an overall shift in focus from state and local party entities to national party confederations and/or other forms of centralized political mobilization. Six intertwined phenomena have contributed to this transformation:

The Farewell Party. Even though party identification remains the single most important factor influencing how most people vote, it appears to have lost much of its past effectiveness as an electoral guide. A much higher percentage of the population is now registered as independent, and party loyalty has diminished among those who do register by party.

The Outside Takeover. The weakening hold of parties on the electorate has been paralleled by the dwindling capacity of party organizations and leaders to control the nominating process, and thus dictate the platform and determine who will be the standard bearer in the general election. This erosion in ability to control both the message and the messenger began at the state and local level in the wake of the widespread adoption of primary elections. Then, beginning in the 1960s, a proliferation of Presidential primaries--with candidates selecting their own slates of delegates--fostered a decline in the role of state and local party leaders at national conventions.

The Cathode Ray. While changes in communications technology have historically had political and intergovernmental implications, none has had a more centralizing influence on news dissemination than television. Because network news is almost exclusively national in content, the intergovernmental effect has been to shift the focus of political attention away from local communities, away most particularly from the states, and toward the national government. On a different but equally important plane, candidates now rely very heavily on television to reach voters, and thus are much less dependent on local party organizations and their cadres of loyal workers.

The Washington Bullets. Although interest groups and voluntary associations have always been prominent features of American political culture, never have they been as numerous, nationalized, or politi-

cally confrontational as they are today. Functioning as narrowly focused mobilization units, these modern interest groups contrast sharply with the traditionally decentralized parties by their heavy presence in Washington. In addition, they have adopted methods of influencing government policymakers that had heretofore been used by political parties.

The King's Shilling. Nowhere has the intersection of politics and interest groups changed more dramatically than in the field of campaign finance. The number of interest group-affiliated political action committees increased over six-fold from 1974 to 1984 and their percentage of contributions to total campaign funds nearly doubled. Most important from an intergovernmental perspective is the nationalizing trend of this method of campaign finance. Because these committees are nationally organized, Congressional (and certain state and local) campaigns appear to be drawing an increasing proportion of their funds from outside affected states or Congressional districts.

The Parties of the Potomac. Though for different reasons, both national party committees have claimed a vastly expanded role in the political process. While remaining respectful of state and local prerogatives, the parties' functional operations have undergone a significant degree of nationalization. On the Republican side the mechanism has been fiscal dominance by the Washington-based party, enabling them to far outstrip state and local committees in contributions and expenditures on behalf of Congressional (and many state) candidates. While the national Democratic party has recently achieved some measure of success in fundraising, its primary mechanism fostering nationalization has been rulemaking. The Democratic National Committee has established highly structured rules on how state parties must select delegates to national conventions; and rules governing the party between conventions give considerable power to identifiable national constituency groups with no clearly confederated state interests.

None of these developments should be viewed as a deliberate plot by either the political parties or groups of politicians to create monolithic political structures at the expense of state and local entities. Indeed, during this period of national party dominance many state and local parties have also grown in organizational size and resources--albeit not nearly as fast. Rather, changing voting patterns, technological developments, and altered rules of the political game, have to a large extent dictated the gravitation of political power to national entities. It may even be viewed as a natural, almost predictable consequence.

This evolution, however, has had important implications for the conduct of politics, the behavior of elected officials, and ultimately for intergovernmental relations. Political parties today are less important than in past years as channels for state and local influence in the federal system. The extent to

which contemporary politics has altered federal-state-local relations has important implications for the basic values of federalism: integrating diverse community values within the framework of broadly shared national perspectives; providing multiple arenas of meaningful public expression and participation; promoting policy experimentation and programmatic diversity; maintaining an effective system of shared and separated powers; and promoting more effective and responsive government by avoiding unworkable concentrations of responsibility. Although it may be possible to pursue such values through other instruments, these objectives represent the stakes involved in the interplay of politics and federalism.

# The Parties of the First Part (of American History)

POLITICAL PARTY DEVELOPMENT AND  
INTERGOVERNMENTAL RELATIONS, 1776-1960

Without the intervention of the state legislatures the President of the United States cannot be elected at all. They must in all cases have a great share in his appointment, and will, perhaps in most cases, of themselves determine it. The Senate will be elected absolutely and exclusively by the State legislatures. Even the House of Representatives, though drawn immediately from the people, will be chosen very much under the influence of that class of men whose influence over the people obtains for themselves an election into the State legislatures.

James Madison  
Federalist 45

The emergence of political parties was wholly unexpected by the framers of the Constitution, and most of the leading citizens of late 18th century America viewed parties as evil. Madison warned against "the violence of [party] faction," and George Washington, in his Farewell Address, decried "the baneful effects of the spirit of party generally."

Knowledge that parties would eventually come to dominate the political process might have been greeted by the framers with the same mixed emotions as news that the world's tea supply had been poisoned...and King George drank some. For as each of the institutional ties trumpeted by Madison eroded, it would be the emergence of political parties that would preserve the powerful decentralizing influence with which the Constitution sought to imbue the electoral system. During the early 19th century, selection of Presidential electors by state legislatures would give way to popular elections. Later in the century the direct election of U.S. Senators gained in popularity, to be institutionalized by the 17th Amendment in 1913. And throughout there was the extension of suffrage, thus expanding the electorate and diminishing the ability of a governing elite to influence the outcome of Presidential and Congressional elections.

Nevertheless, as late as the 1960s many scholars believed that Madison's initial expectations about the decentralizing influence of American political institutions remained correct. This was attributed not to constitutional constraints, but to the highly decentralized, nondisciplined nature of the parties. Major state and local roles in the federal system were preserved, it was argued, because city and county party organizations controlled or strongly influenced most Congressional nominations. This powerfully reinforced the distinctly localistic orientation of Congress, and prevented Presidents, with their national constituencies, from imposing centralization.

Notwithstanding this thesis, there were certain eras in which the parties served as agents for centralization: the Republicans in the aftermath of the Civil War, the Democrats during the New Deal, and again the Democrats in the 1960s. These conflicting tendencies suggest that while the decentralized party structure has served as a restraint on national action throughout much of American history, it was a salient factor in a much broader political context.

#### Birthday Parties: 1776-1828

At the founding of the republic, nationally organized political parties as we know them today did not exist anywhere in the world. In the United States, politics was dominated by shifting, personalized factions within the various state legislatures.

Besides the general bent against parties by those in power in the early national period, there were a number of impediments to the development of national parties. At the outset, there was no national electorate to mobilize because under the Articles of Confederation members of Congress were selected by the state legislatures. On a societal level, most citizens had little knowledge of or contact with citizens from other states. Administratively, the new nation had few elective or appointive offices to fill, thus little patronage to stimulate party growth. Finally, and perhaps most significantly, in the 18th century the people's choice was not to choose. Although the pattern varied somewhat among the states, politics in this early period was largely an activity of the social elite. As a result, there was scant need for party organizations to assist office seekers in mobilizing the electorate.

The adoption of the Constitution substantially altered these conditions. By establishing a popularly elected House of Representatives, it created a new political arena where differences over national policy would be resolved, and

this provided the impetus for national office seekers to take their case to the electorate. The new federal establishment also afforded patronage opportunities that could be used for party development. Furthermore, one of the essential prerequisites for participatory democracy, and thus party development, was in place. Suffrage was relatively open to most adult, white males, despite property and religious qualifications.

Though he undoubtedly would not like to be remembered as such, Alexander Hamilton could well be considered the first national party chairman. During the republic's first administration, the embryonic traces of parties were largely caucuses of like-minded members of Congress. Because President Washington denounced partisan politics, he gave Treasury Secretary Hamilton the task of organizing Congressional support for the Administration's policies. For the most part, these were centralizing policies such as formation of a national bank, assumption of the states' Revolutionary War debts, expansion of the armed forces, imposition of an excise tax on whiskey, and a protective tariff on manufactured goods. In foreign affairs, the Washington Administration sought a policy of support for Great Britain.

Hamilton built the Federalist "party" by actively working with members of Congress and corresponding with the social and economic elite. As a broader communications vehicle, he helped establish the Gazette of the United States which subsequently became the Federalist's semi-official newspaper. Hamilton's design was to garner support for sympathetic candidates running for the House of Representatives and to help elect state legislators who would choose Senators and Presidential electors supportive of Federalist views.

Ironically, Hamilton's counterpart in leading the loyal opposition was his chief collaborator in writing the Federalist Papers and winning ratification of the Constitution: the same James Madison who had decried factions. In organizing the Congressional anti-federalists into the Republican "party," Madison emulated Hamilton's earlier efforts in establishing correspondence with various state and local notables in an effort to elect sympathetic candidates. To compete with the Gazette of the United States, Madison helped establish the National Gazette.

While much of the Republican's opposition to the Federalists was based on the latter's support for England at the expense of relations with France, the parties also had a fundamental disagreement over the proper role of the national government. The Republicans' opposition to the Federalists' activist policies

established a pattern that would repeat itself throughout American history: one party supportive of increased centralization of power, the other opposed.

Another practical political precedent in party roles was established in the first national election pitting the two parties against each other: identifying party voters and getting them to the polls. Convinced that most eligible voters shared their states' rights views, the Republicans endeavored to increase voter participation in the five states (out of 16) that by 1800 selected Presidential electors by popular vote. As a result, the turnout of eligible voters soared to an unprecedented 38%, helping Thomas Jefferson capture the Presidency as well as Republican control of both houses of Congress.

As the first titular head of his party, Jefferson began to employ some modern party tactics to expand the Republican organization. Although Andrew Jackson has been credited with introducing the spoils system, Jefferson initiated the use of patronage to reward party workers and build a base for future elections. In several states during this period, the Republicans abandoned the highly centralized legislative caucus method of party nominations in favor of the more modern, popularly based county and state convention systems. Somewhat incongruently, though, the precedent of a national nominating convention for Presidential elections was established by the "elitist" Federalist party, which held a limited one in 1808.

But the story of the first party system is much like a movie preview: it's very short, and it really doesn't reveal much about the plot. In the aftermath of the second war with Great Britain, the Federalist party collapsed in all but New England, depriving the Republicans of their main source of cohesiveness--a competitive opposition. There emerged a one-party multifactional system, and almost two decades would pass before the true roots of the modern Democratic and Republican parties would begin to take form.

Despite this early limited engagement, the rise of the first Republican party did lay the foundation for future party development, and demonstrated the important (if inconsistent) intergovernmental consequences of party politics. While the pressure of war caused the Republicans to adopt several policies which ran counter to their decentralized laissez-faire philosophy (e.g., continuation of the Bank of the United States, the Louisiana Purchase, and the Embargo of 1807), the electoral reforms sponsored by the party ultimately served to slow the growth of the national government's powers. As the party of the "common man," it encouraged the movement begun in the frontier states to have governors



and Presidential electors popularly elected--doing so not altruistically, but because most voters were small landholders and farmers who were sympathetic to the party's states' rights philosophy. This had long-term implications because it institutionalized an electoral system responsive to popularly held laissez-faire values which continued to influence governmental policy long after the Jeffersonian Republicans had ceased to exist.

#### Boss Jackson: 1824-54

With the election of 1824, John Quincy Adams became the country's first "minority" President. Although Andrew Jackson out-pollled Adams--43.1% to 30.5% in the popular vote, and 99 to 84 electoral votes--he was short of an electoral vote majority in the four-man race. The election was thus thrown into the House of Representatives which awarded the Presidency to Adams. In so doing, "King Caucus" launched the second American party system.

While none of the parties that emerged during this period profoundly altered intergovernmental balance at the time--all were pro states' rights, reflecting the public consensus--the second party system was extremely important because it established the mechanisms by which future federalism conflicts would be resolved. This party era would prove to be much more competitive, decentralized, and egalitarian than the first.

Planning another Presidential bid in 1828, Jackson decided to bypass the existing Congressionally centered party and build his own party apparatus. Interestingly, a variation of this tactic would be employed well over a century later by politicians wishing to circumvent the existing party structure. Just as many of today's leading public figures have used advanced campaign techniques--particularly television--to establish their own extraparty constituencies, Jackson saw an opportunity to build his own base by going directly to the people.

With the help of Martin Van Buren and other organizers, Jackson built a new decentralized Democratic party, creating the framework for the emergence of the first modern political party. His strategy was based on two premises: (1) a decentralized party apparatus was compatible with his ideology which was Jeffersonian in origin and popular with the "common man"; and (2) the rules under which politics were conducted changed to the point where the "common man" could determine the outcome of the Presidential contest. Not only had suffrage been extended to practically all white males, but Presidential electors were now popularly elected in 23 of the 24 states.

In the modern era, when a 2% to 3% differential in voter turnout can drastically alter the outcome of an election, political operatives can appreciate the avalanche of citizens exercising their franchise in 1828. Eligible voter turnout more than doubled from four years earlier, rising from 27% to 58%. Carrying most of the southern and western states, plus New York, Old Hickory was swept into office by garnering 56% of the popular vote and 178 electoral votes to Adams' 44% and 83 electoral votes.

Jackson again won a landslide victory in 1832, defeating Henry Clay who, like Adams, ran on the National Republican party label. In short order, the National Republicans gave way to a new Whig party--a coalition of most of the ex-National Republicans, some former states' rights Democrats, New England manufacturers, the largest of the southern plantation owners, and future abolitionists. About the only thing its diverse members could agree on was hostility to Jackson and his vigorous assertions of executive authority--hence the fall back to 18th century British and colonial American politics for a party label that signified support for legislative ascendancy and a restricted executive.

Despite the apparent lack of Whig cohesiveness, the party did become competitive in every state except South Carolina, and it managed to win the Presidency in 1840 and 1848. But the Whig's success at the polls was largely achieved by copying the Democrats organizationally, nominating their own war heroes for President, and mimicking the Jacksonians' egalitarian rhetoric.

Organizationally, a number of changes in the political environment reinforced the decentralized foundations of the emerging two-party system. Hostility to political parties began to give way to an acceptance of parties as legitimate vehicles for conflict resolution. For both parties, the decentralized convention system replaced the centralized Congressional caucus for nominating Presidential candidates, and in most areas of the country the convention system also replaced legislative and elite caucuses for nominating state and local candidates. Finally, Jackson firmly established "rotation-in-office" (the spoils system) as standard administrative practice, making party loyalty a prerequisite for governmental service.

Ideologically, the popular desire to delimit the national government's responsibilities remained strong. The absence of any menacing foreign policy issues, the difficulties of constructing durable nationwide policy alliances in a highly diverse country, and most importantly, the public's overwhelming devotion to states' rights were all powerful factors precluding activism in Washington.

Without a strong unifying national perspective, the state-based parties lacked sufficient common interests to agree on a comprehensive national agenda.

Still, there were some who were concerned that the advent of modern party organizations could create the conditions conducive to a more powerful national role in governance. Parties were perceived as threatening to increase voting cohesion between state Congressional coalitions by requiring adherence to the party's national platform. They could be enlisted as vehicles to impose ideological discipline, and gain regional advantages, some feared--with prophetic justification.

### War Parties: 1860-96

The third American party system began with intergovernmental conflict resolution carried to its extremes: civil war. Eventually, neither the Whigs nor the Democrats could cope with the sectional antagonism brought on by the slavery question. After the Kansas-Nebraska Act of 1854, the Whig party collapsed completely and the Democrats split into northern and southern factions.

Two northern Democrats with southern sympathies were elected President, Pierce in 1852 and Buchanan in 1856. However, Buchanan's opponent from the newly formed Republican party, John Fremont, won a narrow plurality of northern votes. Then, in 1860, the Republicans captured the Presidency in a four-way contest largely because the Democratic factions could not agree on a candidate. Following the south's secession, the new Republican party found itself in firm control of every major public policy-making body still in the Union. Not only did they hold large majorities in the House of Representatives and the Senate, but for two years they also controlled every governorship and state legislature in the North. Composed of a heterogeneous collection of manufacturers and their employees, farmers, and abolitionists, the party used its overwhelming superiority to promote measures that flexed the national government's muscles, and not coincidentally, solidified its base. Higher protective tariffs were adopted. Homestead legislation was enacted. Slavery was ended. Large land grants for higher education and railroads were provided. A new Department of Agriculture was established. And patronage was dispersed to both Republican party workers and loyal Democrats, as Lincoln used patronage and procurement contracts to reward cooperative governors.

Lincoln also undertook several extraordinary actions that overrode state prerogatives. The national government unilaterally called forth state militias,

asked for volunteers, and enlarged the armed forces, even though recruitment of the militia had traditionally been a power of the governors. The suspension of the writ of habeas corpus superseded state laws. State and War Department provost marshals, operating independently of the states' judicial systems, arrested thousands suspected of disloyal activities. And, in 1861, Lincoln even dispersed the Maryland legislature and arrested some of its members suspected of disloyal activities.

Following the war, the pursuit of an active national government was carried on by the radical Republicans, but continued expansion was frustrated by a combination of factors. Very much like the present when fiscal constraints in Washington are causing a retrenchment in domestic spending, the debt left over from the Civil War presented a considerable obstacle to extending Washington's sphere of influence. The death of Thaddeus Stevens, the leader of the radical Republicans in the House of Representatives, created a void in assertive Congressional leadership. The number of Democrats in Congress increased dramatically as the passion of war receded, the economy slid into a depression, and many northerners who shared the Democrats' commitment to localism and limited government gravitated to that party. In 1874 the Democrats captured the House of Representatives, and in the disputed 1876 Presidential election they won a majority of the popular vote, and nearly the White House. There ensued a 20-year period of relatively even interparty competition.

The return of southern Democrats to Congress had a profound effect on the third party system and on intergovernmental relations. From 1876 to 1892, the partisan linkages between voter and candidate, and officeholder and party leaders, were stronger than in any other corresponding era. Party became the most important determinant of legislative behavior at all levels of government, and the dominant influence on voting patterns. Above all, the political machine was the engine that drove the party system, and patronage was its fuel.

Because the parties were so evenly matched--Democrats led in the south and border states, Republicans led in the northeast and most of the western states, and certain key states were competitive--electoral and policy cleavages were frozen along sectional fault lines. This proved a powerful restraint against further national initiatives, and prevented the parties from accommodating intersectional, cross-ethnic, and class demands. The contemporary maxim "all politics is local" was clearly operative during this period.

Yet party development and its intergovernmental ramifications were vastly

different in the three major regions of the country. In the northeast-midwest, politics was strongly influenced by rapid industrialization which engendered the emergence of cities as dominant political fulcrums, and drastically altered the composition of the electorate. In the 11 states of the Old Confederacy and, to a lesser extent, the five border states, a solidly one-party Democratic system emerged, dedicated to the preservation of white supremacy. Emerging as a maverick--in part because of the small number of popular and electoral votes involved--was the west. Here a steady rhythm of political revolt against the conservatism of both major parties occurred.

By 1880, more than three-quarters of the New England and mid-Atlantic states' work force was employed in nonagricultural pursuits. Along with rapid industrialization came rapid urbanization and massive immigration. The cities' emergence, the expansion of the industrial working class, and the dramatic increase in the foreign-born population established conditions conducive to the proliferation of urban machines. In a short span, many of the middle class clergymen, journalists, and lawyers who had held important party leadership positions were replaced by urban bosses--mostly foreign born and from lower socioeconomic backgrounds. Conversely, the state bosses were usually well educated and American born. But both types of bosses shared an overriding commonality: they were far more interested in controlling the flow of patronage than in advocating specific public policies. As one boss gleefully exclaimed: "There are no politics in politics."

The party leaders' efforts to control the flow of patronage tended to exert a decentralizing influence on intergovernmental relations. Because of the unwritten rule of "senatorial courtesy"--the right of each state's Senators to control the patronage of the national government within that state's borders--the key to unlocking the treasure chest of jobs and procurement contracts was for a party to elect its senatorial candidates, and then its Presidential candidate. For a President to oppose his own party's desire for patronage was politically foolish. Not only did the machines play an influential role in the national nominating conventions and in getting out the vote in the general election, they also had the power to wreck Presidential legislative initiatives through their influence with their Senate delegations.

Moreover, during this third phase of party development there was a drastic change in the manner of selecting United States Senators. By the 1870s nearly all Senate campaigns were conducted by Senatorial candidates urging voters to

elect state legislative candidates pledged to them. As a result, most of the northeast-midwest Senators were either state bosses who viewed the Senate as a vehicle to maintain their preeminent position in their state's party organization, or hand-picked representatives of state or local party leaders.

The urban machines also enjoyed great influence over the voting behavior of their cities' representatives in the House. Often they controlled the Congressional nomination process through local party conventions and in many districts possessed the political resources necessary to ensure victory in the general election. Indeed, some seats were often rotated among party stalwarts.

Southern politics was essentially the same in form and motivation, but with an added dimension. Like the northeast and midwestern urban machines, the south's urban and rural party organizations were committed to a decentralized system of government as a means of preserving their influence over patronage. Unlike northern party leaders, southern officials desired to maintain a weak national government as a means of controlling racial relations within their states.

In the west, patronage was subordinate to regional economic grievances. Throughout the late 1800s third-party movements erupted in this area--Greenbackers in the 1870s, Farmers' Alliance in the 1880s, and the Populists, with a southern wing, in the 1890s. All sought corrective national action against the abuses they found in the capitalistic, eastern-dominated party systems. The last such political force--the Populists--took over the Democratic party in the mid-90s and in so doing launched a new political era: a heavily Republican one.

#### Cross of Polls: 1896-1932

With the nomination of William Jennings Bryan by both the Populists and Democrats in 1896, and his subsequent crushing loss, the Republicans became, for a third of a century, the clear majority party. One partyism became the rule in many states--Republican monopoly in the northeast and Great Lake states, and Democratic monopoly in the "Solid South," where the advent of the "white primary" made the region more politically monolithic than ever.

Yet the Populists were not without punch. Both the Democratic and Republican parties were under siege from the Progressive movement that emerged from the convergence of two independent reform forces: the remnant of the Democratic-Populist agrarian reform crusade, and the middle class, urban-based reformers of the early 1900s. Each group viewed the alliance between big business and

party officials as the antithesis of good government, but for different reasons.

The rural reform efforts were ruled by economic and regional self-interests. Based in the agricultural areas of the south and west, these populist Democrats viewed the Republicans as puppets of the trusts because of the party's advocacy of a protective tariff and a stable money supply (the issue had reached its emotional zenith with Bryan's "Cross of Gold" speech at the 1896 Democratic National Convention).

The urban-based Progressive Republicans, on the other hand, were generally supportive of the party's national policies. Their objection to the social order was over the trusts' corruption of the economic marketplace and of the political arena. Led by members of the newly formed professional communities in education, finance, engineering, and law, this movement sought to sever the ties between the party bosses and big business. Although both reform movements had a national agenda, they were still more concerned with state and local issues because most governmental initiatives continued to reside there.

For the Democrats, the electoral realignment of 1896 prevented the rural-based populists from achieving many of their legislative goals in Washington. As a result, they concentrated their reform efforts within those states and localities where they were strongest, chiefly in the mountain and southwestern states. Foremost on their agenda were electoral reforms transferring power over policymaking from the "corrupt" legislators to the public. These included the initiative, referendum, recall, the direct election of Senators, and the use of direct primaries to nominate candidates for office.

Conversely, the mostly Republican urban reformers placed greater emphasis on governmental effectiveness and accountability--civil service systems, nonpartisan municipal elections, consolidation of local governments, the city commission and manager form of local governance, and unified executive budget systems. In their view, political parties were too parochial and geographically limited to respond to the needs of an interdependent and industrial society.

Moreover, they felt that political parties violated several moral codes. Party patronage, for example, violated the code that civil servants should be selected and promoted on "merit." Bossism violated the code that candidates should be judged by their individual qualifications. And bribery, "honest graft," and protection from punishment for minor crimes circumscribed the law.

Because party bosses were often staunch opponents of an expanded national role, the progressives' efforts to destroy the party organizations presented

the possibility of new, centralizing orientations in intergovernmental relations. Yet the resilience of local political machines blunted the effects of many of the reforms.

The secret ballot, for example, was supposed to end vote-buying by preventing party workers from knowing if the vote had been delivered as promised (a chilling effect characterized by the lament of a losing candidate for sheriff: "A lot of people who ate my barbecue didn't vote for me"). The secret ballot, however, did little to alter the incentives for citizens to "sell" their votes in the first place: food baskets, jobs, legal and extralegal advice, righting minor scrapes with the law, looking after the bereaved, etc. The direct primary was supposed to shatter the party organizations' control over candidate nominations, but the machines were usually able to deliver a large enough block of votes in these primaries to control the process anyway. The direct election of Senators, mandated by the 17th Amendment, was supposed to free that institution from the control of the political machines and the trusts. Again, the machines' ability to deliver the vote helped them maintain their influence. And while the progressives made substantial progress in extending civil service at the national level, they made little headway at the state and local level. Indeed, it was not until the 1960s that a majority of municipalities had adopted comprehensive merit systems.

Despite these obstacles, the progressives were able to gain enough support in both parties to establish precedents for later expansion of national powers. Land grants to states had given way to cash grants with more restrictions and conditions. National labor laws were enacted. Various regulatory agencies were established such as the Federal Reserve System, the Federal Trade Commission, and the Federal Power Commission. Perhaps most importantly for the long-term implications for intergovernmental relations, the 16th Amendment authorized the federal income tax which eventually was expanded to provide the national government with the fiscal clout to undertake additional responsibilities.

With the advent of the next crisis, it was perhaps inevitable that these innovations would produce a major shift in intergovernmental relations. As in previous eras, the party system would again control the flow of governance. This time, the Democrats would dominate.

#### The Re-shuffle and New Deal: 1932-60

While it would be an exaggeration to say that the Republicans were dead



with the coming of the New Deal, they were at least deserving of an honorable mention on the obituary page. In 1932, Franklin Roosevelt carried 42 states with 57% of the popular vote, and the Democrats captured control of both houses of Congress, 60 seats to 35 seats in the Senate, and 301 seats to 117 seats in the House. In the 1934 mid-term elections, the Democrats increased their margins in the Senate to 69-25 and in the House to 319-103. And in 1936 GOP nominee Alf Landon won only two states against Roosevelt--prompting FDR political operative James Farley to quip: "As Maine goes, so goes Vermont." In Congress, the Senate became 76D-16R, and the House became 331D-89R. Along with this Democratic conquest came a transformation in thought about the role of government by both practicing politicians and the public at large.

In part because the fragmentation of power normally associated with the national government was temporarily superseded by the landslide elections, and in part because of the fiscal crisis in their cities, many Democratic machines supported New Deal activism. Moreover, the relief from Washington promised to create unprecedented levels of national patronage that they could use to bolster their organizations.

The national government's new responsibilities were evidenced by the rising level of national expenditures relative to those of the states and localities. In 1932, state and local governments outspent the national government by a 2-1 margin (\$8.4 to \$4.2 billion). By 1934, the states' and localities' margin had been cut from \$7.8 to \$5.9 billion. And by 1936 the national government had assumed fiscal preeminence, outspending states and localities (by \$9.1 billion to the state-local \$8.5 billion). This was the first time the national government had outspent the states and localities in peace time. Intergovernmental outlays jumped from \$193 million in 1933 to \$1.8 billion in 1934, to \$2.3 billion in 1936, and peaked at \$2.9 billion in 1939. This figure was not reached again until the 1950s. The number of intergovernmental programs also increased dramatically. In 1930 there were only 15 programs in operation. By 1938 there were 37.

The public's rigid belief in the values of governmental localism and laissez-faire was drastically altered by the Depression's severity. The failure of the old economic order made the public receptive to change, and supportive of the expansion of national powers. The New Deal thus reflected, and in turn helped to reinforce, dramatic changes in the American party system. Following the elections of 1932-36, party politics was nationalized to an unprecedented

extent. Sectional, racial, and religious antagonisms that had dominated party politics and frustrated national initiatives throughout American history were dampened by new national coalitions with class overtones. The Democratic party's ability to establish itself as the working-class party in a broad, national sense was largely responsible for much of its legislative success during the 1930s and later.

Nevertheless, following the 1938 mid-term elections a conservative coalition emerged in Congress that had several long-term consequences for intergovernmental relations. Composed of conservative southern Democrats and Republicans--who rebounded in 1938 by gaining seven seats in the Senate, and 75 seats in the House--this coalition prevented enactment of many national initiatives, and caused many of those that were adopted to be of an incremental and modest nature. It also contributed to the declining influence of party bosses by eliminating party access to large numbers of patronage jobs created by the New Deal, and placed limitations on political activity by federal employees.

The advent of World War II and the national preoccupation with defense temporarily stalled the growth of intergovernmental grants. While domestic spending did increase following the war, the durable coalition of southern Democrats and Republicans served to preserve modest growth in intergovernmental grants throughout the Truman and Eisenhower Administrations.

Of long-term significance to intergovernmental relations, however, was the dramatic increase of the national government during this period. Whereas in 1940 the national government was outspent by the states and localities, by 1942 it was spending three times as much. While Washington's spending did decline after the war, it remained significantly higher throughout the late-1940s and 1950s than during the New Deal, supported by the "elastic" revenue source of the income tax. As the national government's revenues grew with the economy during the 1950s and 1960s, Washington policymakers confronted an unprecedented opportunity to increase both domestic and defense related expenditures without raising taxes, and to share some of the incoming revenue with states and localities in the form of intergovernmental grants-in-aid.

So at least at the beginning of the modern era, Washington was not only the federal city, but fat city. Concomitant with a metamorphoses in the type of politician coming to Congress--with drastically altered relationships with their parties--there would be a transformation in the historical link between the parties and governance.

# Party Poopers, Party Crashers

## DECLINE IN VOTER LOYALTY AND THE RISE OF THE INDEPENDENT POLITICIAN

I always voted at my party's call; and I never thought of thinking for myself at all.

From Gilbert and Sullivan's  
"H.M.S. Pinafore" (1878)

The fierce party loyalty that permeated the late 1800s left a legacy that molded the American electorate well into this century. Throughout the 1950s, a consistent 75% of the population identified with one of the two major parties, and their affiliation strongly correlated with their voting behavior. In the early 1960s, however, there was a marked upswing in the percentage of voters declaring themselves independents, and split-ticket voting became prevalent.

Along with changes in communication techniques and the emergence of new political instrumentalities discussed in subsequent sections, this development contributed to the ability of individual politicians to advance their political careers independent of the party apparatus. Additionally, changes in election laws over the past 25 years--particularly the proliferation of primary elections--further contributed to the inability of the party machines to control the political process.

Yet, in examining the intergovernmental ramifications of these occurrences, it should be kept in mind that two countervailing forces may be at work. First, the most recent opinion data suggests that the long-term decline in party identification has abated and may have reversed itself--at least on the Republican side. Second, as also discussed in a later section, both national party organizations are stronger than at any time in history. While it can well be argued that this has come at the expense of state and local parties, it does suggest that parties in general are re-claiming a hold on the public conscience. Finally, the characteristics of persons who call themselves independents have changed over time. Many of the new independents are highly educated citizens who are

	<u>TRENDS IN</u>							
	<u>1952</u>	<u>1954</u>	<u>1956</u>	<u>1958</u>	<u>1960</u>	<u>1962</u>	<u>1964</u>	<u>1966</u>
Strong Democrat	22%	22%	21%	23%	21%	23%	26%	18%
Weak Democrat	25	25	23	24	25	23	25	27
Independent, Leaning Democrat	10	9	7	7	8	8	9	9
Independent, Middle of the Road	5	7	9	8	8	8	8	12
Independent, Leaning Republican	7	6	8	4	7	6	6	7
Weak Republican	14	14	14	16	13	16	13	15
Strong Republican	13	13	15	13	14	12	11	10

SOURCES: Michigan Center for Political Studies; 1952-87 data reprinted from Robert J. Samuelson, "Fragmentation and Uncertainty Litter the

active in politics, but simply feel no need for parties to mediate on their behalf--a description contrasting sharply with the apathetic and poorly informed citizens comprising the bulk of political independents three or four decades ago.

### The Mutiny and the Migration

In the 1950s social science research verified what close observers of the political process had long perceived: The broad popular attachments to the two major political parties formed a stable foundation for electoral behavior in the United States. Hence, leading scholars concluded that people's long-standing party identification generally shaped their attitudes on major issues rather than the other way around.

By the 1980s, however, party affiliations--though still important--no longer dominated electoral behavior. The proportion of Americans identifying with one of the major parties fell substantially, from a constant 75% during the 1950s to an average 63% during the 1970s. This decline was most pronounced among strong party identifiers, whose numbers fell from over one-third of the electorate in 1952 to about a quarter in 1980.

The decline of party identification left a more fragmented electorate in its wake. The percentage of independents rose from 22% in 1952 to 35% in 1980. While much of this increase was due to growing numbers of independents who said

Exhibit 1

PARTY IDENTIFICATION

<u>1968</u>	<u>1970</u>	<u>1972</u>	<u>1974</u>	<u>1976</u>	<u>1978</u>	<u>1980</u>	<u>1982</u>	<u>1984</u>	
20%	20%	15%	17%	15%	15%	16%	20%	18%	Strong Democrat
25	23	25	21	25	24	23	24	22	Weak Democrat
10	10	11	13	12	14	11	11	10	Independent, Leaning Democrat
11	13	13	15	14	14	12	11	6	Independent, Middle of the Road
9	8	11	9	10	9	12	8	13	Independent, Leaning Republican
14	15	13	14	14	13	14	14	15	Weak Republican
10	10	10	8	9	8	10	10	14	Strong Republican

Political Landscape," National Journal (20 October 1979): 1731; and 1980-84 data from past election survey files.

they leaned toward one of the parties, the greatest increase occurred among those who viewed themselves as pure independents. Although this group of the electorate remains a relatively small proportion of all voters, it more than doubled during this time period, from 5% to 12%. [Exhibit 1.]

Moreover, these declines in party identification were accompanied by growing public disaffection with the roles of the parties in the political system. Popular confidence that the parties help "a good deal" to make government responsive to public opinion fell steadily from 40.7% in 1964 to 17.9% in 1980. [Exhibit 2.] Correspondingly, 32% of the population in 1980 believed that "we don't need political parties in America anymore."

Perhaps most ominous for the parties was the finding of a 1983 ACIR-Gallup survey that disenchantment with the parties had grown to the point that many Americans expressed more confidence in interest groups as representative institutions than in political parties. When asked whether organized groups or parties best represented their political interests, 45% chose the former while only 34% chose either of the major parties. [Exhibit 3.]

Concurrent with a breaking from the fold of the electorate, party operatives also found their authority diminished by changes in the basic rules of politics. Party organizations were being supplanted by new mechanisms in such traditional functions as recruiting and nominating candidates, conducting and

Exhibit 2

PUBLIC ATTITUDES TOWARD PARTIES' RESPONSIVENESS

"How much do you feel that political parties help to make the government pay attention to what the people think? A good deal, some, or not much?"

	<u>1964</u>	<u>1968</u>	<u>1970</u>	<u>1972</u>	<u>1974</u>	<u>1976</u>	<u>1978</u>	<u>1980</u>
A Good Deal	40.7%	36.7%	32.8%	26.0%	21.8%	17.2%	20.9%	17.9%
Some	9.4	40.5	42.9	51.9	54.6	52.5	52.7	51.1
Not Much	2.8	16.4	19.2	18.2	19.1	25.9	21.7	28.1
Don't Know	7.1	6.4	5.1	3.9	4.5	4.4	4.8	2.9

SOURCE: Stephen Earl Bennett, "Changes in the Public's Perceptions of Governmental Responsiveness, 1964-1980," paper prepared for delivery at the Midwest Political Science Association Annual Meeting, Milwaukee, WI, 1982, p. 32.

Exhibit 3

PUBLIC ATTITUDES TOWARD PARTIES AND INTEREST GROUPS

<u>Organizations Best Representing Interests</u>	<u>Age of Respondent</u>				
	<u>All Adults Over 18</u>	<u>Under 35</u>	<u>35-44</u>	<u>45-65</u>	<u>Over 65</u>
Organized Interest Groups	45%	56%	44%	41%	27%
Either Major Political Party	34	25	41	40	42
Other Political Party	3	5	3	2	2
Don't Know	17	15	12	17	29

SOURCE: ACIR, Changing Public Attitudes on Governments and Taxes, 1983, S-12 (Washington, DC: U.S. Government Printing Office, 1983), p. 15.

organizing campaigns, financing elections, communicating candidate positions to the voters, and organizing the government. From the standpoint of promoting more responsive and effective representative government these changes have received mixed assessments. From an intergovernmental perspective, however, few of these changes have enhanced the influence of state and local officials in the political system. Lacking a predictable voter base, local political leaders experienced diminished effectiveness. Due in particular to a proliferation of primaries, political freelancers--independent politicians--could get themselves elected without the help of the party organizations.

## The Messenger and the Message

Primary elections for nominating candidates for office, as an alternative to party conventions, were first developed in southern local elections during the 1870s. Over the next several decades they spread rapidly to also encompass statewide elections in most southern states, and by 1910 primaries had been established in 17 northern and western states. By 1955, all states had adopted some sort of direct primary system for at least some state offices.

The spread of primaries was encouraged by several factors, the most important being the growing prevalence of one-party domination of state politics. Although this first became evident in the south, after 1896 the pattern was repeated throughout much of the north and west. In the absence of effective competition between two parties, elections in a number of states threatened to become a meaningless exercise which offered voters little choice. This was particularly true in states with strong party organizations, where the primary system was touted as a means of circumventing boss control. In essence, it was an attack on the corruption and political abuses that frequently accompanied machine politics, and in the heyday of progressivism primary elections appeared to epitomize the popular ideals of independent politics and direct democracy.

The primary process for national elections, however, is a much more recent phenomenon. As late as the 1960s, state and local party leaders played a key role in the organization and operation of the quadrennial national nominating conventions. They also controlled delegate selection. Indeed, Hubert Humphrey was able to secure the Democratic nomination in 1968 without entering a single primary contest. This circumstance was only a part, albeit a very important part, of a series of events which precipitated a backlash against the closed nominating process and set in motion a reform movement that substantially altered the ground rules of Presidential politics. If the emotional apex of an earlier reform movement had been Bryan's "Cross of Gold" speech, then this time the anthem was John Lennon singing "Power to the People."

Out of the 1968 Democratic Convention was born a series of commissions designed to open up the Presidential nominating process. Although the most obvious reforms occurred in the Democratic party, Republican contests were also deeply affected, in part because of changes in state laws made in conformance with the new Democratic party rules. The most tangible results of these reforms was the dramatic shift away from the caucus method of selecting candidates to primaries.

Whereas there were 34 caucuses for selecting delegates in 1968, by 1972 there were only 28, 20 by 1976, and 18 by 1980. Conversely, from 17 primaries in 1968, they grew to 23 by 1972, 31 by 1976, and 33 by 1980.

Whatever the intent of the reformers, the proliferation of primaries had considerable impact on the parties, on candidates, and on state and local party influence. While the initial ramification was on the nominating process, it ultimately affected governance. By robbing the parties of their single most important function--candidate recruitment and selection--potential candidates and political activists lost much of their incentive for cooperating with, or operating through, the state and local organizations. Once nominated, candidates had diminished obligations to adhere to the party platform. Once elected, they had less loyalty to their local party officials.

Although primaries were the most important contributor to the decline of state and local party influence, they were only one factor. State laws dictating the nominating process had, in fact, been preceded by state regulation of party organizations. While considerable variations exist, almost all states now regulate one or more aspects of party structure or internal procedure.

In most western democracies, political parties are permitted to operate largely unfettered by governmental regulation. Prior to the 1880s, this was also true for American political parties. In that year, Kentucky mandated the secret ballot, and by 1900 nearly every state had followed suit. These regulations marked a turning point in the thinking about political parties, as the Progressive reformers of the early 1900s successfully argued that statutory regulation of the parties' organizational structure, composition, and procedures was a logical extension of good government principles underlying the secret ballot.

Today, state laws encompass such areas as the manner of selection and composition of state party committees, their meeting requirements and internal rules, and similar requirements of local parties. [A compilation of state laws regulating the parties can be found in Appendix A, and a compilation of state laws governing the parties' role in the electoral process can be found in Appendix B.] While there is substantial variation in the degree of regulation, most states tend to provide a legal environment that somewhat hinders the development and maintenance of strong state and local party roles in the electoral process. As a result, party loyalty, ticket cohesion, and issue discipline are diminished. In such an environment, it was only logical that political wildcatters would seek their independent electoral fortunes.



## The Money and the Mercenaries

A ward boss of yore reportedly comforted a nervous local candidate by comparing politics to the docking of the Staten Island Ferry: "When the ferryboat comes into the wharf, automatically it washes all the garbage in too. Your ferryboat is Franklin Delano Roosevelt." Contemporary circumstances might amend that analogy to read: "Megabucks are your jumbojet, and the consultant is your pilot."

While the high cost of campaigning has a long tradition in American politics (George Washington is reputed to have expended one and a half quarts of liquor for every voter in his district during a 1757 campaign for the Virginia House of Burgesses), the modern financial factor that has most acutely affected state and local party effectiveness is heavy reliance on "outside money." Even in the days when Will Rogers said "You have to be loaded just to get beat," the vast majority of campaign funding came from within the jurisdiction where the candidate was seeking office. Today, however, fundraising is increasingly extended beyond the confines of the state or congressional district in which the election is being conducted. In particular, state and local political parties are being supplanted as a source of candidate finance.

Four sources now form the basis for most campaign finance (exclusive of candidates' own money):

Individual Contributions (as opposed to individuals' money funneled through organizations) constitute the greatest source of campaign dollars for both Congressional and state elections. Indeed, this source constitutes well over half of the funds raised by candidates for the U.S. House and Senate.

Political Action Committees affiliated with, but segregated from, trade associations, corporations, labor unions, or independent committees have become the second most important source of campaign finance. Formed to a large extent because of federal election laws these organizations normally have national political agendas, and thus have little interest in working through the local political parties.

Federal Government Funding now finances all major party Presidential campaigns, although acceptance of the money (and attendant restrictions) is voluntary. Also, many states now have some form of public financing, either directly to candidates or through state parties.

The National Parties, led by the Republican National Committee, have supplanted state and local parties in recent years in party contributions to individual candidates.

Exhibit 4

CONGRESSIONAL CAMPAIGN FINANCE, 1975-76 TO 1983-84  
(in millions)

	Senate				
	<u>1983-84</u>	<u>1981-82</u>	<u>1979-80</u>	<u>1977-78</u>	<u>1975-76</u>
Total Amount Raised	\$100.9	\$70.7	\$41.7	\$43.0	\$21.0
Total Expenditures	97.5	68.2	40.0	42.3	20.1
PAC Expenditures	20.0	15.6	10.2	6.0	3.1

	House				
	<u>1983-84</u>	<u>1981-82</u>	<u>1979-80</u>	<u>1977-78</u>	<u>1975-76</u>
Total Amount Raised	\$144.8	\$123.1	\$86.0	\$60.0	\$42.5
Total Expenditures	127.0	114.7	78.0	55.6	38.0
PAC Expenditures	59.5	42.7	27.0	17.0	10.9

SOURCE: Federal Elections Commission.

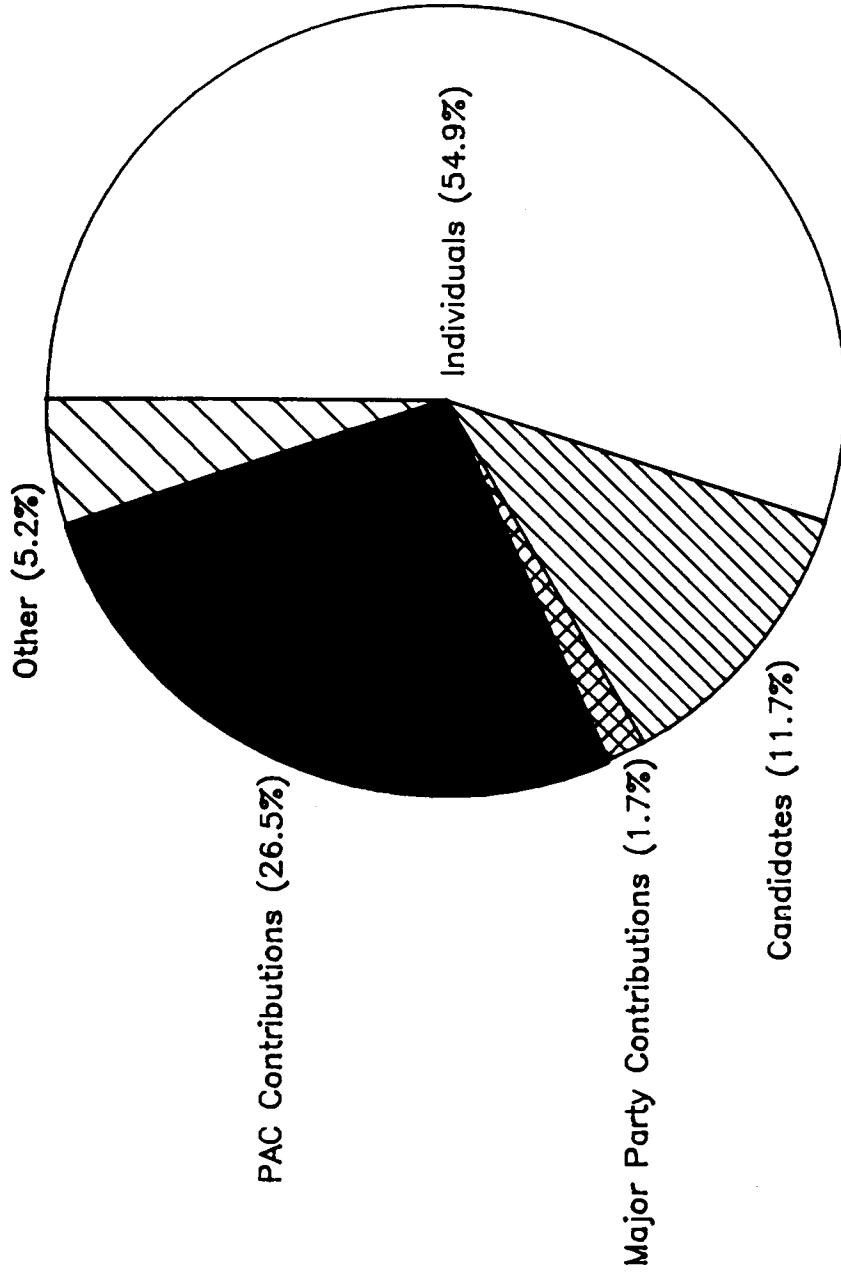
The ramifications of campaign finance by political action committees and the national parties, will be discussed in more detail in subsequent sections. However, it is important to note here that in combination, these new funding sources have escalated the level of campaign finance. In Congressional races, for example, spending for Senate campaigns mushroomed from \$20.1 million in 1976 to \$97.5 million in 1984; in House campaigns, spending increased from \$38 million to \$127 million during the same period. [Exhibits 4 and 5.]

As with the regulation of state and local party organization noted earlier, regulating the manner in which campaigns are conducted and financed is a long-standing tradition. At the national level, the first such regulation came in the form of an 1867 prohibition on naval authorities requiring employees to make political contributions. During ensuing years, additional reform legislation was passed extending civil service protections, banning corporate contributions, and requiring expenditure and receipt disclosure. Moreover, between 1906 and 1909, 21 states passed legislation limiting campaign expenditures. It was not until the 1970s, however, that Congress and many state legislatures enacted comprehensive campaign reform.

In its current form federal campaign finance law is a complex product of statutory evolution, altered and abetted by agency regulations and judicial decisions. And as much as any modern piece of legislation, the Federal Elec-

Exhibit 5

Congressional Campaign Receipts, by Source, 1983-84



SOURCE: ACRB graphic based on Federal Elections Commission data.

tion Campaign Act (FECA) has been criticized for bearing unintended political fruit.

As a general rule, FECA has worked to put state and local parties at a relative disadvantage to national parties by treating them in almost the same manner as nonparty multicandidate committees. Through its encouragement of PACs and limitations on parties, federal election law has further heightened the competitive atmosphere in which the parties generally must operate. At the same time (and perhaps paradoxically) FECA has encouraged the nationalization of parties in the electoral process while simultaneously enervating state and local organizations.

Although the focus of most analytic attention, federal election law by no means constitutes the only set of rules governing campaigns in America. A diverse group of state laws and procedures also regulate the country's thousands of elections. Among the most innovative have been those in the field of public finance. [A compilation of state-by-state limitations on political finance can be found in Appendix C.]

Since 1973, 17 states have experimented with public financing in a variety of forms. While most states fund elections through a tax check-off system like that used to finance presidential elections, four states employ a tax add-on which permits taxpayers voluntarily to add to their tax liability. Some of the states provide qualified candidates or parties with matching funds, others with flat grants, or a combination of both. Some states fund only elections for state office; others, state and local office. Some use public funds to underwrite both primary and general elections; others, general elections only. And, while some of the states fund candidates directly, others use the parties as conduits, and still others fund the parties with few or no restrictions. [State-by-state public funding provisions can be found in Appendix D.]

Thus a virtual revolution in electoral finance has taken place over the past decade. A multitude of complex (sometimes approaching arcane) laws has both limited and enlightened--limited candidates and their benefactors and enlightened the public. Those same laws, however, have helped proliferate novel means of campaign funding, and have left state and local parties at a relative disadvantage to others in the political arena.

To a substantial degree, the profusion of money in the campaign process also spawned a new industry of political consultants who, since 1960, have increasingly assumed functions once performed by the parties. This has been al-

most as significant as the escalation in campaign spending itself, for inevitably political consultants are more national in scope and orientation than state-centered party organizations. Many leading consultants--plan writers and overseers, pollsters, media advisors, and fundraisers--operate nationwide, utilizing similar techniques around the country, and sometimes having few connections with any individual locality or state. Not only have consultants changed campaigning from a labor intensive business to a capital intensive business, they have enabled candidates to build instant organizations, in many ways to establish quasi-party operations. A relative newcomer can rely on campaign mercenaries to build an organization for capturing the party nomination, and then use that organization in the general election.

Taken as a whole, this widespread pattern of declining party influence in the electoral system has potentially important implications for federalism. To the extent that parties were once a bulwark of the federal system and provided a significant avenue of influence for state and local officials, the parties' overall decline has eroded an important informal component in the constitutional system of checks and balances. The intergovernmental consequences of this erosion have been especially evident in the presidential nominating process, where state and local political leaders are clearly less influential in the past.

While consequential in and of themselves, all of the above forces diminishing the role of state and local political parties occurred in the context of multidimensional social, economic, and technological change. The rise of the individual politician, for example, was to a great extent facilitated by television. Yet this would not have been possible without the money to buy air time, and consultants with the expertise to use the medium. The rise of issue-oriented politicians with financial resources outside the party was due, in large part, to the proliferation of interest groups eager to support like-minded candidates. And the escalation of the national parties into local campaigns was, at least on the Republican side, a function of increased financial contributions. It is to this confluence of forces that this report now turns.



# Networking

## TELEVISION'S TRANSFORMATION OF POLITICS

News caster Sander Vanocur once described such colleagues as Walter Cronkite, John Chancellor, and Harry Reasoner as "the new political bosses of America. Television has become in a sense, a political organization itself," he said. Conversely, the nature of politics is inherently a form of communication. Views, preferences, facts, concerns, opinions, and values are transmitted back and forth between the "governors" and the "governed" as policy is considered and established.

Beyond its transformation of campaign techniques, however, the advent of television has had a dichotomous effect on the political parties' influence over intergovernmental balance. From the standpoint of the electorate's expectations, the flourishing of the network news escalated the focus of attention on Washington. From the perspective of political practitioners, the medium enabled candidates to bypass party organizations and reach voters directly.

Advances in communications methods have historically altered the conduct of American politics and each has tended to have a nationalizing effect. Marshall McLuhan, the famed media analyst, believes the historical record demonstrates that "a speed-up in communications always enables a central authority to extend its operations to more distant margins." He offers evidence from innovations as varied as the introduction of the alphabet and the mechanization of writing. The former disrupted the city-states of Greece and permitted the formation of the Roman Empire; the latter encouraged nationalism, mass markets, industrialization, and universal literacy.

Not coincidentally, at the outset of this republic Hamilton and Madison established national newspapers to expound the causes of their respective parties. Improved roads and the building of canals in the early 1800s enabled news to travel faster and brought the states and disparate communities closer together. By the mid-1800s, the invention of the telegraph provided instant communi-

cations so that news from the nation's capital could reach the heartland on a same-day basis. (As an omen of the centralization to come, the first published message tapped out by Samuel Morse concerned a Congressional action; it originated in Washington, DC, and was sent to a Baltimore newspaper.) Radio for the first time brought the voice of national leaders into America's living rooms, reaching its apex with President Roosevelt's "fireside chats." And motion pictures begot the newsreel form of reporting, adding sight to sound, and thus "humanizing" political leaders. But a quantum transformation in the news business --and in political communications--occurred with the introduction of the medium that combined all these features. T.V. news was simultaneously nationwide in scope, instant, intimate, visual and, eventually, ubiquitous.

When television debuted at the 1939 New York World's Fair, not much was expected of it. Many experts doubted that it would ever surpass radio as an instrument of mass communications. Indeed, in its infancy T.V. was rather noncontroversial, relying mainly on entertainment programming. One wag called it "chewing gum for the eyes." With the notable exceptions of such dramatic (and entertaining) events as the Democratic and Republican national nominating conventions, Kefauver Senate crime investigations, and Army-McCarthy hearings, public affairs programming was extremely limited. For one thing, it lost money. Gradually, however, the prestige of the news led the networks to more comprehensive coverage, and the seemingly insignificant but ultimately momentous format change in 1963: expansion of the nightly news from 15 minutes to a half hour.

So enhanced was the networks' credibility by the increased coverage that in less than ten years television eclipsed the print media as the dominant news medium. In addition, it became the most trusted. By 1968, only 21% of the public selected newspapers as the most believable source of news, in contrast to the 44% who felt television news was the most trustworthy. Today, on a typical evening, the viewing audience of the three major networks ranges between 50 and 60 million people. Viewed in this context, the post-1963 growth of the network news operations would rank with the assassination of President Kennedy, the civil rights movement, the Vietnam War, and Watergate as the most significant political developments during the 1960s and early 1970s. Indeed, television had a immeasurable impact on the public perception of those other events.

#### There's No Anchorman in Anchorage

Network television news is different in form and in content from other



news mediums. It is at once more national and more political than newspapers. The "angle" tends to focus on national political figures and institutions rather than on local happenings. An economics story, for instance, might be linked to the consequences for a particular politician or political party on network news, whereas a newspaper might emphasize the impact on the local economy. This form of coverage has, some argue, altered the political balance of power in favor of the national government, and perhaps encouraged federal government intervention in some instances. Viewers understandably come to link the preponderance of governmental problems with Washington and the national political figures they see on network news programs. Voters thus have a heightened awareness of their national government, as opposed to their state and local governments, and expect action to originate in Washington.

None of this is to suggest that the networks have consciously endeavored to distort political realities; rather, the nature of the television business and organizational structure somewhat dictate news coverage. One consideration is the demand by affiliates that network news be national--generally defined as the federal government--rather than local--facetiously defined by one NBC producer as "news occurring outside of Washington or New York." The second consideration is logistical. Camera crews are regularly stationed in a limited number of major media markets, and 90% of picture coverage comes from these cities. Besides Washington, where fully 50% of all news originates, these generally include New York, Cleveland, Boston, Chicago, and Los Angeles.

Regardless of why network television news might be limited in focus, the high concentration of attention on the national level has been at the expense of other units of government, particularly the states. The viewing public is more attuned to the happenings at the national level and has perhaps magnified its political importance over events involving state and local government. State governments are particularly disadvantaged because their activities may seem less dramatic than international crises, or not as of immediate concern as snow removal or garbage collection.

In part, local television coverage fares considerably better than state coverage because of FCC regulations that stipulate stations must provide their communities with local public service. However, local news devotes considerably less time to political issues than to less controversial subjects: sports, weather, and stories of human interest.

Taken as a whole, state and local parties find it ever more difficult to

engender public interest for their positions on state and local issues, or to firmly inculcate the link between candidate and party. In such a vacuum, it was only natural that candidates would use this very same medium to forge their own personal followings.

### Cathode Ray Tube Campaigning

Where once political parties were the main conduit between candidate and voter, they have been supplanted by either the nightly news or paid commercials. Where once candidates were inseverably linked to the positions of their party, television has enabled them to establish independence. And where once party events were major forums where candidates could meet and get to know the voters personally, office seekers can now come directly into voters living rooms through the T.V. screen. In effect, they can "press the flesh" (shake hands in campaign parlance) through the cathode ray tube.

A large body of research indicates that television, through its supplantation of traditional party functions, has greatly affected government and the political process. Its impact on the presidential nominating process exemplifies the medium's far-reaching influence. Historically, Presidential nominations were determined by party stalwarts, with delegates selected by party caucuses or conventions. Television, however, encouraged states to shift to primaries because of the inordinate amount of coverage given to them over other delegate selection methods. Yet, as historian Theodore White noted, "the primaries [became] a series of vaudeville acts held in part to attract local voters, but more importantly to reach a national audience via television."

Beyond the Presidential level, television has permitted a preponderance of candidates to build personalized campaigns that are almost completely independent of party organizations. No longer do many office seekers necessarily need to work their way up the party ladder to seek high office. Name recognition and credibility can be acquired over the air waves in an amazingly short period of time. Under such circumstances, previous political experience is diminished as an asset. Also, television has enabled candidates to de-emphasize party label when propitious to their candidacy, and establish independence.

Apart from weakening parties through the supplantation of many traditional party functions--recruiting and nominating candidates, conducting and organizing campaigns, communicating candidate positions to the voters--some observers

maintain that television has also precipitated the decline in party allegiances among the electorate. Television's emphasis of candidates rather than parties may have contributed to the substantial drop in the number of Americans identifying with one of the major political parties. In turn, this may have been a major factor in the increase in split-ticket voting.

Still, television has not been entirely liberating for the aspiring politician looking for a shortcut to public office. Like freedom of the press belonging to the man who owns one, television comes to those who can muster the financial resources to buy air time.

With such a massive infusion of dollars necessary to run a credible campaign, candidates became increasingly dependent on new revenue sources, and one of these they would find ever more concentrated in Washington: special interest groups and their political action committees.



# Of Interest in Washington, DC

## INTEREST GROUPS IN THE AMERICAN POLITICAL PROCESS

Within the Constitution, James Madison saw inherent remedies for controlling the "violence of factions" which he described as, "a number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community." While Madison was opposed to all factions, he was concerned more with majority factions than minority factions. "If a faction consists of less than a majority," he wrote, "relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote." Majority factions, on the other hand, were thought by Madison to inherently threaten the basic precepts of a "free democratic" society because they could violate the private economic rights of the minority.

Madison, therefore, would undoubtedly have been chagrined to discover that it was not majority but minority factions that would eventually evolve into potent forces. In current political lexicon they are known as "special interest groups" and, particularly in the nation's capital, their growth over the past two decades has been astonishing. Furthermore, they have undergone a metamorphosis in sophistication and political methodology. Like their local National Basketball Association namesakes, they are Washington Bullets ready to be fired at any and all opponents of their causes.

Notwithstanding Madison's miscalculations about the resourcefulness of minority factions, his prescription for controlling majority factions--adoption of the Constitution--was essentially correct. Along with the fact that numerous and varied factions would evolve making pure majorities difficult to obtain, Madison reasoned that federalism and the Constitution's separation of powers would check majority factions. "[T]he great and aggregate interests being referred to the national [government], the local and particular to the state legisla-

tures," he declared, would prevent a "factious leader" from one state "[spreading] a general conflagration through the other states." In addition, he deemed the elaborate system of checks and balances a safeguard because with power so fragmented, no single branch or level of government could be co-opted by interests whose purposes were antithetical to the constitutional rights of the people.

Interestingly, it could well be these very devices to control majority factions that enable minority factions to flourish. Because majority factions are by definition more populous than minority factions, the rewards for each individual member are smaller. There is less incentive to organize and mobilize. In a sense, majority factions such as taxpayers and consumers may suffer from a lack of representation as opposed to minority factions such as, say, farmers and bankers. And if in the abstract sense political parties can be considered majority factions, recent events have shown that they can be dominated or supplanted by minority factions--special interest group politics.

#### Wherever Two or More Shall Gather

With the great proliferation of interest groups beginning in the early 1960s also came the centralization of their headquarters in Washington. Among roughly 2,400 organizations having offices in Washington, 40% have been founded since 1960, and 25% since 1970. Although business interests (trade and business associations, and corporations taken together) remain by far the dominant type, the largest growth occurred among a new breed of social welfare and consumer-oriented groups. Along with growth they made quantum strides in sophistication, specialization, and grassroots organization--helped along enormously by technological advances in information dissemination, and campaign finance laws which inadvertently spawned an explosion in political action committees that affected the electoral process.

Still, these developments represented only quantitative and qualitative changes in interest group politics; they did not constitute the emergence of it. Minority factions formed almost immediately from the birth of the republic, and began to take on their modern day trappings around the last turn of the century.

The industrialization of the American economy spawned several technological innovations that radically changed the social and political culture of the nation. What television and telecommunications have done to alter today's social and political context, the mass newspaper, the telegraph, radio, and motion pictures did in former times. Those earlier advances made it possible

for disparate groups from across and between the states to recognize common interests and unite. The American Medical Association, the U.S. Chamber of Commerce, the American Bar Association, along with many others, all built nationwide networks in the late 1800s and early 1900s. And just as the technological innovations made it possible for interest groups to defy the structural boundaries of federalism, the diversification of the nation's economic base and the subsequent increase in social complexity provided interest groups with greater incentives to seek political recourse at the national level.

Industrial, financial, and manufacturing organizations representing the dominant interests driving America's newly emerging national economy gradually began to focus more of their lobbying efforts on the political institutions with the greatest potential to influence policy: Congress and the Presidency. In addition, they brought litigation to the Supreme Court. The battles waged by these organizations in the national political arena, on issues ranging from tariff policy to tax and anti-trust legislation, signaled the beginning of a new era in government and interest group relations. Unlike the professional and trade groups that coalesced locally based units into national associations, many of these economic interests were, from the outset, organized to deal with specific issues on the national political agenda.

Thus, a new form of interest group had surfaced. Mobilized primarily at the national level, well-organized, financed and often represented by hired professional lobbyists, this new genre tested the basic underpinnings of Madison's prescription for minority and majority factions. Their national orientation placed them outside the political realm of state and local institutions, and their ability to influence the aggregate interests of the nation as a whole brought them unprecedented access to political decisionmakers in the nation's capital.

Perhaps bolstered by the seeming success of economic interest groups, or perhaps as a reaction to it, the first few decades of the 20th century also spurred the formation and political activism of a host of socially reform-minded interest groups--e.g., the early Progressives, labor unions, and the Anti-Saloon League. Although mostly grassroots movements, they managed to circumvent political obstacles and repeated challenges to their organizational strength until they, too, gained substantial influence at the national level. Sometimes the path to the national government was chosen because of an inability to resolve issues in the chambers of state and local governments. At other times state

and local governments were viewed as captives or perpetrators of the social injustices against which these interest groups were mobilized.

In contrast to the major economic groups of the day, social interest groups had neither the pool of resources nor the economic leverage that their more independent counterparts possessed. As a result, their rise to national prominence was contingent upon an ability to mobilize support through the ranks of the party system--converting their issues into party platforms or as in the case of the Progressives, into a separate political party. As one scholar noted in the 1930s, without the political legitimacy and resources inherent in party backing in a highly decentralized political system, farmers, laborers, social reformers and even the Prohibitionists might never have emerged as the powerful countervailing force they eventually became.

The explosive growth in federal grant programs beginning in the 1960s and continuing through the 1970s begot a tremendous proliferation of interest groups. In area after area, from the alleviation of poverty to the amelioration of pollution, the search for federal solutions to society's ills fostered an enormous proliferation of policies in the nation's capitol. Among other results, those programs and policies had their offspring in the form of groups that benefited or could potentially benefit from the new federal largess. Once securely rooted in Washington, both new and old arrivals tended to focus their political energies on protecting established programs and on advancing the interests of their clients. Moreover, the inability of national policymakers to gain firm administrative control over all the programs they instituted allowed interest groups to become integral actors in the implementation process. In short, growth in the national government not only mobilized groups, it also enlarged the scope of interest group politics.

Another impetus to the rise in the number, kinds, and activities of interest groups over the past two decades was new technology, particularly in the realm of computers and media, that make it easier and less expensive to reach both constituencies and incipient constituencies. Coupled with a declining influence of political parties--a process which they may have helped to accelerate--they began adopting techniques that traditionally were the purview of the political parties. For instance, many groups entered into areas of constituent education and mobilization in which the parties had long held an uncontested monopoly. As a result there was a gradual blurring of the distinctions between interest group and party politics and ultimately a change in the political status of both.



Prior to 1964, interest groups in Washington primarily engaged in institutional lobbying. Most tended to focus their efforts on lobbying legislators and administrators--typically committee chairmen and high level executive officials --by exchanging technical advice and information, and on occasion, by subtly applying political pressure. Seldom, if ever, did these kinds of political interactions include direct contributions to candidates for national office. Nor did they usually involve contact or interchanges with constituents on a daily basis. However, by the mid-1960s not only had interest groups begun allocating a substantial portion of their resources to financing campaigns, they had also begun initiating efforts to mobilize grassroots support and to disseminate information to constituents. Moreover, many expanded their political activities to include media and mail lobbying as well as the formation of political action committees.

Although such tactics were new to most interest groups, they were certainly not new to politics. Many of the techniques for financing campaigns and for mobilizing and educating the public had initially been developed by the political parties. In the past, the national character and decentralized organization of the parties gave them a distinct edge over other political groups that borrowed these tactics in the hopes of gaining leverage, power, or position in Washington. Indeed, the ability of interest groups to become the premier employer of "party strategies" was an indication both of the weakness of the parties and of the growing strength of interest groups themselves.

In recent years, the functions of interest groups and the parties have continued to intersect even further. Although there have long been electoral relationships between the parties and certain interest groups, several groups have begun to devote substantial new financial and political resources toward the goal of expanding their influence within the parties and enlarging the scope of party activity in general. For example, certain business interests have begun closely coordinating their electoral contributions with the Republican National Committee, while labor and education organizations have become intimately involved in the Democratic party's Presidential nomination process.

#### A Pack of PACs

In the modern interest group environment, it almost seems that legitimacy cannot be conferred until one establishes a political action committee to disperse campaign contributions to candidates. Of all the charges leveled against PACs, none is more serious nor more widely echoed than the allegation that they

buy lawmakers and their votes. To date, however, such charges remain largely unsubstantiated, and the most anyone can agree on is that PAC money buys access. Nevertheless, while it is difficult to find widespread agreement that the nation's legislative process is being sacrificed, there is at least the fear in some quarters of the maxim attributed to Al Capone: "You can get more with a smile and a gun than you can with just a smile."

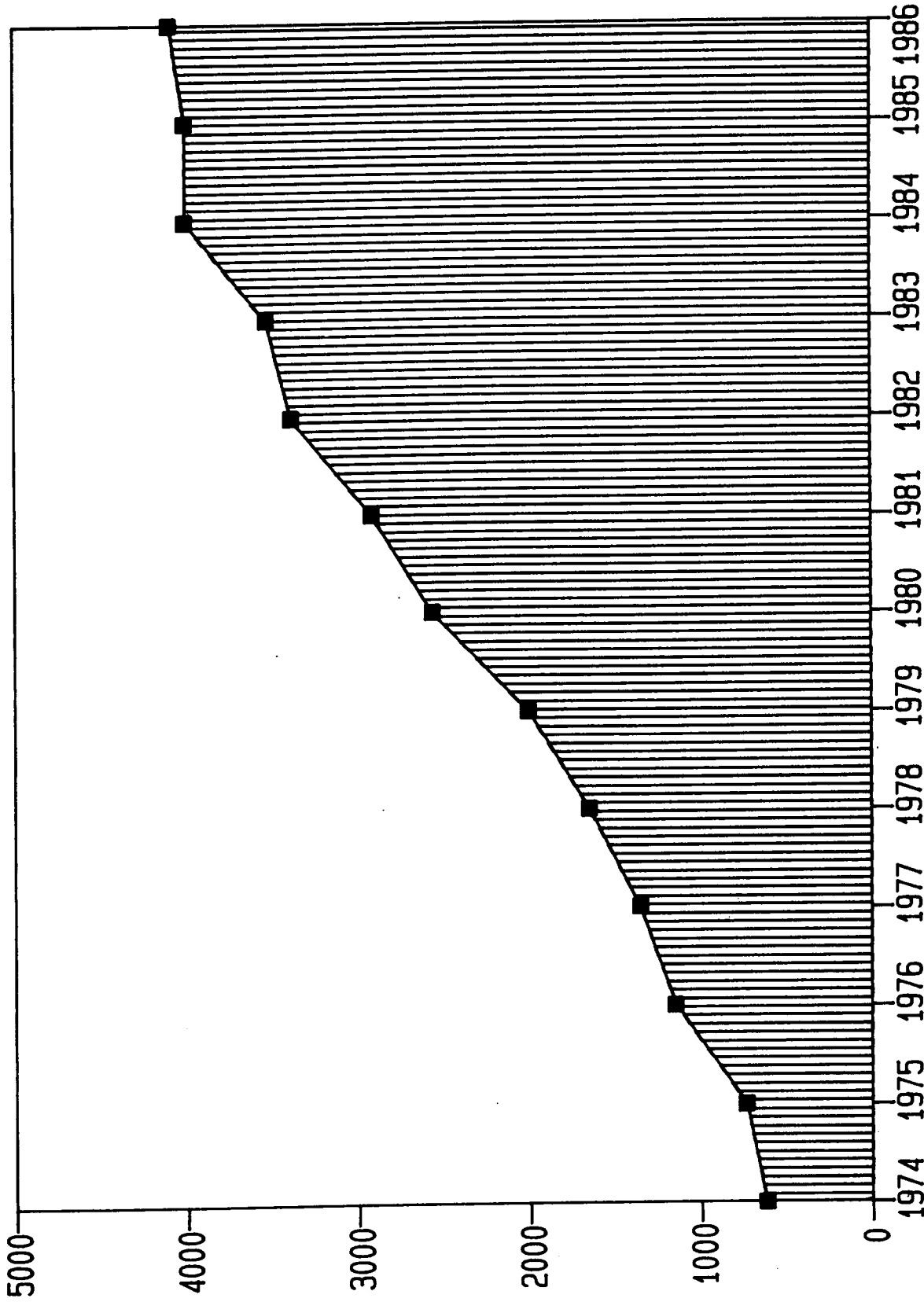
More important from a federalism perspective is the relationship between what could be termed PAC-power and party-power. Although it has sometimes been charged that PACs, in and of themselves, weakened the political parties, the parties were already declining by the time of the great expansion of PACs in the 1970s. What may be said with some accuracy, however, is that PACs have filled a portion of the political abyss once filled by party organizations and, as a result, now compete with parties for candidate loyalty. Moreover, while PAC fundraising may be decentralized (collected in various locations), the monies are later apt to be pooled and distributed by a central decision-making structure, allowing national PAC officers to make regionally strategic contributions. Thus it is the centralized PAC leadership, not the small donors throughout the country, who have acquired access.

Though PACs have only recently burst into the American consciousness, as a distinct political entity they have been in existence since 1943 when the Congress of Industrial Organizations formed CIO-PAC. Forerunners of the modern PAC date back even further, however, and organized interest group giving further back still. Nonetheless, there is good reason for viewing PACs as a phenomenon of the 1970s and 80s. Whereas there were a total of 608 in 1974, by 1986 there were 4,092. [Exhibits 6 and 7.] Like PACs themselves, the money they spend has proliferated over the past decade. In 1972 it totaled \$19.1 million; by 1984 it was \$266.8 million.

The extraordinary growth resulted at least indirectly from the campaign finance reforms of the 1970s. First, the Federal Election Campaign Act of 1971 statutorily blessed PACs by permitting labor unions and businesses to form them. Additionally, it allowed them to fund the organizational expenses from their own treasuries. Second, the 1974 amendments to FECA limited contributions to campaigns by individuals, thus making candidates more dependent on other sources of funds like PACs. Third, the 1974 amendments also allowed unions and corporations having government contracts to form PACs. Fourth, a 1975 Federal Elections Commission ruling held that companies could ask their employees and

Exhibit 6

# Explosive Growth in the Number of PACs



\* As of July 1, others are as of December 31.

SOURCE: ACIR graphic based on Federal Elections Commission data.

Exhibit 7

PAC GROWTH, 1974-84

Date	Committee Type						Total
	Corpo- rate	Labor	Trade/ Membership/ Health	Non- Connected	Cooper- ative	Corporation Without Stock	
12/31/74	89	201	318*				608
11/24/75°	139	226	357*				722
05/10/76†	294	246	452*				992
12/31/76	433	224	489*				1,146
12/31/77	550	234	438	110	8	20	1,360
12/31/78	785	217	453	162	12	24	1,653
08/00/79	885	226	483	206	13	27	1,840
12/31/79	950	240	514	247	17	32	2,000
07/01/80	1,107	255	544	309	23	41	2,279
12/31/80	1,206	297	576	376	42	56	2,551
07/01/81	1,253	303	580	442	38	64	2,678
12/31/81	1,329	318	616	531	41	68	2,901
07/01/82	1,417	350	629	628	45	82	3,149
12/31/82	1,469	380	651	723	47	103	3,371
07/01/83	1,514	379	666	740	50	114	3,461
12/31/83	1,538	378	645	793	51	122	3,525
07/01/84	1,642	381	665	940	53	125	3,803
12/31/84	1,682	394	698	1,053	52	130	4,009
07/01/85	1,687	393	694	1,039	54	133	4,000
12/31/85	1,710	388	695	1,003	54	142	3,992
07/01/86	1,734	386	707	1,063	56	146	4,092

° On November 24, 1975, the FEC issued Advisory Opinion 1975-23 "SUNPAC."

† On May 11, 1976, the President signed the FECA Amendments of 1976, PL 94-283.

\* For the years 1974-76, these numbers represent all other political committees. No further categorization is available.

SOURCE: FEC figures, July 14, 1986.

stockholders to contribute to the corporate PAC as long as no coercion was involved in the solicitation. Finally, in 1976 the Supreme Court struck down limits on independent spending (noncandidate contributions) by groups and individuals.

As a national law regulating the conduct of campaigns for national elective office, FECA is seldom thought of as having intergovernmental repercussions. Yet, those offices covered by FECA regulations, though national, are representative of single states or of districts within single states. Thus, they are of intense interest to states and localities and state and local constituencies.

Contrary to Madison's prognostications, then, what has in fact developed

is a vast proliferation of minority factions which, over the past two decades, have come to possess a national perspective. As a result, the party system that once provided broad channels for representing the interests of state and local officials in national policymaking has been, if not supplanted, then heavily subsidized by other political instrumentalities. Indeed, states and localities are now often viewed and treated similarly to the many other interest groups vying for position within the national decision-making arena.



# The Child Becomes Father to the Man

## MODERNIZATION AND NATIONALIZATION OF THE PARTIES

Noting Washington's growing dominance over the states in 1957, President Eisenhower said the irony was that the "national government was not the parent, but the creature, of the states acting together. Yet today it is often made to appear that the creature, Frankenstein-like, is determined to destroy the creator." Much the same could be said today relative to the national committees' relationship to their state and local party committees. Obviously, it would be foolish to suggest that either the Democratic or Republican national committees have sought to purposely weaken, let alone destroy, their own state and local parties. Yet, there are interesting parallels between the growth in the pre-eminence of the national government, and the growth of the national parties. As the national government was created by the states, the national political committees were created as confederations of state parties; and the shift in power to the national committees occurred concurrent with the shift in power from the states to Washington.

While this realignment may be considered detrimental from an intergovernmental perspective--centralizing both the political process and the policy-making process, with each reinforcing the other--from the overall perspective of the parties it may signal renewal. It is an indication that in the face of stiff challenges to many of their traditional roles and functions, political party organizations have not remained inactive and unchanging. Rather, they have creatively sought to adjust to the new candidate-centered political environment and to adapt the new electoral technologies to their own needs.

The Republican National Committee and its congressional counterparts have focused on enlarging their financial and professional resources and employing new electoral technologies, thus permitting them to assist greater numbers of candidates and to aid less developed state and local party organizations. The national Democratic committees have begun to emulate these efforts, after ini-

tially focusing on broadening participation in the presidential nominating process and expanding national authority over state parties. Such developments have clearly altered previous impressions of the national parties as weak and occasional entities. There is little question that the party system is in flux and that the traditional secondary role of the national parties is being permanently altered.

### The Republicans: Elephantine Resources

The Republican National Committee has engaged in a process of growing institutionalization for most of this century. Around 1920, the Committee began to supplement its ad hoc election-year staffing with a small core of permanent staff. By the 1950s, the RNC's paid staff averaged 98 during nonelection years. This number grew to an average of 125 during the 1960s, and by the latter 1970s, even more striking gains were being made. Responding in part to party weaknesses apparent in the wake of the Watergate scandal, the RNC launched a concerted effort to further expand its resource base and organizational capabilities. Staff expanded to 220 in the nonelection year of 1977.

The Committee's operating budget grew along similar lines, expanding from a 1965 level of \$1.5 million to \$9.7 million in 1978--an inflation-adjusted increase of over 300%. By 1984 the budget was a huge \$60 million, and even in the nonelection year of 1985 the budget was \$38.5 million. In large part, this monetary expansion reflected the RNC's innovative and effective efforts to develop a broadly based direct mail fundraising operation. Direct mail provided 81% of the RNC's receipts in 1978, up from 40% little more than a decade earlier. By 1982, the party's direct mail operations had established a group of 1.7 million reliable donors on which the party could draw financial support.

The enhancement of party resources has allowed the Republican National Committee and its Congressional counterparts to provide a broad array of services to both candidates and to its state and local committees. At the Congressional level, the party has shown unprecedented activity in identifying and training strong candidates to run in targeted districts. The party established a Campaign Management College to train candidates in the use of sophisticated new election techniques, and it began an aggressive program of candidate recruitment for key House and Senate races. Accordingly, this effort has significantly nationalized the party's candidate selection process.

Once recruited and trained, Republican Congressional candidates receive an



array of additional electoral services from the national Republican committees, from sophisticated polling and data analysis to fundraising assistance and help in attracting and coordinating PAC contributions. In recent years, the RNC also engaged in a television advertising campaign providing a nationwide political umbrella for Republican candidates. Most significant of all, however, has been the level of assistance provided by the national Republican campaign committees in Congressional elections. In the 1983-84 election cycle the RNC, the Republican Congressional Campaign Committee, and the Republican Senatorial Campaign Committee provided a combined \$4.8 million in direct contributions to candidates for U.S. House and Senate and an additional \$19.8 million in indirect expenditures on their behalf. Such contributions were more than double comparable spending by the Democratic committees (although the disparity was far less than the 4-to-1 gap in 1981-82). They also dwarfed the \$1.1 million in similar spending by Republican state parties.

The Republican National Committee has also become involved in numerous activities at the state and local levels. In addition to recruiting and assisting congressional candidates at the district level, a range of contributions and services has been provided to gubernatorial and state legislative candidates in selected races. In 1980, for example, the committee spent \$3 million in assisting more than 4,000 state legislative candidates, including direct financial contributions of \$1.7 million.

Beyond candidate support, the RNC has engaged in a variety of efforts to help modernize state and county party organizations and improve their fundraising and candidate assistance capabilities. It also launched a project to target local party aid to swing counties around the country. To help create "ongoing institutions" at the local level, a staff of regional political operatives help provide funds, technology, and training in effective communications and fundraising to local party officials. During the 1984 campaign, such assistance was supplemented with a multi-million-dollar effort to identify and register potential new GOP voters in contested states and localities.

#### The Democrats: Rules Before Resources

Although the Democratic National Committee, the Congressional campaign committees, and Democratic state and local parties lag far behind in fundraising and candidate contributions, they are making progress in catching up with their Republican counterparts. The \$98.5 million the Democrats raised in the 1983-84

election cycle nearly tripled the \$39.3 million they raised in 1981-82. (In comparison, the Republican committees experienced a 38% increase during the same period, from \$215 million to \$298.9 million.) In addition, the Democratic committees have sought to provide training, resources, and services to Congressional candidates, and to experiment with a modest program of national party advertisements.

The DNC has also launched efforts in recent years to help state parties modernize their activities and organizations. Since 1980, DNC officials and political consultants have worked with several groups of state parties to improve their technical, communications, voter registration, and fundraising capabilities. Like the Republicans, the Democrats have attempted to target such assistance to those state parties with relatively fewer independent resources, although both the levels of assistance given and the degree of targeting have been more modest.

Despite these recent emulations of the RNC, the Democratic party's process of nationalization began in a distinctly different fashion. Over the past several decades, the Democratic party has departed increasingly from the traditional confederative pattern of party structure--characterized by the legal independence and political autonomy of state and local party organizations--by asserting the national party's control over the Presidential delegate selection process and promoting broadened citizen participation in party affairs.

In a sense, the Presidential election of 1972 was the watershed for both parties' nationalization process. It was the year in which Watergate started, an event which in some measure led the RNC to beef up its operations; and it was the year in which the Democratic National Convention was conducted under the vastly expanded national party rules discussed earlier.

The precedent for the DNC rulemaking process actually began in the 1950s. In response to the 1948 success of defecting "Dixiecrats" in placing their candidate for President (Strom Thurmond) on the ballots of several southern states, efforts were made to assure loyalty from subsequent national party committee members and convention delegates on behalf of the party nominee. Included were required assurances by party members that they would help secure proper placement for the nominee on state ballots under the party's name.

In 1964, the Democratic national convention required that future state delegations to national conventions be selected in a nondiscriminatory fashion. This requirement formed the basis for unseating the formal Mississippi delega-

tion in 1968 and replacing it with an alternative delegation selected in accordance with party's rules. However, the major transformation in party rules and national party authority occurred after the 1968 convention. Quite apart from the sweeping substantive effects on the Presidential nominating process wrought by the Democratic party's reform efforts, the Presidential delegate selection reforms adopted by the McGovern-Fraser Commission firmly established a preeminent governing role for national party organs vis-a-vis state parties.

This preeminence was reaffirmed and strengthened in subsequent enforcement efforts. Although the new requirements did spur considerable dissatisfaction and resistance from some party regulars and state delegations, ironically such resistance had the ultimate effect of solidifying national party authority over state delegate selection processes. When the regular Cook County delegation to the 1972 Democratic convention, led by Chicago Mayor Richard Daley, was refused seating in favor of an insurgent delegation because of failure to comply with the new party guidelines, the regulars challenged the national party rules as conflicting with selection procedures established in state law. A unanimous decision by the Supreme Court upheld the national party's authority to establish its own delegate selection procedures. It held that the State of Illinois lacked a state interest in mandating an alternative delegate selection process sufficiently compelling to override the national party's rules, which are based on the constitutional right of free political association. The Court's recognition of broad national party authority in this case may ultimately rank among the most significant developments affecting the intergovernmental balance of power in party affairs, for both Democrats and Republican.

Beyond rulemaking in the delegate selection process, the Democratic National Committee has promulgated complicated by-laws governing the party between conventions. Included is the granting of official recognition (and attendant staff support) to interest group caucuses. Established in 1983, the procedure produced seven caucuses: Women, Blacks, Hispanics, Asian/Pacific, Lesbian/Gays, Liberal/Progressive, and Business/Professional. Other groups--such as American Indians, Farmers, and the Disabled--have also considered seeking recognition.

Because these groups, by definition, represent national constituencies, they have the potential of diverting the DNC's focus from state and local political concerns. For example, the chair of one of the caucuses is quoted as saying that, "I represent a lot of Democrats, as many as some state chair from Mississippi or some other state or region." What the caucuses do not represent,

however, are any specific electoral votes or elective offices. To the extent that the caucuses cannot be held accountable for election districts (either statewide or those defined by the states), state and local influence is diminished within the full DNC.

Another, though less important, distinction between the RNC and the DNC is the composition of its membership. Whereas the Republican National Committee is comprised exclusively of three members from each state (with the exception of officers), the Democratic National Committee weights its membership on the basis of population. Thus, the RNC is a pure federation of state parties, while the DNC is a proportionally representative body. In addition, the DNC grants voting membership to six "auxiliary" groups--e.g., the Young Democrats, the Conference of Democratic Mayors, and the National Federation of Democratic Women. For much the same reason as the caucuses, these members would naturally have a national political perspective, as opposed to a state and local one. (It should be noted that the RNC also reserves seats on its executive committee for auxiliaries, but they do not have a vote on the full committee.)

Evaluations of the national parties' contemporary status vary considerably. Pointing to the growing size, complexity, activity and authority of the national party committees, some analysts believe that American political parties are in the process of becoming integrated, centrally directed national organizations. Others maintain that national party enhancements and modernization have produced a more balanced system of mutual interdependence between the national and state parties. Whatever emphasis difference, there is no question that the balance of power and initiative among the national and state parties has shifted dramatically, superseding traditional characterizations of a highly decentralized party system. The national party committees are now permanent, well staffed organizations with multi-million-dollar annual budgets. And while such activism has sometimes produced tensions in both parties, the new relationships between the national and state parties have been firmly established and generally accepted.

Yet, if the rise in the national parties came at the expense of state and local parties, and if the previously discussed transformation in communications and proliferation of interest groups have produced a centralization of politics and government along the banks of the Potomac, then the quip about Washington weather might be applicable to the current status of the political parties: If you don't like it, wait a minute. A new confluence of forces may be in the process of again reshaping political processes.

# Factions Forward

## THE POSSIBLE EMERGENCE OF A NEW ERA OF MORE DECENTRALIZED POLITICS

If the centralization of the political process over the past two decades has been like watching a hundred-yard dash--it happened very quickly and was easy to observe--then the potential for a new era of more decentralized politics could well turn out to be like watching a cross-country run--it may take considerably longer, and may not be visible for long periods. Yet, there are unmistakable indications of impulses within the body politic for attention to revert to state and local governments and elected officials.

The 1984 Democratic National Convention, for instance, was conducted under a new rule which set aside over 500 delegate seats for members of Congress, governors, state legislators, and mayors. Indeed, so large a block was this "uncommitted" delegation that there was some speculation during the course of the 1984 primaries that it could eventually hold the balance of power at the convention. Obviously, this rule has the potential of rendering the primaries somewhat less important. More importantly from an intergovernmental perspective, it gives convention clout to elected party officeholders, including those at the state and local level. Nevertheless, a resolution adopted at the same convention called for an examination of continuing this category of delegate at future conventions because of the stated concern that "unpledged official delegates may create a [convention] which does not reflect the demographic composition of the national democratic electorate or the state democratic electorate." It will be instructive to see whether the thrust of this rule survives the challenge.

Also interesting on the Democratic side is a strong movement to eliminate the official caucuses. DNC Chairman Paul Kirk has promised to decertify them (in the face of strong opposition), and is quoted as saying that "the caucus system...is political nonsense." Arizona Governor Bruce Babbitt (a former ACIR member) has asked: "Wouldn't it be better to allow all of these groups to blos-

som on their own without subsidizing them and ossifying them?" The backlash against the caucuses is largely due to the concern of party leaders that they were unfairly charged with being "captives of the special interests" during the 1984 Presidential campaign. However, decertification would eliminate the potential nationalizing effect of this organizational feature as noted in the previous section.

On the Republican side, the strength of the RNC remains undiminished. However, state and local GOP parties are also formidable. During the 1983-84 election cycle, these committees reported \$43.1 million in receipts to the Federal Election Commission, up from \$24.5 million during the 1981-82 election cycle. Indeed, the \$43.1 million reported by the state and local GOP committees came close to equaling the \$46.6 million reported in 1983-84 by the Democratic National Committee (compared to the \$105.9 million reported by the RNC). It is also noteworthy that interest groups are beginning to focus more of their attention on state and local governments. Just as the tremendous growth in spending by the national government during the 1960s and 1970s generated an explosion of interest groups in Washington, the retrenchment in federal domestic spending is forcing them to rethink their strategies. Fred C. Doolittle of Princeton University has observed that with many states in relatively good financial health at the same time Washington is deficit ridden, "many lobbyists are finding their way back to the state capitol." The fiscal austerity imposed on the national government has diminished special interest effectiveness with Congress at the very time that they have a potential for success with state and local governments. As former Senate Budget Committee Staff Director Stephen E. Bell has noted: "In the age of Gramm-Rudman-Hollings, traditional lobbying for increases in [federal domestic] programs is irrelevant." No longer do most lobbyists hope to achieve real increases from Congress year after year; nor do many even realistically hope to keep pace with inflation. Rather, the plea now frequently heard in the halls of Congress is "freeze me, freeze me" (at current levels).

Perhaps the most revolutionary development with the potential for fostering a decentralization of politics and government is the recent advances in communications. It was noted earlier that advances in communication methods have historically altered the conduct of American politics and each development has tended to have a nationalizing effect. But past advances, such as moveable type, the telegraph, radio, and television, have accrued to the control of the few-- from the man who could afford to own the printing press, to Western Union, to

ABC, CBS, and NBC. The most recent advances, conversely, are available to the many--or at least many more.

In the case of television there is, of course, the much discussed alternative to broadcast (and limited outlet) television: cable. While cable has provided the means for more specialized and localized programming, it has not generally lived up to initial expectations. What is perhaps more significant in the long-term is satellite transmission. Already, companies are in operation to deliver specified programming on a fee basis, and the potential number of signals is infinite. There is also an attempt to start a fourth major network (Fox Television). Whether Fox will succeed where others have failed is conjecture, but along with all the other new television outlets, it does mean that the three major networks are going to face new competitive forces that they have never seen before. None of this is to predict immediate panic selling of ABC, CBS, and NBC stock on Wall Street; but from an intergovernmental perspective it means that more and more programming (and presumably news coverage) will originate outside Washington and New York. Should this, in turn, give a more local orientation to aggregate news coverage, it may make television more available to state and local parties.

Of equal, if not greater, importance for diversifying the nation's communications system is the advent of the personal computer. Even in its infancy, this invention has engendered hundreds of electronic "bulletin boards" established by specialized groups ('55 Chevy owners, e.g.) wishing to share information. With equal ease, this inexpensive method of instant mass communication and mobilization can be used by political interest groups, no matter how broad or how narrow. Grassroots movements can take hold outside of media centers, and be spread to other states while bypassing the nation's capital.

Though ambiguous and disparate, two final circumstances need to be noted. First, despite the decline in voter turnout noted earlier, electoral participation in referenda and ballot initiatives has recently soared (to the upper 70%) in certain states. It is unclear whether this merely represents a passion for direct democracy, or a general revitalization of voter awareness. If the latter, state and local parties may have an opportunity to reclaim the loyalty of a less apathetic electorate. Secondly, there is the continuing possibility of judicial challenge concerning the status of parties. In the 1981 case of Democratic Party of the U.S. v. La Follette (ironically a case in which the DNC won authority to impose delegate selection procedures on the Wisconsin Democratic

Party, and supersede state law), the Supreme Court held that the parties are basically private, as opposed to public, institutions. Such being the case, state laws regulating and impinging on the conduct of party affairs may be open to challenge.

Whether the sum of these developments amounts to a new era of decentralized politics or merely a cosmetic face lift for factions is, of course, impossible to predict. In the final analysis, the answer will probably turn on what works in winning elections. As the political process centralized in large part because the parties and individual politicians gravitated to new power bases, decentralization is likely to occur (or not occur) for the same reason.

However, in a governmental system rooted in federalism, and in a political system ingrained with parties, the desirability of strong political institutions at all levels is evident. Vibrant political parties at the state and local levels can help advance the very aspects of good government that federalism was intended to promote: diversity, accountability, responsibility, and efficiency.



# Summary Findings

The Commission's review of the transformation in American politics and its implications for federalism yielded six summary findings.

Throughout much of American history, the strongly decentralized structure of the political parties helped maintain a balance between national, state, and local authority.

Over the past 25 years, changes in American politics have reduced the role of parties in the electoral system and have enhanced the role of rival institutions that perform many of the parties' traditional functions.

Historic changes in communications media--especially the rise of television over the past four decades--have focused more attention on Washington and have contributed to changes in the conduct of politics.

Organized interest groups active in Washington have proliferated in number, diversified in form, and adopted new political techniques for influencing government.

New styles of politics have added to the costs of campaigning and have dramatically changed the sources of campaign funding. Efforts to reform campaign finance procedures, however, have frequently had unintended consequences and have tended to favor one set of political actors over another.

Both political parties have begun to adapt to their new political environment over recent years, with the national party organizations assuming a leadership role in many aspects of party modernization. Although many state and local parties have made significant efforts to enhance their capabilities and services, there remains considerable variation in organizational capacity and levels of activity.



# Recommendations

## Recommendation 1

### ENACTING NEW AND MODIFYING EXISTING STATE LAWS AFFECTING POLITICAL PARTIES' ROLES IN NOMINATIONS AND ELECTIONS

The Commission finds that the decentralized nature of American political parties has historically served as an important instrument in maintaining a balanced federal system by ensuring that nationally elected officials remained responsive to legitimate state and local concerns. The Commission is concerned, however, that the relative influence and effectiveness of many state and local party organizations has declined in recent years, partly as a result of diverse state actions aimed at reducing party influence or minimizing political abuses. The Commission believes that reinvigorated state and local party organizations are vital to the improved performance of our federal system. Therefore,

The Commission recommends that the states examine and modify all applicable state statutes which inhibit the ability of state and local party organizations to compete effectively for popular support, to exercise greater responsibility for selecting party nominees, and to participate effectively in electoral campaigns.

Specifically, the Commission recommends that consideration be given to:

- a) permitting parties to decide whether to employ the convention or primary method of nomination,
- b) allowing parties to hold pre-primary endorsement conventions in those states that mandate the primary system of nomination, with primary ballots indicating which candidates have received their party's endorsement,
- c) providing voters the opportunity to vote a straight party ticket on the general election ballot, and
- d) enacting statutes that prohibit candidates who contest but fail to win a party's nomination for state and local office from running in the general election under another party label.

The Commission further recommends that states consider methods of simplifying the voter registration process and providing parties improved access to voter registration lists.

Recommendation 2

REFORMING STATE REGULATION OF THE INTERNAL ORGANIZATIONAL STRUCTURE, COMPOSITION, AND PROCEDURES OF POLITICAL PARTIES

The Commission finds that all but five of the states regulate some aspect of state parties' internal operating procedures, composition, and organizational structures, and that a large majority of the states regulate party activities heavily. The Commission believes that many of these regulations have contributed significantly to the erosion of state parties' historic role of promoting effective representative democracy and balanced federalism by inhibiting the ability of political parties to work effectively as responsible political organizations. Therefore,

The Commission recommends that the states examine all applicable state statutes regulating the internal procedures, composition, and organizational structures of state parties and modify or eliminate those statutes that interfere with developing independent, vigorous, and responsible state political parties.

Recommendation 3

CHANGING THE STATUS OF STATE AND LOCAL PARTIES UNDER THE FEDERAL ELECTION CAMPAIGN ACT

In 1979, Congress amended the Federal Election Campaign Act of 1971 (FECA) to allow state and local party committees to purchase, without limit, on behalf of their national nominees, such items for use in volunteer activities as bumper stickers, buttons, handbills, brochures, posters, and yard signs. Moreover, state and local party groups were authorized to carry on voter registration and get-out-the-vote drives for Presidential candidates without financial limitation. The Commission applauds these efforts to lift certain restrictions on state and local parties under the federal campaign finance law.

The Commission notes, however, that, with regard to many other activities and races, state and local parties continue to be treated in almost the same manner under FECA as nonparty, multicandidate committees. Such treatment has resulted in the relative strengthening of national parties while simultaneously enervating state and local party organizations. Therefore,

The Commission recommends that state and local party committees be afforded the same exemptions under the provisions of the Federal Election Campaign Act (FECA) as the national level party committees. In particular, the Commission recommends that the Federal Election Commission (FEC) eliminate its "anti-proliferation" rules as they apply to the contribution and expenditure limitations imposed on state and local party committees. [As a further step toward strengthening state and local parties, the Commission recommends that Congress amend FECA to permit state and local party committees to make higher expenditures on behalf of their candidates for the U.S. House of Representatives and the U.S. Senate.]

#### Recommendation 4

##### ASSURING POLITICAL PARTY ACCESS TO THE MEDIA

Television has come to play a major role in political campaigns. Although this medium can be a very useful tool for presenting information about political issues, the Commission finds that most media campaigns stress the personal views and characteristics of individual candidates, rather than the position of their affiliated parties. Moreover, although present federal law assures that candidates for federal office are allowed reasonable access to broadcast advertising, it does not recognize the crucial role played by political parties in the operation of democratic government. Therefore,

The Commission recommends that Section 312(a)(7) of the Communications Act of 1934 be amended to require that television broadcast stations allow bona fide national, state, and local political party organizations the opportunity to purchase reasonable amounts of broadcast time to present party platforms and policy positions. The Commission further recommends that Section 315(b) of the act be amended to provide that the charges broadcast stations levy on political party organizations for these uses not exceed the lowest unit charge of the station for the same class and amount of time for the same period, as is presently guaranteed individual candidates for public office.

#### Recommendation 5

##### REALIZING THE POTENTIAL OF CABLE TELEVISION IN COMMUNITY AFFAIRS

The Commission believes that effective government at any level depends upon adequate communications between public officials and the citizens they represent. Unlike past technological innovations affecting the media, many of which have had a centralizing influence, cable television offers significant opportunities for increasing citizen awareness and participation in community politics. However, the civic potential of this new medium has not been fully realized, in

part, because of a lack of sufficient interest and commitment by all parties concerned. Therefore,

The Commission recommends that local governments, citizen groups, and the cable television industry make greater effort to use cable television as a mechanism for involving citizens in local government activities.

# Appendices

Appendix A

COMPILATION OF STATE LAWS REGULATING THE PARTIES

<u>State</u>	<u>State Committee Selection</u> <u>1/</u>	<u>State Commit- tee Compo- sition</u> <u>2/</u>	<u>State Committee Meeting Date</u> <u>3/</u>	<u>State Committee Internal Rules</u> <u>4/</u>	<u>Local Committee Selection</u> <u>5/</u>	<u>Local Commit- tee Compo- sition</u> <u>6/</u>	<u>Local Committee Rules or Activities</u> <u>7/</u>	<u>Cummulative Regulatory Index Score</u> <u>8/</u>
Alabama							1	1
Alaska								0
Arizona	1	2	2	1	2	2	1	11
Arkansas	1				2		2	5
California	1	1	2	2	2	1	2	11
Colorado	1	1		1	2	1	2	8
Connecticut						2	1	3
Delaware								0
Florida		1	1	1		1	1	5
Georgia							1	1
Hawaii								0
Idaho	1	2			2	2	1	8
Illinois	2	2	2	2	2	2	1	13
Indiana	1	2	1	1	2	2	1	10
Iowa	1	2			1	2	2	8
Kansas	1	1	2	2	2	2	2	12
Kentucky								0
Louisiana	2	2	2	1	2	2	2	14
Maine	1		1		1		1	4
Maryland	1	2	1	1	2	2	2	11
Massachusetts	2	2	1	1	2	2	1	11
Michigan	1	2		1	2	2	2	10
Minnesota						2	1	3
Mississippi	1	2		1	2	2	1	9
Missouri	1	2	2	1	2	2	1	11
Montana	1	2			2	2	2	9
Nebraska	1				2		1	4
Nevada	1	2		1	1	2	2	9
New Hampshire	1				2		1	4
New Jersey	2	2	1	2	2	2	1	12
New Mexico							1	1



<u>State</u>	<u>State Committee Selection</u> 1/	<u>State Commit- tee Compo- sition</u> 2/	<u>State Committee Meeting Date</u> 3/	<u>State Committee Internal Rules</u> 4/	<u>Local Committee Selection</u> 5/	<u>Local Commit- tee Compo- sition</u> 6/	<u>Local Committee Rules or Activities</u> 7/	<u>Cummulative Regulatory Index Score</u> 8/
New York	2		1	2	2	2	2	11
North Carolina								0
North Dakota	1	1	1	2	1	2	2	10
Ohio	2	2	1	2	2	2	2	13
Oklahoma							1	1
Oregon	1	2	1	1	2	1	2	10
Pennsylvania	2	2	1	1			1	7
Rhode Island				1	2	2	1	6
South Carolina	1	2		1		2	2	8
South Dakota	1	2			2	2	1	8
Tennessee	2	2	2	1	1	2	1	11
Texas	1	2	1	2	2	2	2	12
Utah	1	2		1	1	2	1	8
Vermont	1	2	1	1	1	2	1	9
Virginia							1	1
Washington	1	2			2	2	2	9
West Virginia	2	2	1	1	2	2	1	11
Wisconsin	1	2			2	2	2	9
Wyoming	1	2	1	2	2	2	2	12

NOTE: A "2" indicates heavy regulation, a "1" indicates modest regulation.

- 1/ Does state law mandate the manner of selecting the parties' state central committees?  
2/ Does state law in any way mandate the composition of the parties' state central committee?  
3/ Does state law mandate when the parties' state central committees will meet?  
4/ Does state law mandate any of the internal rules and/or procedures concerning the actions of the parties' state central committees?  
5/ Does state law mandate the manner of selecting the parties' local organizations?  
6/ Does state law mandate the composition of the parties' local organizations?  
7/ Does state law mandate any of the internal rules or activities of local party organizations?  
8/ Compiled from data presented in Figures 4-2 through 4-10 of the full report. Minimum score is 0, maximum score is 14.

SOURCE: The state's annotated statutes, 1984.

Appendix B

COMPILATION OF STATE LAWS GOVERNING THE PARTIES' ROLE IN THE ELECTORAL PROCESS

<u>State</u>	<u>Convention</u> <u>1/</u>	<u>Party</u> <u>Endorsement</u> <u>2/</u>	<u>Closed</u> <u>Primaries</u> <u>3/</u>	<u>"Sore</u> <u>Loser"</u> <u>Provision</u> <u>4/</u>	<u>Straight</u> <u>Party</u> <u>Ballot</u> <u>5/</u>	<u>Cummulative</u> <u>Party Support</u> <u>Index Score</u> <u>6/</u>
Alabama	2	1	1		2	6
Alaska		1				1
Arizona		1	2	2		5
Arkansas		1	1	2		4
California			2	2		4
Colorado	2	2	2	2		8
Connecticut	2	2	2		2	8
Delaware		2	2	2		6
Florida			2			2
Georgia	2	1	1		2	6
Hawaii		1				1
Idaho		1		2		3
Illinois		1	1		2	4
Indiana	1	1	1	2	2	7
Iowa	1	1	2		2	6
Kansas		1	2			3
Kentucky		1	2	2	2	7
Louisiana		1				1
Maine		1	2	2		5
Maryland		1	2	2		5
Massachusetts		1	2	2		5
Michigan	1	1		2	2	6
Minnesota		1		2		3
Mississippi		1	1			2
Missouri		1	1	2	2	6
Montana		1				1
Nebraska		1	2	2		5
Nevada		1	2			3
New Hampshire		1	2		2	5
New Jersey		1	2			3
New Mexico		2	2	2	2	8
New York	2	2	2			6

Appendix B (cont.)

COMPILATION OF STATE LAWS GOVERNING THE PARTIES' ROLE IN THE ELECTORAL PROCESS

<u>State</u>	<u>Convention</u> <u>1/</u>	<u>Party</u> <u>Endorsement</u> <u>2/</u>	<u>Closed</u> <u>Primaries</u> <u>3/</u>	<u>"Sore</u> <u>Loser"</u> <u>Provision</u> <u>4/</u>	<u>Straight</u> <u>Party</u> <u>Ballot</u> <u>5/</u>	<u>Cumulative</u> <u>Party Support</u> <u>Index Score</u> <u>6/</u>
North Carolina		1	2	2	2	7
North Dakota		2		2		4
Ohio		1	2	2		5
Oklahoma		1	2		2	5
Oregon		1	2	2		5
Pennsylvania		1	2	2	2	7
Rhode Island		2	1		2	5
South Carolina	2	1	1	2	2	8
South Dakota	1	1	2		2	6
Tennessee		1	1	2		4
Texas		1	1		2	4
Utah	2	2		2	2	8
Vermont		1				1
Virginia	2	1	1			4
Washington		1		2		3
West Virginia		1	2		2	5
Wisconsin		1			2	3
Wyoming		1	2	2		5

NOTE: A "2" indicates heavy regulation, a "1" indicates modest regulation.

1/ Does the state allow or require party conventions?

2/ Does the state require or specifically allow parties to make preprimary candidate endorsements?

3/ Does the state have a closed primary?

4/ Does the state have a "sore loser" provision?

5/ Does the state provide a straight party voting mechanism on its ballot?

6/ Compiled from data presented in Tables 4-23 through 4-27 of the full report. Minimum score is 0, maximum score is 10.

SOURCE: ACIR staff compilation.

Appendix C

REGULATIONS AND LIMITATIONS ON POLITICAL FINANCE BY THE STATES

<u>State</u>	<u>Reporting Provisions</u>	<u>Contribution Limit</u>	<u>Prohibited Contributions</u>	<u>Expenditure* Limit</u>
<u>Alabama</u>	After each election	None	Anonymous donors, in name of another	None
<u>Alaska</u>	Before and after election	\$1,000 per year to single candidates	Anonymous donors, in name of another	None
<u>Arizona</u>	Before and after election	None	Corporations, labor unions	None
<u>Arkansas</u>	Before and after election	\$1,500 per candidate per election	Anonymous donors, cash over \$50	None
<u>California</u>	Before and after election	None	Anonymous donors, in name of another, cash over \$100	None
<u>Colorado</u>	Before and after election	None	Anonymous donors, cash over \$100	None
<u>Connecticut</u>	Before and after election	Governor \$2,500; amount differs for other offices; aggregate limit of \$15,000 per primary or general election	Anonymous donors, corporations, labor unions, in name of another, cash over \$50	None
<u>Delaware</u>	Before and after election	\$1,000 per candidate for statewide elections; \$500 in other elections	Anonymous donors, in name of another, cash over \$50	None
<u>Florida</u>	Before and after election	\$3,000 per candidate per election for statewide candidates; \$1,000 for legislative candidates and political committees	Anonymous donors, in name of another, cash over \$100	None
<u>Georgia</u>	Before and after election	None	In name of another	None
<u>Hawaii</u>	Before and after election	\$2,000 per candidate per election	Anonymous donors, in name of another, cash	Governor \$1.25 times total

over \$2,000

number of registered voters in preceding general election; amount differs for other offices

<u>Idaho</u>	Before and after election	\$3,000 per candidate per election	Anonymous donors, in name of another	None
<u>Illinois</u>	Before and after election	None	Anonymous donors, in name of another	None
<u>Indiana</u>	Before and after election	None	In name of another	None
<u>Iowa</u>	Before and after election (quarterly reports)	None	Anonymous donors, corporations, in name of another	None
<u>Kansas</u>	Before and after election	\$3,000 per election to candidate for statewide office; \$750 for state legislative office	Anonymous donors, in name of another, other	None
<u>Kentucky</u>	Before and after election	\$3,000 per candidate per election	Anonymous donors, corporations, in name of another, cash over \$100, other	None
<u>Louisiana</u>	Before primary; before and after general election	None	Cash over \$100	None
<u>Maine</u>	Before and after election	\$1,000 per candidate per election; aggregate ceiling of \$25,000 per calendar year	In name of another	None
<u>Maryland</u>	Before and after election	\$1,000 per candidate per election; \$2,500 aggregate limit; \$2,500 per ballot question per election	Anonymous donors, cash over \$99	Governor and Lt. Governor \$.10 times statewide population for each primary and gen-

Appendix C (cont.)

REGULATION AND LIMITATIONS ON POLITICAL FINANCE BY THE STATES

State	Reporting Provisions	Contribution Limit	Prohibited Contributions	Expenditure* Limit
<u>Massachusetts</u>	Before and after election	\$1,000 per candidate per year; also to political parties and committees	Anonymous donors, corporations, in name of another, cash over \$50, other	None
<u>Michigan</u>	Before and after election	\$1,700 per statewide candidate per election; \$450 per state senate candidate; \$250 per state representative candidate	Anonymous donors, corporations, cash over \$20	Governor \$1 million for primary and general election
<u>Minnesota</u>	Before and after election	Candidates for Governor \$60,000 in an election year and \$12,000 in a nonelection year; amount differs for other offices	Anonymous donors, corporations, other	Governor \$600,000; amount differs for other offices
<u>Mississippi</u>	Before and after election	None, except \$250 aggregate limit for specified judicial primaries	None	None
<u>Missouri</u>	Before and after election	\$10,000 per candidate; aggregate of \$50,000 per year	Anonymous donors, in name of another, cash over \$50, other	None
<u>Montana</u>	Before and after election	Governor and Lt. Governor \$8,000; other statewide offices \$2,000; amount varies for other offices	Anonymous donors, corporations, in name of another	None

eral election; amount differs for other offices

<u>Nebraska</u>	Before and after election	None	Anonymous donors, in name of another, cash over \$50	None
<u>Nevada</u>	Before and after election	None	Other	None
<u>New Hampshire</u>	Before and after election	None	Anonymous donors, corporations, labor unions, government employees	None
<u>New Jersey</u>	Before and after election	Governor \$800 per candidate per primary or general election	Anonymous donors, in name of another, other	General election \$.70 per voter in last Presidential election (maximum of \$2.1 million per candidate); Primary \$.35 per voter in last Presidential election (maximum \$1.05 million)
<u>New Mexico</u>	Before and after election	None	Other	None
<u>New York</u>	Before and after election	Aggregate of \$150,000 per year; statewide elections limited to total number of registered voters times \$.005; primary and other offices vary in amount	Anonymous donors, in name of another, cash over \$100	None
<u>North Carolina</u>	Before and after election	\$4,000 per candidate per election	Anonymous donors, corporations, in name of another, labor unions, other	Media limit of \$.10 times voting age population
<u>North Dakota</u>	Before and after election	None	Corporations, in name of another	None

Appendix C (cont.)

REGULATIONS AND LIMITATIONS ON POLITICAL FINANCE BY THE STATES

<u>State</u>	<u>Reporting Provisions</u>	<u>Contribution Limit</u>	<u>Prohibited Contributions</u>	<u>Expenditure* Limit</u>
<u>Ohio</u>	Before and after election	None	Corporations, government contractors, cash over \$100	None
<u>Oklahoma</u>	Before and after election	\$5,000 per statewide candidate, organization, or political party; \$1,000 to candidate for local office	Corporations	None
<u>Oregon</u>	Before and after election	None	Anonymous donors, corporations, in name of another	None
<u>Pennsylvania</u>	Before and after election	None	Anonymous donors, corporations, in name of another, labor unions, cash over \$100; other	None
<u>Rhode Island</u>	Before and after general or special election	None	Anonymous donors	None
<u>South Carolina</u>	After election	None	None	None
<u>South Dakota</u>	Before and after election	\$1,000 per year to any statewide candidate; \$250 per year to any county and legislative office; \$3,000 per year to any political party	Corporations, labor unions	None
<u>Tennessee</u>	Before and after election	None	Corporations	None
<u>Texas</u>	Before and after election	None	Anonymous donors, corporations, in name of	None



<u>Utah</u>	Before and after election	None	another, labor unions, cash over \$100	Media limit for Governor of \$100,000; amount differs for other offices
<u>Vermont</u>	Before and after election	\$1,000 for statewide offices and legislature	Cash over \$25	None
<u>Virginia</u>	Before and after election	None	Anonymous donors, in name of another	None
<u>Washington</u>	Before and after election	None	None	None
<u>West Virginia</u>	Before and after election	\$1,000 per election	Anonymous donors, corporations, government contractors, in name of another, cash over \$50	None
<u>Wisconsin</u>	Before and after election	Aggregate limit of \$10,000 per year to candidates for state and local office and committees; amount varies	Anonymous donors, corporations, in name of another, cash over \$50	Governor \$276,550 for primary and \$645,250 for general election; amounts vary for other offices
<u>Wyoming</u>	After each election	\$1,000 per candidate for two-year campaign period; \$25,000 aggregate ceiling	Corporations, labor unions, other	None

\*Although other states may still have expenditure limits on the books, only those states that provide for public funding of candidates or political parties are permitted expenditure limits. See Buckley v. Valeo, 424 U.S. 1 (1976).

SOURCES: Herbert E. Alexander and Jennifer W. Frutig, Public Financing of State Elections: A Data Book and Election Guide to Public Funding of Political Parties and Candidates in Seventeen States (Los Angeles: Citizens' Research Foundation, 1982); and The Council of Governmental Ethics, The Council of State Governments, Campaign Finance, Ethics, and Lobby Law: Blue Book, 1984-85 (Lexington, KY: The Council of State Governments, 1984).

## Appendix D

STATES WITH PUBLIC FUNDING PROVISIONS

<u>State</u>	<u>Year Passed</u>	<u>Source of Funds</u>	<u>Funds Allocated To</u>	<u>Offices Covered</u>	<u>Distribution Timing Or Type of Election</u>
Alaska*	1981	Tax Refund	Candidate	National, Statewide, District, Local, Ballot Propositions	Not Applicable
California**	1982	Add-On	Party	Not Applicable	Annual
Hawaii	1978	Check-Off	Candidate	Statewide, District, Mayors, Others	Primary and General
Idaho	1975	Check-Off	Party	Not Applicable	Biennially: Even-Numbered Years
Indiana***		License Plate	Party	Not Applicable	Not Applicable
Iowa	1973	Check-Off	Party	Not Applicable	Annual
Kentucky	1976	Check-Off	Party	Not Applicable	Annual
Maine	1973	Add-On	Party	Not Applicable	Parties: Periodically Upon Request
Maryland†	1974	Add-On	Candidate	Statewide, District, Qualified Local	Primary and General
Massachusetts	1975	Add-On	Candidate	Statewide	Primary and General
Michigan	1976	Check-Off	Candidate	Governor	Primary and General
Minnesota	1974	Check-Off	Candidate	Statewide, District	General
Montana	1975	Add-On	Candidate	Statwide: Executive and Judicial	General
New Jersey	1974	Check-Off	Candidate	Governor	Primary and General
North Carolina	1975	Check-Off	Party	Not Applicable	Annual

Oklahoma††	1978	Check-Off	Party and Candidate	Parties and Statewide	General
Oregon†††	1977	Check-Off	Party	Not Applicable	Annual
Rhode Island	1973	Check-Off	Party	Not Applicable	Annual
Utah	1973	Check-Off	Party	Not Applicable	Annual
Wisconsin	1977	Check-Off	Candidate	Statewide and District	General

\*Contributors to candidates for President, Vice President, U.S. Senator from Alaska, U.S. Representative from Alaska, governor, lieutenant governor, state legislature, delegate to state constitutional convention, and local office and for electoral confirmations, for groups seeking to influence ballot propositions, and for dues paid to nonprofit groups formed to influence elections in the state may receive a cash tax refund not to exceed \$100.

\*\*In 1982, California enacted the Election Campaign Fund Act to become effective on January 1, 1983. The law provides for an income tax add-on. Taxpayers may contribute \$1, \$5, \$10, or \$25 by adding that amount to their tax liability and designating a political party. The contribution is not tax deductible. Qualified political parties receive payments from the fund to be distributed to candidates for state office in general elections.

\*\*\*Indiana funds the party in power through county license branch profits (\$320,000 was reported in 1984 to have gone to the Republican party) and offers both parties a split of revenues derived from vanity license plate sales.

†Maryland has postponed the disbursement of funds until January 1, 1986, and suspended its income tax add-on provision.

††For all practical purposes, Oklahoma's law is defunct. In Democratic Party of Oklahoma v. Estop, Okl., 625 P. 2d 271, the Oklahoma Supreme Court declared the Oklahoma Campaign Finance Act to be devoid of any articulate pronouncement of legislative policy that embodies standards or guidelines capable of administrative implementation. The Court said the legislature would have to correct the deficiency. It has not. Thus, while the statute remains on the books, it cannot be implemented.

†††Statutory authority for Oregon's public funding law expired in 1981.

SOURCES: Herbert E. Alexander and Jennifer W. Frutig, Public Financing of State Elections: A Data Book and Election Guide to Public Funding of Political Parties and Candidates in Seventeen States (Los Angeles: Citizens' Research Foundation, 1982); and The Council on Governmental Ethics, The Council of State Governments, Campaign Finance, Ethics, and Lobby Law: Blue Book, 1984-85 (Lexington, KY: The Council of State Governments, 1984).







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The Advisory Commission on Intergovernmental Relations (ACIR) was created by the Congress in 1959 to monitor the operation of the American federal system and to recommend improvements. ACIR is a permanent national bipartisan body representing the executive and legislative branches of Federal, state, and local government and the public.

The Commission is composed of 26 members—nine representing the Federal government, and three representing the public. The President appoints 20—three private citizens and three Federal executive officials directly and four governors, three state legislators, four mayors, and three elected county officials from slates nominated by the National Governors' Association, the Council of State Governments, the National League of Cities/U.S. Conference of Mayors, and the National Association of Counties. The three Senators are chosen by the President of the Senate and the three Congressmen by the Speaker of the House.

Each Commission members serves a two year term and may be reappointed.

As a continuing body, the Commission approaches its work by addressing itself to specific issues and problems, the resolution of which would produce improved cooperation among the levels of government and more effective functioning of the federal system. In addition to dealing with the all important functional and structural relationships among the various governments, the Commission has also extensively studied critical stresses currently being placed on traditional governmental taxing practices. One of the long range efforts of the Commission has been to seek ways to improve Federal, state, and local governmental taxing practices and policies to achieve equitable allocation of resources, increased efficiency in collection and administration and reduced compliance burdens upon the taxpayers.

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