



THE TRANSFORMATION IN AMERICAN POLITICS:

Implications for Federalism



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A COMMISSION REPORT

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PREFACE*

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.

Accentuating the timeliness and significance of this topic was a 1985 Supreme Court decision in Garcia v. San Antonio Metropolitan Transit Authority. In that case, 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, while 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?

This report suggests that one method for restoring constraints on the national government is by revitalizing state and local political parties. As the text reveals, the connection between the political process and the governing process is inseparable. No republic can flourish without enduring political instrumentalities which transform the public's wishes into governmental actions, and despite shortcomings, American political parties have historically fulfilled this vital function. Until quite recently, they also played a positive role in

*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.

maintaining a balance of power among the different levels of government.

Examined in the report are several intertwined phenomena which have contributed to the supplantation of political parties' traditional functions: decline in voter identification with the two major parties, the rise of the independent politician, television's nationalizing influence on politics, the proliferation of special interest groups, the revolution in campaign finance, and the growth of the national parties at the expense of state and local parties. A separate chapter traces the evolution of political parties throughout American history. The report, and attendant recommendations, were adopted at the Commission's September 1985 meeting.

Robert B. Hawkins, Jr.
Chairman

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Full responsibility for the content and accuracy of the report rests, of course, with the Commission and its staff.

John Shannon
Executive Director

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Chapter 1

FEDERALISM AND AMERICAN POLITICS: NEW RELATIONSHIPS IN A CHANGING SYSTEM

American political institutions have undergone enormous changes in recent years, changes of such magnitude that prominent scholars now speak regularly of a "new" American political system, the "changing" American voter, the evolution of a "new Congress," "transformations" of the American party system, the rise of a "new federalism," and the "nationalization" of state government.^{1/} If one attempted to distill a single message from such works, it might be that government--especially at the national level--is doing more, yet people seem to be enjoying it less. Power is more widely and, in many ways, more democratically dispersed, yet public confidence in governmental institutions is down, participation in elections has declined, and people's sense of political efficacy has diminished.

One area in which these trends of change and underlying discontent are particularly evident is that of federalism and intergovernmental relations. Changes in intergovernmental relations have been so substantial that some respected scholars now believe the United States no longer has a truly federal form of government but has become instead a decentralized unitary state.^{2/} Although this diagnosis may be premature, both structural and political cen-

^{1/} See The New American Political System, Anthony King, ed. (Washington: American Enterprise Institute, 1978); Norman Nie, Sidney Verba, and John Petrocik, The Changing American Voter (Cambridge, MA: Harvard University Press, 1976); The New Congress, Thomas Mann and Norman Ornstein, eds. (Washington: American Enterprise Institute, 1981); Everett C. Ladd, Jr. and Charles Hadley, Transformations of the American Party System (New York: W.W. Norton, 1975); Michael Reagan, The New Federalism (New York: Oxford University Press, 1972); and The Nationalization of State Government, Jerome Hanus, ed. (Lexington, MA: D.C. Heath, 1981).

^{2/} See for example, Theodore J. Lowi, "Europeanization of America? From United States to United State," in Theodore J. Lowi and Alan Stone, eds., Nationalizing Government: Public Policies in America (Beverly Hills, CA: Sage Publications, 1978); and Stephen L. Schechter, "The State of American Federalism in the 1980s," in Robert B. Hawkins, Jr., ed., American Federalism: A New Partnership for the Republic (San Francisco: Institute for Contemporary Studies, 1982).

tralization have occurred in the federal system. Most attention to date has focused on the former: structural changes in the scope, methods, financing, and degree of intergovernmental sharing of public services. Developments in this area have been studied and documented extensively by this Commission, among others, in its treatments of The Intergovernmental Grant System; The Federal Role in the Federal System: The Dynamics of Growth; and Regulatory Federalism: Policy, Process, Impact, and Reform.^{3/} In depicting the evolution of intergovernmental relations between 1960 and 1980, such studies have traced, among other things:

- o the expansion of federal involvement into virtually all existing fields of governmental activity--including many of the most traditionally local ones--and the stimulation of new public functions;
- o the relative shift in the locus of policy initiation and decision making to the national level;
- o the growing numbers and expenditures of federal grants to state and local governments;
- o increased state and local financial dependence on federal aid;
- o the growing tendency of federal aid to bypass states and go directly to a multiplicity of local governments;
- o the creation and rapid expansion of new and increasingly intrusive forms of federal regulation of state and local governments; and
- o the expanded caseload, reach, and nationalizing thrust of the federal judiciary.

These developments have strengthened the role of the federal government vis-a-vis state and local governments. At the same time, such studies have also documented a number of countervailing tendencies that indicate areas of continued state and local vitality and opportunities for independent decision making:

- o Increased federal assistance has been accompanied by, and has helped to stimulate concomitant growth in state and local spending and employment.

^{3/} Advisory Commission on Intergovernmental Relations (ACIR), The Intergovernmental Grant System, 14 vols. (Washington: U.S. Government Printing Office, 1977-1978); ACIR, The Federal Role in the Federal System: The Dynamics of Growth, 11 vols. (Washington: U.S. Government Printing Office, 1980-81); ACIR, Regulatory Federalism: Policy, Process, Impact, and Reform, A-95 (Washington: U.S. Government Printing Office, 1984).

- o State and local governments have greatly expanded their involvement in certain federally inspired activities like public employment, job training, and many aspects of environmental regulation.
- o State and local administrators continue to dominate the actual delivery of most domestic services.
- o Dramatic extensions of civil rights protections and the reapportionment of state legislatures have made state governments far more representative of their citizens.
- o State and local governments have substantially expanded national lobbying efforts using public interest groups.
- o The cumulative impact of multiple grants to individual state and local governments sometimes produces greater fiscal flexibility and discretion.
- o The consolidation of many narrow categorical grants into broader and more flexible block grants has helped mitigate some of the negative effects of the federal aid system in certain areas.

Nevertheless, most observers agree that the net effect of recent developments in intergovernmental relations has been strongly centralizing in character, and the relative extent of state-local autonomy in the federal system has diminished.

Alongside such structural developments has been a set of complementary changes in the political process that has not yet been studied extensively. The dimension of political change involves far-reaching alterations in the conduct of the American political system that has permitted and propelled structural changes and centralization. Such political changes focus, above all, on the diminishing influence and role of political parties and on the rise of competing, often national, political groupings, institutions, and processes.

Because America never had ideologically coherent, mass membership parties on the European model, political scientists generally think American parties are relatively weak and loosely organized bodies. Yet, the party system traditionally has been the single most important political institution in American politics. This central role was most clearly illustrated by the large urban machines, but the importance of political parties extended well beyond the cities.

In the late 19th century, political parties mobilized the electorate so fully and effectively that they were compared to "armies drawn up for combat."^{4/}

^{4/} Walter Dean Burnham, Critical Elections and the Mainsprings of American Politics (New York: W.W. Norton, 1970), p. 72.

At that time, parties dominated the popular press, controlled large numbers of government positions, and--through parades, clubs, and gatherings--provided a major source of popular entertainment. More important, until the mid-20th century, American parties retained a paramount role in the most basic electoral functions of representative democracy: recruiting and nominating candidates for office, structuring debate on public issues, organizing and mobilizing the electorate, financing politics, and informing citizens about candidates and government policies. Consequently, it is not surprising that some of the earliest research in political behavior underscored the influence of parties at both ends of the representational process--in elections and in government. A citizen's identification with one or the other political party was found to be the single most important factor in predicting how an individual would vote,^{5/} while in Washington, a representative's party affiliation was found to be the best indicator of what his position would be on the majority of roll call votes.^{6/}

Most important for this study, the structure of traditional American parties was intimately linked to the maintenance and operation of the federal system. American parties were traditionally organized in a highly decentralized manner. Indeed, less than 30 years ago a major authority on parties declared that:

There is perhaps no point on which writers on American politics are so ... agreed as that our state and local party organizations, taken collectively, are far more powerful than our national party organizations. As Professor Macmahon put it, "Considered nationally, political parties in the United States may be described as loose alliances [... of state and local party organizations] to win the stakes of power embodied in the Presidency."^{7/}

Under this system, politicians in the national government owed their election to state and local party organizations and were closely attuned to the vagaries of local politics. "In the United States," wrote Edward Banfield and James Q. Wilson, "the connection between local and national politics is peculiarly

^{5/} Angus Campbell, et al., The American Voter, abridged edition (New York: John Wiley and Sons, 1964).

^{6/} Julius Turner, Party and Constituency: Pressures on Congress (Baltimore: Johns Hopkins Press, 1951).

^{7/} Austin Ranney and Willmoore Kendall, Democracy and the American Party System (New York: Harcourt, Brace, & World, 1956), pp. 160, 161.

close.... Congressmen and Senators are essentially local politicians, and those of them who forget it soon cease to be politicians at all."8/

Accordingly, the party system provided broad channels for representing the interests of state and local officials in national policy making and strong mechanisms for protecting those interests in the political arena. As Morton Grodzins expressed it:

The parties ... disperse power in favor of state and local governments.... States and localities, working through the parties, can assume that they will have an important role in many national programs.... [They] are more influential in federal affairs than the federal government is in theirs.9/

In addition to enhancing state and local influence on federal policy, the absence of coherent parties on the national level was viewed as a critical obstacle to federal legislation and activism in many program areas. Thus, the decentralization of American parties was credited by Grodzins and other prominent scholars with shaping and preserving the federal system itself:

The nature of American political parties accounts in largest part for the nature of the American governmental system. The specific point is that the parties are responsible for both the existence and form of the considerable measure of decentralization that exists in the United States.10/

Current treatments of American parties and politics depict a very different political system operating today. Though still important among voters, partisan identification has become increasingly attenuated. The number of citizens calling themselves "independents" has doubled over the past 30 years, and the incidence of voters crossing party lines to support candidates 11/ of another

8/ Edward Banfield and James Q. Wilson, City Politics (New York: Vintage Books, 1963), p. 2. Added emphasis.

9/ Morton Grodzins, "Centralization and Decentralization in American Federal System," in A Nation of States, ed. Robert Goldwin (Chicago: Rand McNally, 1968), pp. 7, 9.

10/ Morton Grodzins, The American System, ed. Daniel Elazar (Chicago, IL: Rand McNally, 1966), p. 254.

11/ Everett Carl Ladd, Where Have All The Voters Gone? (New York: W.W. Norton, 1982), p. 78.

party has risen precipitously. Party affiliation has eroded to the point that when citizens in a recent poll were asked to choose whether organized interest groups or the major political parties best represented their political interests today, 45% of the public chose organized groups and only 34% chose either of the two major parties.^{12/}

Moreover, party organizations have lost major elements of their traditional functions to other, often national, political institutions:

- o Party control over nominations for elective office has been sharply eroded by the growth of primaries.
- o Voter contact is now dominated by independent mass media and by new techniques like direct mail solicitations.
- o Expert assistance in conducting campaigns is increasingly provided by independent consultants.
- o Campaign finance is now frequently provided by nonparty sources: government, interest groups, political action committees, and by wealthy candidates themselves.
- o The already tenuous party role in Congress has been further strained by procedural reforms and by exploding numbers and new types of interest groups and associations seeking to affect policy in Washington.

Because political parties are generally viewed as important instruments of effective government and as crucial vehicles of citizen participation and representation in modern, large-scale democracies, these developments have raised many concerns about the future of democracy in a period of party decline. Moreover, to the extent that an active and decentralized party system has helped maintain intergovernmental balance in the federal system, the erosion of political party influence has eliminated important avenues of influence for state and local officials in the political process and undermined their traditional leverage over national policy making. Not only have established channels of influence been foreclosed, but competing political institutions like the mass media and new forms of interest groups appear to be more heavily national in orientation. The relative degree of political decentralization has been further undermined as the national government and the federal courts have become more active in financing and regulating politics. Finally, where parties have suc-

^{12/} ACIR, Changing Public Attitudes on Government and Taxes, 1983, S-12 (Washington, DC: U.S. Government Printing Office, 1983), p. 3.

cessfully modernized and reversed their organizational decline, reforms often have been led by the national party organizations. Especially in the Democratic Party, this appears to have reduced the relative degree of decentralization in the party itself.^{13/}

Among proponents of federalism, therefore, the fear has been expressed that state and local officials may be losing the ability to influence decision making in Congress effectively. Such a loss would undermine a key component in the Constitutional design of checks and balances. As Dr. Robert Hawkins has suggested:

... the influence of state and local political leaders within both parties has waned.... Congressmen and Senators no longer feel the need to work within state party systems. This weakening of state and local influence has also been seen in Washington, where our elected representatives do not feel the real need to consult local party leaders on the development of policy and legislation.^{14/}

If this diagnosis is correct, then diminished state and local party influence in Congress comes at an ironic moment for the system. In 1985, the Supreme Court overturned an earlier decision establishing constitutional limitations on Congress' ability to regulate the states.^{15/} In Garcia v. San Antonio Metropolitan Transit Authority, it ruled that states are not constitutionally protected from intrusive national legislation by the Tenth Amendment, but rather by the "structure of the federal government" and by the corresponding political process which "insures that laws which unduly burden the states will not be promulgated."^{16/} In so ruling, the Court removed itself as an arbiter of future controversies pitting the Congressional power to regulate interstate commerce against state sovereignty claims. Paradoxically, then, states and localities have been abandoned to the political fray at the moment when their ability to effectively represent themselves in that arena may have reached an historic low.

These concerns about the scope and ultimate ramifications of political

^{13/} See, for example, Leon Epstein, "Party Confederations and Political Nationalization," Publius 12 (Fall 1982).

^{14/} Robert B. Hawkins, Jr., "Conclusion: Administrative versus Political Reform," in Hawkins, ed., American Federalism: A New Partnership for the Republic, p. 249.

^{15/} National League of Cities v. Usery.

^{16/} Garcia v. San Antonio Metropolitan Transit Authority, 53 LW 4135 (1985).

change and centralization form the subject of this study on Transformations in American Politics and Their Implications for Federalism. This volume will examine the historic role played by parties in our governmental system and track its evolution over time, focusing especially on those developments affecting state and local party organizations and their relative position vis-a-vis national party structures. It will trace the rise of competing political institutions that have assumed traditional party functions and explore the growth of new forms of political and electoral behavior--from new sources of campaign finance to new means of organizing and conducting campaigns. It will examine the effects of these developments on the relationships between elected officials and their constituents and between national and state-local politicians, seeking insights into the effects of these changes for intergovernmental policy making.

Ultimately, the study seeks to assess the implications of these developments for the maintenance of federalism and for public participation and influence in politics and policy making generally. As the influence of state and local political institutions wanes, important avenues of public participation may wither. Indeed, to the extent that local governmental and political bodies constitute "training schools of democracy," as de Tocqueville put it, the civic foundations of democratic government may be adversely affected by these political developments. The erosion of federalism's role in the political system--providing a territorial dimension to representation that is distinct from the functionalism of interest group pluralism--may also rob governing bodies of a useful and important perspective in the making of public policy.^{17/} Thus, the stakes in the evolution of American politics extend beyond issues of distributing power and influence among the different levels of government, ultimately addressing the wellsprings and vitality of democracy itself.

^{17/} Samuel H. Beer, "Federalism, Nationalism, and Democracy in America," American Political Science Review 72 (1978).

Chapter 2

AMERICAN POLITICAL PARTIES AND INTERGOVERNMENTAL RELATIONS IN HISTORICAL PERSPECTIVE, 1787-1960

The United States Constitution included several legal safeguards for the federal system that were designed to prevent the national government from encroaching upon the authority of state governments. Not only was the national government divided into three "separate but equal" branches subject to various "checks and balances," but as James Madison argued in Federalist 45 and 46, national governmental powers were delegated, few, and defined while those left to states were "numerous and indefinite."^{1/} Moreover, Madison argued that in the electoral arena, both popular political sentiment and formal electoral procedures would incline national officeholders to respect state prerogatives:

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.^{2/}

Because of these electoral links, Madison maintained that "a local spirit will infallibly prevail ... in the members of Congress."^{3/}

The Framers thus believed that the electoral system established by the constitution would impose a powerful decentralizing influence on intergovernmental relations. They did not foresee, however, that the electoral system would undergo significant changes in later years: the direct election of Sena-

^{1/} James Madison, "Federalist 45," in The Federalist Papers, ed. Clinton Rossiter (New York, NY: New American Library, 1961), p. 293.

^{2/} Ibid., p. 291.

^{3/} Idem, "Federalist 46," in The Federalist Papers, ed. Clinton Rossiter, p. 296.

tors, the popular selection of Presidential electors, and the extension of suffrage. Yet, as late as the 1960s, many scholars believed that Madison's initial expectations about the decentralizing impact of American political institutions remained correct. This reflected yet another change in the electoral system wholly unexpected by the Framers: the development of American political parties. Morton Grodzins and William Riker, for example, argued that the highly decentralized, nondisciplined nature of American parties was largely responsible for preserving major state and local roles in the federal system. Because city and county party organizations controlled or strongly influenced most Congressional nominations, they argued that the party system powerfully reinforced the distinctly localistic orientation of Congress and bolstered its members' natural attentiveness to their local constituencies. Although Presidents have a national constituency and, in their view, were much more likely to support centralizing legislation, the President's inability to control Congressional nominations helped produce a nondisciplined party system that allowed Congress to resist centralizing tendencies and to assure that important responsibilities remained with states and localities.^{4/} Grodzins argued that the greatest threat to state and local roles in governance was the prospect of a centralized party system that imposed party discipline upon Congress.^{5/}

This nondisciplined party thesis seemed to fit the intergovernmental reality of the 1950s and early 1960s fairly well. It was reinforced by several other political factors that also contributed to governmental decentralization. The popular belief in the superiority of local governance and in a limited governmental role in private affairs overall has been shared by many officeholders throughout American history. Moreover, the separation of powers at the national level, combined with strong sectional differences expressed in Congress, also served historically to frustrate national initiatives.

On the other hand, the party decentralization thesis underestimated the extent to which American political parties have served as agents of centralization

^{4/} Morton Grodzins, The American System, ed. Daniel J. Elazar (Chicago, IL: Rand McNally & Company, 1966), pp. 254-260 and William H. Riker, Federalism: Origin, Operation, Significance (Boston, MA: Little, Brown and Company, 1964), pp. 91-101. Also see: David Truman, "Federalism and the Party System," in American Federalism in Perspective, ed. Aaron Wildavsky (Boston, MA: Little, Brown and Company, 1967), pp. 81-109.

^{5/} Grodzins, The American System, pp. 288, 289.

in certain eras. Following the Civil War, for example, the new and highly ideological Republican party not only helped to obtain the abolition of slavery but instituted "an ingrained program of positive federal involvement in the fields of banking and currency, transportation, the tariff, and land grants to small landholders."6/ Similarly, in the wake of the Democrats' nationalizing initiatives during the New Deal, E.E. Schattschneider argued that political parties made possible a strong, plebiscitary Presidency which served to weaken federalism by fostering strong national governmental action.7/

The conflicting role played by parties in both advancing and obstructing centralization in the federal system is highlighted by events during the 1960s. Large Democratic majorities in Congress, fueled by the belief that state and local governments were unable or could not be trusted to exercise their governmental functions responsibly without central governmental supervision, enacted legislation that transformed the national role.8/ Over 200 new, intergovernmental programs were launched at the national level in fields such as education, health, public welfare, and environmental protection: all areas previously considered to be primarily under state and local jurisdiction.

Importantly, this centralization of governmental responsibilities did not end with the erosion of Democratic majorities in 1966 and the election two years later of a Republican President committed to governmental decentralization. A steady stream of new grant and regulatory programs was enacted over the following decade. At the same time, scholars started to advance the concept that the party system had begun to decline. Although the initial failure of the decentralized party system to halt the Great Society suggests that the decentralized, nondisciplined party theory is incomplete, the subsequent erosion of the party system may help explain the continued enactment of further national initiatives and the development of new patterns of national politics.

The purpose of this chapter is to examine carefully the role of American

6/ Walter Dean Burnham, "Party Systems and the Political Process," in The American Party Systems, eds. William Nisbet Chambers and Walter Dean Burnham (New York, NY: Oxford University Press, 1967), p. 296.

7/ E.E. Schattschneider, Party Government (New York, NY: Holt, Rinehart and Winston, 1942), p. 53.

8/ Daniel J. Elazar, "The New Federalism: Can the States be Trusted?", The Public Interest 35 (Spring 1974), 89-102.

political parties in influencing the nature of American intergovernmental relations over time. It presents an historical analysis of the development of American intergovernmental relations and the American party system. This analysis suggests that the decentralized party structure has served as a restraint on national action throughout much of American history, but it was just one factor in a much broader political context that produced periods of both centralization and decentralization.

THE RISE AND DECLINE OF THE FIRST AMERICAN PARTIES: 1776-1828

During the 1770s and 1780s, 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. Policy decisions lacked the relative order and continuity which is characteristic of modern party politics. The continually shifting character of factional politics was confusing and contributed, along with the physical difficulty of getting to polling places, to very low voter participation levels.^{9/}

There were a number of impediments at this time to the development of modern, national parties. America had few elective or administrative offices to fill and little patronage to stimulate party growth. Most of the leading citizens of the nation viewed parties as "evil" and publicly voiced their opinions against party development. In 1787, James Madison warned the nation against "the violence of [party] faction" in the Federalist Papers and, as late as 1797, George Washington decried "the baneful effects of the spirit of party generally" in his Farewell Address to the nation. Moreover, the economic and social dissimilarities of the states made it difficult to reach national policy agreements which are necessary for party growth.

At the outset, there was no national electorate to mobilize because the members of Congress under the Articles of Confederation and Perpetual Union were selected by the state legislatures. Most citizens had little knowledge of, or contact with citizens from other states and many lacked a national "identity." The final and perhaps the most significant factor inhibiting the development of national political parties at this time was the continuance of

^{9/} William Nisbet Chambers, "Party Development and the American Mainstream," in The American Party Systems, eds. Chambers and Burnham, p. 47.

deference politics. Most people expected politics to be handled by the "better sort," not the "common folk."

Although the pattern varied somewhat among the states, politics in this early period was largely an activity of the social elite. Most officeholders were highly educated, wealthy, and members of notable families.^{10/} As a result, candidates "stood" or presented themselves for public office; they did not run. There was no need for a party organization to assist office seekers in their effort to gain elective office. In the south, "nominations" for elective office were announced in the local newspapers after private discussions or tacit agreements among the leading planters in the locality. In the north, "nominations" were often made by caucuses of prominent citizens in each locality.

Nevertheless, one of the essential prerequisites for party development was already in place. Suffrage was relatively open to most adult, white males despite property and religious qualifications. While exact figures were not kept, it has been estimated that at least 50%, and more probably 75%, of the adult, white male population could meet suffrage requirements. Emulating British practice, however, the few elective offices available were routinely filled through personal "connections" and politics was generally limited to a few notable families in each of the colonies.^{11/}

The United States Constitution was a major catalyst to party development. By establishing the popularly elected House of Representatives, the Constitution: (1) created the necessary preconditions through which a national electorate could be mobilized, (2) provided additional opportunities for patronage that could be used for party development, and, most importantly, (3) created a new, national political arena where differences over national policy provided the impetus for national officeholders to extend the political battle to the public. The pace of modern party development, however, was slow. The national government was still a remote entity lacking any significant direct effect on most Americans' daily lives. Also, as Frank Sorauf has written, the pace of party development was heavily influenced by the slow growth of adult suffrage and the limited power of individual voters at elections:

^{10/} Paul Goodman, "The First American Party System," in The American Party Systems, eds. Chambers and Burnham, p. 87.

^{11/} William Nisbet Chambers, Political Parties In A New Nation (New York, NY: Oxford University Press, 1963), pp. 2-4.

In their first years the American parties grew out of and matched the politics of limited suffrage and indirect elections. They began, in fact, largely as caucuses of likeminded members of Congress. They involved only the men and the issues of politics in the nation's capital. These Congressional caucuses nominated Presidential candidates and mobilized groups of political figures supportive of, and opposed to the administration of the time.... But the development of parties back in the states went slowly and sporadically at least until the 1820s.^{12/}

The man most responsible for the issue polarization that led to the development of the first nationally organized American parties during the 1790s was Alexander Hamilton. George Washington denounced partisan politics and gave the task of organizing Congressional support for the administration's policies to Hamilton. These policies included the formation of a national bank, assumption of state debts, expansion of the armed forces, imposition of an excise tax on whiskey and a protective tariff on manufactured goods, and establishment of a foreign policy supportive of Great Britain.

To gather support for these programs, Hamilton built the Federalist "party" by actively interacting with members of Congress and corresponding with many of his wartime associates, business acquaintances, and others of the social and economic elite who were major or potential beneficiaries of the administration's policies. The purpose of this correspondence 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. To enhance communications between himself and his party, Hamilton helped raise funds in 1789 to enable John Fenno to establish the Gazette of the United States, which subsequently became the Federalist's semi-official newspaper.

Hamilton was successful in his effort to push the administration's program through Congress but at the cost of uniting the opposition. By the end of Washington's first term, James Madison had organized the "Anti-Federalists" in Congress into the Republican "party." Emulating Hamilton's earlier efforts, Madison established correspondence with various state and local notables in an effort to elect Congressional candidates and state legislators whose views coincided with the Republican "ideology." He also supported the establishment of

^{12/} Frank J. Sorauf, Party Politics in America, 4th ed. (Boston, MA: Little, Brown and Company, 1980), pp. 18, 19.

Philip Freneau's National Gazette in 1791 to facilitate communication within the party and to inform the voters of the party's policy positions.

While voting on policy questions in Congress took on a partisan character as Federalists and Republicans began to vote in opposition to each other on a regular basis, these early parties were more like stable coalitions than highly defined and durable national parties. As Ronald Formisano has argued:

... during the period 1796 to 1816 ... organized competition rose and fell almost wholly in response to issues, most of which arose in foreign policy and affected most states, but some of which were peculiar to individual states.^{13/}

The Republican party's opposition to the Federalists was based largely on a fundamental disagreement concerning relations with England and the proper role of the national government in governance. Republicans opposed the Federalist's foreign policies, which were generally supportive of improved relations with England at the expense of relations with France, and their activist stance in domestic affairs. While the Republican party included those who objected only to the distribution of benefits under Federalist policies and not to the use of national power per se, most Republicans supported the party's professed opposition to governmental activism and endorsed states' rights as the best means of promoting economic equality and the interests of agriculture. The Republicans' opposition to an activist government established a pattern that would repeat itself throughout American history: one of the major parties has generally been supportive of increased national activism while the other has generally opposed significant expansion of the national role.

Republican party leaders were convinced that most eligible voters shared their states' rights views and worked to increase voter participation by creating a national party organization to contest the Presidential election of 1800. The Republicans went much further than the Federalists in creating a national party organization because they were out of office and needed extra-legal machinery to help them organize. The Federalists, in contrast, considered themselves a government, not a party.^{14/} By working to increase voter

^{13/} Ronald P. Formisano, "Federalists and Republicans: Parties Yes--System, No," in The Evolution of American Electoral Systems, ed. Paul Kleppner (Westport, CT: Greenwood Press, 1981), p. 35.

^{14/} Ibid., p. 38.

turnout, the Republicans helped to break down the deferential notion that political activity was only for the upper class.

The Republican party's organizational efforts paid off in 1800. In the five states that selected their Presidential electors by popular vote, eligible voter turnout soared to an unprecedented 38%, helping the Republicans capture the Presidency as well as a majority of the seats in the House of Representatives (66 of 106) and the Senate (18 of 32). It was the first democratic transfer of power in modern times and was made possible largely because the Federalists failed to develop an organization comparable to the Republicans.^{15/}

The Republican organization continued to expand under President Jefferson's leadership and it also began to employ some modern party tactics. Although Andrew Jackson has been credited for introducing the patronage system, Jefferson removed about the same proportion of national officeholders as did Jackson and for the same reasons: to reward party workers and to strengthen the party organization. In several states, the Republicans abandoned the highly centralized state legislative caucus for making party nominations in favor of the more modern, popularly based county convention system. With improvements in wagon roads, the Republicans held the first state nominating conventions in Delaware and New Jersey. At the national level, however, there was no movement to adopt a national nominating convention, and the Republicans continued to select Presidential nominees by the Congressional caucus. Ironically, the "elitist" Federalist party held the first national nominating convention in 1808, but only eight of 16 states were represented. Moreover, the Federalists' convention was closed to the public and the delegates were not popularly elected.

Although substantial progress was made in constructing the essential elements of modern political parties, the first party system was somewhat incomplete and short-lived. Following the second war with Great Britain, a one-party multifactional system emerged. By 1815, the Federalist party had collapsed in all but New England, depriving the Republican party of its main source of vitality--a competitive Presidential contest. With the Presidency assured, the Republicans' state and local organizational efforts atrophied. Also, the lack of significant Federalist opposition in Congress led to the party's split into several competing factions. The extent of this factionalism was evidenced by

^{15/} Chambers, Political Parties in a New Nation, p. 155 and M.J. Heale, The Making of American Politics (New York, NY: Longman Inc., 1977), p. 85.

the failure of the Republican Congressional caucus in 1824 to prevent three Republicans--John Quincy Adams, Andrew Jackson, and Henry Clay--from challenging the party's Presidential nominee, William Crawford. During the subsequent campaign, Crawford suffered a stroke and finished fourth in the four-man race.

In addition to helping develop a foundation for party politics, the rise of the first Republican party had important consequences for intergovernmental relations. Under the pressure of war, the Republicans adopted several policies which ran counter to the party's laissez-faire philosophy, including the continuation of the Bank of the United States, the annexation of Louisiana, and the Embargo of 1807. Republican-sponsored electoral reforms, however, ultimately slowed further growth of the national government's powers. Republicans, as the party of the "common man," encouraged the movement begun in the frontier states to have governors and Presidential electors popularly elected. The party supported these changes because most voters were yeoman farmers sympathetic to the party's laissez-faire, states' rights philosophy. This development had long-term implications because the shift to popularly elected governors and Presidential electors, made possible by the Federalists' collapse in 1815, not only helped elect Republicans but also helped institutionalize an electoral system responsive to popularly held laissez-faire values that continued to influence governmental policy long after the Jeffersonian Republicans had ceased to exist.

Another factor which served to restrict national action during the first party system was the constitutionally imposed link between the United States Senate and the state legislatures. As Madison predicted in Federalist 45, the Senate's selection by the state legislatures served to preserve state prerogatives. State legislatures at this time routinely provided written instructions to their Senators concerning specific bills. While state legislatures could not recall recalcitrant Senators, the Jeffersonian Republicans' religious adherence to the doctrine of instructions and the state legislatures' option to refuse reelection to any offending Senator helped keep most Senators accountable to state officials and their policy preferences during this period.16/

THE RISE AND FALL OF THE SECOND PARTY SYSTEM: 1824-54

The Presidential election of 1824 was the starting point in the development

16/ William Riker, "The Senate and American Federalism," American Political Science Review 49 (June 1955): 457.

of the nation's second party system which was much more competitive, decentralized, and egalitarian than the first. Since no candidate received a majority of the electoral college vote, the 1824 election was decided by the House of Representatives from among the top three electoral vote getters. The House chose Adams over Jackson and Clay even though Jackson had received the greatest number of popular votes. Denied the Presidency by "King Caucus," Jackson decided to bypass the existing Congressionally centered party structure and build his own party at the grassroots level.

Jackson believed that this strategy would put him in the White House because his states' rights, anti-national bank, low tariff views were Jeffersonian in origin and popular with the "common man" and because the rules under which politics were conducted had changed to the point where such voters could determine the outcome of the Presidential contest. Not only had suffrage been extended to practically all white males at this time, but Presidential electors were now popularly elected in 23 of the 24 states. Although eligible voter turnout for the Presidential election of 1824 was only 27%, Jackson was convinced that with the proper organizational effort participation could be dramatically increased and his election assured.

With the help of Martin Van Buren and other professional party organizers, Jackson built the new Democratic party from the bottom up, creating the framework for the emergence of the first modern, decentralized political party. While party affiliations at this time were highly personalized, with voters thinking more in terms of the "Jackson" or "Adams" parties, state and local Democratic organizations picked their own officers, used the convention system to nominate their own state and local candidates, took independent stands on issues, and raised their own funds without interference from national party leaders.

As Jackson had anticipated, his party's organizational efforts helped push eligible voter turnout to new heights in 1828. Fifty-eight percent of the eligible electorate voted in the Presidential contest. The popular vote jumped from 356,036 in 1824 to 1,155,350 in 1828.^{17/} The increased turnout was sufficient to defeat Adams as Jackson carried New York and most of the southern and western states.

During the Jackson Administration, a number of changes in the political environment reinforced the decentralized foundations of the emerging two-party

^{17/} Sorauf, Party Politics in America, p. 19.

system. The Framers' view of political parties as illegitimate expressions of corrupt self-interest began to give way to an acceptance of parties as legitimate vehicles for conflict resolution.^{18/} Moreover, the basic outlines of modern party machinery appeared. The decentralized convention system replaced the centralized Congressional caucus for nominating Presidential candidates (though this was not firmly established until 1839 when the Whig party also adopted the practice). The convention system also replaced legislative and elite caucuses for nominating state and local candidates in most areas of the country. Finally, Jackson firmly established "rotation-in-office" as standard administrative practice--making party loyalty a prerequisite for governmental service to reward his party's workers and to build a durable party organization.

Reflecting the new popular dimension of the Presidency, the short-lived National Republican party used a national nominating convention in 1831 to select Henry Clay as its candidate for President. The 1832 campaign was significant also for the appearance of the first American third party, the Anti-Masonic party. The Anti-Masons were the precursors of other third party advocates in the sense that they focused their efforts on a single issue, in this case opposition to secret societies including the Society of Freemasons. Jackson's 1832 landslide victory over Clay brought an end to the National Republicans, and opposition to Jackson was left to the successor Whig party.

The very name of the Whigs suggests the dilemma of Jackson's opponents. 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 factional politics for a party label that signified support for legislative ascendancy and a restricted executive. Its membership included latter-day Federalists, most of the ex-National Republicans, some ex-states' rights Democrats, New England manufacturers, the largest of the southern plantation owners, as well as future abolitionists. Its program remained essentially a more democratic version of Clay's "American System," and its Congressional leadership included the most talented legislators of the day. Aided by the economic depression that occurred during Martin Van Buren's Administration (1837-41), the Whigs' success at the polls in 1840s was largely

^{18/} William G. Shade, "Political Pluralism and Party Development: The Creation of a Modern Party System, 1815-1852," in The Evolution of American Electoral Systems, ed. Kleppner, p. 79.

achieved by copying the Democrats, placing their own war hero up for election, and outdoing the Jacksonians' egalitarian, if not demagogic, rhetoric.

The Whigs emulated Jackson's state and local organizational efforts and ushered in a new period in Presidential politics. As William G. Shade argues:

... after [the Whig convention of 1839], Presidential and Vice-Presidential nominations were increasingly contested within party conventions and generally uniform national support was given to the chosen candidates. Conventions also adopted the practice of drawing up platforms formally expressing the party's basic principles. ... the Democrats ... presented the first modern platform in 1840.^{19/}

During the 1840s, partisan conflict attained a new degree of legitimacy; voter turnout, especially at the Presidential level, increased; stable partisan identifications became prevalent among voters; and the two parties became competitive in every state except South Carolina.^{20/} As Richard McCormick has written, state party organizations in the 1840s were complex, well staffed, and hierarchically structured:

The widespread adoption of the convention system in the 1830s, with its hierarchy of delegate conventions and party committees extending from the smallest electoral unit up to the national conventions, made for an exceedingly elaborate and complex organizational structure. Because candidates had to be nominated at so very many different levels of government, elections were held so frequently, and the party system embraced the entire range of offices, the organizations that had evolved in most states by the 1840s were marvels of ingenuity and intricacy and required enormous manpower to staff them.^{21/}

Not only were parties well organized and active during the 1840s and early 1850s but the public seemed to be caught up in a partisan frenzy. Voter participation levels often reached 80% of the eligible electorate.^{22/} Explaining this high turnout, William Chambers writes:

^{19/} Ibid., p. 81.

^{20/} Ibid., p. 84.

^{21/} Richard P. McCormick, "Political Development and the Second Party System," in The American Party Systems, eds. Chambers and Burnham, pp. 105, 106.

^{22/} Ibid., p. 107.

Party workers undertook systematic canvassing of voters in town and countryside; openly partisan newspapers at the national capital and across the country set forth partisan perspectives, kept leaders and followers informed, and bound the faithful to party standards; and partisan pamphlets flooded the land.

A strong sense of identification with, or loyalty to the party and its symbols ... became the order of the day. Men proudly carried party labels and loyalties to the edge of the grave. Party regularity was a virtue, straight ticket voting was the political duty of every good man, and switching from party to party was condemned as a vice.^{23/}

Despite the massive changes in party organization that took place during this period, the national government's responsibilities remained modest. The absence of any menacing foreign policy issues (unlike the earlier period), the resolution of boundary disputes with Canada by diplomacy, and the brief duration of the war with Mexico were all indirect factors countering activism in Washington. Even more important were the difficulties of constructing durable nationwide policy alliances in a country segmented by state and regional economies and rent by major cultural, denominational, and racial differences.

The most important factor limiting the national role prior to the Civil War, however, was the overwhelming belief by the general populace and most of its elected leaders in states' rights and a limited governmental role at all levels.^{24/} These popular beliefs were reflected in the actions and platforms of the major parties of the era, and even some of the minor parties could not escape them. The Democratic Party, sensitive to the south's preoccupation with the slavery issue, endorsed the states' rights view in every one of its national platforms during this period.^{25/} Reflecting the temper of the times, even the National Republican and Whig parties left the states considerable leeway in policy making. Consequently, efforts in Congress to allocate national funds to states for internal improvements or other purposes were consistently rejected throughout the pre-Civil War period.

^{23/} Chambers, "Party Development and the American Mainstream," p. 13.

^{24/} Louis Hartz, The Liberal Tradition in America (New York, NY: Harcourt, Brace, and World, Inc., 1955).

^{25/} Richard C. Bain, Convention Decisions and Voting Records (Washington, DC: The Brookings Institution, 1960), p. 24.

Lacking a strong unifying national perspective, the parties consisted of a decentralized collection of autonomous state-based factions that individually sought to get economic subsidies from the national government but lacked sufficient commonalities to agree on very many strong national actions.^{26/} Pennsylvania and New York, for example, already had invested a great deal of their own funds on state canals and highways and opposed providing national funds to other states that had not undertaken similar efforts. The states of both the Atlantic and Gulf coasts also opposed significant national expenditures on internal improvements because they already were blessed with "magnificent systems of river transportation" and correctly judged that most internal improvements would be targeted to states outside their region--principally to those in the West.^{27/}

In those rare instances when a Congressional coalition was able to adopt such a measure, a Presidential veto usually ensued.^{28/} Andrew Jackson, for example, vetoed legislation in 1833 to distribute the proceeds of public land sales to the states because he felt the legislation was an infringement on states' rights. In 1854, President Franklin Pierce even vetoed legislation providing funds to the states for the care of the indigent insane. One exception to this pattern, the distribution of the federal surplus in 1837, took place only after Congress agreed to consider it a loan, subject to recall if necessary.

The limited scope of the national government prior to the Civil War is readily seen when examining national governmental expenditures. From 1789 to 1860, the national government spent a total of \$1.7 billion, with the largest single year expenditure of \$74 million coming in 1858. Not only were the national government's expenditures small, but relative expenditures grew very slowly during the first 70 years of the Republic. In 1800, national governmental expenditures per capita were \$2 and 60 years later the figure was still the same.^{29/} It is not surprising, then, that intergovernmental cash transfers were

^{26/} Samuel H. Beer, "The Modernization of American Federalism," Publius (Fall 1973): 58-62.

^{27/} Wilfred E. Binkley, American Political Parties, 3rd. ed. (New York, NY: Alfred A. Knopf, 1959), pp. 135, 136.

^{28/} David B. Walker, Toward A Functioning Federalism (Cambridge, MA: Winthrop Publishers, 1981), p. 52.

^{29/} Everett Carlil Ladd, Jr., American Political Parties: Social Change and Political Response (New York, NY: W.W. Norton & Company, 1970), p. 73.

extremely limited during this period. Up until 1860, only \$42 million was granted by the national government to the states and localities, and two-thirds of this total came in the 1837 distribution of the national surplus.^{30/}

Given the constitutional doubts and political difficulties concerning the use of national revenue for state purposes, collaborative intergovernmental relations during the pre-Civil War era were dominated by the land grant. Millions of acres of the public domain were given to the states to help finance public education, wagon roads, canals, flood control, and river navigation projects.^{31/} The overwhelming belief in the superiority of the states' and localities' governing ability was reflected in the lack of conditions that the national government placed on the land grants. While broad purposes were designated for the use of the proceeds of land sales, the states were given almost total freedom to do with them as they wished.

Despite the limited role of the national government during the pre-Civil War period, there were some who feared that the advent of modern party organization in the 1830s could create the conditions conducive to a more powerful national role in governance. The most prominent spokesman of this view was John C. Calhoun. The function of political parties, he pointed out, extended beyond electoral politics to the organization and control of legislative bodies. Until 1828, there was little relationship between Congressional and Presidential elections and Congressional voting behavior reflected high cohesion within, but not between, state delegations.^{32/} Parties, however, threatened to increase voting cohesion between state Congressional coalitions by requiring adherence to the party's national platform. Calhoun feared that a determined political majority (especially the manufacturing interests of the more populous north) could enlist the party system as a vehicle to override the constitutional system of

^{30/} Paul B. Trescott, "The U.S. Government and National Income, 1790-1900," in National Bureau of Economic Research, Trends in the American Economy in the 19th Century (Princeton, NJ: Princeton University Press, 1960), pp. 337-61. Cited in U.S. Congress, Senate Committee on Government Operations, The Condition of American Federalism: An Historian's View, by Harry N. Scheiber, Committee Print (Washington, DC: U.S. Government Printing Office, 1966), p. 23.

^{31/} Grodzins, The American System, pp. 36, 37.

^{32/} Shade, "Political Pluralism And Party Development: The Creation of a Modern Party System, 1815-1852," p. 93.

checks and balances and use the national government's powers to inflict a majority "tyranny" over the south.^{33/}

Calhoun's fear that Congressional voting would become increasingly partisan was realized during the 1840s. His fear that a monolithic party would centralize governmental powers, however, was checked during the 1840s and 1850s because the Democratic and Whig parties had developed deep "roots" in an electorate that was generally opposed to a centralization of governmental powers. Moreover, the two parties were so evenly matched within the Congress that it was often difficult to achieve consensus on national initiatives. Indeed, out of electoral necessity the two parties avoided acting on most controversial issues that could have resulted in national initiatives--slavery, of course, being the prime example. The Democrats and Whigs were so adept at avoiding the controversial issues of their era that Richard McCormick called them artificial because their lack of "ideological" commitment led to partisan alignments which bore little relationship to the realities of sectional antagonism. Each party had almost equally powerful northern and southern wings, each was very competitive in all regions of the country, and both maintained this status by acting with extreme caution on the most divisive issues of their day.^{34/} The Mexican War proved to be a major exception to this generalization.

THE THIRD PARTY ERA: 1860-96

Neither the Whigs nor the Democrats could cope with the sectional antagonism brought on by the Kansas-Nebraska Act of 1854. The Whigs collapsed completely and the Democrats were split into northern and southern factions. The Democrats' frustrations were compounded by their national convention's rule requiring a two-thirds vote for securing the Presidential nomination. This provision provided southern Democrats with a veto over the party's Presidential nominees and produced two "doughface" Democratic nominees and Presidents (Pierce and Buchanan).

^{33/} C. Gordon Post, Introduction to A Disquisition on Government and Selections from the Discourse, by John C. Calhoun (New York, NY: The Bobbs-Merrill Company, Inc., 1953), p. xv.

^{34/} McCormick, "Political Development and the Second Party System," p. 112. See also William H. Riker, Liberalism Against Populism (San Francisco, CA: W.H. Freeman and Company, 1982), chapter 9, for an examination of the Whigs' development of the anti-slavery position to attain office and their subsequent avoidance of action on slavery once they won office.

Three parties put up candidates in the 1856 Presidential election: the Democratic Party, the Native American "Know-Nothing" Party, and the newly formed Republican Party. The Republicans were the first mass party to focus almost wholly on only two of the then three major regions of the country. Anti-Nebraska proponents served as the party's nucleus and it included former Libertymen, Free-Soilers, Conscience-Whigs, and some egalitarian Democrats.

In 1856, the Republican Presidential nominee, John Fremont, won a narrow plurality of northern votes but lost the election to the Democratic candidate, James Buchanan. In 1860, the Republicans captured the Presidency in a four-way contest largely because the Democratic factions could not agree on a candidate. The Democrats' northern faction backed Stephen Douglas while the Democrats' southern wing backed John Breckinridge. A hastily resurrected Whig coalition, the constitutional Union Party, was the only real opposition to Breckinridge in the southern and border states.

Following the south's secession, the Republican party found itself in firm control of every major public policy-making body in the north. The Republicans not only held large majorities in the House of Representatives and the Senate but also controlled for two years every state legislature and governorship in the north. Also, President Lincoln was able to make five appointments to the Supreme Court, more than enough to assure that the Court would not obstruct the party's actions.^{35/}

While there was considerable friction between Lincoln and the Republican Congress concerning the conduct of the war, the Republican party nevertheless was presented a unique opportunity for domestic policy making. The opportunity was not squandered. Composed of a heterogeneous collection of manufacturers and their employees seeking tariff protection, farmers in search of homestead legislation, and abolitionists out to end slavery, the Republican party adopted a higher tariff, enacted a homestead law, ended slavery, provided large land grants for higher education and railroads, and established the new Department of Agriculture.^{36/} In reviewing the actions of the Republican party during the

^{35/} Morton Keller, Affairs of State (Cambridge, MA: Harvard University Press, 1977), p. 18.

^{36/} Martin Shefter, "Party, Bureaucracy, and Political Change in the United States," in Political Parties: Development and Decay (Beverly Hills, CA: Sage Publications Inc., 1978), p. 225.

Civil War period, Walter Dean Burnham wrote that the "Republican party was genuinely, if unusually, a policy making party."37/

To ensure these national laws were implemented expeditiously and to solidify the allegiance of loyal northern Democrats, President Lincoln followed Jackson's principle of rotation-in-office and "purged" the national bureaucracy.38/ Patronage was dispersed to both Republican party workers and loyal Democrats. Lincoln's Republican supporters even discarded their party label during the course of the Civil War and, with the loyal Democrats, called themselves the Union Party--forcing the "regular" Democrats in the north who did not join the Union Party to appear to be opposed to the Union.39/

During the War, Lincoln undertook extraordinary actions that overrode state prerogatives. He unilaterally called forth the state militias, asked for volunteers, and enlarged the armed forces even though recruitment of the militia had traditionally been a power of states' governors. He suspended the writ of habeas corpus superseding state laws. State and War Department provost-marshalls, operating independently of the states' judicial systems, arrested thousands suspected of disloyal activities.40/ In 1861, he even dispersed the Maryland legislature and arrested some of its members suspected of disloyal activities.

Lincoln was successful in these endeavors largely because of the war-time sense of emergency and the Republican (and subsequently the Union) party's strength in the north. In 1861, every northern governor was a Republican and politically committed to the positive measures necessary to preserve the Union. Also, Lincoln used his influence on the patronage and government procurement processes to reward those governors who were cooperative. Moreover, the War Department controlled which states' soldiers would be furloughed on election day, and Lincoln made certain that Republican soldiers were given preference.41/

37/ Burnham, "Party Systems and the Political Process," p. 296.

38/ Shefter, "Party, Bureaucracy, and Political Change in the United States," p. 225.

39/ Binkley, American Political Parties, p. 239.

40/ Eric L. McKittrick, "Party Politics and the Union and Confederate War Efforts," in The American Party Systems, eds. Chambers and Burnham, pp. 138, 139.

41/ Ibid.

Following the War, the ideal of an active, interventionist national government was carried on by the Radical Republicans in their successful battle with Andrew Johnson for control over Reconstruction. While moderate Republicans did limit the degree of the national government's control over the south, the commitment of the Radical Republicans moved the Republican party to adopt Reconstruction policies that went far beyond most expectations.^{42/}

Nevertheless, the continued expansion of national governmental powers subsided with the end of the national emergency, and expansionist measures advocated in the late 1860s and early 1870s were frustrated by a combination of factors. The \$2.7 billion national debt left over from the Civil War presented a considerable fiscal obstacle to extending the national sphere of influence.^{43/} 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, an industrial depression took place, and many northerners who shared the Democrats' commitment to localism and limited government began to vote Democratic once again. In 1874, the Democratic resurgence was evidenced by the party's capture of a majority of the seats in the House of Representatives, and in the disputed 1876 Presidential election their candidate received a majority of the popular vote and nearly won the Presidency. Following that contest, southern Democratic Congressional delegations returned to Capitol Hill and a 20-year period of relatively even interparty competition at the national level was launched.

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 correlate of legislative behavior at all levels of government.^{44/}

^{42/} Keller, Affairs of State, pp. 61-62.

^{43/} U.S. Bureau of the Census, Historical Statistics of the United States: Colonial Times to 1970, Part 2 (Washington, DC: U.S. Government Printing Office, 1975), p. 118.

^{44/} Paul Kleppner, "Partisanship and Ethnoreligious Conflict: The Third Electoral System, 1853-1892," in The Evolution of American Electoral Systems, ed. Kleppner, p. 139.

Because the parties were so evenly matched--with Democrats leading in the south and border states, Republicans leading in the northeast and most of the western states, and certain key states competitive--the parties' national platform and the heightened degree of party discipline served as a powerful restraint against further national initiatives. Electoral and policy cleavages were frozen along sectional fault lines, preventing the parties from accommodating intersectional, cross-ethnic, and class demands. Although the national government during this period did advance distributive policies such as inducements to business growth--by providing favorable tariff rates, land grants, and settling strikes by force--the decentralized and sectionalized parties could not enact policies to accommodate the centralization ethos pursued by corporate executives.^{45/} As a result, the states continued to exercise the primary responsibility for domestic policy making and the state legislatures remained the focal points for domestic initiatives. As Ballard C. Campbell has noted:

In the 19th century when the role of the national government was far more limited than it has been since 1932, states exercised the primary responsibility for shaping laws on domestic subjects.

... States made policy on ... education and morals, the authorization and regulation of commercial and professional activity, the maintenance of health, penal, and welfare institutions, the creation of local governments and the specification of their administrative and electoral functions, taxation, civil and criminal law, and the definition of property rights and human liberties.^{46/}

Changes in the nature of state party organizations in each of the nation's three major regions (northeast-midwest, south, and west) also served to restrict the further growth of national responsibilities at this time. In the northeast-midwest, these changes were strongly influenced by major socioeconomic shifts which accompanied that region's rapid industrialization. By 1880, more than three-quarters of the New England and mid-Atlantic states' workforce was employed in nonagricultural pursuits.^{47/} Along with rapid industrialization came

^{45/} Ibid., p. 140.

^{46/} Ballard C. Campbell, Representative Democracy (Cambridge, MA: Harvard University Press, 1980), p. 54.

^{47/} Ladd, American Political Parties: Social Change and Political Response, p. 130.

rapid urbanization and massive immigration. The cities' factories needed laborers and when the nation's workforce could not meet the demand, immigrants from Europe did. In the short span of a single lifetime, the nation's overall economy was transformed from a relatively segmented, mercantile, agrarian-economy with small cottage industries to an economy of national scale dominated by industrial giants.

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 political machines in the northeast and midwest. While the influence of urban machines and the bosses who ran them can be easily overstated, the nature of the region's party leadership did change. Many of the "independent" middle-class clergymen, journalists, and lawyers who had held important leadership positions within the parties were replaced by urban bosses or their representatives. As James Bryce observed at the time, most of the urban bosses were foreign-born, from lower socioeconomic backgrounds than the previous leaders, and more interested in securing patronage than in advancing any particular ideological view:

The interest of a Boss in political questions is usually quite secondary. Here and there one may be found who is a politician in the European sense, who, whether sincerely or not, professes to be interested in some measure affecting the welfare of the country. But the attachment of the [boss] is usually given wholly to the concrete party, that is to the men who compose it, regarded as officeholders or officeseekers; and there is often not even a profession of zeal for any party doctrine. As a noted politician once happily observed, "There are no politics in politics."48/

Occasionally, an entire state's patronage distribution process fell under the dominion of a single strong party organization. The state bosses were usually well educated, native Americans who possessed socioeconomic backgrounds similar to the party leadership they replaced, but like urban bosses they were more interested in controlling the flow of patronage than in advocating specific public policies.49/

48/ James Bryce, The American Commonwealth, Vol. II (New York, NY: The MacMillan Company, 1911), p. 119.

49/ Ibid., pp. 114, 115.

Party leaders' efforts to control the flow of patronage in the northeast-midwest tended to exert a decentralizing influence on intergovernmental relations because the key to gaining that control was the United States Senate. During the first two party systems, control over both national and state patronage was held by the state legislatures. At that time, state legislatures controlled state patronage through their own legislative capabilities and national patronage through their influence over their United States Senators. During the third party system, however, changes in the manner of selecting United States Senators freed many members from electoral dependence on state legislators and provided them substantial control over both national and state patronage.

Prior to the 1850s, Senators usually campaigned for their seats after the state legislature was elected; they canvassed the legislators, not the voters. This contributed to the Senate's subservient relationship to the state legislatures during the first two party systems and helps to explain the frequent use of instructions. During the 1850s, however, some state's Senatorial candidates began to campaign before the state legislatures were elected, urging voters to elect state legislative candidates pledged to their candidacy. The most famous example of this was the Lincoln/Douglas contest for the Illinois' Senate seat in 1858. By the 1870s, nearly all Senate campaigns were conducted in this fashion, with the contest often deciding the composition of the state legislature.^{50/}

Because of the Senate's new influence over the composition of the various state legislatures, Senators during the latter part of the third party system had an unprecedented opportunity to influence the allocation of both national and state patronage. As a result, local political interests throughout the country became increasingly interested in the outcome of Senatorial campaigns. By the 1880s, most of the northeast-midwest's 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.^{51/}

The urban political machines were interested in the Presidential contest

^{50/} Riker, "The Senate and American Federalism," p. 463.

^{51/} Moisei Ostrogorski, Democracy and the Organization of Political Parties, Vol. II (1902; reprint ed., New York, NY: Haskell House Publishers, 1970), p. 543. One of the most noted examples of this was the crucial role of Senator Roscoe Conkling in New York.

for the same reason they were interested in Senatorial contests--jobs. In return for the machines' support in the nomination and general election campaigns, Presidential candidates throughout this period promised to abide by the unwritten rule concerning "Senatorial courtesy:" the right of each state's Senators to control the patronage of the national government within that state's borders. To oppose their own party's desire for patronage was politically foolish for any President. 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.

The urban machines also enjoyed great influence over the voting behavior of their city's Representatives in the House. They often controlled the Congressional nomination process through local party conventions and in many districts possessed the political resources necessary for victory in the general election.^{52/} Indeed, some seats in the House of Representatives were often rotated among party stalwarts. This contributed to the high degree of membership turnover (between 30% and 60% at every election) and the relative absence of career members in the House of Representatives during the 19th century.^{53/}

This high turnover and lack of member continuity, coupled with frequent alternation of party control, made power extremely fluid within the House. Moreover, while Senators and Representatives were usually allowed to vote as they wished on most issues--written instructions from northeastern and midwestern state legislatures became the exception rather than the rule--state and local party leaders did not hesitate to use their influence on their Congressional delegations to maintain their control over patronage or to protect the interests of their financial supporters.^{54/} Even in the wake of the public uproar following the assassination of President James Garfield by a frustrated office seeker, party leaders were able to convince Congress to exempt over 80% of national gov-

^{52/} Ibid., p. 544.

^{53/} H. Douglas Price, "The Congressional Career Then and Now," in Congressional Behavior, ed. Nelson W. Polsby (New York, NY: Random House Inc., 1971), pp. 16-18 and Nelson W. Polsby, "The Institutionalization of the U.S. House of Representatives," American Political Science Review 62:1 (March 1968): 146.

^{54/} Ostrogorski, Democracy and the Organization of Political Parties, p. 557.

ernmental employees from the civil service provisions of the Pendleton Act of 1883.

State and local party leaders were also generally opposed to any measures that would either centralize the party structure or strengthen the national government. The political logic of this defense of American federalism's traditional concept of a strong state role in governance was aptly provided by E.E. Schattschneider over 40 years ago:

... Generally the bosses are not interested in public affairs; they read no books, have vague ideas on public business, and are indifferent to conflicts of policy as far as personal prejudice is concerned.

The central-local conflict within the parties does not grow out of irreconcilable differences between central and local party leaders over public policy. It arises out of the fact that a national leadership strong enough to control party majorities in Congress would also be strong enough to cut off the flow of patronage to the local bosses.^{55/}

Outside the northeastern and midwestern urban states, different patterns of political organization prevailed but with a similar localistic result. A solidly one-party Democratic system dedicated to the preservation of white supremacy gradually emerged in the 11 states of the Old Confederacy and, to a lesser extent, in the five border states. Like the northeastern and midwestern urban machines, the south's urban and rural party organizations had a keen interest in who became their state's United States Senator. Unlike northern party leaders, southern party leaders not only wanted to control patronage but had an overriding concern with muting the practical effects of the 14th and 15th Amendments through such devices as the poll tax, literacy tests, and racially segregated schools. Many of the south's national officials, therefore, were committed to a decentralized governmental system both as a means of preserving their influence over patronage and as a means of controlling racial relations within their states.

The strength of the south and border states in the Democratic Party (providing 70% of the electoral vote needed for a Presidential victory), along with the pivotal role of New York and Ohio and the two-thirds vote nominating requirement, meant that Democratic Presidential candidates and Congressional lead-

^{55/} Schattschneider, Party Government, p. 137.

ers were required to balance the interests of a heterogeneous coalition in ways that neither expanded national authority in various areas (civil rights, tariff, immigration) nor denied the Jacksonian concept of the Presidency (power to veto, appoint, and remove). With the Republicans, the delicate balance between the emerging eastern business and western agrarian interests generated a similar balancing act, with the former gradually winning out, along with their national policy of assisting themselves and adhering to laissez-faire for all others.

Accordingly, the new leaders of the Republican and Democratic parties lacked the ideological zeal of their predecessors. One of the first indications of the moderating influence of this new generation of state and local political leaders on the national parties was the Republican party's nomination of Ulysses S. Grant for the Presidency in 1868 over the party's more radical candidates.^{56/}

These new leaders were appropriately called stalwarts, for in conformance with the party's changed role they favored not radicalism, not reform, but the status quo. Some of the stalwarts were ruthless bosses of state political machines; some were ... retainers of railroad, oil, textile, and steel interests. They ... made the quest for office an end in itself; and who, through the spoils system, prostituted the federal civil service.^{57/}

Left out of all this--in part because of the small popular and electoral votes involved--were the western states. Here a steady rhythm of political revolt against the standpattism of both major parties occurred. From the 1870s through most of the 1890s, 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 conservative, capitalistic, eastern-dominated party system they were rebelling against. The last such political force--the Populists--took over the Democratic party in the mid-90s and in the process launched a new political era: a heavily Republican one.

A REPUBLICAN ERA: 1896-1932

With Bryan's nomination by both the Populists and the Democrats in 1896, a

^{56/} Kenneth M. Stamp, The Era of Reconstruction, 1865-1877 (New York, NY: Alfred A. Knopf, Inc., 1965), p. 187.

^{57/} Ibid., p. 190.

new party era emerged. The Republicans became for a third of a century the clear majority party, one partyism became the rule in many states, especially in the northeast and Great Lakes states--with the desertion of Cleveland Democrats--and the "solid" south, where the advent of the "white primary" made it more monolithically Democratic than ever.

Due to the problems stemming from the lack of party competition in many states and to widespread dissatisfaction with political corruption, both parties were influenced by a 20-year reform surge during this period. The Progressive movement emerged from the convergence of two independent reform movements: the remnant of the Democratic-Populist agrarian reform crusade of the 1890s and the middle class/urban based reform movement of the early 1900s, that affected both the Democratic and Republican parties. Each reform group viewed the alliance between big business and party officials as the antithesis of good government but for different reasons.

The rural reform efforts to sever the ties between government and big business were fueled by economic and regional self-interests. Based in the agricultural areas of the south and west, these reformers considered the alliance of party bosses and big business as counter to their economic interests and to democratic government. These populist Democrats viewed the Republican party's national advocacy of a stable money supply based on the gold standard and a protective tariff as proof that that party was a "puppet" of the trusts. The electoral realignment of 1896, however, made the Republican party dominant in national politics, preventing the populists from achieving many of their legislative goals at the national level, though they did support Theodore Roosevelt's reform initiatives. As a result, the populists concentrated their reform efforts within those states and localities where they were strongest, chiefly in the mountain and southwestern states.

Progressive Republicans were committed to the use of governmental powers to manage equitably an increasingly complicated and interdependent society. Led by members of the newly formed professional communities in education, finance, engineering, and law, these mostly middle-class Republicans were generally supportive of most of the party's national policies but objected to the trusts' corruption of the economic marketplace and of the political arena. They were strong advocates of free enterprise and supported the positive use of governmental regulatory powers to address imbalances within the marketplace. Locally, they were particularly concerned about local transit companies and municipal

utilities that were able to charge exorbitant fees because of their political connections.58/

The progressive Republicans' efforts to sever the ties between the party bosses and the trusts were motivated not only by distinct policy differences with party leaders but by middle-class moral dictates as well. 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 violated the code of selecting personnel on objective qualifications; bossism violated the code that votes should be based on individual appraisal of the qualifications of candidates; and bribery, "honest graft," and "protection" for crimes violated the law and social morals.59/

Although both the rural and the urban wings of these reform movements had a national agenda, they were most concerned with state and local issues where most governmental action still remained concentrated. They emphasized the reform of state and local political and governmental processes as means to dethrone the party bosses and restore "power to the people." Foremost on the reform agenda were electoral reforms transferring power over policy making from the "corrupt" legislators to the public. These reforms included the initiative, referendum, and recall, the direct election of Senators, and the use of direct primaries to nominate candidates for office. To further curb the power of party bosses, the progressives advocated civil service systems and nonpartisan elections at the municipal level. To promote effective government, they advocated consolidation of local governments, the city commission and city manager form of local governance, and unified executive budget systems.60/ While all of these reforms fall under the heading of progressive reforms, the westerners tended to focus more on the electoral group, while the urban wing placed greater emphasis on the governmental effectiveness and accountability initiatives.

Because party bosses were often staunch opponents of an expanded national

58/ James L. Sundquist, Dynamics of the Party System (Washington, DC: The Brookings Institution, 1973), p. 156.

59/ Robert K. Merton, "The Latent Functions of the Machine," in Urban Bosses, Machines, and Progressive Reformers, ed. with an introduction by Bruce M. Stave (Lexington, MA: D.C. Heath and Company, 1972), p. 27.

60/ Sundquist, Dynamics of the Party System, p. 158.

role in governance, the progressives' efforts to destroy the party organizations presented the possibility of new, centralizing orientations in intergovernmental relations. The direct election of Senators, for example, eliminated an important institutional link between the national government and the state legislatures--an institutional link Madison viewed as crucial to the maintenance of a strong and viable federalism. Moreover, the progressives also supported a variety of national regulatory and social initiatives.

In the short run, however, the electoral reforms adopted during this period only marginally weakened the political machines and had no immediate, significant impact on American intergovernmental relations. The direct primary was supposed to shatter the party organization's control over candidate nominations, but the party machines usually were able to deliver a large enough block of votes in these primaries to control the nomination process anyway.^{61/} 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 influence in the Senate.

The Australian (or secret) ballot was supposed to end vote-buying by preventing party workers from knowing if the vote had been delivered as promised. The secret ballot, however, did little to alter the reasons why many citizens were willing to "sell" their votes in the first place. Political machines remained influential in many areas of the country because they provided important services to the voters:

Food-baskets and jobs, legal and extra-legal advice, setting to rights minor scrapes with the law, helping the bright poor boy to a political scholarship in a local college, looking after the bereaved--the whole range of crises when a feller needs a friend, and, above all, a friend who knows the score and who can do something about it--all these find the ever-helpful precinct captain available in the pinch.^{62/}

The progressive reform that could have most severely weakened party organizations was the proposed extension of the civil service provisions of the

^{61/} V.O. Key, Jr., Politics, Parties, and Pressure Groups, 5th ed. (New York, NY: Thomas Y. Crowell Company, 1964), p. 376.

^{62/} Merton, "The Latent Functions of the Machine," p. 31.

Pendleton Act of 1883 to all national governmental employees, as well as similar protections for state and local governmental employees. By extending the merit system at all levels, the progressives could have stripped the party machines of their control over national as well as state and local government jobs. Although the progressives made substantial progress in extending the civil service system at the national level, they made little headway at the state and local levels. In 1901, 45% of the national government's employees were subject to civil service guidelines, and by 1930 that percentage had increased to 77%.^{63/} It was not until the 1960s, however, that a majority of municipalities had adopted and a majority of state employees were covered by merit systems.^{64/}

The resilience of local political machines during the Progressive Era maintained the influence of party leaders over national policy makers, though popular and new interest group access was enhanced where machines were weak. In the south, the primary was converted into a device for assuring one-party, Democratic rule and white supremacy. This continued the party system's localizing influence on national politics which, in combination with the popular values of localism and continued laissez-faire, presented powerful obstacles to various national initiatives.

Despite these obstacles, the progressives were able to gain enough support in both parties to extend the national government's police powers. National laws were enacted during the Roosevelt Administration regulating the hours of labor, methods and time of wage payments, employer liability, and factory conditions. During the Wilson Administration, various regulatory agencies were established such as the Federal Reserve System (1913), the Federal Trade Commission (1914), and the Federal Power Commission (1920). While the overall impact of these laws was comparatively modest, they established precedents for later expansion of national regulatory powers.^{65/}

Significantly, the adoption of the 16th Amendment to the constitution in 1913 provided the national government the potential fiscal clout to undertake additional responsibilities in governance, and World War I provided the first

^{63/} U.S. Bureau of the Census, Historical Statistics of the United States: Colonial Times to 1970, Part 2, p. 1102.

^{64/} Key, Politics, Parties, and Pressure Groups, p. 358.

^{65/} Ladd, American Political Parties: Social Change and Political Response, pp. 180, 181.

opportunity to tap it. With the end of land grants, the cash grant with its more restrictive administrative conditions also began to be used, albeit modestly. National intergovernmental expenditures in 1927 amounted to only \$123 million out of a total national budget of \$3.5 billion. State and local expenditures, in contrast, were \$7.8 billion in 1927.^{66/}

THE NEW DEAL: AN HISTORIC TURNING POINT

The New Deal was a watershed point in the development of intergovernmental relations and ultimately had important consequences for political parties. Prior to the 1930s, state and local governments dominated most areas of domestic policy, particularly education, highway construction, and public welfare, and had far more tangible impact on most citizens lives than did the national government. During the 1920s, for example, state and local governments accounted for 74% of public spending and 67% of taxes.^{67/} The Great Depression, however, placed a tremendous strain on state and local governments. Already in debt from deficit spending during the 1920s, states and localities were faced with sharply rising welfare costs at a time when tax revenues were falling with equal speed. President Roosevelt responded to the national financial emergency by embarking on the broadest intervention in economic affairs that the country had ever seen. As V.O. Key argued, the national government's role was radically transformed following the Democratic landslide in 1932:

... [The national government] had been a remote authority with a limited range of activity. It operated the postal system, improved rivers and harbors, maintained the armed forces on a scale fearsome only to banana republics, and performed other functions of which the average citizen was hardly aware. Within a brief time, it became an institution that affected intimately the lives and fortunes of most, if not all, citizens.^{68/}

The national government's new responsibilities were evidenced by the rising level of national expenditures relative to those of the states and localities.

^{66/} U.S. Bureau of the Census, Historical Statistics of the United States: Colonial Times to 1970, Part 2, pp. 1124 and 1126.

^{67/} James T. Patterson, The New Deal and the States (Princeton, NJ: Princeton University Press, 1969), p. 4.

^{68/} V.O. Key, Jr., The Responsible Electorate, with assistance from Milton C. Cummings, Jr. (New York, NY: Random House, 1966), p. 31.

In 1932, state and local governments outspent the national government by a 2-to-1 margin (\$8.4 billion to \$4.2 billion). By 1934, the states and localities' margin had been cut to \$1.9 billion (\$7.8 billion to \$5.9 billion) and, by 1936, the national government had assumed fiscal preeminence, outspending states and localities by \$0.6 billion (\$9.1 billion to \$8.5 billion).^{69/} This was the first time the national government had outspent the states and localities in the absence of war. From 1937 through 1940, national governmental expenditures remained approximately equal to the combined expenditures of the states and localities.

The increased size of the national government's budget during the 1930s was accompanied by a steady growth in the number of intergovernmental cash grants and a marked increase in funds committed to them. Intergovernmental outlays jumped from \$193 million in 1933 to \$1.8 billion in 1934, \$2.3 billion in 1936, and peaked at \$2.9 billion in 1939. This figure was not reached again until the 1950s.^{70/} The number of intergovernmental grant programs also increased dramatically. In 1930, there were only 15 programs in operation. By 1938, the number of intergovernmental programs had increased to 37.^{71/}

The first New Deal programs to alter intergovernmental relationships were the emergency relief programs administered by the Federal Emergency Relief Administration (FERA). Headed by Harry Hopkins, FERA was authorized to distribute \$500 million to the states in 1933--\$250 million in matching grants which required states to contribute \$3 for every \$1 of national funds and \$250 million in discretionary grants to meet emergency state needs. By 1936, FERA had distributed over \$3 billion for relief purposes. While centralizing the source of relief funding, public welfare administration remained at the state level and nationally imposed administrative conditions were flexible. In many ways, the national relief programs seemed to fit the "cooperative federalism" label which has become affixed to grants-in-aid programs adopted during the New Deal period. Where state or local program implementation was considered unsatisfactory, how-

^{69/} U.S. Bureau of the Census, Historical Statistics of the United States: Colonial Times to 1970, Part 2, pp. 1124, 1127.

^{70/} Scheiber, "The Condition of American Federalism: An Historian's View," p. 9.

^{71/} ACIR, Categorical Grants: Their Role and Design, A-52 (Washington, DC: U.S. Government Printing Office, 1978), p. 18.

ever, the national government retained the right to either nationalize program administration, which was done in Kentucky and Ohio, or to cut off national funding altogether, which was done to Colorado.^{72/}

In 1935, two new intergovernmental programs were adopted which permanently altered the nature of American federalism: the public works program administered by the Works Progress Administration and the Social Security Act of 1935. Unlike FERA, the WPA provided work relief (not a public dole), was run exclusively by national instead of state officials, and required no matching funds from the states. Many governors and advocates of states' rights vehemently objected to the nationalization of this relief program, particularly because the WPA required states to finance the entire cost of relief for unemployables. Intergovernmental tensions were heightened further after the WPA began distributing relief funds as southern politicians complained their states received less aid per capita than northern states and Republicans complained, with some justification, that WPA grants were being used to bolster Democratic party machines.^{73/}

While the WPA was a temporary agency, the Social Security Act of 1935 laid the foundation for the emergence of a significant and permanent national role in social welfare policy and further institutionalized cooperative federalism. The Social Security Act not only established a national program of old-age assistance but also launched a series of intergovernmental programs requiring state matching funds: aid to the blind, aid to dependent children, aid to crippled children, child welfare, and unemployment insurance.

A number of interrelated factors helped account for the dramatic increase in the national government's responsibilities during the 1930s. The rigid belief in governmental localism and laissez-faire was altered permanently by the Depression's severity. The failure of the old ways made the public receptive to change. Most importantly, the leaders of the new governing party supported the expansion of national powers. While President Roosevelt stressed the temporary nature of most of his new national programs, he argued repeatedly that government could play a positive role in bettering people's lives.^{74/}

^{72/} Patterson, The New Deal and the States, pp. 50-73.

^{73/} Ibid., pp. 74-81.

^{74/} ACIR, The Condition of Contemporary Federalism: Conflicting Theories and Collapsing Constraints, A-78 (Washington, DC: U.S. Government Printing Office, 1981), pp. 114-17.

Many local Democratic political machines, which previously used their influence in selecting national officeholders to restrict the growth of national powers, now supported New Deal activism because it promised to provide needed fiscal relief to their cities and unprecedented levels of national patronage that could be used to bolster their organizations.^{75/} The mayors of the 100 largest cities in the United States formed the United States Conference of Mayors in 1932. The mayors used the conference to lobby Washington for increased intergovernmental assistance. Moreover, the fragmentation of power normally associated with the national government was superseded temporarily by the Democratic landslides in 1932, 1934, and 1936. Finally, in the wake of Roosevelt's threat to pack the Supreme Court in 1937, the Court subsequently upheld the constitutionality of the National Labor Relations Act and the Social Security Act, clearing a wide legal path for continued national regulation of the economy.

The New Deal reflected, and helped to reinforce, dramatic changes in the American party system. It terminated the Republican dominated third party era that was launched in 1856 and began the Democratic dominated fourth party era.

The elections of 1932, 1934, and 1936 were part of a massive electoral realignment. The arrival of a whole new generation of voters, including many women, the defection of progressive Republicans, and the concomitant gains in the industrial centers of the northeast and midwest moved the Democratic party into a majority. The Democrats' New Deal coalition (southern whites, northern working-class whites, Catholics, Jews, and later, blacks) dominated national elections until the 1950s and still strongly influences Congressional elections.

Following the elections of 1932-36, party politics were 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 significant class overtones. As Everett Carlil Ladd has indicated, the New Deal period was marked by a rise in class consciousness among workers of all regions. This enabled the Democratic party to establish itself as the working-class party in a broad, national sense and was largely responsible for much of the Democrats' legislative success during the 1930s and later.^{76/}

^{75/} Schattschneider, Party Government, p. 168.

^{76/} Everett Carlil Ladd with Charles Hadley, Transformations of the American Party System (New York, NY: W.W. Norton & Company, 1975), p. 66.

The conservative coalition's emergence in Congress following the 1938 mid-term elections had several long-term consequences for intergovernmental relations. Composed of conservative southern Democrats and Republicans, this coalition, throughout the remainder of this era and into the next, prevented enactment of many national initiatives and caused many of the initiatives 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 positions created by the New Deal. In 1939, the conservative coalition was instrumental in the passage of an amendment to the Social Security Act that required state and county agencies managing programs under the act to establish personnel standards on a merit basis or lose their funding. The coalition's objective was to weaken northern Democratic machines which used New Deal patronage to maintain their influence with the voters. In 1940, the urban machines were further weakened as the limitations on political activity mandated by the Hatch Act on national governmental employees were extended to the state and local employees of any agency receiving financial backing from the national government.^{77/}

THE WAR YEARS AND BEYOND: 1940-60

The advent of World War II and the national preoccupation with defense temporarily stalled the growth of intergovernmental grants. From 1940 through 1946, annual intergovernmental outlays to states and localities fell to just under \$1 billion and the number of intergovernmental programs was reduced to 29 by 1946.^{78/} Of long-term significance to intergovernmental relations, however, was the dramatic increase at this time in the size of the national government relative to states and localities, as measured by governmental expenditures, and the concurrent and unprecedented reliance on corporate and individual income taxes to fund this new, national government establishment.

In 1940, the national government was outspent by the states and localities (\$10 billion to \$11.2 billion). By 1942, the national government was spending three times as much as the states and localities (\$35.5 billion to \$10.9 billion)

^{77/} Key, Politics, Parties, and Pressure Groups, p. 358.

^{78/} Walker, Toward a Functioning Federalism, p. 79 and U.S. Bureau of the Census, Historical Statistics of the United States: Colonial Times to 1970, Part 2, p. 1125.

and nearly ten times as much in 1944 (\$100.5 billion to \$10.5 billion). While national expenditures did fall to \$35.5 billion in 1948 and did not reach the \$100 billion level again until 1961, the national government's expenditures remained significantly higher than pre-World War II levels.79/

The national government's reliance on the income tax to fund the war effort and its continued use of the income tax after World War II assured it of an "elastic" revenue source for the future. The intergovernmental consequences of this were great. As the national government's revenues grew with the economy during the 1950s and 1960s, national policy makers 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.

Most of the increase in the national government's expenditures during the 1940s and 1950s was for defense. During the 1930s, they totaled approximately \$61 billion. Of that amount, only \$9.8 billion, or 16%, was spent on defense. During the 1950s, expenditures jumped to approximately \$684 billion--more than ten times the 1930s' figure--and \$354 billion, or 52%, of it went to defense.80/

While defense expenditures accounted for most of the growth in national governmental expenditures during the 1950s, domestic expenditures increased more than 600% over the ten-year total for the 1930s (from approximately \$51 billion to \$330 billion). This increase had broad political support. The typical survivor of the Depression and World War II had experienced several economic upheavals and sought economic security. In individual terms, the typical American sought protection against personal catastrophes such as sickness, unemployment, and dependence in old age. In a collective sense, Americans sought protection against another failure of the economic system. To achieve these goals, Americans increasingly looked to the national government. The national welfare state provided some additional personal protection and its intervention in economic affairs through its use of fiscal, monetary, and regulatory powers provided some increased insurance against another systemic economic failure.81/

79/ U.S. Bureau of the Census, Historical Statistics of the United States: Colonial Times to 1970, Part 2, pp. 1123, 1127.

80/ Ibid., p. 1114.

81/ Ladd, American Political Parties: Social Change and Political Response, pp. 246, 247.

These developments were of immense historic significance. Politically, however, the growth of national expenditures and responsibilities in the domestic sector was tempered during the 1950s by the nondisciplined nature of the party system and by Congressional rules that augmented efforts to protect the status quo. Conservative Democrats in Congress were free to join conservative Republicans on the floor of the House or in the Senate chamber to oppose legislation which would centralize governmental functions. Moreover, prior to the Supreme Court's "one man-one vote" decisions in Baker v. Carr (1962) and Reynolds v. Sims (1964), requiring the states to apportion their state legislative and Congressional districts on the basis of equal populations, the number of conservative Congressmen representing rural constituencies in the House had been inflated by at least 20 seats.^{82/}

More often than not, however, the conservative coalition did not have to form in either the House or the Senate to defeat centralizing legislation during the 1950s. The seniority system had elevated a disproportionate number of conservative Southerners from one party rural districts and states to committee chairmanships in both institutions, and they used their considerable influence over the legislative process throughout this period to either defeat or water down any legislative proposals that would significantly augment national responsibilities. In addition, in those rare circumstances when bills authorizing new national initiatives or grants did emerge from committees, such bills still had to pass through the House Rules Committee. From 1937 through 1961, when the Rules Committee was enlarged, it was controlled by a bipartisan conservative coalition that generally opposed a national role in any area but agriculture and defense.^{83/}

In the past, the organizational rules and procedures within Congress had played a secondary role in fostering a decentralized governmental system. Rules and procedures were elevated in importance during the 1950s partly because constitutional constraints on Congressional action had been diminished vastly by the courts during the New Deal and partly because political parties in most areas of the country were beginning to suffer from the combined effects of rising affluence, changing demographic patterns, the gradual corrosive impact of

^{82/} Richard Bolling, House Out of Order (New York, NY: E.P. Dutton & Company, Inc., 1966), p. 26.

^{83/} Ibid., p. 81.

progressive reforms, and the rise of the welfare state. Although state and local officials remained important actors in Presidential nominations, parties in many areas no longer served a central role in Congressional elections. Although there were a number of very powerful local party organizations in 1960 and party identification retained a strong grip on the populace at large, James MacGregor Burns argued in the early 1960s that many state and local party organizations had begun to serve primarily as holding companies for contending politicians rather than as independent sources of political influence.^{84/} Subsequent changes in the structure and influence of political parties and the growth of competitive political forces and institutions are reviewed in the following chapters.

THE CHANGING NATURE OF PARTY AND FEDERALISM

Many factors have influenced the historical development of American federalism. Among the most important of these was the decentralized, nondisciplined party system which the historical record suggests, had a significant decentralizing influence on intergovernmental relations by providing an often powerful institutional link between local, state, and national officials. If, as indicated in subsequent chapters, the parties' capacity to maintain this political linkage has atrophied in recent years, history suggests this could well have important implications for American federalism.

By creating separate, if not totally distinct, arenas of political conflict at the state and national levels, the constitutionally designed federal system encouraged the development of a decentralized American party system. At first, however, the parties were organized as top-down, nationally oriented institutions. They developed a decentralized organizational base during the 1830s primarily in response to the democratization of the electorate.

The parties' decentralized structure tended to exert a powerful restraining influence on national governmental initiatives throughout much of American history. The role of state and local party officials in the nomination and election of national officeholders gave them ample opportunities to oppose national actions that conflicted with state or local prerogatives. In addition, Congressional fragmentation and the sectional divisions that flourished under the decentralized, nondisciplined party system also served to restrain national

^{84/} James MacGregor Burns, The Deadlock of Democracy (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1963), pp. 236, 237.

activism, as did the competitive nature of the two party system. During the 1840s and 1880s, for example, the two major political parties were so evenly matched that neither would advocate dramatic changes in national policy in fear of upsetting the electoral balance. Finally, as representative institutions, the parties served to communicate and sometimes reinforce the localistic and laissez-faire values that were widely held by most Americans.

Although it usually was supportive of state and local interests in American politics, the party system never had an exclusively decentralizing influence. No major party, for example, has adhered consistently to either a state or nationally centered theory of federalism. Moreover, during periods of national emergency like the Civil War and the Great Depression, the parties provided the critical instrument for building effective national policy coalitions necessary for national activism. At least until quite recently, such periods have been relatively brief and somewhat temporary in their effects.

Chapter 3

NATIONAL PARTIES AND POLITICS IN TRANSITION: DECLINE, EVOLUTION, AND RESURGENCE

Over the past 30 years, the role of political parties in American politics has departed increasingly from the traditional system, dominated by decentralized parties, described in Chapter 2. Indeed, veteran political observer Theodore White maintains that our political system has changed "so dramatically, although peacefully, as to amount to a revolution."^{1/} Many different factors have contributed to this conclusion:

- o Where once the great majority of Americans closely identified themselves with a political party, in recent years strong popular attachments to the two major parties--and support for the party system generally--have fallen to historic lows.
- o Where once Presidential nominations were determined in party conventions dominated by state and local politicians and party professionals, conventions now are often filled with nonprofessional political activists who meet to ratify decisions previously determined by the expanded array of Presidential primary elections.
- o Where once many Congressional candidates counted on local party organization political support, most candidates for Congress now develop independent political campaign organizations and often have relatively little contact with surviving local party organizations.
- o Where once the parties were regulated almost solely by the states, today state parties, state election laws, and candidates for national office are increasingly affected by national laws and legal rulings and by national party decisions.
- o Finally, where once national party organizations were weak and intermittent, today these structures are growing in their activities, authority, and professionalism; partly in response, many state party organizations are also growing in their size, services, and sophistication.

These changes and others are detailed in this and the following four chapters.

PARTY DECLINE IN THE ELECTORATE

In the 1950s and early 1960s, social science research verified what close

^{1/} Theodore White, America in Search of Itself, The Making of the President, 1956-1980 (New York: Warner Books, 1982), p. 70.

observers of the political process had long perceived--that broad popular attachments to the two major political parties formed a stable foundation for electoral behavior in the United States. In the words of one pioneering study:

Few factors are of greater importance for our national elections than the lasting attachment of tens of millions of Americans to one of the parties. These loyalties establish a basic division of electoral strength within which the competition of particular campaigns takes place. And they are an important factor in assuring the stability of the party system itself.^{2/}

One retrospective summary of research in this period expressed this point in even stronger terms:

Most Americans had strong, long-term commitments to one of the major political parties, and this commitment served as a guide to their political behavior.^{3/}

Specifically, early survey data showed that, throughout the decade of the 1950s, a consistent 75% of the population identified with one of the two major political parties.^{4/} Moreover, such partisan identification was found to correlate strongly with people's voting behavior--much more so than people's stands on significant policy issues.^{5/} Hence, leading scholars concluded that people's long-standing party identification generally shaped their attitudes on major issues rather than the other way around.^{6/}

During the 1970s, such long-established party loyalties--though still an important factor--no longer dominated electoral behavior. The proportion of Americans identifying with one of the major parties fell substantially over the past three decades, from a constant 75% during the 1950s to an average 63% during the 1970s (see Table 3-1). This decline was most pronounced among strong

^{2/} Angus Campbell, et al., The American Voter: An Abridgement (New York, NY: John Wiley and Sons, 1964), p. 67.

^{3/} Norman Nie, Sidney Verba, and John Petrocik, The Changing American Voter (Cambridge, MA: Harvard University Press, 1976), p. 28.

^{4/} Campbell, The American Voter, p. 69.

^{5/} Ibid., p. 81; and Nie, Verba, and Petrocik, The Changing American Voter, p. 34.

^{6/} Campbell, The American Voter, p. 78.

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 number of self-described political independents--those who claimed no affiliation with either of the major parties--rose from 22% in 1952 to 35% in 1980, down slightly from a peak of 37% in the 1970s. Much of this increase was due to growing numbers of "independent leaners," those independents who say they lean toward a single party and who tend to vote much like other party identifiers. The greatest increase, however, occurred among those who viewed themselves as pure independents, with no leaning toward one party or the other. This group more than doubled during this time period, from 5% of the electorate to 12%, although it remained a relatively small proportion of all voters.^{7/}

The most recent opinion data suggest that this long-term decline in party identification has leveled off and that a process of partisan realignment may be underway. Particularly striking changes in public attitudes were evident in 1984, when most opinion polls showed levels of Republican party identification moving significantly upward and Democratic identification levels falling.^{8/} Although Democratic identifiers continue to outnumber Republicans, the percentage point gap has narrowed to the smallest interval in several decades.^{9/} The rea-

^{7/} Some political scientists have begun to challenge the extent to which the numbers of political independents have actually grown, and they have raised questions concerning the significance of this development. They argue that the growth of independents has been exaggerated, not only by the large numbers of independent leaners, but by inclusion of the rapidly expanding contingent of the public which is relatively apathetic about politics in general and tends to express no preference for either political party. This group, it is argued, differs both behaviorally and attitudinally from those, often politically active, individuals who have made a conscious decision to remain independent from the parties. [See, for example, Martin P. Wattenberg, The Decline of American Parties, 1952-1980 (Cambridge, MA: Harvard University Press, 1984).] In spite of this controversy, there is no doubt that increasing numbers of citizens have become aloof from the parties, express less confidence in them, and behave more independently at election time.

^{8/} See "Opinion Roundup," Public Opinion 7 (December/January, 1985): 39; and William Schneider, "Incumbency Staved Off Disaster for Congressional Democrats in 1984 Elections," National Journal, 8 December 1984, p. 2364.

^{9/} Everett Carl Ladd, "As The Realignment Turns: A Drama in Many Acts," Public Opinion 7 (December/January 1985): 6.

Table

	<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

alignment interpretation is bolstered by the high relative levels of Republican identification among young voters and among traditionally Democratic southern whites. Whether such changes prove lasting, however, may depend upon public perceptions of President Reagan's performance during his second term and the degree to which these changes are rooted in President Reagan's own personality appeal and leadership style. A similar rise in Republican identification connected with the 1980 election diminished during the 1982 recession.^{10/}

The long-term implications of party realignment on continued voter independence are somewhat unclear. Although Table 3-1 shows the number of independents declining during 1984 as Republican identification grew, many polls registered continued high levels of independents. In fact, continued expressions of voter independence in both attitudes and behavior have led one noted analyst to conclude that "the present realignment is accompanied, indeed distinguished, by the continued weakening of voter loyalties to political parties in general."^{11/}

For example, contemporary declines in party identification have been ac-

^{10/} "Opinion Roundup," p. 39.

^{11/} Ladd, "As the Realignment Turns," p. 6.

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.

accompanied by growing public disaffection with the roles that parties play in our political system. As Table 3-2 demonstrates, popular confidence that the parties help "a good deal" to make government responsive to public opinion fell steadily from 1964 to 1980, from 40.7% to 17.9%.^{12/} At the same time, those believing that parties are not much help more than doubled, from 12.8% in 1964 to 28.1% in 1980. Similarly, 32% of the population believed in 1980 that "we don't need political parties in America anymore."^{13/}

Indeed, public disaffection with the parties has grown to the point that many Americans now express more confidence in interest groups as representative institutions than in political parties. When asked whether organized groups or the two major parties best represent their political interests, 45% of the public answered organized groups and only 34% chose either of the major parties

^{12/} See 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. This question was not included in the 1982 and 1984 National Election Studies.

^{13/} Calculated from data presented in Arthur H. Miller and Martin P. Wattenberg, "Measuring Party Identification: Independent or No Partisan Preference?" American Journal of Political Science 27 (February 1983): 118.

Table 3-2

PUBLIC ATTITUDES TOWARDS 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.

Table 3-3

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.

(see Table 3-3).^{14/} Confidence in the parties as representative bodies is particularly low among the young. For those under age 35, 56% felt better represented by interest groups while only 25% chose parties. In contrast, a plurality of respondents over age 65 replied that parties better represent their interests. Although an indeterminable portion of this difference is likely due to

^{14/} The exact question read: "In general, which one of the kinds of organizations listed below do you feel best represents the political interests of people like you? (1) Organized groups concerned with specific issues such as business, labor, environmental and civil rights groups; (2) The two major political parties--the Democrats and the Republicans; (3) Other political parties; or (4) Don't know."

the long-observed failure of many young people to form lasting partisan identifications until they assume greater economic, community, and family responsibilities, the strong correlation between age and party confidence evident in Table 3-3 appears to reinforce other evidence of party decline in the electorate, suggesting that many of those maturing in an age of weakened parties may never form the kinds of lasting party allegiances common in earlier years.^{15/}

Regardless of its causes or extent, the growing alienation of the electorate from the party system has produced tangible changes in political behavior. In particular, parties have lost much of their previous influence over voting decisions. As one scholar has written:

Party identification is no longer the robust predictor of the vote that it was in the 1950s. The evidence for this is so overwhelming and widely recognized that the point is easily belabored.... Through 1960, party preference accounted for about 50% of the variance of the vote for various political offices, by the late 1960s it was down to about 36% of the variance, and in the 1976 election party identification accounts for barely a third of the variance in the vote for the different offices.^{16/}

Nowhere has this change in electoral behavior been more evident than in the striking decline in straight ticket voting in American politics (i.e., voting only for the candidates of a single party for all offices on the ballot) and the concomitant increase in ticket splitting. As recently as 1960, almost two-thirds of the electorate reported voting a straight party ballot in Presidential election years. By 1972, however, these percentages had nearly reversed themselves as 62% of the electorate reported voting a split ticket, and a solid majority of voters have continued to cast split tickets in every subsequent Presidential election, including 1984.^{17/} Similarly, the numbers of "consistent partisans" in national elections--party identifiers who actually vote for candidates of the party they identify with--have declined in both Congressional and

^{15/} M. Kent Jennings and Gregory Markus, "Partisan Orientations Over The Long Haul: Results From the Three-Wave Political Socialization Panel Study," American Political Science Review 78 (1984): 1016.

^{16/} John Petrocik, quoted in William J. Crotty and Gary C. Jacobson, American Parties in Decline (Boston, MA: Little, Brown & Company, 1980), p. 33.

^{17/} Everett C. Ladd, Jr., with Charles D. Hadley, Transformations of the American Party System (New York: W.W. Norton, 1975), p. 296; and "Opinion Roundup," Public Opinion 7 (December/January, 1985): 27.

Presidential elections.^{18/} This is especially significant in elections for the House of Representatives, which tend to elicit highly stable patterns of partisan behavior. Here the percentage of consistent identifiers fell steadily from 82% of Congressional voters in 1956 to 69% in 1980 edging back up to 74% in 1984 (see Table 3-4). Partly as a result, the percentage of Congressional districts supporting a Presidential candidate from one party and a House candidate from the other has tripled since 1944 (see Graph 3-1). As Table 3-5 demonstrates, a similar trend in ticket splitting is apparent in voting for Presidential and gubernatorial candidates.

Declines in party identification and in levels of public confidence in the political system also have been correlated with diminishing rates of public participation in the electoral system.^{19/} This is most clearly evident in levels of voter turnout in American elections. As Table 3-6 shows, voter participation in American elections is low when compared to other western democracies. Although this reflects a variety of causal factors, and may be in part a statistical artifact, the already low levels of voter turnout in the United States fell steadily between 1960 and 1980. As Graph 3-2 shows, the percentage of the voting age population participating in Presidential elections declined from a high of 63% in 1960 to a low of 52.6% in 1980.^{20/} Voting levels in Congressional elections followed a similar downward path, reaching a post-World War II low of under 35% in 1978 before edging back up modestly in 1982. Similarly, the percentage of the electorate failing to register to vote grew substantially in the 1970s, from 25.7% of the voting age populations in 1968 to 33% in 1980.^{21/}

Some of the decline in participation levels is attributable to the expansion of the voting age population in 1972, when the legal voting age was reduced nationwide to age 18. Yet, despite the fact that younger voters traditionally participate less in the political process, careful studies have shown that

^{18/} For data on Presidential elections, see ibid., p. 299.

^{19/} Paul R. Abramson and John H Aldrich, "The Decline of Electoral Participation in America," American Political Science Review 76 (September 1982).

^{20/} Due in part to multimillion dollar registration and get-out-the-vote drives by both party and non-party organizations, voter turnout rose slightly in 1984 to 53.3%. Committee for the Study of the American Electorate.

^{21/} U.S. Bureau of the Census, Statistical Abstract of the United States, 1982-83 (Washington: U.S. Government Printing Office, 1982), p. 493.

Table 3-4

PARTY-LINE VOTERS, DEFECTORS, AND
PURE INDEPENDENTS IN HOUSE ELECTIONS,
1956-84
(as a percentage of all voters)

House Elections

<u>Year</u>	<u>Party- Line Voters*</u>	<u>Defec- tors**</u>	<u>Indepen- dents</u>	<u>Year</u>	<u>Party- Line Voters*</u>	<u>Defec- tors**</u>	<u>Indepen- dents</u>
1956	82	9	9	1972	75	17	8
1958	84	11	5	1974	74	18	8
1960	80	12	8	1976	72	19	9
1962	83	12	6	1978	69	22	9
1964	79	15	5	1980	69	23	9
1966	76	16	8	1982	76	17	6
1968	74	19	7	1984	74	22	4
1970	76	16	8				

*Party identifiers who vote for the candidate of their party.

**Party identifiers who vote for the candidate of the other party.

SOURCES: Congressional Quarterly, Elections '84: Strategies, Issues, and Outlook (Washington: Congressional Quarterly Inc., 1983), p. 20; and Congressional Research Service.

Table 3-5

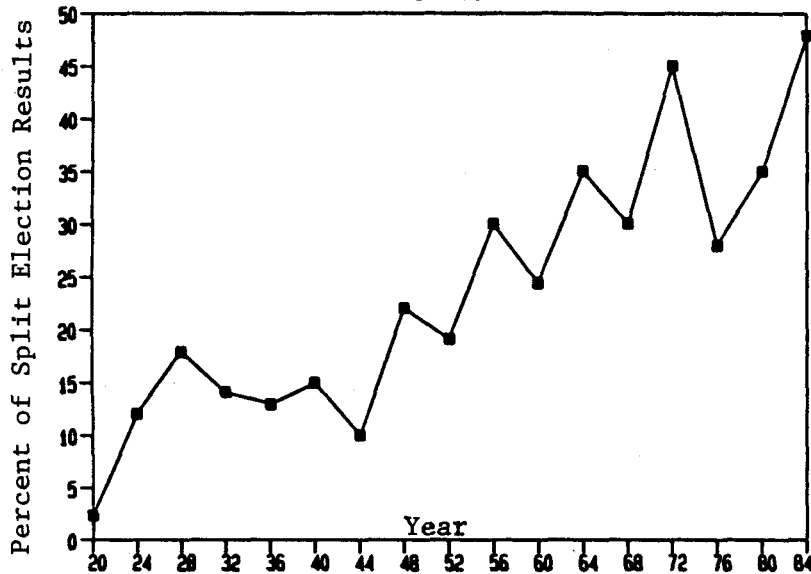
TRENDS IN SPLIT TICKET VOTING FOR
PRESIDENT AND GOVERNOR, 1880-1984
(percent)

<u>Period</u>	<u>States with Gubernatorial and Presidential Candidates of Same Party Carrying the State</u>	<u>States with Split Outcomes for Governor and President</u>
1880-1892	93.1	6.9
1896-1908	89.5	10.5
1912-1924	81.2	18.8
1928-1940	77.8	22.2
1944-1956	75.5	24.5
1960-1972	56.0	44.0
1976-1984	65.0	35.0

SOURCES: Larry Sabato, Goodbye to Good-Time Charlie (Lexington, MA: Lexington Books, 1978), p. 147; and John Bibby, "State House Elections at Mid-term," in The American Elections of 1982, ed., Thomas Mann and Norman Ornstein (Washington: American Enterprise Institute, 1983), p. 116.

Figure 3-1

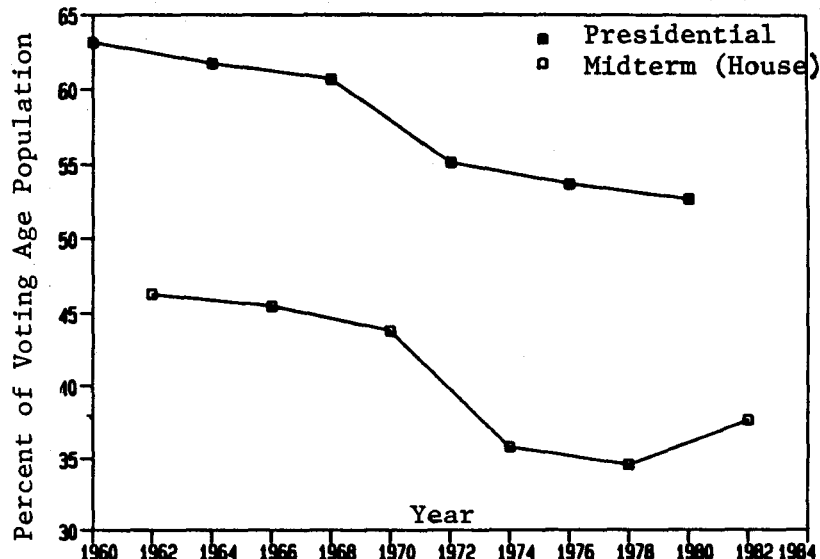
TRENDS IN SPLIT TICKET VOTING FOR PRESIDENT AND CONGRESSMEN,
1920-84



Sources: Richard Boyd, "Electoral Trends in Postwar Politics," in Choosing the President, James Barber, ed. (Englewood Cliffs, N.J.: Prentice-Hall, 1974), p. 185; and Norman Ornstein, et al., Vital Statistics on Congress, 1982 (Washington: American Enterprise Institute, 1982), p. 53.

Figure 3-2

VOTER TURNOUT IN CONGRESSIONAL AND PRESIDENTIAL ELECTIONS, 1960-82
(percent of voting age population)



Source: Congressional Quarterly, Elections '84: Strategies, Issues, and Outlook (Washington: Congressional Quarterly, 1983), p. 14.

Table 3-6

ELECTORAL TURNOUT IN 19 DEMOCRACIES

<u>Country</u>	<u>Average Turnout Since 1945</u>	<u>Country</u>	<u>Average Turnout Since 1945</u>
Australia	95.4	France	79.3
Netherlands 1971-81	94.4	Finland	79.0
Austria	94.2	United Kingdom	76.9
Italy	92.6	Canada	76.5
Belgium	92.5	Ireland	74.7
New Zealand	90.4	Japan	73.1
West Germany	86.9	Switzerland	64.5
Denmark	85.8		
Sweden	84.9	<u>United States</u>	58.5
Israel	81.4		
Norway	80.8	<u>OVERALL AVERAGE</u>	81.0

SOURCE: Gary Orren and Sidney Verba, "American Voter Participation: The Shape of the Problem," paper presented to the symposium on American Voter Participation, sponsored by Harvard University and the American Broadcasting Companies, Inc., Washington, DC, October 1983, p. 13.

participation levels have fallen among older age groups as well; groups who were not affected by this change.^{22/} Even countervailing efforts to increase voter participation by relaxing some of the legal restrictions to registration and by successfully promoting increased voting by southern blacks have failed to outweigh the pervasive, secular trend toward decreased electoral involvement overall. Rather it appears that increasing levels of political alienation and the growing numbers of political independents--who traditionally have voted less than committed partisans--are contributing to significant declines in involvement in the political system.^{23/}

Although such developments may have serious long-term implications for our political system, there also have been positive aspects to recent electoral changes. In particular, average American citizens appeared to be more cognizant of significant political issues in the 1960s and '70s than they were in the party-dominated days of the 1950s; citizens' views on related issues became more

^{22/} Stephen D. Shaffer, "A Multivariate Explanation of Decreasing Turnout in Presidential Elections, 1960-1976," American Journal of Political Science 25 (February 1981): 79.

^{23/} Ibid. See also Abramson and Aldrich, "The Decline of Electoral Participation."

consistent with one another and internally coherent; and issue positions became a more significant factor associated with people's actual voting behavior.^{24/} All of these developments would seem to indicate a stronger electoral system from the standpoint of classical notions of civic responsibility. Moreover, the characteristics of persons who call themselves political independents have changed over time. Many of the new independents are highly educated persons who are active in politics. They are citizens who simply feel no need for parties to mediate on their behalf in the political system, a description that contrasts sharply with the apathetic and poorly informed group of citizens who composed the bulk of political independents in the 1950s.^{25/}

Despite such seemingly positive developments, however, the overall effects of weakened party allegiances among the electorate may be cause for concern. Even some of those who applaud recent trends towards greater issue voting have expressed fears that the ultimate consequence of current electoral trends may be excessive fragmentation and volatility in the political system. As Nie, Verba, and Petrocik put it:

These changes add up to an "individuation" of American political life. The individual voter evaluates candidates on the basis of information and impressions conveyed by the mass media, and then votes on that basis. He or she acts as an individual, not as a member of a collectivity. The result of all these changes is a decline in continuity.... Elections turn more on the short-term forces in the election. ...The result is, we believe, a much more volatile electorate. It is a "mobilized" population--active and involved--but a populace with weaker institutional ties.^{26/}

EVOLVING PARTY FUNCTIONS AND THEIR INTERGOVERNMENTAL CONSEQUENCES:
RECRUITMENT, NOMINATIONS, AND CAMPAIGNS

Apart from shaping voters' attitudes and loyalties, the parties traditionally have played a leading role in most of the organized activities associated with electoral democracy: recruiting and nominating candidates, conducting and

^{24/} Nie, Verba, and Petrocik, The Changing American Voter, pp. 109, 128-29, 165-67.

^{25/} Ladd and Hadley, Transformations of the American Party System, pp. 300-01.

^{26/} Nie, Verba, and Petrocik, The Changing American Voter, pp. 347, 348; see also Jennings and Markus, "Partisan Orientations Over the Long Haul," p. 1016.

organizing campaigns, financing elections, communicating candidate positions to voters, and organizing the government. Yet today, most observers agree that the parties' role in most of these traditional functions has been diminished or altered substantially during recent years. From the standpoint of promoting more responsive and effective representative government, these changes have generated mixed assessments from different observers. From an intergovernmental perspective, however, few of these changes have been beneficial to the influence of state and local officials in the political system; many have been clearly detrimental.

The following section explores changes in the nominating and campaigning processes. It attempts to gauge the extent of changes that have transpired, to describe briefly how they have occurred, and to ascertain more fully their implications for the parties and the federal system. It begins by analyzing changes in the Presidential nominating system, which has been the focus of preponderant research. It then explores nominations and campaigns for Congress.

The Changing Party Role in Presidential Nominations

As Chapter 2 describes, Presidential nominations historically were determined by party professionals and loyalists gathered as delegates to the two national party conventions. As late as 1960, political journalist Theodore White nostalgically described the makeup of the national Presidential nominating conventions in terms that emphasized their continuity and traditional character:

A convention is usually made up of older, if not wiser, men than the common voters who send them there. In most states delegates are chosen by party leadership to honor long-time trusted servants of the party, or from men of eminence in culture, diplomacy or the professions ... or, particularly in organization-controlled states--those who contribute the big money to campaign chests. One way or another, a convention is an assembly of older men ... some of whom boast of unbroken attendance at conventions that reach back to the time of ... Woodrow Wilson. Almost as much as the national Congress, the delegates ... preserve the continuity of American politics.27/

As White suggests, state and local politicians and party leaders often played a leading role in the organization and operation of the convention. In

27/ Theodore White, The Making of the President 1960 (New York: Pocket Books, 1961), p. 185.

addition to controlling the selection of delegates, these officials often determined the behavior of large blocs of delegates, and negotiated over the fate of contending candidates. Governors themselves often ran as "favorite sons" or sought to emerge as "darkhorse candidates." Indeed, William Crotty literally defined traditional party conventions as:

a process of negotiation in which the state party leaders attempted to settle on a contender who could best help state and local leaders on their tickets. Once selected, the nominee was dependent on the local party chieftains to fully support his candidacy and to turn out a good following on election day.^{28/}

In this traditional framework, state Presidential primaries played a limited and largely advisory role. They were sometimes used to test the popularity or viability of a particular candidate, and to this extent could sometimes make or break a candidacy (as in the case of Harold Stassen in 1948 and John F. Kennedy in 1960). Yet, too few delegates were chosen or committed on the basis of primaries to make this a viable nominating strategy in and of itself. Thus, a candidate like Estes Kefauver could sweep the primaries in 1952 and still capture only a fraction of the delegates needed for the Democratic nomination, while Adlai Stevenson in 1952 and Hubert Humphrey in 1968 were able to capture their party's nomination without entering or winning a single primary contest.

RULES CHANGES AND THE EXPANDING ROLE OF PRESIDENTIAL PRIMARIES

The backlash against this last situation set in motion a series of rules changes and party reforms that altered the "rules of the game" in Democratic Presidential conventions and, in combination with other forces affecting both parties, dramatically increased the number and importance of Presidential primaries. Although the most obvious and dramatic reforms occurred in the Democratic party, Republican contests also have been deeply affected, in part because of changes in state laws made in conformance with the new Democratic rules.^{29/}

These changes were partly stimulated, and their consequences magnified, by longer term changes in the goals and aspirations of those involved in the poli-

^{28/} William Crotty, Party Reform (New York: Longman, 1983), p. 53.

^{29/} Byron E. Shafer, "Continuity and Change, Predictability and Change, in the Politics of Presidential Selection," PS 16 (Fall 1983): 649.

tical process. Traditionally, political professionals and party activists were motivated largely by material benefits resulting from political involvement: contracts, patronage, and other "spoils" of politics. Gradually, however, materially motivated political activists came to be replaced increasingly by issue activists--persons inspired to engage in political activity primarily in pursuit of policy or ideological ends.^{30/} This transformation reflected a variety of socio-economic changes identified in Chapter 2: rising levels of education and affluence, declining immigration, and the erosion of the material bases of political machines by government policies.

Whatever the causes, the changing makeup and incentives of political activists have had important consequences for the party system. Although they frequently participated in, and even came to dominate party affairs, issue activists often have been more deeply concerned with the advancement of their policy preferences than with party success. They are prone to seek the maintenance of issue purity within the party--even at the risk of alienating voters and jeopardizing electoral success--or at times will abandon the party or its candidate if another candidate or issue vehicle seems more attractive. This change in outlook fueled heated battles between issue-oriented activists and old style professionals in the 1960s and stimulated numerous attempts to "open up" the party system and enhance its policy responsiveness.

The most proximate cause of recent nominating reforms lay in the tumultuous political events of 1968, however. Widespread and growing opposition to the Vietnam War injected powerful emotions into politics that year and stimulated an outpouring of activity. This activity crystallized in primary election campaigns against then President Johnson by Senators Eugene McCarthy and Robert Kennedy. Although the surprisingly successful showing of these primary challengers prompted Johnson to withdraw from his race for renomination, and despite the strenuous efforts of anti-war activists, the nominating system proved unresponsive to their ultimate aims.

In retrospect, it is evident that the process then in effect for selecting delegates to the Democratic convention made it virtually impossible for either of the Democratic challengers to have been nominated at that time. By the time that Senator McCarthy announced his intention to run for President in November

^{30/} See especially James Q. Wilson, Political Organizations (New York: Norton, 1973), pp. 115, 116.

1967, almost one-third of the delegates had already been selected.^{31/} When his supporters attempted to influence the selection of delegates in state party caucuses, they discovered that in many states one-third or more of the delegates were appointed by the state party committee. Governors appointed all of the delegates in two states. In the seemingly more open primary states, the story often was much the same. Most of the state primaries did not bind or determine the selection of delegates, so the makeup of delegations often bore little resemblance to a state's primary vote. Indeed, William Crotty went so far as to conclude that "the primary vote was virtually worthless."^{32/} The result of such rules was that Vice President Hubert Humphrey was able to capture the 1968 Democratic nomination on the first ballot without entering a single primary election, leaving thousands of activists who had worked strenuously on behalf of one of the other candidates feeling that their efforts had been wasted.

To help redress genuine abuses in the Presidential nominating process and to heal the disastrous divisions created in the party, the convention established a Commission on Party Structure and Delegate Selection--popularly known as the McGovern-Fraser Commission--to recommend changes in the party's delegate selection process. The commission interpreted its mandate broadly, adopting a series of far-reaching rules changes and mandating state compliance with them. Although it was debatable whether the commission had actual authority to require that state parties conform to its guideline, the commission's recommendations resonated with popular values of representation and openness and attracted support from reform-oriented state parties.^{33/} Moreover, reform advocates astutely mobilized media support in an attempt to present more resistant states with a fait accompli:

The media played an important role in the work of the McGovern-Fraser Commission. Staff made every effort to cultivate the media. The commission--wanted to educate the public--to develop as large a constituency as possible for change. It hoped to pressure party leaders on the state

^{31/} Austin Ranney, Curing the Mischiefs of Faction (Berkeley, CA: University of California Press, 1975), p. 101.

^{32/} Crotty, Party Reform, p. 26.

^{33/} Bryon E. Shafer, Quiet Revolution (New York: Russell Sage Foundation, 1983), pp. 81-84.

Table 3-7

<u>National Convention</u>	<u>1968-80</u>		
	<u>Blacks</u>	<u>Women</u>	<u>Youth (under 30)</u>
1968	7%	13%	4%
1972	15	40	22
1976	11	33	15
1980	14	49	11

SOURCE: William Crotty, Party Reform (New York: Longman, 1983), p. 129.

and national level--by nurturing as pro-reform a media orientation as it could. 34/

The most sweeping changes in party rules adopted by the McGovern-Fraser Commission were designed to "open up" the delegate selection process, to reduce the influence of party professionals, and to ensure that slates of delegates to the national convention closely approximated the demographic makeup of each state in its composition of women, blacks, and young people. Thus, state parties were directed to make available written rules of the delegate selection process and to give adequate notice of all related meetings, to select at least three-quarters of the delegates at a level no higher than Congressional districts, to select no more than 10% of delegates through the state committee, to refrain from awarding delegates statewide through the unit rule or "winner-take-all" system, and to establish demographic quotas for delegates.35/

On balance, these reforms were unusually successful in achieving their intended goals, although they produced significant unintended consequences as well. By 1972, 41 state parties had adapted their rules, and in some cases worked to amend state laws to comply with the reforms, and virtually all of the remaining states were in substantial compliance.36/ One delegation that did not comply with the guidelines (from Cook County, IL), was refused seating at the 1972 convention even though it was selected in accordance with Illinois law. The proportion of blacks, women, and young delegates grew enormously by the

34/ Crotty, Party Reform, p. 58.

35/ Ibid., pp. 50-51.

36/ Shafer, Quiet Revolution, p. 495.

1972 national convention, and representation of these groups has remained at least double their 1968 proportions in succeeding conventions (see Table 3-7). Moreover, the number of people participating in the Presidential nominating process more than doubled after 1968, in both primaries and caucuses (see Table 3-8).

On the other hand, as Table 3-9 indicates, the number of prominent elected officials participating in Democratic national conventions declined sharply between 1968 and 1980. In addition, despite growing numbers of blacks and women, Democratic convention delegates in the post-reform era remain highly distinguishable from the general populace in terms of their occupational status and educational achievements. In 1976, for example, over two-thirds of the delegates were members of the highest occupational groupings (technical, professional and managerial workers), and 40% had graduate degrees (see Table 3-10). Thus, despite attempts to make the Democratic party more open and representative, some

Table 3-8

PARTICIPATION IN THE PRESIDENTIAL NOMINATION PROCESS,
1968-80

Year	Democrats			Republicans		
	Primary	Caucus	Total	Primary	Caucus	Total
1968	(17)* 8,247,000	(34)* 219,000	8,400,000	(16)* 4,571,000	(35)* 105,000	4,700,000
1972	(23) 16,715,000	(28) 771,000	17,500,000	(22) 5,887,000	(29) 256,000	6,100,000
1976	(31) 18,884,000	(20) 639,000	19,500,000	(30) 9,724,000	(21) 546,000	10,300,000
1980	(33) 17,580,000	(18) 539,000	18,100,000	(35) 13,301,000	(16) 307,000	13,700,000
1984	(24) 17,020,041	(27) 722,000	17,700,000	(24) 6,464,000	(27) NA	NA

NA = Not Available.

*Numbers in parentheses represent the number of primaries or caucuses.

SOURCES: William Crotty, Party Reform (New York: Longman, 1983), p. 142; and Congressional Quarterly, 1984, pp. 1317, 1443, 1620

Table 3-9

PARTICIPATION IN DEMOCRATIC NATIONAL CONVENTIONS

Year	Percentage Who Were Democratic Voting Delegates or Alternates:		
	<u>U.S. Senators</u>	<u>U.S. Representatives</u>	<u>Governors</u>
1956	90%	33%	100%
1960	68	45	85
1964	72	46	61
1968	68	39	83
1972	36	15	80
1976	18	15	47
1980	14	15	76
1984	62	66	83

SOURCES: Nelson Polsby, Consequences of Party Reform (New York: Oxford University Press, 1983), p. 114; and Democratic National Committee.

Table 3-10

OCCUPATIONAL AND EDUCATIONAL CHARACTERISTICS OF
THE GENERAL POPULATION AND DELEGATES TO
RECENT DEMOCRATIC CONVENTIONS

	Convention Delegates		General Populace
	<u>1972</u>	<u>1976</u>	<u>1975</u>
<u>Occupation:</u>			
Technical, Professional, Managerial	64%	68%	14%
Clerk and Sales	11	9	15
Blue Collar	4	5	18
Service	1	1	7
Farm	1	1	1
Retired	0	2	8
Housewife	13	9	14
Student/Unemployed	7	5	14
Other	0	0	9
<u>Education:</u>			
High School Graduate or Less	17	10	74
Some College	27	19	12
College Graduate and Study Beyond College	27	30	14
Professional or Graduate Degree	29	41	14

SOURCES: John S. Jackson, et al., "Recruitment, Representation, and Political Values: The 1976 Democratic National Convention Delegates," in The Party Symbol, William Crotty, ed. (San Francisco: W.H. Freeman, 1980), p. 208; and Statistical Abstract of the United States, 1976.

contend that the reforms merely institutionalized a "new Presidential elite" whose views were further out of touch with the party rank and file.^{37/}

Possibly the most important effect of the democratic rules changes was the encouragement they lent to a dramatic proliferation of state primaries for selecting national convention delegates. The number of state Presidential primaries practically doubled between 1968 and 1980, growing from 17 to 33, before falling back to 24 in 1984. In addition, a number of existing primaries were upgraded from nonbinding "beauty contests." Consequently, the number of delegates committed by primaries to individual candidates leaped from 36% of all Democratic convention delegates to 71% during this same period.^{38/} Because the proliferation of primaries occurred through changes in state laws governing nominations, Republicans experienced a comparable rise in the number of delegates selected in primaries.

The proliferation of Presidential primaries was due in part to many factors in addition to the Democratic reforms. The entire process may be viewed within the context of a long term, historical thrust toward "democratizing" American electoral processes. One member of the McGovern-Fraser Commission has written that the expansion of primaries was not intended at all. Commission members generally preferred more open caucuses to primaries.^{39/} Many state parties, however, viewed primaries as the simplest way of conforming to the new requirements without completely altering their own convention and caucus procedures.

INTERGOVERNMENTAL CONSEQUENCES OF THE NEW NOMINATING SYSTEM

Whatever the intent of reformers, the new Presidential nominating procedures have had considerable impact on the parties, on candidates, and on state and local party influence in the nominating process.

State and local influence has been undercut in several ways. Primaries have lifted delegate selection out of state party conventions and caucuses; abolition of the unit rule has reduced the influence of unified state delegations at the national convention; and quotas affecting delegate selection have

^{37/} Jeanne J. Kirkpatrick, The New Presidential Elite: Men and Women in National Politics (New York: Russell Sage Foundation, 1976).

^{38/} Nelson Polsby, The Consequences of Party Reform (New York: Oxford University Press, 1983), p. 64.

^{39/} Ranney, Curing the Mischiefs of Faction, p. 206.

made it more difficult for party leaders to reward loyal party workers. Nearly all observers agree with Leon Epstein that "these new practices--have reduced dramatically the confederative power of state and local leaders over Presidential candidate selection."^{40/} Rather than focusing their efforts on garnering support from state and local party and elected leaders, Presidential candidates have found that they must build elaborate and highly personalized campaign organizations to help them win primary elections and attract grass roots support in party caucuses. Contemporary Presidential candidates now spend millions of dollars prior to the national convention on polling, media advertising, personal campaigning, and other means of attracting and organizing supporters in national campaigns for convention delegates. Through such methods, successful candidates in recent years have managed to win a majority of delegates in the pre-convention stage, thus transforming the convention's role to one of ratifying nominations made by voters in the primaries and caucuses while presenting an attractive party image on national TV. The days when governors, mayors, and other state and local party leaders act as brokers at the national convention apparently have ended.

This situation, in turn, appears to have opened up the Presidential nominating process to larger numbers and new types of Presidential candidates. On average, 3.2 candidates seriously sought the Presidential nomination in each party in the years between 1952 and 1968. Between 1972 and 1980, however, the number of candidates contesting more than one Presidential primary averaged 4.7 among Republicans and 10.3 among Democrats.^{41/} As larger numbers of candidates attempt to build followings among the parties' diverse constituencies, however, they risk exacerbating party factionalism. As V.O. Key discovered years ago within the states, primaries tend to ignite powerful centrifugal forces within the parties:

the direct primary opened the road for disruptive forces that gradually fractionalized the party organization. By permitting more effective direct appeals by individual politicians to the party membership, the primary system freed forces driving toward the disintegration of party organizations and facilitated the construction of factions and cliques attached to the ambitions of individual leaders. The convention system compelled leaders to

^{40/} Leon D. Epstein, "Party Confederations and Political Nationalization," Publius 12 (Fall 1982): 83.

^{41/} Polsby, The Consequences of Party Reform, p. 62.

treat, to deal, to allocate nominations; the primary permits individual aspirants by one means or another to build a wider following within the party.^{42/}

"Candidates must behave differently in a Presidential nominating process dominated by primary elections," agrees Polsby. "Rather than build coalitions, they must mobilize factions."^{43/}

While factionalizing parties, Presidential primaries have heightened the political importance of the mass media. Most analysts now agree that the media have displaced state and local party leaders as the primary link between Presidential candidates and the party rank and file:

Television journalism has ... becom[e] the most important connecting link between a variety of competing candidates and an unsettled party electorate ... whether by setting criteria for media coverage of candidates or issues, or by establishing benchmarks for candidates' success or failure in actual primary elections, the press has assumed much of the recruitment and evaluative role that was once reserved for practicing politicians.^{44/}

This growing media role has affected candidate strategies in important ways, with further implications for state and local influence in the Presidential nominating system. Candidates now recognize that all primaries are not treated equally by press and television. The earliest contests--the New Hampshire primary and, after 1976, the Iowa caucuses--receive media attention far beyond what is warranted by the number of delegates selected. By one estimate of relative press coverage, each Democratic vote cast in the New Hampshire primary in 1976 received 170 times more media attention than Democratic votes cast in the New York primary.^{45/} Consequently, candidates design their strategies around capturing the early primaries and caucuses to gain maximum exposure and to build "momentum" for later contests. Precisely this strategy enabled Jimmy Carter, a relative unknown in early 1976, to capture the Democratic nomination

^{42/} V.O. Key, Jr., Politics, Parties, and Pressure Groups, 5th ed. (New York: Thomas Y. Crowell, 1964), p. 342.

^{43/} Polsby, The Consequences of Party Reform, p. 65.

^{44/} Richard Rubin, Party, Press and Presidency (New York: Norton, 1981), p. 209.

^{45/} Polsby, The Consequences of Party Reform, p. 60.

that year.^{46/} The drawbacks associated with such permeability became apparent only afterwards when President Carter, lacking stable long-term political commitments, experienced difficulties in attracting policy support in Washington and maintaining political support in the volatile arena of public opinion.

Overall, then, serious questions have been raised about the effects of party reforms despite broad acceptance of their general goals. Experience has shown that candidates emerging from the new process are not necessarily the strongest nominees nor the most representative of rank and file views. Furthermore, most observers agree that by enlarging the role of primaries, the reforms have weakened the parties. "The direct primary," writes Austin Ranney, "has not only eliminated boss control of nominations but party control as well."^{47/}

REFORMING THE REFORMS

These problems have stimulated efforts by the Democrats to "reform the reforms," and some of the most criticized effects have been ameliorated. Indeed, the Democratic party established a series of commissions to study further rules changes in the wake of the McGovern-Fraser Commission. One of the most recent of these, the Commission on Presidential Nomination, chaired by North Carolina Governor James Hunt, advanced the most sweeping changes. The Hunt Commission expressed concern over the proliferation of primaries and encouraged wider use of party nominating caucuses. Partly in response, the number of state Presidential primaries fell significantly in 1984 for the first time in 12 years, from 33 in 1980 to 25. The Commission also persuaded the Democratic party to restore a larger role for current officeholders at Democratic conventions by setting aside 566 delegate seats for elected and party officials. The House and Senate Democratic caucuses filled approximately 190 of these seats, and the remainder went to governors, mayors of major cities, state party chairs, and other officials selected by the state parties.^{48/} The hope was that these officials would increase their involvement in party affairs and lend an element of "peer review" to the selection of a Presidential nominee. Other major changes in the Demo-

^{46/} A memo by Carter's campaign manager outlining this strategy is reprinted in ibid., pp. 204, 205.

^{47/} Ranney, Curing the Mischiefs of Faction, p. 129.

^{48/} David Broder, "Democrats' New Calendar," Washington Post, 22 August 1983, p. A2.

cratic party's rules included permitting states to deviate from strict proportional allocation of delegates to a "winner take more" system, and efforts to shorten the primary election season.

Although one Presidential nominating cycle is insufficient to fully assess such changes, they appeared to have only a modest effect on the basic character of the selection process in 1984. Both political conventions continued their modern role as ratifying rather than decision-making bodies, and volatility continued to dominate the Democrats' nominating process. As Congressional Quarterly aptly observed:

The results in the first few "media fishbowl" events have underscored the startling fluidity of the nominating process in its early stages. With voter support often determined by vague themes and impressions, sentiment changes quickly and dramatically. That has been the story of all the nominating campaigns since 1968, and it is the story of this one.^{49/}

Although such continuities suggest strongly that the contemporary nomination process is driven by powerful forces outside of the parties' rule-making process, it is noteworthy that even the Hunt Commission's modest revisions have come under attack from candidates who felt slighted by a more party-oriented nominating procedure in 1984. For the Democrats, at least, quadrennial rules revisions appear to be an institutionalized feature of the Presidential nominating process, even as the parties themselves are buffeted by political factors seemingly beyond their control.

Congressional Recruitment and Nominations

Since the turn of the century, many members of Congress have had a unique and often arms' length relationship with political parties in America. Falling in the cracks between the semi-permanent national party organizations--geared primarily to the cyclical task of electing a President--and state and local party structures--organized to capture offices in state and local jurisdictions--Congressional candidates have often had little interaction with parties at any level of organization. In the post-1960 period, however, Congressional-party relations reached a new plateau of independence. With the decline of political

^{49/} "Another Outsider Crashes Democratic Party," Congressional Quarterly Weekly Reports, 10 March 1984, p. 546.

machines and development of new resources and political styles geared to autonomous candidate-centered campaigns, many members of Congress attained a greater degree of political independence than ever before. As Thomas Mann has observed:

The important change that has taken place is not that strong parties have suddenly become weak, but that the conditions favoring individualistic politicians have become even more prevalent now than in the past.^{50/}

Only in the past few years have the parties--especially the Republicans at the national level--actively sought to counter this trend by increasing recruitment efforts, financial contributions, and campaign assistance. Although these efforts produced some positive initial effects, their long-term impact in the face of growing PAC activity and other countervailing forces remains to be seen.

CONGRESSIONAL RECRUITMENT IN HISTORICAL PERSPECTIVE

Historically, it was not uncommon for the ties between members of Congress and state and local political party organizations to be quite close. In many cases, influential Senators were recognized leaders of their state political organization, in the fashion of a Harry F. Byrd or a Roscoe Conkling. In the 19th century House, as has been noted, party organizations often rotated Congressional seats among the party faithful, rewarding party stalwarts with one or two opportunities to run for Congress before transferring the nomination to another deserving loyalist.^{51/}

In this century, many members of Congress--especially from large, well organized urban areas--continued to be closely linked to local party organizations, although the numbers dwindled steadily with the decline of political machines. Gary Jacobson recounts the experience of one recent state legislator from Chicago, John Fary,

who was called into Mayor Daley's office. At 65, Fary had been a faithful servant of the machine; and he thought the Mayor was going to tell him it was time to retire. Instead, he was told he was going to Congress. He did, declaring on the night of his special election victory,

^{50/} Thomas E. Mann, "Elections and Change in Congress," The New Congress, Thomas Mann and Norman Ornstein, eds. (Washington: American Enterprise Institute, 1981), p. 39.

^{51/} H. Douglas Price, "The Congressional Career--Then and Now," Congressional Behavior, Nelson Polsby, ed. (New York: Random House, 1971), p. 19.

"I will go to Washington to help represent Mayor Daley. For 21 years I represented the mayor in the legislature, and he was always right."52/

As one of the last effective political machines, the Chicago case has been the most carefully studied in recent years. One classic 1960's study by Leo Snowiss found that in a number of safe, innercity districts, the Chicago Democratic organization was indeed able to control Congressional nominations, observing that: "long-standing membership in the organization has been the single most important criterion of selection. The Congressmen have been chosen by party regulars from among party regulars."53/ Snowiss found, however, that Congressional office was not highly prized by most party regulars:

The office of Congressmen is not highly regarded because it has no patronage worth mentioning and no apparent influence upon local politics. High city, county, or statewide offices with relatively broader jurisdiction, considerable administrative responsibilities, and greater visibility, are more eagerly sought than seats in Congress.54/

The nominating process in nonmachine suburban areas was very different, however. Lacking a strong patronage base, Republican party organizations in those areas were weak and permeable. Congressional candidates were forced to: "rely upon personal initiative and personal resources. The [nominating] system tends to foster extreme sensitivity to the character of the primary electorate, which candidates must scrupulously cultivate."55/ Consequently, Snowiss found that Congressmen from these areas tended to be "issue-oriented conservatives" who seek to enlist "large numbers of volunteer workers," "engage in personality politics," and "put less emphasis on skills of bargaining or negotiation and more on oratory and public advocacy."56/

52/ Gary Jacobson, The Politics of Congressional Elections (Boston: Little, Brown, 1983), p. 19.

53/ Leo Snowiss, "Congressional Recruitment and Representation," American Political Science Review 60 (1966): 630.

54/ Ibid., p. 629.

55/ Ibid., p. 632

56/ Ibid.

CONGRESSIONAL NOMINATIONS TODAY

As strong, patronage-based political organizations have disappeared across the country, patterns of Congressional recruitment and nomination everywhere have come more and more to resemble those of suburban Cook County. As Gary Jacobson observes:

The party organization's influence on Congressional nominations varies but is generally feeble. Few Congressional candidates find opposition from the local party leaders to be a significant handicap; neither is their support very helpful. The nomination is not something to be awarded by the party but rather a prize to be fought over by freebooting political privateers.^{57/}

The major reason, he maintains, has been the corrosive effect of political primaries:

Primary elections have largely deprived parties of their most important source of influence over elected officials. They no longer control access to the ballot and, therefore, to political office. National parties have never had much influence in the nominating process. Now state and local parties typically have few sanctions and little influence.^{58/}

Indeed, as the overall influence of political parties declined, members of Congress were among the first and most severely affected. The organizational structure of political parties raised special obstacles to the effective integration of Congressional candidates into party affairs. Most party organizations, built along municipal, county, and state jurisdictional lines, bear little relationship to Congressional district boundaries, which typically encompass either more or less territory than any of these state or local jurisdictions. Moreover, this disjunction between Congressional districts and local jurisdictional boundaries has been exacerbated since the 1960s because of judicial requirements established in redistricting cases. By requiring strictest mathematical equality among Congressional districts within a state, the courts have made it virtually impossible to respect state and local political and jurisdictional boundaries in Congressional districting. The absence of Congressional control over significant amounts of patronage, the differing goals and orientations of

^{57/} Jacobson, The Politics of Congressional Elections, p. 19.

^{58/} Ibid.

most members of Congress and nonfederal politicians, and the underlying weaknesses of many state and local parties all reinforced this factor. As a result, most contemporary Congressmen are poorly integrated into state and local party structures. As former Congressmen Abner Mikva stated:

A Congressman is a fifth wheel on the party wagon. The national party's primary function is to elect the President. The state party directs its attention to state races. The Congressional candidate, in limbo between these two units, gains little support, financial or otherwise, from either. As a Congressman once said: "If I had to rely on the party to get elected, I wouldn't be here today."59/

Outside of the dwindling number of localities with strong political organizations, Congressional independence from established party organizations has been an ongoing process for much of this century. It was clearly in evidence by 1960 when one major study of Congress concluded that:

State party organizations are relatively unimportant in the campaign plans of members of Congress.... Criticism that state and local groups do not concern themselves with Congressional elections is widespread.... Not only is it unusual to receive financial assistance from local official party organizations, but, indeed, Congressional candidates may be expected to contribute to [them].... In some areas the local group is hostile rather than indifferent. Said one Democrat, "My county committee is never any problem because it is so inactive it is difficult to find. When I have found it, it usually has opposed me."60/

Consequently, Congressional candidates have been left increasingly to their own political devices. They have been forced to seek the nomination independently, to raise their own funds, to attract volunteers, to build their own coalition of supporters, and to conduct an independent campaign. By the mid-1960s, "highly personal organizations" were the "usual pattern" in Congressional campaigns.61/ In fact, Bibby and Davidson found that in 1962--even in a very

59/ Abner Mikva and Patti Saris, The American Congress: The First Branch (New York: Franklin Watts, 1983), p. 68.

60/ Charles Clapp, The Congressman: His Work as He Sees It (Washington: The Brookings Institution, 1963), pp. 398-99.

61/ John Bibby and Roger Davidson, On Capitol Hill (New York: Holt, Rinehart & Winston, 1967), p. 19.

strong party state like Connecticut--coordination between the senatorial campaign of former Governor Ribicoff and the state party organization was "informal and flexible":

There was little liaison on strategy or issues....
Fund-raising was also separate.... There was no joint
handling of radio and TV programs.62/

Indeed, about the only party contributions to Ribicoff's campaign were poll watching and get-out-the-vote drives staged by local party organizations for the benefit of all candidates on the party slate.

CHANGING PATTERNS OF CONGRESSIONAL RECRUITMENT: THE INTERGOVERNMENTAL DIMENSION

Although available data are only suggestive, one consequence of the diminishing party role in Congressional recruitment appears to be that, over time, new members entering Congress have had less prior experience in state and local government than their predecessors. Rather than political parties rotating Congressional nominations among long-time party stalwarts who have "paid their dues" in state and local party and elective offices, contemporary members of Congress increasingly are voluntary recruits who frequently begin their Congressional quest at a younger age. In the process, the intergovernmental background of Congressional leaders (for whom data are available) has changed systematically over the course of this century.

Table 3-11 shows the percentages of Congressional leaders having experience in state and local elective offices prior to their election to Congress. In two of the three categories of elective office, the percentage of Congressional leaders having held them fell substantially between 1903 and 1963 and continued to fall sharply in 1983. Only in the case of state legislative experience is no clear pattern discernible. Averaging all forms of state-local elective experience into a single index makes clear that overall levels of state and local political experience have declined among Congressional leaders, from a composite score of 39 in 1903 to a score of 23 in 1983. If these data on Congressional leaders are reflective of legislators as a whole, then clearly fewer members of Congress are gaining political experience in subnational government before coming to Washington, and/or those who do are holding a fewer number of positions

62/ Ibid., p. 43.

Table 3-11

EXPERIENCE OF HOUSE AND SENATE LEADERS IN STATE AND LOCAL GOVERNMENT

<u>Offices Held</u>	<u>Year</u>		
	<u>1903</u>	<u>1963</u>	<u>1983</u>
Elective Local Office	55%	46%	18%
State Legislature	47%	30%	48%
Governor	16%	9%	4%
Average Index of State and Local Elective Experience	39	28	23

SOURCES: Samuel P. Huntington, "Congressional Responses to the Twentieth Century," in The Congress and America's Future, second ed., David B. Truman, ed. (Englewood Cliffs, NJ: Prentice-Hall, 1973), p. 17; and 1983 Congressional Directory (Washington: U.S. Government Printing Office, 1983).

before moving to Washington. Although comparable data are not available for earlier years, biographical information on 1983 Congressional leaders suggests that they did not compensate for this lack of elective experience with activity in state and local party organizations. Only 13% reported having held an important position in a state or local party before election to the Congress.

A RENEWED PARTY ACTIVISM?

Despite the long-term trend toward reduced party involvement in Congressional recruitment and nominations, recent evidence suggests that the nadir of declining party involvement may be past. Since the late 1970s, the Republican National and Congressional Committees have undertaken unprecedented efforts to locate, recruit, and train potential Congressional candidates as part of a broader pattern of national party activism described later in this chapter. Summarizing these impressive efforts, one scholar has written that:

In the last several years the national Republican party has lost its reticence [to recruit Congressional candidates]. The GOP has taken the lead in encouraging strong candidates to run, in providing financial and technical assistance to candidates, in developing a more attractive party image, and in planning a local campaign effort on behalf of state legislative candidates, who constitute the major recruitment pool for Congress. This has meant favoring certain candidates with national party endorsements and resources before their primary election, in order both to get the strongest possible Repub-

lican candidate and to give that candidate a head start in the general election campaign.^{63/}

The initial success of these activities has encouraged the national Democratic party to begin to replicate them.

At the state level, as well, there is some evidence of increased party involvement, once again particularly among Republicans. According to ACIR's survey of state party chairs, 85% of Republican state parties attempt in at least some instances to recruit candidates for Congressional races, as do 53% of the Democrats. Although there is no comparable data from the past to use for comparison, 39% of the responding state chairs replied that Congressmen in their states were more active in state party affairs today than they were 25 years ago, compared with 19% who perceived them to be less active. Assuming that state chairs' perceptions are correct, such increased Congressional activity could be expected among members who received early assistance from the state party, although it could also be the product of other factors.

The Shattered Monopoly:
Political Parties' Role in the Conduct of
National Campaigns

Significant though contemporary changes in the nominating process are, the individualization of American politics now extends far beyond Congressional recruitment and nominations and far beyond the race for Presidency. The forces set in motion by changes in the nominating process have accelerated the proliferation of new political actors and institutions and inspired an independent, entrepreneurial style of politics that continues into the general election process and beyond.

One cause of this continuing electoral independence lies in the dynamics of the nominating process itself. Until a party's candidate has been formally selected, the party apparatus is generally constrained from aiding any of the individual candidates seeking nomination. Although individual elected leaders and party activists typically are free to take up sides among competing candidates, they may be reluctant to do so, given their need to work with whoever is ultimately selected. Consequently, candidates who are forced to create their own personal political organizations to seize the nomination often feel a lin-

^{63/} Mann, "Elections and Change in Congress," p. 51.

gering sense of independence from the party once the nomination has been won.^{64/} Although they may be happy to enjoy whatever resources the party can mobilize on their behalf in the general election, they are apt to retain a strong and lingering loyalty to the supporters who backed them from the beginning, "when the going was tough." Indeed, they are apt to feel less obligated to established party leaders than to various constituency groups and factions within the party who backed them earlier. To the extent that successful nominees have been forced to make programmatic concessions to these intraparty factions, the "open" nomination process may have important implications for federal policy.

NEW CAMPAIGN RESOURCES

New technology and new political actors reinforce this independent pattern and greatly reduce candidates' reliance on the party apparatus in campaigning. As Crotty and Jacobson put it:

The role of the political party in campaign has given way to the technology of television-centered campaigns built on polls and run by media and public relations experts.^{65/}

Indeed, in emphasizing the modern role that television plays in political campaigns, they go so far as to suggest that contemporary candidates with access to television, consultants, and new technology can render more traditional forms of political support practically irrelevant:

Television allows those candidates who can command the necessary financial resources to mount impressive [campaigns] at all levels. Such candidates are not dependent on the political party to sponsor their careers. A political organization and the mastery of a ladder-like succession of political offices are no longer prerequisites for nomination and election to higher political offices. A prospective candidate with sufficient ... resources can run for office whenever he decides. He need have no previous political experience, no ties to the party whose nomination he seeks, and no particular roots in the community ... he seeks to represent. All he needs

^{64/} See Stephen Wayne, The Road to the White House (New York: St. Martin's Press, 1981), pp. 161, 162; and Louis Sandy Maisel, From Obscurity to Oblivion (Knoxville, TN: University of Tennessee Press 1982), p. 44.

^{65/} Crotty and Jacobson, Political Parties in Decline, p. 65

is the ability to use television, to follow the advice of his consultants, and to pay for the services rendered.66/

Although carried to this extreme such a nonparty strategy probably characterizes the exceptional race. There is no question that the parties' traditional monopoly over many campaign functions effectively has been broken and that this has altered significantly the nature of modern campaigns. Independent campaign consultants now perform a variety of critical electoral services for candidates, from devising overall campaign strategy to public opinion polling, public relations and media consulting, campaign management, and organizational advice. In the words of one prominent pollster:

What we've done with media, what we've done with polling, and what we've done with direct organizational techniques is that we have provided candidates who have the resources ... the ability to reach the voters and have a direct contact with the electorate without regard to party or party organization.67/

Bob Goodman, another prominent campaign consultant agrees:

We have enabled people to come into a party or call themselves independent Democrats or Republicans and run for office without having to pay the dues of being a party member in a feudal way. Meaning kiss the ass of certain people and maybe down the line they'll give you a shot at public office.68/

Once elected on this basis, many recent Presidents have tended to retain their independence from the party organization and have gone to considerable lengths to maintain their own independent reelection committee. This was particularly evident with Presidents Nixon and Carter but was partially true of President Ford as well.69/

AN INDEPENDENT CONGRESS

A similar process has been evident in Congressional campaigns, where the

66/ Ibid., p. 67.

67/ Patrick Caddell, quoted in Larry Sabato, The Rise of Political Consultants (New York: Basic Books, 1981), p. 286.

68/ Quoted in ibid., p. 288.

69/ Wayne, The Road to the White House, pp. 161-62.

expanded availability of independent political resources has accelerated the long-term trend toward more personalized campaign organizations. As Chapters 7 and 8 show, substantial growth in the number of Washington-based interest groups over the past 25 years has made these groups an increasingly important aspect of Congressional election strategies.^{70/} In particular, the growth of political action committees has substantially increased the availability of nonparty financial resources. Such resources permit most members of Congress to hire a range of independent professional consultants to help them plan, organize, and conduct their campaigns. "Most politicians seeking major office attract a small committee of consultants," observes Sabato. He notes that in 67 Senate races in 1970, "62 [candidates] had an advertising firm, 24 had a pollster, and 20 secured help from some sort of campaign management firm. Just five candidates made do with no consultants."^{71/}

In contrast, at least until very recently, Congressional reliance on party sources in general elections has declined steadily. According to one study of first-term Congressional races between 1958 and 1978,

the percentage of those relying "a lot" on all of the campaign media combined (print, radio, TV) had increased by 35 percentage points since 1958, while the percentage relying "a lot" on party had declined by 15 percentage points. Over the last 25 years, all the media are up. Parties are down.^{72/}

This trend is continuing. In 1982, Congressional candidates spent approximately \$343 million on their campaigns, and an estimated \$100 million was spent on television advertising alone.^{73/} Given such resources and technology, far fewer members of Congress need rely any longer on their local party organization and few, perhaps, have much desire to. As Richard Fenno discovered in his careful study of the "home styles" of 18 Congressman:

^{70/} Jacobson, The Politics of Congressional Elections, pp. 170-72.

^{71/} Sabato, The Rise of Political Consultants, p. 12.

^{72/} Michael J. Robinson, "Three Faces of Congressional Media," The New Congress, Thomas Mann and Norman Ornstein, eds. (Washington: American Enterprise Institute, 1981), p. 71.

^{73/} Richard Cohen, "Costly Campaigns: Candidates Learn That Reaching Voters is Expensive," National Journal, 16 April 1983, p. 782.

In only two or three cases is there an integrated working relationship between the Congressman's personal organization and the local party organization. That is exactly the way most of our House members want it--separate organizations pursuing separate tasks. The task of the Congressman's personal organization is to keep him in Congress. The task of the local party organizations is to keep the party in control of local offices. Most members of Congress work to preserve this separation of Congressional from local politics. They prefer to remain minimally involved in local politics, not to become local political leaders.^{74/}

Although there are variations from one district to another in the extent to which Congressional campaigns have become personalized and independent from state and local party organizations, there is a general consensus among practitioners and analysts alike that these trends are present in virtually all districts. "Professional campaign management, polls, computers, and television," writes Robert Agranoff, "are ... the new 'party organization.'"^{75/}

THE NATIONAL PARTY ORGANIZATIONS: MODERNIZATION, LEADERSHIP, AND NATIONALIZATION

In the face of such 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 national party organizations have been especially active in responding. The Republican National Committee (RNC) and its Congressional affiliates have focused on enlarging their financial and professional resources and employing new electoral technologies, thus permitting them to assist greater numbers of candidates and aid less developed state and local party organizations. The National Democratic Committees have begun to emulate these path-breaking Republican organizational efforts, after focusing initially on broadening participation in the Presidential nominating process and expanding national authority vis a vis state parties.

^{74/} Richard Renno, Home Styles: House Members in Their Districts (Boston: Little, Brown, 1978), p. 113.

^{75/} Robert Agranoff, "The New Style of Campaigning: The Decline of Party and the Rise of Candidate-Centered Technology," in Parties and Elections in an Anti-Party Age, Jeff Fishel, ed. (Bloomington, IN: University of Indiana Press, 1978), p. 240.

Such developments have clearly altered traditional perceptions of the national parties as weak and occasional entities. Indeed, as recently as 1964 they were aptly characterized as "politics without power."^{76/} Beyond their major task of convening every four years to nominate and help elect a President and Vice President, the national parties had "few powers, few opportunities to exert these powers, and few sanctions with which to uphold [their] decisions."^{77/}

Because of the impressive transformation of the national parties' authority and capabilities, some believe that the American party system is becoming nationalized. This conclusion appears to be premature, considering the continued limits on the national parties and the concurrent modernization of many state party organizations. Nevertheless, there is little question that the party system is in flux and that the traditionally secondary role of the national parties is being altered permanently.

The Republican National and Congressional Committees:
Expanding Resources, Activities, and Assistance

The Republican National Committee (RNC) 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.^{78/} By the 1950s, the RNC's paid staff averaged 98 during nonelection years. This number grew to an average of 125 during the 1960s.^{79/}

By the late 1970s, even more striking gains were being made. Responding in part to party weaknesses apparent in the wake of the Watergate scandal, the Republican National Committee launched a concerted effort to further expand its resource base and organizational capabilities. National Committee staff expanded to 220 in the nonelection year of 1977.^{80/} The Committee's operating budget grew along similar lines, expanding from a 1965 level of \$1.5 million to \$9.7 million

^{76/} Cornelius Cotter and Bernard Hennessy, Politics Without Power: The National Committees (New York: Atherton, 1964).

^{77/} Gerald Pomper, Nominating the President (New York: Norton, 1966), p. 87.

^{78/} Cornelius Cotter and John Bibby, "Institutional Development of Parties and the Thesis of Party Decline," Political Science Quarterly 95 (Spring 1980): 3.

^{79/} Ibid., p. 5.

^{80/} Ibid.

in 1978--an inflation-adjusted increase of over 300%. In large part, this budgetary expansion reflected the RNC's innovative and effective efforts to develop a broadly based direct mail fund-raising operation. Direct mail provided 81% of the RNC's rising receipts in 1978, up from 40% 13 years earlier.^{81/} By 1982, the party's direct mail operation had established a group of 1.7 million reliable donors on which the party could draw for financial support.^{82/}

The enhancement of party resources has allowed the Republican National Committee and its Congressional counterparts to provide a broad array of expanded services to both candidates and to its state and local affiliates. 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 electoral techniques, and it began an aggressive program of candidate recruitment for key House and Senate races. According to some authorities, this effort has significantly nationalized the candidate selection process:

Today's campaign committees ... are national political strategy centers that not only pump millions of dollars into campaigns but recruit House candidates, teach them campaign skills, mount national advertising efforts and conduct year-round polling. Republicans do far more ... but Democrats are moving in the same direction. What this amounts to is a new nationalizing force in Congressional elections. Every two years, local parties seem less relevant in picking candidates for Congress. Nominees in many competitive districts now tend to be chosen with minimal participation by local party leaders.^{83/}

Such activities contributed significantly to the Republican party's pick-up of 46 House and Senate seats in the 1980 election and to minimizing the party's losses in the recession-dominated 1982 mid-term elections.^{84/}

^{81/} Ibid., p. 10.

^{82/} Larry Sabato, "Parties, PAC's and Independent Groups," in The American Elections of 1982, Thomas Mann and Norman Ornstein, eds. (Washington: American Enterprise Institute, 1983), p. 75.

^{83/} Alan Ehrenhalt, "Campaign Committees: Focus of Party Revival," Congressional Quarterly Weekly Reports, 2 July 1983, p. 1345.

^{84/} Thomas Mann and Norman Ornstein, "The Republican Surge in Congress," in The American Elections of 1980, Austin Ranney, ed. (Washington: American Enterprise Institute, 1981).

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 fund-raising assistance and help attracting and coordinating PAC contributions. In recent years, the RNC has also engaged in an active television advertising campaign providing a nationwide political umbrella for Republican candidates. Most significant of all, however, have been the levels of assistance provided by the national Republican campaign committees in Congressional elections. In the 1983-84 election cycle, the national committees provided \$4 million in direct contributions to Republican candidates and an additional \$13 million in indirect expenditures spent on their behalf. Such contributions far outstrip comparable spending by Democratic Congressional committees, as well as contributions and expenditures by state Republican parties (see Table 3-12).

Table 3-12

CONTRIBUTIONS AND EXPENDITURES ON BEHALF OF
CONGRESSIONAL CANDIDATES BY NATIONAL AND STATE/LOCAL PARTY COMMITTEES,
1983-84

Combined State and Local Party Committees

	<u>Candidate Contributions</u>	<u>Other Spending on Behalf of Candidates</u>
Democrats	\$ 496,557	\$ 1,141,793
Republicans	878,949	57,782

National Party Committees

	<u>Candidate Contributions</u>	<u>Other Spending on Behalf of Candidates</u>
Democrats	\$1,217,679	\$ 2,219,923
Republicans	4,813,429	13,883,750

SOURCE: Federal Election Commission

ASSISTING STATE AND LOCAL PARTIES

Although it has remained respectful of state prerogatives, the Republican National Committee has also become involved in a range of activities at the state and local levels. In addition to recruiting and assisting Congressional candidates at the district level, it has provided a range of contributions and services to gubernatorial and state legislative candidates in selected races.

In 1980, for example, it spent \$3 million in assisting more than 4,000 state legislative candidates, including direct financial contributions of \$1.7 million.^{85/} In fact, 70% of Republican state party chairs responding to a 1983 ACIR survey reported that at least some candidates for nonfederal offices in their state received financial assistance from the national party.

The RNC has also engaged in a variety of efforts to help modernize state and county party organizations and improve their fundraising and candidate assistance capabilities. As indicated in Table 3-13, the forms of assistance given

Table 3-13

NATIONAL PARTY ASSISTANCE TO STATE PARTIES

<u>Form of Assistance</u>	<u>Percentage of State Parties Receiving Assistance</u>	
	<u>Republicans</u>	<u>Democrats</u>
Financial Aid to State Party	70%	7%
Fundraising Assistance	75%	20%
Polling and Data Processing	60%	27%
Organizational Management Aid	75%	63%
Voter Registration	38%	33%
Financial Aid to State Candidate	70%	13%
Candidate Recruitment and Training	65%	23%
Maximum N =	40	30

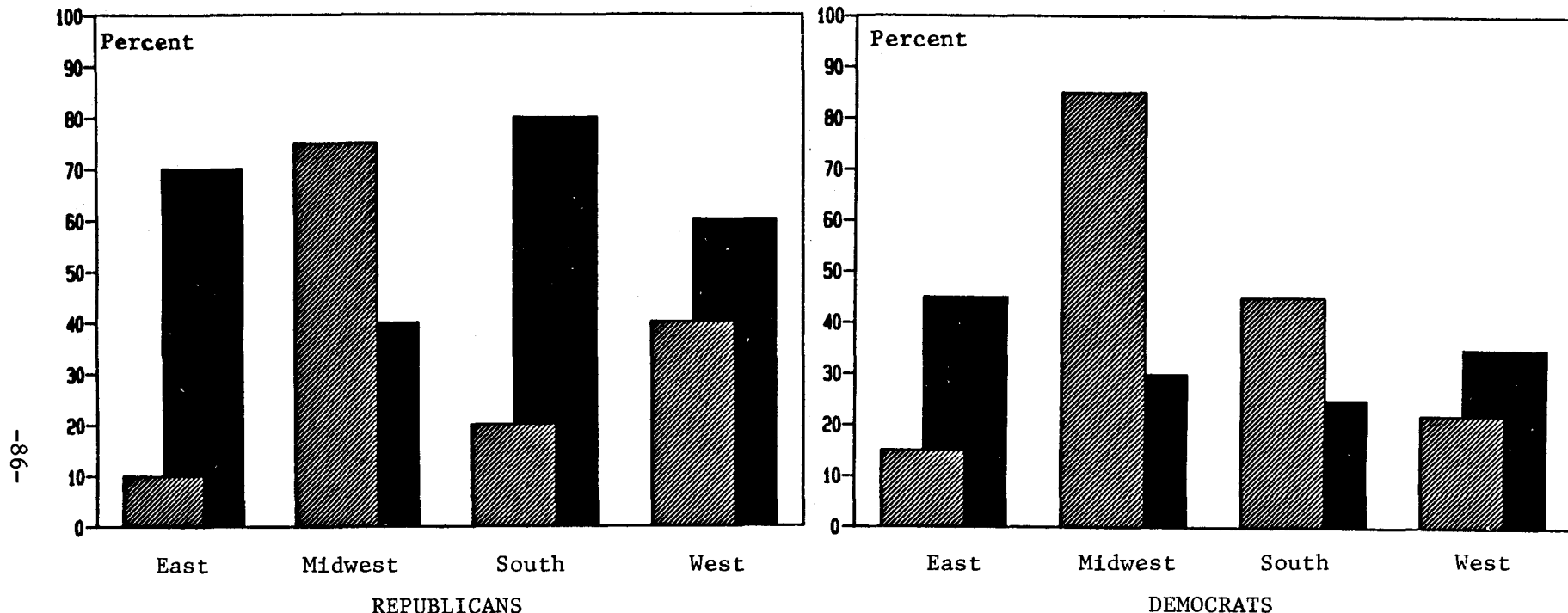
SOURCE: ACIR Survey of State Party Chairs.

to state parties range from direct financial aid to polling and data processing. Although virtually all state party organizations receive some form of assistance from the national party, the Republican National Committee has succeeded in targeting aid most heavily to those state parties most in need of assistance. This relationship can be seen graphically in Graph 3-1, which shows the percentage of state parties in each region receiving an average of all forms of national party assistance. Thus, on the average, 82% of the Republican parties in the south--traditionally the area of least Republican strength--receive each form of assistance provided by the Republican National Committee, and similarly large amounts

^{85/} M. Margaret Conway, "Republican Political Party Nationalization, Campaign Activities, and Their Implications for the Party System," Publius 13 (Winter 1983): 5.

Graph 3-1

STATE PARTY BUDGETS AND NATIONAL PARTY ASSISTANCE, BY REGION



▨ Percentage of State Parties in Region with Large Budgets.*

■ Average of All Forms of National Party Assistance to State Parties in Region.

*Based on average annual budget. State organizations in each party were grouped into three roughly equal categories of high, medium, and low budgets. For Republicans, the high budget category comprised all state parties with annual budgets over \$750,000; for Democrats, whose budgets as a rule are considerably smaller, the high budget category comprised all those with annual budgets over \$200,000.

SOURCE: ACIR survey of state party chairs.

of aid go to state parties in the northeast. As Graph 3-1 shows, these are the two areas of the country that have the fewest state parties with large budgets. Three-quarters of the Republican organizations in the midwest, on the other hand, have large annual budgets and state parties in this region receive the lowest amounts of support from the Republican National Committee.

The RNC has also devoted increasing attention to assisting local party organizations, in order to build a stronger grass roots presence nationwide. In what has been called a "fundamental change" from past efforts focused on Republican candidates, the RNC recently launched a project to target local party aid to 650 swing counties around the country.^{86/} To help create "ongoing institutions" at the local level, the RNC's 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 multimillion dollar effort to identify and register potential new GOP voters in contested states and localities.

The National Democratic Party: Rules Before Resources

The national Democratic party has engaged in a process of nationalization as well, although it began in a distinctly different fashion. Over the past several decades, the Democratic party has departed increasingly from the traditional confederal pattern of party structure--characterized by the legal independence and political autonomy of state and local party organizations--asserting the national party's control over the Presidential delegate selection process and promoting broadened citizen participation in party affairs. "The Democratic party has ... been nationalized," conclude Huckshorn and Bibby, "and the old hegemony of the state parties broken, at least in the area of delegate selection."^{87/}

This process began in the 1950s, in response to the success defecting "Dixiecrats" enjoyed in 1948 in placing their candidate for President (Strom Thumond) on the ballots of several southern states in place of the national Democratic

^{86/} Robert Merry, "GOP Puts Focus on 650 Counties," Wall Street Journal, 15 October 1984, p. 64.

^{87/} Robert Huckshorn and John Bibby, "State Parties in an Era of Political Change," in The Future of American Political Parties, Joel Fleishman, ed. (Englewood Cliffs, NJ: Prentice-Hall, 1982), p. 81.

Presidential nominee. Efforts were made to assure loyalty from subsequent national party committeemen and convention delegates for the national party nominee, including assurances by party members that they would help secure proper placement for the nominee on state ballots under the party's name or insignia.

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 delegation in 1968 and replacing it with an alternative delegation selected in accordance with the party's rules.^{88/} As indicated previously, however, the real 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 (outlined earlier in this chapter), 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, holding 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.^{89/} 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 Republicans.

^{88/} Ranney, Curing the Mischiefs of Factions, pp. 183-84.

^{89/} Cousins v. Wigoda, 95 Sup. Ct. 541 (1975).

Although the national party's legal authority has been firmly established, the reforms have been questioned on effectiveness grounds. Many observers believe the reforms have hampered the party's ability to organize itself effectively to win elections. In the words of one scholar:

Parties ... hope to nominate candidates who are electable, representative of party views, and able to govern. Our overall goal should be to restore a better balance among these three competing objectives. In the last dozen years we have witnessed a surge of democratic reform in American politics. Nearly all of these reforms ... were designed to enhance the representative goal of the parties but neglected their competitive and governing objectives.^{90/}

GOING BEYOND THE RULES

As was noted earlier, the party has made several attempts to deal with this issue through additional rules changes. At the same time, however, the Democratic National Committee (DNC) and its Congressional counterparts have also begun to emulate the successful organizational initiatives of the RNC. Although the DNC lags far behind in fund-raising and candidate contributions (see Table 3-12), it has started to develop an expanded direct mail fund-raising operation and had an estimated 300,000 contributors in late 1983.^{91/} In addition, the Democratic committees have sought to provide training, resources, and services to Congressional candidates; to experiment with a modest program of national party advertisements; and constructed a new party headquarters on Capitol Hill with a modern television studio to produce TV spots for candidates. "We're doing the best damn job of copying that we can," observed Martin Franks of the Democratic Congressional Campaign Committee.^{92/}

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

^{90/} Gary Orren, "The Changing Styles of American Party Politics," in The Future of American Political Parties, Joel Fleishman, ed. (Englewood Cliffs, NJ: Prentice-Hall, 1982), p. 33.

^{91/} Dom Bonafede, "Democratic Party Takes Some Strides Down the Long Comeback Trail," National Journal, 8 October 1983, p. 2054.

^{92/} Dan Balz, "Democrats Seize '84 Offensive, GOP Discusses Guerrilla Tactics," Washington Post, 30 August 1983, p. A6.

their technical, communications, voter registration, and fund-raising capabilities. The ultimate objective is to help state parties enhance their own value to individual candidates and thus "make the transition from a party-centered era to a candidate-centered era."^{93/} Like the Republicans, the Democrats have attempted to target such assistance to those state parties with relatively fewer independent resources, although both levels of assistance given and the degree of targeting have been modest (see Graph 3-1).

The National Parties in Perspective

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:

The decentralization and weak organizational structure characteristic of American parties at the national level are changing, and will continue to change until the parties ... become national bureaucracies with hierarchies, divisions of labor, and so on.^{94/}

Other close observers maintain that national party enhancement and modernization have produced instead a more balanced system of mutual interdependence between the national and state parties. "Procedural reform and judicial intervention have resulted only in federalization, not hierarchical nationalization, of Democratic party structure," argues one scholar.^{95/} On the Republican side, Leon Epstein compares the largely nonconflictual process of party adaptation to the intergovernmental concept of "cooperative federalism." "The Republicans," he

^{93/} Rhodes Cook, "Democrats Developing Tactics, Laying Groundwork for 1984," Congressional Quarterly Weekly Reports, 3 July 1982, p. 1594.

^{94/} Xandra Kayden, "The Nationalizing of the Party System," in Parties, Interest Groups, and Campaign Finance Laws, Michael J. Malbin, ed. (Washington: American Enterprise Institute, 1980), p. 276. See also Charles Longley, "Party Reform and Party Nationalization: The Case of the Democrats," in The Party Symbol, William Crotty, ed. (San Francisco: W. H. Freeman, 1980), pp. 359-78.

^{95/} Gary Wekkin, Democrat Versus Democrat (Columbia, MO: University of Missouri Press, 1984), p. 178.

writes, "have nationalized their party effort by a method analogous to the federal government's grant-in-aid system."96/

Despite such differences of emphasis, there is no question that the balance of power and initiative among the national and state parties has shifted dramatically, superceding the highly decentralized party system. The national party committees are now permanent, well staffed organizations with multimillion dollar annual budgets. Especially on the Republican side, they have been leaders in adapting technological innovations to political party practices, and both national parties have actively sought to diffuse these innovations among their state affiliates.

Such activism has sometimes produced tensions in both parties. Although this was most obvious in the Democrats' assertions of national authority over the delegate selection process, the RNC has also shown some impatience in its efforts to modernize state and local party organizations. As one account reported: "No longer will the national party sit back and wait for GOP state chairmen to ask for RNC help. 'We're going to go in and shove a little, too,' said [RNC chairman Frank] Fahrenkoff."97/ Similarly, one unsuccessful Republican candidate for Congress complained that the National Republican Congressional Committee tends "to view the nation as an amorphous, homogeneous mass rather than 435 Congressional districts which each have a unique personality."98/ Despite such inevitable tensions, the new relationships between the national and state parties have been firmly established and generally accepted, constituting a new era in the American party system.

NATIONAL POLITICS IN A NEW ELECTORAL SYSTEM: THE CONSEQUENCES OF CHANGE

American politics has evolved markedly over the past quarter century, principally in ways that promote greater political independence among both citizens and politicians. In particular, the growing significance of nonparty campaign resources has altered the conduct of elections at both the Presidential and Con-

96/ Epstein, "Party Confederations and Political Nationalization," p. 86.

97/ Susan Smith, "New GOP Leadership Readies Grass--Roots Organizing Effort," Congressional Quarterly, 12 March 1983, p. 520.

98/ Phil Duncan, "Wealthy and Well Organized GOP Panel Eyes 1984 Elections," Congressional Quarterly, 2 July 1983, p. 1351.

gressional levels. The parties' roles have been, in various ways, reduced, centralized, and altered. Traditional conceptions of political parties are, in the words of one analyst, "fast becoming an anachronism. Party is increasingly a label for masses of individual voters who pick among various candidates ... as they would among any alternatives marketed by the mass media."99/

This, in turn, is giving rise to a new style of personality-oriented politics, as the individual candidate becomes the extreme focus of attention; more volatile, as stable party loyalties become less salient compared to candidate characteristics and organization; and possibly more homogeneous as national media and independent political experts assume greater prominence in the conduct of campaigns. Some observers and participants in this process find the greater openness and responsiveness highly positive and exhilarating.100/ Others take a less sanguine view. In a stinging indictment of one aspect of the new politics, for example, Larry Sabato alleges that independent political professionals have undermined both electoral processes and governmental effectiveness:

There is no more significant change in the conduct of campaigns than the consultant's recent rise to prominence, if not preeminence, during the election season. Political consultants, answerable only to their client-candidates and independent of the political parties, have masterminded the modern triumph of personality cults over party politics in the United States ... have helped homogenize American politics, added significantly to campaign costs, lengthened campaigns, and narrowed the focus of elections.... They have sought candidates who fit their technologies more than the requirements of office and have given an extra boost to candidates who are more skilled at electioneering than governing.101/

Other observers suggest that the new political environment has systematically altered the substance and character of Congressional policy making in ways designed to enhance the electoral attractiveness of increasingly independent members of Congress.102/ Add to this the dramatic growth of new resources with-

99/ Polsby, The Consequences of Party Reform, p. 132.

100/ Crotty, Party Reform, p. 234.

101/ Sabato, The Rise of Political Consultants, pp. 3,7.

102/ See, for example, David Mayhew, Congress: The Electoral Connection (New Haven, CT: Yale University Press, 1974); Morris Fiorina, Congress: Keystone of the Washington Establishment (New Haven, CT: Yale University

in Congress--larger staffs, computer technology, and an expanded frank--that have substantially improved the capacity of incumbent legislators to communicate directly and frequently with constituents. Consequently, it may be no coincidence that the number of marginal Congressional seats fell sharply in the 1970s and that incumbency has become an increasingly potent political resource.

Intergovernmental Implications

Political change has had overtly intergovernmental implications as well. The role of state and local party and elected leaders in the electoral process has diminished nearly everywhere. This has been particularly evident in Presidential nominations. As Epstein notes:

The development of national issue-oriented followings by Presidential candidates seeking nomination ... now constitutes a far-reaching transformation of American politics. It has largely replaced the Presidential nominating power of state and local leaders, acting through the old confederative structure, with a more or less popular means of securing nomination through a nationally mounted campaign extended to almost every state.^{103/}

As a result, contemporary Presidents must base their electoral strategies on, and develop networks of alliances with, new sets of political actors whose interests may differ significantly from those of states and localities.

Although it is less widely recognized, Congressmen, too, have become increasingly independent of state and local politicians and party organizations. As former Congressman Abner Mikva has written, modern legislators--because of their electoral independence--have "little or no loyalty to the state organization" upon their arrival in Washington.^{104/} This assessment is reaffirmed by others, who stress the increased importance of nonparty sources of campaign finance:

^{102/} (cont.)
Press, 1977); and R. Douglas Arnold, "The Local Roots of Domestic Policy," in The New Congress, Thomas Mann and Norman Ornstein, eds. (Washington: American Enterprise Institute, 1981). For a more elaborate discussion of this point, see Chapter 9 in this study.

^{103/} Leon Epstein, "Party Confederations and Political Nationalization," p. 100.

^{104/} Abner J. Mikva and Patti B. Sarris, The American Congress: The First Branch (New York: Franklin Watts, 1983), p. 70

Congressional and Senatorial candidates must rely heavily on nonparty sources for funds. Therefore, representatives and senators, once in office, feel little sense of obligation to their state and local parties, and the parties lack significant influence on the behavior of legislators in the hall of Congress.^{105/}

Political parties have begun to respond creatively and actively to this difficult situation. Recognizing their diminishing control over nominations--which some observers contend are "more critical than elections"^{106/}--the parties have sought to make themselves more valuable to individual candidates, utilizing new campaign technologies to provide a broadening range of electoral services. Although many state parties have joined in this process, the leading innovations have occurred at the national level, especially on the Republican side. National party revitalization has been reinforced in the Democratic party by major rules changes.

Regardless of whether one believes that, in the process, the parties are becoming "nationalized" or less extensively "federalized," these trends have significantly altered the traditional relationships between national, state, and local parties, inverting the relative balance of power between them and revising the structure of incentives faced by candidates at all levels of government. In the view of one knowledgeable observer, this, too, has long-term implications for the federal system:

To the extent that national parties are able to exploit economies of scale in the technologies of communication and thereby override more local identities, they will weaken state parties politically. Stronger parties offer no sure escape from the problems of federalism.^{107/}

^{105/} Huckshorn and Bibby, "State Parties in an Era of Political Change," pp. 91-92.

^{106/} Donald Matthews, "Presidential Nominations," in Choosing the President, James David Barber, ed. (Englewood Cliffs, NJ: Prentice-Hall, 1974), p. 36.

^{107/} F. Christopher Arterton, "Political Money and Party Strength," in The Future of American Political Parties, Joel Fleishman, ed. (Englewood Cliffs, NJ: Prentice-Hall, 1982), p. 136.

Chapter 4

STATE AND LOCAL PARTIES IN CONTEMPORARY POLITICS: DECLINE, ADAPTATION, AND CONTINUING LEGAL CONSTRAINTS

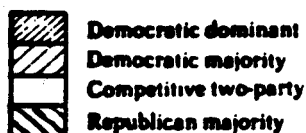
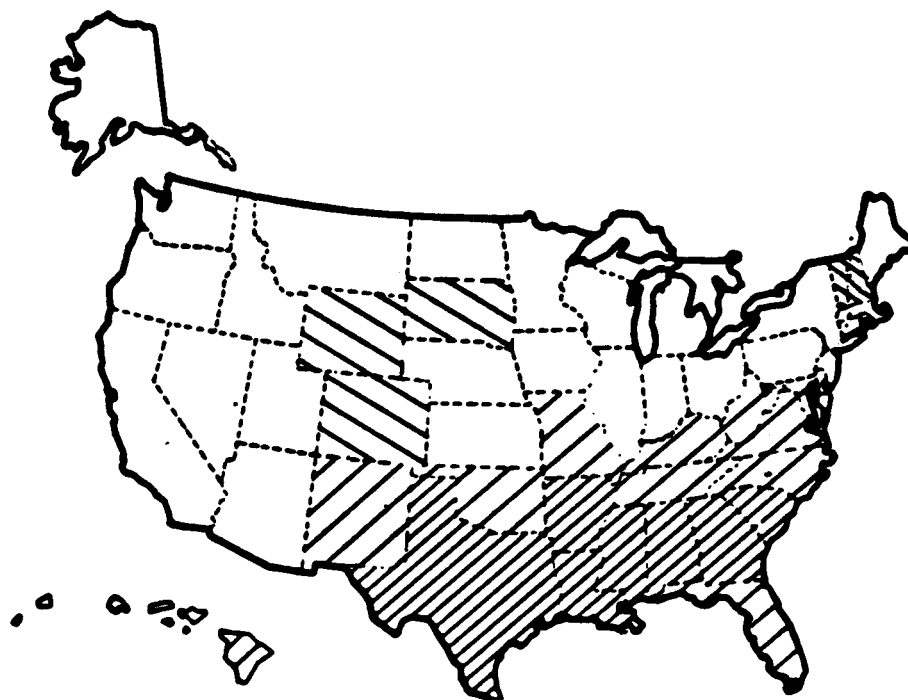
States differ. This has long been conventional wisdom--and obvious reality --in virtually every domain of state and local government structure and policy making. Historically, state party systems have been no exception to this pattern of diversity. Some states long have had strong party organizations at one or all levels of government; others have had virtually no stable party organizations for most of this century. Similarly, certain states traditionally have enjoyed vigorous electoral competition between two or more major parties, while others have seen all effective competition confined to shifting factions within a single dominant party. Indeed, state political systems typically are cataloged along a continuum of party competition: two party competitive, one party majority, one party dominant (see Map 4-1).

Such variations are products of each state's history, political culture, laws, and demographic makeup. They reflect a past in which, as Theodore White put it, "each state conducted its own politics."^{1/} Although the political character of individual states has evolved over time, many historic differences remain, in part because important differences in culture, development, and demographics persist, and in part because states continue to have considerable autonomy in determining the number and character of elective state offices, the timing of state elections, and the structure of state party operations and responsibilities. Nevertheless, state party systems as a whole have also been subject to many of the same forces and trends that have altered politics at the national level. Although political change is more advanced in some states than in others, virtually all state parties have been affected by nationalizing trends in party competition, by the increasing prevalence of independent candidate-centered politics, and by declines in the ability of state and local party organizations to successfully recruit, nominate, and elect candidates.

In many ways, then, state parties have confronted serious challenges to

^{1/} Theodore White, America in Search of Itself: The Making of the President, 1956-1980 (New York: Warner Books, 1982), p. 70.

PATTERNS OF PARTY COMPETITION IN STATES, 1960-80 ELECTIONS



SOURCE: Malcolm Jewell and David Olson, American State Political Parties and Elections (Homewood, IL: Dorsey Press, 1982), p. 28.

their control over several basic party functions. Seeking to develop new roles adapted to their changing environment, many state parties in recent years have begun to emulate their national counterparts by enhancing their ability to assist candidate-centered campaign organizations. Although some state parties have been innovators in this modernization process, others have been heavily dependent on assistance from the once-somnolent national committees.

THE NOMINATING PROCESS IN STATE POLITICS:
THE PROLIFERATION AND CONSEQUENCES OF PRIMARY ELECTIONS

Primary elections for nominating candidates for office, as an alternative to party conventions, were first developed in local elections in the south in the 1870s. Over the next several decades they spread rapidly to cover 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.^{2/}

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 this pattern was repeated throughout much of the north and west. In the absence of effective competition between two parties, elections in these 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 over elections and attacking the corruption and political abuses that frequently accompanied machine politics. In the heyday of Progressivism, primary elections appeared to epitomize the popular ideals of independent politics and direct democracy.

If primaries were intended to "destroy the party organizations," as V. O. Key put it, they succeeded to some extent in doing so.^{3/} There is general agreement among scholars that "the establishment of the primary--by depriving the party of its nominating function--contributed significantly to the atrophy of party organizations," although the speed and extent to which this occurred varied considerably from state to state.^{4/} Some states were slow to adopt the primary system, and for many years effective control over nominations continued to rest with party leaders. As Frank Sorauf observed in a study of state legislative recruitment in Pennsylvania in the 1950s:

the political party dominates the candidate and legislator selection system. In addition to exercising its classic

^{2/} Malcolm E. Jewell and David M. Olson, American State Political Parties and Elections (Homewood, IL: Dorsey Press, 1982), pp. 106-07.

^{3/} V. O. Key, Jr., American State Politics (New York: Alfred A. Knopf, 1956), p. 119.

^{4/} Jewell and Olson, American State Political Parties and Elections, p. 281.

role in the general election, it intervenes freely in the primary elections and supervises the preprimary recruiting activities Plainly, Pennsylvania parties, strong and vital by any standard, have not been greatly discomfited by the primary. In fact, one can reasonably argue that they have turned it to their purposes by making it another hurdle for the unanointed candidates.5/

Yet, other states rapidly approached the fluid and factionalized situation identified by Seligman in Oregon, where "party leaders do not exercise much influence" in sponsoring candidates.6/ The competitive balance between the two parties, the strength of existing organizations, and each state's political culture were all factors influencing the degree to which state and local party organizations were affected by the initiation of primaries.

Another important factor, partly determined by those above, was the type of primary system established. Primary election systems vary significantly in their relationships to political parties. "Closed" primaries require that a voter openly declare his party affiliation--or, more restrictively, actually register as a party identifier--in order to obtain a party ballot with which to vote. "Open" primaries are less supportive of parties, permitting voters to participate in either party's primary with the necessity of publicly divulging which one in some states and the freedom of choosing a secret in others. A few states--Alaska, Washington, and Louisiana--utilize "blanket" or nonpartisan primaries that are openly anti-party in character; they permit voters to participate in both parties' primaries at the same time, voting in one party for one office and in another for some other office.7/

Despite important variations, primary systems in general have tended to weaken state and local parties in several ways. First and most importantly, primary elections rob parties of their single most important function--the nomination of party candidates. The inability to successfully determine who should

5/ Frank Sorauf, Party and Representation, cited in Donald Matthews, "Legislative Recruitment and Legislative Careers," Legislative Studies Quarterly IX (November 1984): 564.

6/ Quoted in ibid.

7/ For a listing of each states' primary system, see Table 5-14. Also, see Malcolm Jewell, "Political Parties, Courts and the Nominating Process," paper presented at the annual meeting of the Southern Political Science Association, Nashville, TN, Nov 7-9, 1985.

bear the party label in an election has been called "the most grave shortcoming of party leadership."8/ Over time, one result of this loss has been to reduce the influence of state and local party organizations themselves. If party organizations lose control over nominations, potential candidates and political activists lose much of their incentive for cooperating with--or operating through--the party organization. Thus, Key concluded that "the primary, by depriving party organization of its most important function has contributed to the atrophy of party organization."9/ Sarah Morehouse agrees, arguing that many statewide parties "have disintegrated under the influence of a direct primary."10/

At least in some instances, a similar process has been observed at the local level. One study of party organization in Pittsburgh found that the steady erosion of party regulars' control over mayoral nominations led to organizational "disintegration."11/ On the other hand, substantial majorities of county party leaders responding to a national survey said that they were "very" or "somewhat" active in recruiting candidates for county and state legislative (but not city or town) offices, and, overall, this study found increased levels of local party organizational and campaign activity since 1964. This research also reported, however, that "preprimary support is not a widespread practice and at least some chairs believe that the practice is dysfunctional."12/

Primaries have not only increased the permeability of parties at the top, they have also made parties more vulnerable to factional influences--or sheer indifference--from below. In V. O. Key's biting characterization:

8/ Key, American State Politics, p. 271.

9/ Ibid., p. 271.

10/ Sarah McCally Morehouse, State Politics, Parties and Policy (New York: Holt, Rinehart, and Winston, 1981), p. 177.

11/ Lee Weinberg, et al., "Local Party Organization: From Disaggregation to Disintegration," paper prepared for delivery at the 1980 meeting of the American Political Science Association, Washington, DC, August 28-31, 1980.

12/ James L. Gibson, et al., "Whither the Local Parties?: A Cross-Sectional and Longitudinal Analysis of the Strength of Party Organizations," paper prepared for delivery at the 1982 annual meeting of the Western Political Science Association, San Diego, CA, March 25-27, 1982, p. 22. Original emphasis.

In many of the states, ... the battles of state politics are fought out within the primary by intraparty groups. Even in the more competitive states, to speak of a corporate party leadership is often pure fiction. At worst the party's business is nobody's business and the choice of candidates is a choice by those who happen to vote in the primary between random self-starters with an itch for office.^{13/}

The initial expectation of reformers was that primary elections would enhance public involvement in the nominating process, and in fact participation rates in primaries generally are higher than in party caucuses. Nevertheless, voter turnout in primary elections usually is quite low, averaging (outside the south) about 25% below the turnout rate in general elections.^{14/} Such low levels of participation lend an added degree of unpredictability to primary elections, since they are vulnerable to being skewed by an unanticipated or atypically heavy turnout by a single group or segment of the party. Moreover, the primary electorate is often unrepresentative of the total electorate (and perhaps the party rank-and-file) as a whole.^{15/} Finally, primary elections tend to make intraparty coalition-building more difficult. Ticket balancing is nearly impossible when the party slate is composed through the happenstance of the ballot. Indeed, the primary may help shift the balance of competition from between the parties to within the parties, both permitting the expression of, and helping to encourage the development of intraparty factions.^{16/}

Primaries and the New Politics

Apart from their effects on party functions and organizational effectiveness, primary elections appear to reinforce other factors influencing the types of candidates who are nominated and the style of contemporary campaigns. Jewell and Olson note that:

One pattern of primary elections that appears to be increasingly frequent is the election of an outsider to the governorship or some other statewide office In recent years more candidates seem to be attempting to

13/ Key, American State Politics, pp. 118-19.

14/ Morehouse, State Politics, p. 177.

15/ Jewell and Olson, American State Political Parties and Elections, p. 133.

16/ Key, American State Politics, p. 106.

find a shortcut to the governorship, and some have been succeeding.17/

They observe that one important reason for this rests with the often magnified role of the mass media in primary elections, since voters are deprived of the opportunity to base their choice on party identification. Indeed, one study found that the relationship between mass media advertising and electoral success was highest in gubernatorial and senatorial primary contests.18/ Moreover, party leaders are often reluctant to take sides during primary contests, fearing that identification with a single candidate or faction will undercut their effectiveness with others and risk defeat.19/ Accordingly, candidates for state and local office--as for national--increasingly are self-starters who have built their own personal organizations and cultivated independent political resources to gain the nomination. Having done so in the primary, they often feel little loyalty to the party during or after the general election. As Morehouse observes:

Candidates who have waged a struggle for the nomination on their own may not consider the state organization worth bothering with at election time. They have built up an electoral nucleus of their own that they can use to win the election. Lack of control over nomination of candidates for public office has gradually brought about the decline of many state party organizations.20/

The Use of Preprimary Conventions

Political parties in some states have attempted to mitigate the ill-effects of primaries by using pre-primary endorsing conventions. One or both parties in 17 states utilize, or are legally permitted to utilize, conventions to endorse favored candidates for statewide office prior to primary elections, and two additional states (Iowa, South Dakota) permit post-primary endorsement conven-

17/ Jewell and Olson, American State Political Parties and Elections, p. 146.

18/ Gary Jacobson, "The Impact of Broadcast Campaigning on Electoral Outcomes," Journal of Politics 37 (August 1975): 792.

19/ Robert Huckson, Party Leadership in the States (Amherst, MA: University of Massachusetts Press, 1976), pp. 106, 107.

20/ Morehouse, State Politics, pp. 165-66.

tions.^{21/} Some states also utilize similar conventions at the district level for endorsing state legislative nominees.

Party endorsement procedures vary considerably in both their format and the benefits conferred. Some states require the holding of such conventions while others permit them on an optional basis. In still other states where laws are silent on the matter, political parties utilize them on an informal basis. In a few states, potential candidates are required to seek their party's nomination in the state convention, and they will automatically obtain a place on the primary ballot (or even gain the nomination) if they obtain a requisite percentage of convention votes. In such states, convention endorsees often receive recognition or favored treatment on the primary ballot. In states with informal endorsements, on the other hand, party-endorsed candidates receive no special treatment on the ballot.^{22/} Candidates may receive favorable publicity from the endorsement, however, along with vital support from party activists during the primary. Indeed, one study found that the principal benefit conferred by party endorsement consisted of organizational assistance and campaign resources provided by the party organization or attracted by the laurel of front runner status.^{23/}

Evaluations of the effectiveness of preprimary nominating conventions generally conclude that they are of modest but varied assistance to endorsed candidates. Effectiveness appears to vary according to the formal or informal nature of the process, party organizational strength, and state political norms and culture. Endorsements in some states are rarely challenged in the primary and rarely overturned, while in others they frequently are challenged and not uncommonly overturned.^{24/} Informal endorsement procedures for statewide office appear to be the least effective, while fragmentary evidence about substate en-

^{21/} John R. Bibby, et al., "Parties in State Politics," in Politics in the American States, Virginia Gray, Herbert Jacob, and Kenneth Vines, eds. (Boston: Little, Brown, 1983), p. 82.

^{22/} Jewell and Olson, American State Political

^{23/} Malcolm Jewell, "The Impact of State Political Parties on the Nominating Process," paper prepared for delivery at the annual meeting of the Midwest Political Science Association, Chicago, April 21-23, 1983, p. 21.

^{24/} Jewell and Olson, American State Political Parties and Elections, pp. 115-19.

dorsements for state legislative office suggests that they may be relatively effective.^{25/}

Apart from whatever benefits may be conferred upon candidates, party nominating conventions appear to be a useful device for strengthening state political parties. Whether as cause or effect, conventions appear to be associated with more cohesive party organizations (see Figure 4-1). They provide an important opportunity for potential candidates and party leaders to attempt to work out differences and arrive at a consensus ticket prior to a potentially divisive primary battle.^{26/} Furthermore, conventions provide an important avenue of participation and influence for party activists and local party organizations. As Jewell observes, such avenues of participation are likely to become increasingly important and useful as party activists are drawn increasingly from the ranks of volunteers rather than patronage workers.^{27/} On the other hand, party conventions may also follow other party activities and become increasingly permeable and subject to manipulation by techniques of the "new politics," which now characterize nonconvention politics. Thus, one study found the use of professional political consultants and modern electoral techniques enabled one relatively inexperienced newcomer to capture the Democratic party endorsement for lieutenant governor in Massachusetts.^{28/} Such successes may be a prelude to further changes within the parties themselves.

The Changing Character of State and Local Campaigns

State and local parties, like those at the national level, have confronted new challenges in recent years stemming from the changing and increasingly independent character of electoral politics. Some observers go so far as to argue that "political parties count for nothing anymore. When you are a candidate, it

^{25/} Ibid., p. 120.

^{26/} Sarah McCally Morehouse, "The Effect of Preprimary Endorsements on State Party Strength," paper prepared for delivery at the 1980 annual meeting of the American Political Science Association, Washington, DC, August 28-31, 1980, p. 6.

^{27/} Jewell, "The Impact of State Political Parties," p. 26.

^{28/} John Kenneth White, "Management-by-Consultant: The Evelyn Murphy Campaign," paper prepared for delivery at the 1983 annual meeting of the American Political Science Association, Chicago, September 1-4, 1983.

Figure 4-1

CANDIDATE ENDORSEMENT AND PARTY STRENGTH

Party Endorsement of Gubernatorial Nominees						
Party Strength*	STRONG:		MODERATE:		WEAK:	
	Convention or Preprimary Endorsements by Law		Optional Convention or Post-Primary Convention: Informal Endorsements		No Provision for Party Endorsement	
Strong (15)	Colorado Connecticut Delaware	New York North Dakota Rhode Island	Iowa Massachusetts Minnesota	South Dakota Virginia Wisconsin	Arizona Michigan	Vermont
Moderate (20)	Idaho Indiana (pre 1976)	Utah	California Illinois	Pennsylvania	Hawaii Kansas Maine Maryland Missouri Montana Nebraska	Nevada New Hampshire New Jersey Ohio South Carolina Washington Wyoming
Weak (15)					Alabama Alaska Arkansas Florida Georgia Kentucky Louisiana	Mississippi New Mexico North Carolina Oklahoma Oregon Tennessee Texas West Virginia

*Party strength is measured by averaging the governors' percentage of the primary vote in gubernatorial primaries 1956-78 (inclusive). In states with strong parties, the average primary vote received by governors-to-be was 80-100%. In states with moderately strong parties, the average vote received by governors-to-be was 64-79%. In states with weak parties, the average vote received by governors-to-be was 35-63%. Four states (Connecticut, Delaware, Indiana, and New York) nominated by party convention and the vote for the gubernatorial nominee in the convention was tabulated.

SOURCE: Sarah McCally Morehouse, "Politics of Gubernatorial Nominations," State Government 53 (Summer 1980): 127.

is all up to you."^{29/} Others suggest, however, that as party influence over nominations has declined, conducting campaigns has become "the chief function" of state party organizations.^{30/} Yet, despite the renewed organizational growth of state and local parties over the past decade (described in detail in the next section of this chapter), many remain ill-prepared to assume new electoral functions or to adapt to the new campaign technology, while individual candidates are finding increased success in developing independent campaign organizations and individual election styles.

As in other areas, the scope of political change has varied from state to state, and state parties have adapted to their diverse circumstances with differing degrees of success. Some states were well ahead of national trends in the development of candidate-centered, new-technology campaigns. Many elements of the new, independent, media-oriented style of electioneering began and flourished in California, where political organizations historically were relatively weak and shallowly rooted. The success of new political techniques in places like California encouraged their proliferation in other areas of the country, but at varying rates. In the south, for example, party organizations were also traditionally weak, but the older and simpler "friends and neighbors" style of politics began to be replaced by more technological politics much later than in the far west.

Today, the "new" politics is increasingly prevalent in all regions of the country. Media expenditures are now the largest single expense in many state races.^{31/} The use of independent campaign consultants has become so widespread that "the ability of the parties to compete for a place in the campaign process has been adversely affected."^{32/} Thus, one recent study found that a plurality of elected state agency heads interviewed in 1974 saw their individual political organization or personal platform as the most important factor in their election.

^{29/} Political consultant John Rendon, quoted in *ibid.*, p. 4.

^{30/} Morehouse, *State Politics*, p. 165.

^{31/} Jewell and Olson, *American State Political Parties and Elections*, p. 177; see also Thad Beyle, "The Cost of Becoming Governor," *State Government* 56 (1983): 74-84.

^{32/} Robert Huckshorn and John Bibby, "State Parties in an Era of Political Change," in *The Future of American Political Parties*, Joel Fleishman, ed. (Englewood Cliffs, NJ: Prentice-Hall, 1982), p. 84.

Only 17% identified party organizational support as an equally important factor, less than half the 39% who did so in 1964.^{33/}

Nowhere is such change more evident than in gubernatorial elections. Robert Huckshorn maintains that gubernatorial elections have joined Congressional races as the most independent from party politics. "For very high office," he writes, "electioneering is no longer centered in the party organization."^{34/} The reason, according to one former governor's aide, is simply that "the party can't deliver" any more.^{35/} More and more gubernatorial candidates find that they can no longer rely on party-oriented campaigning to win elections:

No longer can a candidate sit back and work with its party organization and the party regulars to deliver the votes needed for winning. Going county-to-county to meet with the local politicians ... takes time, hits too few people, and does not deliver enough votes.^{36/}

For any lingering doubters, this lesson has been driven home in state after state where relative political neophytes have been propelled into the governor's mansion with little apparent party backing.

Rather, gubernatorial aspirants have relied increasingly on the organization and resources they developed in the party primary to gain victory in the general election. Like Presidential and Congressional candidates, more and more prospective governors are utilizing independent political consultants and new campaign technology to supplement or substitute for party organization. As Larry Sabato notes, such resources can provide them with effective public communications and "instant organization."^{37/} "Very few people get elected because of the activities of the party," declares former South Carolina Governor James Edwards. "For the most part, with today's electronic media, it's the individual

^{33/} Nelson Dometrius, "State Government Administration and the Electoral Process," State Government 53 (1980): 132.

^{34/} Huckshorn, Party Leadership in the States, p. 130.

^{35/} Quoted in Lynn Muchmore and Thad Beyle, "The Governor as Party Leader," State Government 53 (1980): 124.

^{36/} Thad Beyle, "The Cost of Becoming Governor," State Government 56 (1983): 74.

^{37/} Larry Sabato, "Gubernatorial Politics, and the New Campaign Technology," State Government 53 (1980): 149.

who gets elected; not the party."^{38/} Despite its effectiveness, however, the new campaign technology has proved to be as expensive for statewide races as for Congressional ones. Jewell and Olson note that "in states of any size at all, candidates ordinarily spend a million or more dollars in each of the gubernatorial campaigns."^{39/} In several recent gubernatorial races, the victors have spent \$5 million or more in the primary and general elections.^{40/} (For more on the growth of campaign spending in state and national elections, see Chapter 8.)

The changing style of gubernatorial politics has not been without electoral consequences, however. While they have become increasingly concerned with building their own political organization, governors have often failed to campaign aggressively for the broader statewide ticket. Dometrius' 1974 survey of state elected officials found that only 3.3% viewed gubernatorial support as a major factor in their election, a situation fraught with policy and coalition building implications.^{41/}

To date, the changes in the structure of political campaigns have been less notable in state legislative races. The costs and methods of campaigning at this level vary enormously, but in many cases state party chairs and party organizations have been most active at this level.^{42/} Indeed, this activity often begins at the recruitment stage where, in increasing contrast to statewide offices, state party leaders retain a major role in the candidate selection process.^{43/} Agreeing that "most of the state party's activity is directed to the legislative candidates," Jewell and Olson speculate that this is because:

The state legislature provides the only state level offices for which the state party can provide the most tangible assistance.^{44/}

^{38/} Quoted in Muchmore and Beyle, "The Governor as Party Leader," p. 124.

^{39/} Jewell and Olson, American State Political Parties and Elections, p. 183.

^{40/} Ibid., p. 184.

^{41/} Dometrius, "State Government Administration and the Electoral Process," p. 132.

^{42/} Huckshorn, Party Leadership in the States, p. 183.

^{43/} Ibid., p. 103.

^{44/} Jewell and Olson, American State Political Parties and Elections, p. 165.

Moreover, in some states like New York, state legislative leaders assume an active role in campaigning for other members of their party.^{45/} Even at the state legislative level, however, there is some debate whether party activities are of significant benefit to legislative candidates. Winning candidates in particular often question the effectiveness of party assistance.^{46/}

Campaign Activities at the Local Level

Disagreement exists about the level of campaign activity at the local level as well. The pattern suggested by the sometimes idealized memory of strong local machines was that activities by the dominant local party organization would carry into office candidates across the party slate. As one former ward boss reputedly told a nervous local candidate, who was concerned about the low level of overt party effort being made on his behalf:

You're worried? Listen. Did you ever go down to the wharf to see the Staten Island Ferry come in? You ever watch it, and look down in the water at all those chewing-gum wrappers, and the banana peels and the garbage? When the ferryboat comes into the wharf, automatically it pulls all the garbage in, too. The name of your ferryboat is Franklin D. Roosevelt--stop worrying!^{47/}

Where effective organizations still exist, this pattern retains considerable validity. Thus, Helvesi stressed the continuing influence of local party organizations in New York:

The legislator [grants] maximum loyalty to his local political organization. That organization gave him the opportunity for a political career, nominated him, and worked for his election For most legislators, the immediate problem is to keep receiving the designation of the local party club and to win in the party primary The winner of the primary of the district's dominant party rarely loses in the general election.^{48/}

^{45/} Alan Helvesi, Legislative Politics in New York State (New York: Praeger, 1975), p. 160.

^{46/} Jewell and Olson, American State Political Parties and Elections, p. 170.

^{47/} Recounted in Theodore White, The Making of the President 1960 (New York: Pocket Books, 1961), p. 49.

^{48/} Helvesi, Legislative Politics, p. 168.

In New York, he stresses, "the real base of party power is not the state but the county organization."49/

Structurally, of course, counties are considered the basic level of party organization in most states. Yet, in many areas of the country today, local political organizations are thought to be far less active or influential than they were 50 years ago. William Crotty sums up the prevailing contemporary view when he writes that

Party organization at the community level is minimal. Few local parties are active and even fewer exercise any influence.50/

Declining party influence is particularly apparent in areas previously characterized by successful political machines. Indeed, if patterns of local political activity in one Pennsylvania city are typical, even some local party organizations that had long retained their electoral influence recently slipped "from disaggregation to disintegration."51/ Such has been the apparent pattern in Chicago, as well, where one of the few remaining successful political machines appears to be disintegrating in the aftermath of Mayor Richard Daley's death.52/

Generalizing from such localized and anecdotal research may be misleading, however. After reviewing findings from eight recent analyses of local party organization and activity, Samuel Eldersveld concluded that:

Local party organizations exist, they are active and combative, they are adaptive, and they are linked to electoral success. ... [Local parties] are not empty shells. They are in many, many communities dynamic structures,

49/ Ibid., p. 166.

50/ William Crotty, Party Reform (New York: Longmen, 1983), p. 45.

51/ Weinberg, et al., "Local Party Organization: From Disaggregation to Disintegration." For a description of "local party atrophy" in Maine, see Douglas Hodgkin, "State and Local Party Capability: Maine Republicans," Party Line (September 1984): 10.

52/ See Leo Snowiss, "Congressional Recruitment and Representation," American Political Science Review 60 (1966). If Snowiss' observations about the electoral behavior of Congressmen in the Chicago area can be extrapolated to local elections there, we can expect the proliferation of increasingly independent electoral styles at the municipal level in the wake of declining organizational influence.

performing significant functions, and linking citizens meaningfully to the political system.^{53/}

The most recent comprehensive research on local party organizations appears to reaffirm this finding, suggesting that most local parties are as--or more--active today than they were 20 years ago. Eighty-five percent of county party chairs responding to a 1979 survey reported that their organizations had a complete set of officers, and they indicated that the vast majority of local precincts had designated leaders.^{54/} A majority of county leaders in both parties reported that their organizations engaged in an array of campaign activities, including distributing campaign literature, organizing fundraising and campaign events, and publicizing party candidates.

County chairs also claimed considerable involvement in recruiting local candidates for office--particularly for county and state legislative offices, less so for municipal and Congressional positions. Indeed, comparing contemporary local party activities to the findings of a 1964 survey of county party organizations suggests that a sizable majority of county organizations were as or more active in 1979 than they were 15 years earlier. Similarly, substantial majorities of recent party leaders perceived that their organizations were stronger or unchanged in the late 1970s than they were five or ten years previously, although about 20% of the local leaders in both parties felt their organizations had grown "somewhat" or "significantly" weaker.

Despite positive trends, however, this survey makes clear that the portrait of contemporary local parties remains mixed. Virtually all county parties remain part-time, voluntary operations that lack a paid or permanent staff, a telephone listing, or a year-round office. Sixty-nine to 80% (depending on the party) do not have annual budgets, and sizable numbers of county parties--ranging from 21-90% depending on the activity--fail to engage in each of the 15 local campaign functions inquired about in the 1979 survey. Finally, as the following section demonstrates, local officials' involvement in state party affairs is deemed to be low and, in some states, getting even lower.

^{53/} Samuel J. Eldersveld, "The Condition of Party Organization at the Local Level," paper presented at the Southern Political Science Association Annual Meeting, November 2, 1984, pp. 17-18.

^{54/} This and the following data is derived entirely from Gibson, et al., "Whither the Local Parties?"

STATE PARTY ORGANIZATIONS IN THE 1980s:
ADAPTATION AND RESURGENCE

As at the national and local levels, many state political parties in recent years have attempted to respond to contemporary electoral challenges by upgrading their organizational capacity and strengthening their candidate servicing activities. Indeed, some analysts believe that ongoing party building efforts constitute a virtual renaissance of party organizations in the states:

Not all signs ... portend [party] decline. ... state party organizations are surprisingly well organized. Nearly all operate a headquarters, most have substantial organizational resources Indicators of programmatic activity reveal that party organizations have become substantially more active over the last two decades. Compared with those of the early 1960s, state parties in the late 1970s were more likely to maintain electoral mobilization programs, to conduct public opinion polls, to provide services to candidates, and to publish newsletters.55/

In many respects, ACIR's research on state political parties--based upon a Commission survey of state party chairs--is consistent with this promising finding.56/ In the view of state political leaders, most state parties now possess a significant organizational presence in their state, offer an array of candidate services, and enjoy rising or sustained levels of involvement by elected officials. At the same time, however, there remains considerable diversity in levels of political activity and organizational sophistication. Not only do patterns of party politics vary enormously from state to state, but significant differences exist in many areas between the two major parties. Moreover, it is difficult to gauge precisely how overall levels of party influence have changed over time, especially in relation to the often competing forces of interest groups, the mass media, local and national party organizations, and independent consultants. Given both these environmental factors and organizational improve-

55/ James Gibson, Cornelius Cotter, John Bibby, and Robert Huckshorn, "Assessing Party Organizational Strength," American Journal of Political Science 27 (May 1983): 194-205. Original emphasis.

56/ ACIR's survey of state party chairs was conducted in cooperation with the Republican and Democratic National Committees. Two rounds of questionnaires were mailed to the chair or executive director of each state party (including the Washington, DC) between October 1983 and February 1984. Forty Republican state chairs and 30 Democrats responded, for an overall response rate of 69%.

ments, the only certainty may be that state party influence is an elusive and dynamic component in our political system.

State Party Resources

As recently as the mid-1960s, most state party organizations operated on a "shoe string" budget of \$50,000 or less, and many were part-time, voluntary operations run out of the state party chair's home or office. Typically, even in those states where parties had a permanent party headquarters, such operations were staffed by only one or two full-time employees.^{57/}

By 1984, this situation had changed considerably. Ninety-six percent of the state party chairs responding to ACIR's survey reported having at least one full-time staff member, and approximately 15% of their organizations had ten or more employees. The median annual state party budget had risen to \$351,000, and the sizable number of high-spending state parties pulled the average party budget up to \$572,000 annually.

This overall pattern of higher staffing and budget levels masks broad differences in resources between individual state parties, however, not only on a state-by-state basis but on a regional and partisan basis as well. Regionally, there are substantial variations in state party resources which are apparent in both parties. As Table 4-1 indicates, state party budgets tend to be far higher in the midwest than in the other regions.^{58/}

Equally striking differences are found, on average, between the two major parties. As Table 4-2 shows, Democratic state organizations tend to be less well staffed than Republican organizations. Forty-four percent of them still had only one or two full-time employees by early 1984, and average staff size was four. In contrast, only 8% of the Republican organizations had fewer than three employees, and average staff size was nearly double that of the Democrats.

Considering this pattern in staffing, it is not surprising that partisan differences are also apparent in the budgets of state party organizations. The

^{57/} John F. Bibby, et al., "Parties in State Politics," pp. 76-79.

^{58/} As used here, the four regions follow the Census Bureau's definitions. The "northeast" consists of the six New England states plus New York, Pennsylvania, and New Jersey. The "south" consists of the 11 confederate states plus Maryland, Delaware, West Virginia, Kentucky, Oklahoma, and Washington, DC. The "midwest" includes the six Great Lakes states plus Iowa, Missouri, Kansas, Nebraska, and North and South Dakota. The "west" consists of New Mexico, Colorado, Wyoming, Montana, and the nine states to the west.

Table 4-1

STATE PARTY BUDGETS BY REGION

<u>Annual Budget Size</u>	<u>Region</u>			
	<u>Northeast</u>	<u>Midwest</u>	<u>South</u>	<u>West</u>
Under \$250,000	67%	7%	40%	58%
\$250-\$750,000	27%	43%	50%	21%
Over \$750,000	7%	50%	10%	21%
Number of Responses	15	14	20	19
Chi Square <.01	Contingency Coefficient = .46			

SOURCE: ACIR survey of state party chairs.

Table 4-2

STAFFING PATTERNS OF STATE PARTY ORGANIZATIONS

<u>Number of Full-Time Professional Staff</u>	<u>Republicans</u>	<u>Democrats</u>
Two or less	8%	44%
Three-ten	79%	41%
Over ten	16%	15%
Number of Responses	39	27
Chi Square <.01	Contingency Coefficient = .40	

SOURCE: ACIR survey of state party chairs.

Table 4-3

ANNUAL BUDGETS OF STATE POLITICAL PARTIES

<u>Average Annual Budget</u>	<u>Republicans</u>	<u>Democrats</u>
Under \$250,000	26%	63%
\$250-\$750,000	39%	20%
Over \$750,000	34%	17%
Number of Responses	38	30
Chi Square <.01	Contingency Coefficient = .35	

SOURCE: ACIR survey of state party chairs.

Commission's survey found that a majority of Democratic state parties have annual budgets under \$250,000, while a majority of Republicans have budgets over \$500,000 annually (see Table 4-3).

Several factors contribute to these partisan disparities. To begin with, Republican state organizations as a rule receive more assistance from their national party, a point discussed later in this chapter. Moreover, especially in parts of this country where Republicans have been distinctly in the minority, state parties have attempted to compensate for this disadvantage with stronger organizational efforts. One indicator of this effort has been the greater use made by Republicans of more sophisticated and effective methods of fundraising. For example, one of the most traditional and time-honored means of raising funds for political activities is through dinners and social gatherings held for the party faithful and other potential contributors. Ninety-three percent of the responding state Democratic leaders report relying on such functions as a "very important" source of party revenues, as do 72% of Republican organizations. Because such gatherings draw primarily upon political activists, however, they are fairly limited in their scope and appeal. Partly for this reason, many political organizations have turned in recent years to more elaborate techniques like direct mail and telephone solicitations, which can reach a far larger audience and potentially raise much greater sums of money through multiple small contributions. Such systems, however, require more technically sophisticated methods of collection, greater initial investment of resources, and substantial time to build productive and reliable mailing lists. It is significant, therefore, that 90% of the Republicans identify direct mail and telephone solicitations as a major source of party revenues, compared to just 67% of the Democrats.

Greater resources enable Republican state parties, on average, to provide a broader and more sophisticated range of services to candidates than their

59/ Analysis of the survey data shows that the larger a state party's budget, the greater the share of its resources are likely to be devoted to candidate contributions. (The gamma correlation between budget size and percent of the party budget devoted to candidate contributions is .37 for the Republicans and .39 for the Democrats.) Interestingly, however, there is no relationship between the size of a party's budget and the proportion of resources devoted to party-building activities like membership drives, suggesting that all parties seek equally to enhance their organizational foundations.

Table 4-4

FINANCIAL CONTRIBUTIONS BY STATE PARTIES TO
CANDIDATES FOR CONGRESSIONAL AND STATE OFFICES

<u>Form of Assistance</u>	<u>Republicans</u>	<u>Democrats</u>
Percent Providing Campaign Contributions:		
to State Candidates*	90%	70%
to Congressional Candidates	70%	56%
Percent Providing Fundraising Assistance:		
to State Candidates*	95%	63%
to Congressional Candidates	63%	63%
Number of Responses	40	30

*Party differences significant at .05 level.

SOURCE: ACIR survey of state party chairs.

Democratic counterparts, although both parties are active in this area.^{59/} As Table 4-4 shows, a majority of state organizations in both parties provide some level of campaign contributions and fundraising assistance to candidates for both state and Congressional offices. In addition, most Republican and many Democratic state parties provide a range of other modern services to candidates for state office, such as polling, media consulting, and campaign seminars (see Table 4-5). Finally, a slim majority of Republican organizations and almost one-third of the Democrats now seek to coordinate PAC contributions to candidates for

Table 4-5

ADDITIONAL SERVICES PROVIDED BY STATE PARTIES TO
CANDIDATES FOR STATE OFFICES

<u>Service Provided</u>	<u>Republicans</u>	<u>Democrats</u>
Polling*	78%	50%
Media Consulting*	75%	46%
Campaign Seminars*	100%	76%
Coordinating PAC Contributions*	52%	31%
Number of Responses	38	30

*Party differences significant at .05 level.

SOURCE: ACIR survey of state party chairs.

state office, highlighting the belief held by most state party chairs (72%) that PACs are assuming a major role in state as well as national campaign finance.

Elected Officials and State Parties

The principal purpose of providing party services to candidates is to elect party members to office. Once elected, however, a frequent secondary aim is to encourage such officials to take cognizance of party views and to be active in party affairs. Certainly, such activity is well received and welcomed by party officials. Eighty-seven percent of party leaders surveyed said additional party involvement by elected officials would be welcomed. The remainder praised existing, often high, levels of activity and none favored less involvement.

On the surface, this finding would appear to be consistent with the oft-expressed concern that relationships between political parties and their candidates and officeholders have grown attenuated in recent years. As noted earlier in this chapter, the growing influence of the news media, the rise of independent campaign consultants, new sources of campaign contributions, and diminishing public identification with the political parties have all permitted many candidates to run successful campaigns with relatively little party involvement. Yet, party-candidate relations cannot be described in terms of simple disengagement. Although most party chairs would like additional involvement by elected officials, most maintain there is considerable activity by such officials at the present time, and many report that such activity has increased rather than decreased in recent years.

A majority of party chairs, for example, maintain that gubernatorial, Congressional, and state legislative officeholders in their party are "very" or "somewhat" active in party affairs. Only in the case of local government officials did a majority of state chairs detect an overall pattern of inactivity (see Table 4-6). On the other hand, only Democratic governors were judged to play a very active party role in a majority of the responding states. As Graph 4-1 shows, the relative levels of highly active participation by different categories of elected officials are fairly similar in both parties.

The data also reveal regional variations in activity levels. Republican governors are judged to be less active in party affairs as one moves from east to west, while Republican Congressmen are considered extremely active in the west. In contrast, Democratic gubernatorial involvement in state party matters

Table 4-6

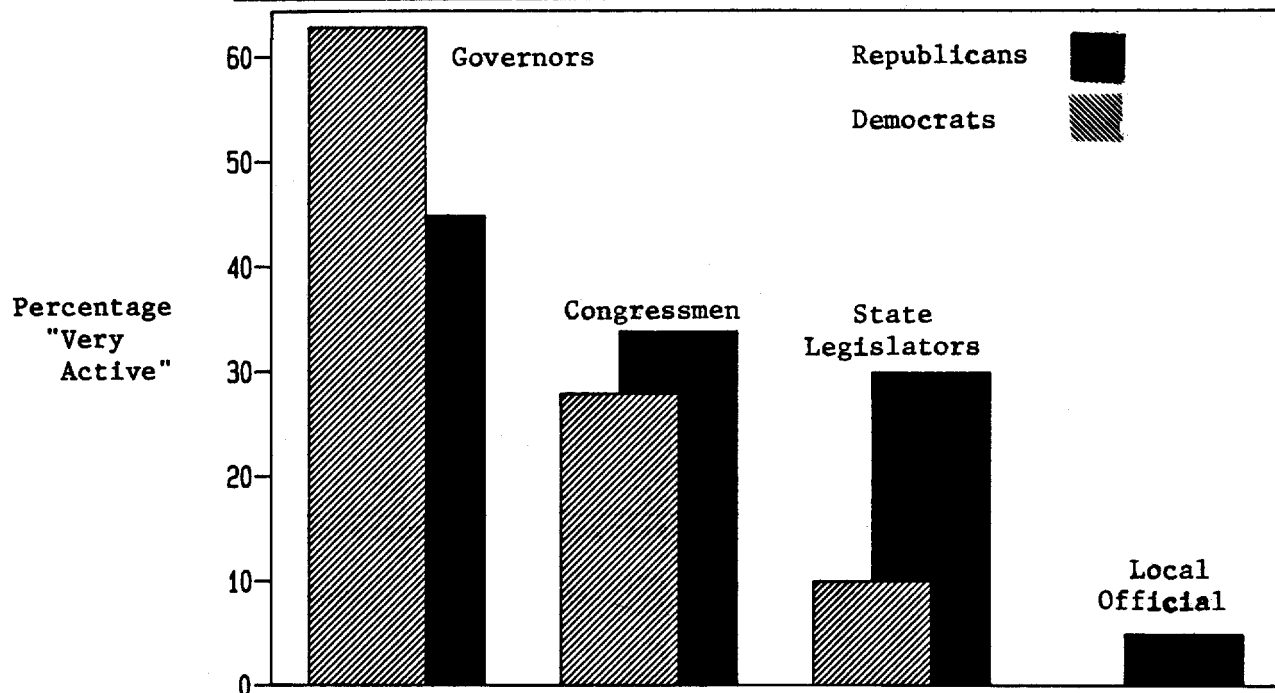
ROLE OF OFFICEHOLDERS IN STATE PARTY AFFAIRS

<u>Office</u>	Activity Level					
	REPUBLICANS			DEMOCRATS		
	<u>Very Active</u>	<u>Somewhat Active</u>	<u>Not Very Active</u>	<u>Very Active</u>	<u>Somewhat Active</u>	<u>Not Very Active</u>
Governor (when member of party)	45%	45%	10%	63%	22%	14%
Other Statewide Officeholders	28%	60%	12%	33%	50%	17%
Members of Congress	34%	48%	18%	28%	51%	21%
State Legislators	30%	48%	22%	10%	53%	37%
Local Officials	5%	40%	55%	0%	33%	67%

SOURCE: ACIR survey of state party chairs.

Graph 4-1

ELECTED OFFICIALS' ACTIVITIES IN STATE PARTY AFFAIRS



SOURCE: Table 4-6.

is judged to be relatively constant across the country, but Congressional activism varies considerably and is lowest in the west.

Interesting partisan differences are also apparent in state chairs' assessments of candidate involvement over time. State chairs were asked to estimate

whether partisan involvement by elected officials had increased, decreased, or remained constant in their state over the past 25 years. For most categories of officeholders, the most common estimate was that little had changed (see Table 4-7). Among Republicans, however, in every category of elected office, more state chairs believed that involvement had increased than believed it had decreased during recent years, and the numbers citing levels of increased involvement by state legislators and members of Congress were substantial (see Graph 4-2). In contrast, about equal numbers of Democratic chairs saw decreased activity as saw increased activity by Democratic officeholders, with the single exception of local government officials, whose participation was deemed to have dropped overall. This is consistent with the widely perceived decline in political influence by big city mayors and political "machines" in state politics.

Overall, generally steady or rising levels of candidate involvement in party affairs may reflect, in part, the renewed efforts being made by state parties to deliver campaign contributions and related services to candidates for office. Close examination of the Commission's data indicates that, among Democrats, the more campaign assistance state parties provide to gubernatorial, statewide, and state legislative candidates, the more likely it is that those candidates will be active in party affairs.^{60/} In addition, state parties with larger budgets tend to devote a greater share of their budget to campaign contributions, and, as we have seen, those budgets have been rising in recent years. A similar but very slight positive relationship exists between levels of state party assistance and involvement in party affairs by Democratic Congressional candidates.

In contrast, almost no such relationship exists between campaign contribution levels and party activity among Republicans, except in the case of Congressional candidates. Since practically all Republican candidates receive assistance from their state party, however, it is not surprising that variations in party activity levels tend to be shaped by other factors.

State Parties in a National Context

Naturally, state political parties do not exist in a political and legal

^{60/} The gamma correlations between party campaign contributions and levels of candidate involvement in party affairs are .46 for governors, .64 for other statewide elected officials, and .75 for state legislators. Because of the small numbers involved, however, these relationships are statistically significant at the .10 level only for statewide officials and state legislators.

Table 4-7

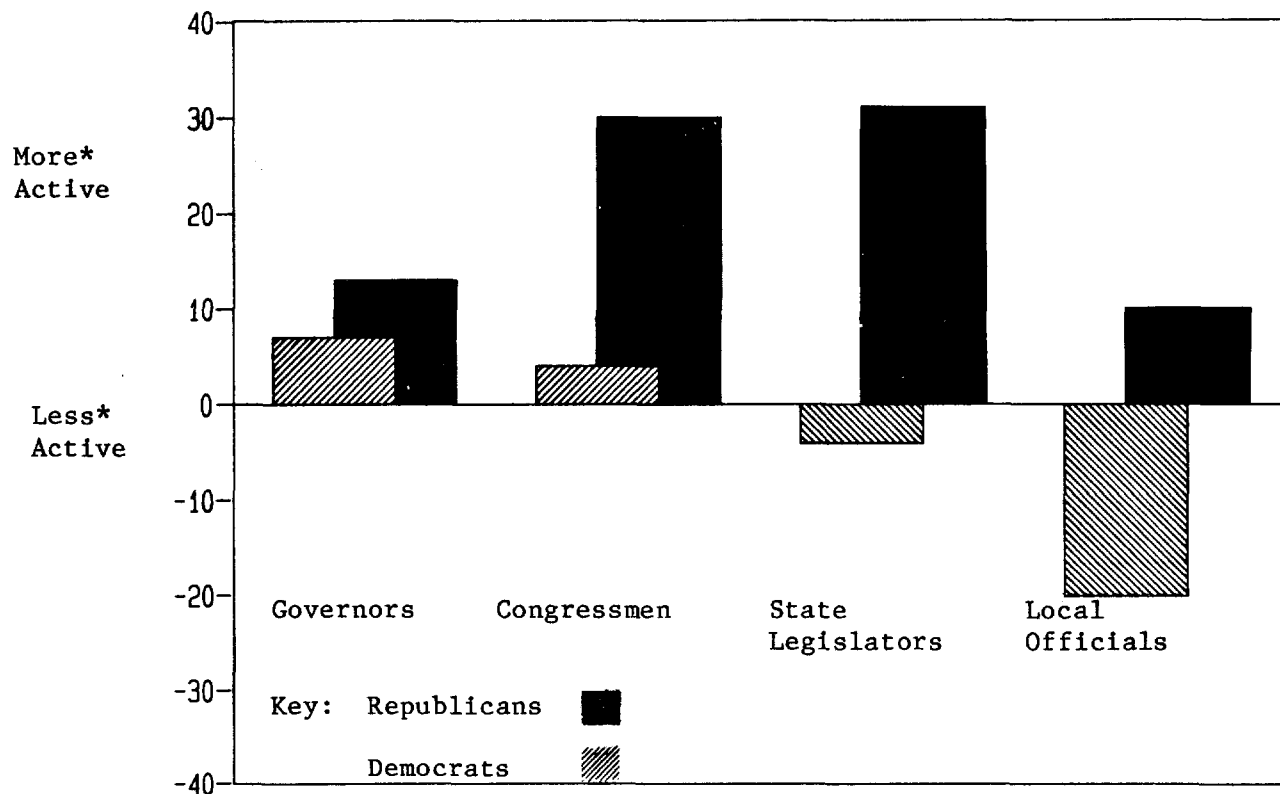
ELECTED OFFICEHOLDERS' PARTICIPATION IN STATE PARTY AFFAIRS:
LEVELS OF ACTIVITY OVER TIME

Office	Level of Party Activity Over Time					
	REPUBLICANS			DEMOCRATS		
	Increase	Decrease	Little Change	Increase	Decrease	Little Change
Governor	39%	26%	35%	33%	26%	41%
Other Statewide Officeholders	34%	23%	43%	37%	30%	33%
Members of Congress	44%	14%	42%	30%	26%	44%
State Legislators	44%	13%	44%	28%	32%	40%
Local Officials	23%	13%	64%	12%	32%	56%

SOURCE: ACIR survey of state party chairs.

Graph 4-2

TRENDS IN STATE PARTY INVOLVEMENT OVER TIME



*Percentage of states where officeholders exhibit increased party activity minus the percentage exhibiting decreased activity over time.

SOURCE: Table 4-7.

vacuum. In particular, state party organizations have developed varying relationships with their national counterparts, and even more important, they are deeply affected by the statutory and regulatory actions of government at both the state and national levels.

Not surprisingly, given substantial differences in the resources of the two national party committees, Republican state party organizations as a whole receive far more assistance from the national party than their Democratic counterparts do. As Table 4-8 indicates, this is true for virtually every category of

Table 4-8

NATIONAL PARTY ASSISTANCE TO STATE PARTIES

<u>Form of Assistance*</u>	<u>Percent of State Parties Receiving Assistance</u>	
	<u>Republicans</u>	<u>Democrats</u>
Financial Aid to State Party	70%	7%
Fundraising Assistance	75%	20%
Polling and Data Processing	60%	27%
Organizational Management Aid	75%	63%
Voter Registration	38%	33%
Financial Aid to State Candidates	70%	13%
Candidate Recruitment and Training	65%	23%
Maximum Number of Responses	40	30

*Party differences significant at .05 level.

SOURCE: ACIR survey of state party chairs.

assistance, from direct financial aid to organizational management assistance and data processing. The sole exception to this pattern is issue research, which was voluntarily mentioned by almost one-quarter of the responding state chairs. Seventeen percent of the Democrats said that they receive assistance from their national committee in researching and characterizing key issues, compared with just 8% of the Republicans.

Within each party, however, there are also significant differences in the amount of national party assistance that state organizations receive. To a considerable extent, these variations reflect differences in the independent resources (and presumably the needs) of individual state parties. Thus, on the average, 82% of the Republican state parties in the south--traditionally the area

of least Republican strength--receive each form of assistance provided by the Republican National Committee, and similarly large amounts of aid go to state parties in the Northeast. As Graph 4-3 shows, these are also the two areas of the country that have the fewest state parties with large budgets. Three-quarters of the Republican organizations in the midwest, on the other hand, have large annual budgets, and state parties in this region receive the lowest amounts of support from the Republican National Committee. Although overall levels of support for state parties from the Democratic National Committee are lower and tend to vary less between regions, a similar pattern of targeting aid to regions with fewer state resources is apparent among Democrats as well.

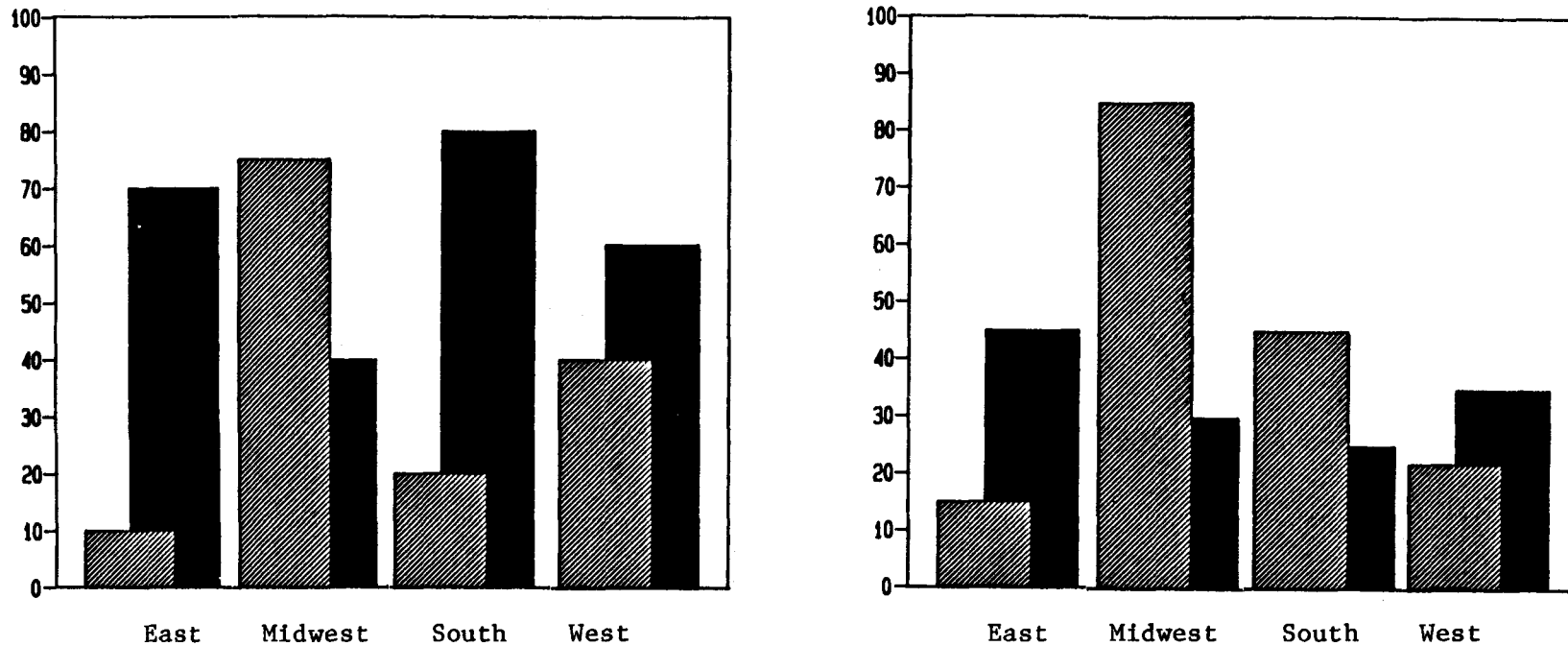
State political parties are not only affected by the actions of their national committees; they can also be influenced by national legislation. Forty-three percent of all state party leaders in ACIR's survey reported that federal campaign and election laws interfered with their activities, and a slim majority of Republican chairs detected interference (see Table 4-9). Three specific effects were most frequently cited: limitations on state party fundraising and excessive reporting requirements were each mentioned by 60% of those citing federal interference, while 15% objected to provisions in the Federal Elections Campaign Act that favored PACs over state parties for fundraising purposes.

State Regulation of Political Parties

Because they affect many more areas of state party structure and activity, state laws regulating political parties and elections are generally more significant than national laws. Thus, it is significant that a slight majority (53%) of state party leaders believe that, overall, laws in their state are generally unsupportive of their party's activities. Again, there are substantial partisan differences on this issue, with a sizable majority of Republican chairs perceiving that state laws are unsupportive while a majority of Democrats find them generally supportive (see Table 4-10). Much of this difference may reflect the difficulties encountered by minority parties in certain areas of the country. Republican discontent is focused in the northeast and the south, where approximately two-thirds of Republican chairs find state laws unsupportive. Much of the Democrats' enthusiasm for state laws is also centered in the south. In other regions of the country, both parties are about evenly divided on the issue. Moreover, there also is considerable partisan agreement concerning which kinds of laws are most detrimental to successful party activities, with leaders of

Graph 4-3

STATE PARTY BUDGETS AND NATIONAL PARTY ASSISTANCE, BY REGION
(in percent)



Key: Percentage of State Parties in Region with Large Budgets*

Average of All Forms of National Party Assistance to State Parties in Region

*Based on average annual budget. State organizations in each party were grouped into three roughly equal categories of high, medium and low budgets. For Republicans, the high budget category comprised all state parties with annual budgets over \$750,000; for Democrats, whose budgets are as a rule considerably smaller, the high budget category comprised all those with annual budgets over \$200,000.

Table 4-9

DO NATIONAL LAWS INTERFERE WITH STATE PARTY ACTIVITIES?

	<u>Republicans</u>	<u>Democrats</u>
Yes	53%	35%
No	47%	64%
Number of Responses	34	27

Chi Square <.10 Contingency Coefficient = .24

SOURCE: ACIR survey of state party chairs.

Table 4-10

ARE STATE LAWS REGULATING POLITICAL PARTIES AND ELECTIONS
IN YOUR STATE GENERALLY SUPPORTIVE OR UNSUPPORTIVE?

	<u>Republicans</u>	<u>Democrats</u>
Supportive	39%	57%
Nonsupportive	61%	43%
Number of Responses	36	28

Chi Square <.20 Contingency Coefficient = .17

SOURCE: ACIR survey of state party chairs.

both parties identifying campaign finance and open primary laws as problematic and many Democrats also citing obstacles to registration.

To gain a better understanding of the impact state laws have on state and local party organizations, ACIR supplemented its survey of state party chairs with a systematic analysis of (1) state laws that regulate the internal structure and composition of state political parties, and (2) major state laws governing state party roles in the electoral process. This analysis is presented in detail in the following section.

STATE LAWS REGULATING POLITICAL PARTIES AND ELECTIONS

Party Regulation in Historical Perspective

In most western democracies, political parties are permitted to operate largely unfettered by governmental regulation because they are considered pri-

vate associations.^{61/} Prior to the 1880s, this was also true for American political parties. Another factor contributing to the parties' autonomy at that time was that neither the national nor state governments were certain which had legal jurisdiction over them. The Constitution was written before the development of political parties and did not mention them. It did, however, authorize the states to regulate the conduct of elections, providing them a legal wedge which they ultimately used to take the lead in party regulation.

Aside from corrupt practices laws regulating campaigns, the first statutes directly regulating the parties were adopted by California and New York in 1866. The California law was nonbinding. It requested that parties provide advance public notice of party caucuses and abide by specified qualifications governing participation in those caucuses. The New York law, on the other hand, was mandatory, but merely prohibited bribery or intimidation in caucus and convention activities.^{62/} Several other states also adopted laws regulating the conduct of party affairs during the 1870s, but state regulation of political parties did not begin in earnest until 1880 when Kentucky adopted the Australian (secret) ballot. The Australian ballot system required all voters to mark their general election ballot in secret; placed all candidates' partisan affiliations next to their names; and had public authorities print, distribute, and count them. By 1900, nearly every state had adopted the secret ballot system.

Previous voting systems had been far less confidential and formal. During the colonial period, voters usually appeared before election officials and orally indicated which candidates they supported. Gradually, the oral system of voting was replaced by the ballot system where voters dropped their ballots into boxes. These ballots were printed by either the parties or the candidates and were usually colored distinctively so that observers could know which party or candidates the voter favored. This lack of ballot secrecy led to voter intimidation and widespread bribery, since it was easy to see if the purchased vote had been cast as pledged. Some employers used the threat of firing to control the votes of their employees, and landlords and creditors

^{61/} Bibby, et al., "Parties in State Politics," p. 69.

^{62/} Austin Ranney, Curing the Mischiefs of Faction: Party Reform in America (Berkeley, CA: University of California Press, 1975), p. 79.

were known to use their positions to influence the votes of their tenants and debtors.^{63/}

The publicly printed Australian ballot made bribery and voter intimidation much more difficult by including the names of all the candidates from all the parties on a single ballot. Once ballots were publicly printed, the states also were obliged to legally define what constituted a political party to determine the conditions for allowing party nominated candidates access to the ballot. Most of these statutory provisions specified that a party had to receive a certain minimum percentage of the vote to demonstrate reasonable support. The general effect of these regulations was to protect the dominant status of the two major parties and to inhibit third party movements.^{64/}

These late 19th century regulations marked a turning point in the thinking about political parties. Subsequently, the Progressive reformers (1900-20) argued that statutory regulation of the parties' internal organizational structure, composition, and procedures was a logical extension of the good government principles underlying the Australian ballot. As Austin Ranney summarized their argument:

Since a party label appears next to each candidate's name on the ballot, it was said, it is necessary to be sure who is legally entitled to it. Since the parties are benefited by having the ballots say which candidates belong to the parties, they must accept the regulations necessary to ensure proper conduct of their affairs.^{65/}

The reformers soon won a series of victories. By 1920, most states had proceeded far beyond the secret ballot and adopted laws regulating every major aspect of the parties' organizational structure, composition, and internal operating procedures. The objective of these laws was to heighten parties' accountability to the general public and to weaken "corrupting" influences over the electoral process. To prevent political bosses and others from intimidating party voters, many states required the parties to use secret ballots in intra-party elections of officers and candidates. To prevent party leaders from

^{63/} V.O. Key, Jr., Politics, Parties, and Pressure Groups, 5th ed. (New York: Thomas Y. Crowell Company, 1964), p. 639.

^{64/} Bibby, et al., "Parties in State Politics," p. 72.

^{65/} Ranney, Curing the Mischiefs of Faction, p. 80.

"packing" party meetings, many states mandated party membership requirements to determine who could participate in intraparty elections and activities. To ensure that party leaders acted responsibly, many states specified the number, powers, and composition of party committees and conventions.^{66/} Moreover, many states also forced the parties to abandon what reformers claimed was a boss-dominated convention system of nomination in favor of the seemingly more democratic direct primary. By 1917, nearly every state had adopted the direct primary nominating system.^{67/} At the same time, many states reexamined party membership requirements to determine who could participate in the state-mandated primaries. These requirements usually included minimum age, state and/or local residence, citizenship, and party affiliation.^{68/} From that time to the present, American political parties have been generally regarded as quasi-public agencies subject to governmental regulation.

The quasi-public status of political parties was reaffirmed in a series of subsequent Supreme Court decisions which overturned both state laws and state party rules excluding blacks from participating in Democratic primaries in the south. In Smith v. Allwright, the Court declared that exclusionary actions by the Texas Democratic party constituted expressions of "state action" prohibited by the 15th Amendment, and later cases outlawed similar discrimination at the local party level.^{69/}

Other than the controversies reviewed in Chapter 3 involving conflicts between state laws and national convention delegate selection rules, there were no further significant changes in the way states regulated the parties until the 1970s. At that time, partly in response to the growing expense of campaigning and partly due to the exposure of financial improprieties in the Watergate scandal, all 50 states enacted laws dealing with campaign finance. As John Bibby and his colleagues have written, state statutes dealing with campaign finance have increased dramatically in recent years:

By the late 1970s, every state had enacted some type of law regulating campaign funds. Aspects of campaign fi-

^{66/} Ranney, Curing the Mischiefs of Faction, p. 81.

^{67/} Key, Politics, Parties, and Pressure Groups, 5th ed., p. 375.

^{68/} Bibby, et al., "Parties in State Politics," p. 70.

^{69/} Smith v. Allwright, 321 U.S. (1944); Terry v. Adams, 345 U.S. 461 (1953).

nance that have been the subject of state legislation are limits on contributions and expenditures, enforcement procedures, and public funding of campaigns.^{70/}

The dramatic increase in the number and scope of campaign finance laws and their implications for political parties are examined in detail in Chapter 7 of this report.

To sum up, most states now regulate the parties in several areas, including party membership, party organization, access to the ballot, methods of nomination, and campaign finance. The states vary considerably, however, both in the extent and manner of regulation in each of these areas. As Frank Sorauf has indicated:

... the constitutions and statutes of the 50 states bulge with detailed prescriptions defining the nature of party organization and the duties they are to perform. The states have, in fact, enacted such a kaleidoscopic variety of legislation on the parties that it defies summary or classification. In scope and extent the laws range from those of Oregon, which specify the structure in detailed and full-blown provisions of more than 5,000 words, to those of Georgia, which dispose of the parties in a few extended sentences. In between are all grades and degrees of statutory specificity^{71/}

The following analysis examines and documents state laws dealing with political parties, attempts to provide a general sense of this "kaleidoscopic variety" of state legislation, and considers its implications for state and local party organizations. It should be stressed at the outset, however, that this is a very complex topic with very little previous comprehensive research to serve as a guide. As a result, this analysis should be viewed as a preliminary exploration into the patterns and relationships that exist between state laws and the organizational structures and roles of state and local parties.

The analysis begins by examining state regulations of the parties' organizational structures, composition, and internal rules and procedures. Each state's statutes were reviewed to determine whether they regulate party operations in any of seven different areas and, if so, the specific manner and degree of regulation involved. The results of this statutory analysis are pre-

^{70/} Bibby, et al., "Parties in State Politics," p. 74.

^{71/} Frank Sorauf, Party Politics in America, 4th ed. (Boston, MA: Little, Brown and Company, 1980), p. 61.

sented in a series of tables and compiled in a summary index that compares the cumulative regulatory actions of each state.

State statutes were also examined to determine their positions on five attributes that influence the role of state and local party organizations in the electoral process. The results of this examination are presented in another series of tables, and a second cumulative index summarizes the states' positions.

Two conclusions are drawn from these indices. First, although there is substantial variation in the degree to which states regulate state and local party organizations, nearly all the states regulate parties to some extent and many regulate them heavily. Second, most states do not provide a legal environment conducive to the development or maintenance of strong state and local party roles in the electoral process.

State Regulation of Political Parties' Organizational Structure, Composition, and Internal Operating Procedures

Only five of the 50 states (Alaska, Delaware, Hawaii, Kentucky, and North Carolina) do not specify in state law some aspect of the parties' internal organizational structure, composition, or internal operating procedures. Some states, such as California, New Jersey, Indiana, and Oregon, specify all three in great detail. In between are all grades and degrees of statutory specificity. To provide some indication of the extent of these differences, an index based on the following seven items was constructed:

1. Does state law mandate the manner of selecting members of the parties' state central committees?
2. Does state law in any way mandate the composition of the parties' state central committees?
3. Does state law mandate when or where the parties' state central committees will meet?
4. Does state law mandate any of the internal rules or procedures concerning the actions of the parties' state central committees?
5. Does state law mandate the manner of selecting members of the parties' local organizations?
6. Does state law in any way mandate the composition of the parties' local organizations?
7. Does state law mandate any of the internal rules, procedures, or activities of the parties' local organizations?

The results of the statute search are tabulated in Figures 4-2 through 4-10 and summarized in Table 4-11. Finally, Figure 4-11, the Index of State Regulation of Political Parties, compares the states' regulatory actions.

To introduce greater precision and uniformity to the analysis, states that either regulate the parties heavily or in ways that are generally believed by scholars to weaken state and local party organizations are listed in the left column in each table; states that regulate state and local party organizations moderately or in ways that may be beneficial to them are placed in the center column; and states not regulating in the area are listed in the right column in each table.

SELECTION OF THE PARTIES' STATE CENTRAL COMMITTEES' MEMBERS

Figure 4-2 indicates that 36 states regulate the way parties select their state central committees' members. Although all 36 states regulating in this

Figure 4-2

STATE LAWS REGULATING THE SELECTION OF THE PARTIES' STATE CENTRAL COMMITTEES' MEMBERS

<u>Mandate Selection by Voters</u>	<u>Mandate Selection by Party Officials</u>	<u>No Regulation</u>
Illinois	Arizona*	Alabama
Louisiana	Arkansas	Alaska
Massachusetts	California*	Connecticut
New Jersey	Colorado*	Delaware
New York	Idaho*	Florida
Ohio	Indiana*	Georgia
Pennsylvania	Iowa	Hawaii
Tennessee	Kansas*	Kentucky
West Virginia	Maine	Minnesota
	Maryland*	New Mexico
	Michigan	North Carolina
	Mississippi	Oklahoma
	Missouri*	Rhode Island
	Montana*	Virginia
	Nebraska	
	Nevada	
	New Hampshire	
	North Dakota**	
	Oregon*	
	South Carolina**	
	South Dakota	
	Texas	
	Utah**	
	Vermont*	
	Washington*	
	Wisconsin*	
	Wyoming*	

*Local party committee members are selected by the voters in the primary. The local party officials then select the central committee members from among themselves.

**Local party committee members are selected at party caucuses. The local party officials then select the central committee members from among themselves.

SOURCE: Each state's annotated statutes, 1984.

area are listed as regulators in Table 4-11, Compilation of State Laws Regulating the Parties, 27 of these regulating states force the parties to select their state central committee members in a manner most scholars believe least inhibits the development of independent, vigorous, and responsible state parties--by requiring that they be selected by delegates at party conventions or by county or Congressional district committee members. Although such requirements limit the parties' autonomy by weakening their ability to determine their own selection rules and procedures, it can be argued that these specific regulations are not particularly onerous. For this reason, these 27 states are listed in the center column in the table. The nine states that mandate selection by the voters, on the other hand, severely limit the ability of party officials to determine their own leadership. For this reason, states regulating in this fashion are listed in the left column of the table.

THE COMPOSITION OF THE PARTIES' STATE CENTRAL COMMITTEES

Figure 4-3 indicates that 32 states regulate the composition of the par-

Figure 4-3

STATE LAWS REGULATING THE COMPOSITION OF THE PARTIES' STATE CENTRAL COMMITTEES

<u>States Excluding Elected Officials</u>		<u>States Including Elected Officials</u>	<u>No Regulation</u>	
Arizona	Ohio*	California*	Alabama	Minnesota
Idaho	Oregon	Colorado	Alaska	Nebraska
Illinois	Pennsylvania	Florida	Arkansas	New Hampshire
Indiana	South Carolina	Kansas	Connecticut	New Mexico
Iowa*	South Dakota*	North Dakota	Delaware	New York
Louisiana	Tennessee*		Georgia	North Carolina
Maryland	Texas*		Hawaii	Oklahoma
Massachusetts*	Utah*		Kentucky	Rhode Island
Michigan*	Vermont*		Maine	Virginia
Mississippi	Washington*			
Missouri*	West Virginia*			
Montana*	Wisconsin			
Nevada	Wyoming*			
New Jersey*				

*States mandating an equal number of men and women on the parties' state central committee.

SOURCE: Each state's annotated statutes, 1984.

ties' state central committees. Supporters of strong and independent state party organizations not only argue that such regulations are often restrictive, but they may potentially undermine the parties' organizational needs and preferences. Specifically, they fear that state legislatures may be tempted to make arbitrary choices based upon their own political interests rather than the parties' needs.^{72/}

In examining the states' statutes, it was discovered that most states regulating the composition of the parties' state central committees focus on two issues: the inclusion or exclusion of elected officials as members and the specification of the committees' sexual composition. Although all 32 of these states are listed as regulators in the summary index, five of them mandate the inclusion of elected officials as members of the parties' state central committees--a position which most state parties could be expected to take on their own. States excluding elected officials, on the other hand, weaken the ties between elected officials and party leaders. Their position is generally recognized as being detrimental to state party organizations. The impact of mandating sexual balance on party committees is less clear. Although requiring equal numbers of men and women on their state central committees interferes with party autonomy, it may also be viewed as strengthening parties by increasing the representation of all segments of society. For this reason, the 16 states taking this regulatory action are also noted in the table.

STATE CENTRAL COMMITTEES' MEETING DATES AND LOCATION

Figure 4-4 indicates that 15 states regulate the timing of the parties' state central committee meetings. In addition, seven states mandate where those meetings are to take place (usually in the state capital). Supporters of independent, vigorous, and responsible state parties argue that such regulations are not only unnecessary and occasionally inconvenient, but constitute a violation of the parties' First Amendment rights of freedom of association.^{73/}

^{72/} Memorandum in Support of Plaintiff's Motion for Summary Judgment, San Francisco County Democratic Central Committee, et al., v. March Fong Eu, et al., Docket No. C-83-5599-MHP, U.S.D.C. N.CA (1984), p. 41.

^{73/} Ibid., p. 38.

Figure 4-4

STATE LAWS REGULATING THE PARTIES' STATE CENTRAL COMMITTEES'
MEETING DATES AND LOCATION

<u>Mandate Meeting Date and Location</u>	<u>Mandate Meeting Date Only</u>		<u>No Regulation</u>	
Arizona	Florida	Ohio	Alabama	Montana
California	Indiana	Oregon	Alaska	Nebraska
Illinois	Maine	Pennsylvania	Arkansas	Nevada
Kansas	Maryland	Texas	Colorado	New Hampshire
Louisiana	Massachusetts	Vermont	Connecticut	New Mexico
Missouri	New Jersey	West Virginia	Delaware	North Carolina
Tennessee	New York	Wyoming	Georgia	Oklahoma
	North Dakota		Hawaii	Rhode Island
			Idaho	South Carolina
			Iowa	South Dakota
			Kentucky	Utah
			Michigan	Virginia
			Minnesota	Washington
			Mississippi	Wisconsin

SOURCE: Each state's annotated statutes, 1984.

STATE CENTRAL COMMITTEES' INTERNAL RULES AND PROCEDURES

As Figure 4-5 indicates, the states' positions concerning the regulation of the parties' state central committee internal rules and procedures vary significantly. Twenty-two states allow these committees to determine their own internal rules and procedures, but 28 determine those rules and procedures for them.

Among the 28 regulators, there is considerable variation in their approaches, with some regulating only a few aspects of the parties' state central committee activities and others regulating many. Among the most common regulations are those dealing with how committee vacancies are to be filled, the use of proxies, advance notification procedures for meetings, quorum rules, formation of executive committees, the chairman's powers and duties, and members' voting power (some states have proportional voting strength within the state central committee). To provide a better understanding of the extent to which each state regulates in this area, Figure 4-6 indicates if the state requires advance notification of committee meetings, establishes proxy voting or vacancy procedures, or mandates any other rules or procedures for their parties' state central committees.

Figure 4-5

STATE LAWS
REGULATING THE PARTIES'
STATE CENTRAL COMMITTEES'
INTERNAL RULES AND PROCEDURES

<u>States That Regulate</u>		<u>States That Do Not Regulate</u>	
Arizona	New Jersey	Alabama	Minnesota
California	New York	Alaska	Montana
Colorado	North Dakota	Arkansas	Nebraska
Florida	Ohio	Connecticut	New Hampshire
Illinois	Oregon	Delaware	New Mexico
Indiana	Pennsylvania	Georgia	North Carolina
Kansas	Rhode Island	Hawaii	Oklahoma
Louisiana	South Carolina	Idaho	South Dakota
Maryland	Tennessee	Iowa	Virginia
Massachusetts	Texas	Kentucky	Washington
Michigan	Utah	Maine	Wisconsin
Mississippi	Vermont		
Missouri	West Virginia		
Nevada	Wyoming		

SOURCE: Each state's annotated statutes, 1984.

In addition, to provide greater precision to the analysis, each state is given a regulatory index score, with 0 representing no regulation in this area, 1 representing regulation of either one or two aspects of the parties' state central committees' internal rules and procedures, and 2 representing regulation of three or more aspects of those rules and procedures. The table confirms that there is considerable variation among the 28 regulating states, with 19 states receiving a regulatory index score of 1, and nine states receiving a score of 2.

Supporters of strong state party organizations argue that state regulation in this area reflects an outdated distrust of party leaders' intentions and of their ability to organize their committees in ways that are responsive to their members and the general public. Accordingly, efforts are underway in some states to redress this situation. In California, for example, a number of organizations, including several county Democratic, Libertarian, and Republican party committees and the nationwide nonpartisan Committee for Party Renewal, won a summary judgment on April 9, 1984, in a suit filed against several of that

STATE LAWS REGULATING THE PARTIES' STATE CENTRAL COMMITTEES'

<u>State</u>	<u>Advance Notification</u>	<u>Proxy Procedures</u>	<u>Vacancy Procedures</u>	<u>Other*</u>	<u>Regulatory Index Score</u>
Alabama					0
Alaska					0
Arizona		X†		X	1
Arkansas					0
California		X†	X	X	2
Colorado			X	X	1
Connecticut					0
Delaware					0
Florida				X	1
Georgia					0
Hawaii					0
Idaho					0
Illinois	X		X	X	2
Indiana			X	X	1
Iowa					0
Kansas	X	X		X	2
Kentucky					0
Louisiana		X†	X	X	1
Maine					0
Maryland	X			X	1
Massachusetts			X		1
Michigan				X	1
Minnesota					0
Mississippi				X	1
Missouri				X	1

*Includes, among others, regulation of committee members' party affiliation, the use of unit rules in voting, officers to be selected and the method of their selection, and members' terms of office.

state's party regulations, including ones affecting the internal rules and procedures of the parties' state central committees.^{74/}

^{74/} Party Times, newsletter of the Northern California Committee for Party Renewal, Institute of Governmental Studies, University of California, Berkeley (April 1984): 1. The Court upheld California's regulations concerning the parties' state central committees' meeting dates and dues but declared California's ban on preprimary endorsements, its regulations concerning the selection of state central committee members, and the length of the state central committees' chair's term unconstitutional. California is appealing the decision.

INTERNAL RULES AND PROCEDURES

<u>State</u>	<u>Advance Notification</u>	<u>Proxy Procedures</u>	<u>Vacancy Procedures</u>	<u>Other*</u>	<u>Regulatory Index Score</u>
Montana					0
Nebraska					0
Nevada			X	X	1
New Hampshire					0
New Jersey	X		X	X	2
New Mexico					0
New York			X	X	2
North Carolina					0
North Dakota		X†	X	X	2
Ohio	X	X†	X	X	2
Oklahoma					0
Oregon	X			X	1
Pennsylvania			X		1
Rhode Island	X		X	X	1
South Carolina			X	X	1
South Dakota					0
Tennessee			X	X	1
Texas		X	X	X	2
Utah			X	X	1
Vermont	X			X	1
Virginia					0
Washington					0
West Virginia			X	X	1
Wisconsin					0
Wyoming	X	X†	X	X	2

†States allowing proxies.

SOURCE: Each state's annotated statutes, 1984.

SELECTION OF LOCAL PARTY COMMITTEE MEMBERS

Figure 4-7 indicates that 35 states regulate the way parties select their local committee members. Although all 35 are listed as regulators in the Compilation of State Laws Regulating the Parties, seven of these states require the parties to select their local committee members at party conventions or at party caucuses--selection methods that, in most cases, would tend to support the development of independent, vigorous, and responsible local party organizations. States mandating selection of local party committee members by the voters, on the other hand, weaken the ties between the parties' officials and candidates

Figure 4-7

STATE LAWS REGULATING THE SELECTION OF LOCAL PARTY COMMITTEE MEMBERS

<u>Mandate Selection by Voters</u>		<u>Mandate Selection by Party Officials</u>	<u>No Regulation</u>	
Arizona	Montana	Iowa*	Alabama	Minnesota
Arkansas	Nebraska	Maine*	Alaska	New Mexico
California	New Hampshire	Nevada*	Connecticut	North Carolina
Colorado	New Jersey	North Dakota†	Delaware	Oklahoma
Idaho	New York	Tennessee†	Florida	Pennsylvania
Illinois	Ohio	Utah†	Georgia	South Carolina
Indiana	Oregon	Vermont*	Hawaii	Virginia
Kansas	Rhode Island		Kentucky	
Louisiana	South Dakota			
Maryland	Texas			
Massachusetts	Washington			
Michigan	West Virginia			
Mississippi	Wisconsin			
Missouri	Wyoming			

*Selected at party conventions.

†Selected at local caucuses.

SOURCE: Each state's annotated statutes, 1984.

and are considered to weaken local party autonomy and organizational integrity.

THE COMPOSITION OF LOCAL PARTY COMMITTEES

Figure 4-8 indicates that 34 states regulate the composition of local party committees. As was the case with states regulating the composition of the parties' state central committees, states regulating the composition of local party committees generally do so by including or excluding elected officeholders as members or by specifying that the committees be composed of equal numbers of men and women.

Although all 34 states regulating in this area are listed as regulators in the Compilation of State Laws Regulating the Parties, four of them require local party organizations to include local elected officeholders affiliated with them as members of their local committee, an action that imposes few burdens on local party autonomy but may strengthen the ties between party officials and local officeholders. States that exclude these officeholders, however, weaken the ties between elected officials and their party and are generally considered to have taken a position contrary to local party interests.

Figure 4-8

STATE LAWS REGULATING THE COMPOSITION OF LOCAL PARTY COMMITTEES

<u>Mandate Composition Excluding Elected Officials</u>		<u>Mandate Composition Including Elected Officials</u>	<u>No Regulation</u>	
Arizona	New Jersey*	California	Alabama	Minnesota
Connecticut*	New York	Colorado	Alaska	Nebraska
Idaho	North Dakota	Florida*	Arkansas	New Hampshire
Illinois	Ohio	Oregon*	Delaware	New Mexico
Indiana	Rhode Island		Georgia	North Carolina
Iowa*	South Carolina		Hawaii	Oklahoma
Kansas*	South Dakota*		Kentucky	Pennsylvania
Louisiana	Tennessee		Maine	Virginia
Maryland	Texas			
Massachusetts	Utah*			
Michigan	Vermont			
Mississippi	Washington*			
Missouri*	West Virginia*			
Montana*	Wisconsin			
Nevada	Wyoming*			

*States mandating an equal number of men and women on the parties' local committees.

SOURCE: Each state's annotated statutes, 1984.

The 13 states requiring equal numbers of men and women on local party committees are also noted in the table.

LOCAL PARTY COMMITTEES' INTERNAL RULES, PROCEDURES, AND ACTIVITIES

Figure 4-9 indicates that all but five states (Alaska, Delaware, Hawaii, Kentucky, and North Carolina) regulate at least one aspect of local party committees' internal rules, procedures, and activities. The approaches of the 45 regulating states vary considerably. As at the state level, some regulate only a few aspects of the local committees' internal rules, procedures, and activities while others regulate many aspects. The most common regulations include: party affiliation and residency requirements for local committee members, procedures for filling local committee vacancies, the use of proxies, advance notification requirements for meetings, quorum rules, the use of the unit rule, and the time and location of local committee meetings.

Supporters of strong local parties oppose governmental regulation in these

Figure 4-9

STATE LAWS REGULATING LOCAL PARTY COMMITTEES'
INTERNAL RULES, PROCEDURES, AND ACTIVITIES

<u>States That Regulate</u>				<u>States That Do Not Regulate</u>
Alabama	Kansas	Nevada	South Carolina	Alaska
Arizona	Louisiana	New Hampshire	South Dakota	Delaware
Arkansas	Maine	New Jersey	Tennessee	Hawaii
California	Maryland	New Mexico	Texas	Kentucky
Colorado	Massachusetts	New York	Utah	North Carolina
Connecticut	Michigan	North Dakota	Vermont	
Florida	Minnesota	Ohio	Virginia	
Georgia	Mississippi	Oklahoma	Washington	
Idaho	Missouri	Oregon	West Virginia	
Illinois	Montana	Pennsylvania	Wisconsin	
Indiana	Nebraska	Rhode Island	Wyoming	
Iowa				

SOURCE: Each state's annotated statutes, 1984.

areas for the same reason they oppose regulation of the parties' state central committees' activities: such requirements are not only inconvenient but also reflect distrust and a lack of confidence in party leadership's capacity to function effectively and responsibly.

To provide a better understanding of the extent to which each state regulates in this area, Figure 4-10 indicates if the state requires advance notification of local committee meetings, establishes proxy voting or vacancy procedures, or mandates any other rules or procedures for local party committees. In addition, each state is provided a regulatory index score, with 0 representing no regulation in this area, 1 representing regulation of one or two aspects of the parties' local committees' internal rules, procedures, and activities, and 2 representing regulation of three or more aspects of those rules and procedures. The table confirms the substantial variation in the regulating states approaches, with 25 receiving a regulatory index score of 1 and 20 receiving a score of 2.

SUMMARY OF STATE REGULATION OF PARTY ORGANIZATIONS

Table 4-11, summarizes the data presented in Figures 4-2 through 4-10. It indicates whether each state has chosen to regulate or allow the parties to determine their own rules and procedures in each of the seven areas examined. In

Figure 4-10

STATE LAWS REGULATING LOCAL PARTY COMMITTEES' INTERNAL RULES,
PROCEDURES, AND ACTIVITIES

<u>State</u>	<u>Advance Notification</u>	<u>Proxy Procedures</u>	<u>Vacancy Procedures</u>	<u>Other*</u>	<u>Regulatory Index Score</u>
Alabama				X	1
Alaska					0
Arizona			X	X	1
Arkansas	X		X	X	2
California		X†	X	X	2
Colorado	X		X	X	2
Connecticut	X			X	1
Delaware					0
Florida			X	X	1
Georgia				X	1
Hawaii					0
Idaho			X	X	1
Illinois				X	1
Indiana			X	X	1
Iowa	X	X	X	X	2
Kansas	X	X	X	X	2
Kentucky					0
Louisiana	X	X	X	X	2
Maine				X	1
Maryland	X		X	X	2
Massachusetts			X	X	1
Michigan		X†	X	X	2
Minnesota	X			X	1
Mississippi	X			X	1
Missouri			X	X	1

*Most states in this category mandate that only resident, party affiliated voters can become members of local party committees. Some states in this category also set quorum requirements, meeting times and locations, prohibit the unit rule of voting, and/or specify the officers to be elected for each committee.

addition, each state is assigned a cumulative regulatory index score based upon their actions in these areas. States that significantly limit state and local party autonomy in a particular area (states listed in the left column in most of the tables) are given a regulatory index score of 2 for that area; states that limit party autonomy only moderately or regulate in a manner that may have a beneficial impact on state and local party organizations (listed in the center column in most of the tables) are given a score of 1; and states not regulating in the area (listed in the right column in most of the tables) are given a score

Figure 4-10 (cont.)

STATE LAWS REGULATING LOCAL PARTY COMMITTEES' INTERNAL RULES,
PROCEDURES, AND ACTIVITIES

<u>State</u>	<u>Advance Notification</u>	<u>Proxy Procedures</u>	<u>Vacancy Procedures</u>	<u>Other*</u>	<u>Regulatory Index Score</u>
Montana	X	X†	X	X	2
Nebraska		X	X	X	2
Nevada	X		X	X	2
New Hampshire	X				1
New Jersey			X	X	1
New Mexico	X				1
New York	X		X	X	2
North Carolina					0
North Dakota	X	X†	X	X	2
Ohio	X		X	X	2
Oklahoma				X	1
Oregon	X	X	X	X	2
Pennsylvania				X	1
Rhode Island			X	X	1
South Carolina	X		X	X	2
South Dakota			X	X	1
Tennessee			X	X	1
Texas		X	X	X	2
Utah	X		X		1
Vermont	X				1
Virginia				X	1
Washington	X		X	X	2
West Virginia			X	X	1
Wisconsin	X		X	X	2
Wyoming	X		X	X	2

†States allowing proxies.

SOURCE: Each state's annotated statutes, 1984.

of 0. Each state's seven regulatory index scores are then added together to create its cumulative regulatory index score.

INDEX OF STATE REGULATION OF POLITICAL PARTIES

Figure 4-11, the Index of State Regulation of Political Parties, compares the cumulative regulatory index scores of the states, summarizing the extent they regulate the parties' internal structure, composition, and operating procedures. As the table indicates, 19 states are classified as heavy party regulators--

Table 4-11

COMPILATION OF STATE LAWS REGULATING THE PARTIES

<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/
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	1
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	5
Nevada	1	2		1	1	2	2	9
New Hampshire	1				2		1	4
New Jersey	2	2	1	2	2	2	1	12

Table 4-11 (cont.)

<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>
New Mexico							1	1
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

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. Minimum score is 0, maximum score is 14.

SOURCE: The state's annotated statutes, 1984.

states with cumulative regulatory index scores of ten or higher; 17 states are classified as moderate party regulators--states with cumulative regulatory index scores five through nine; and 14 states are classified as light party regulators--states with cumulative regulatory index scores less than five.

Given the cumulative regulatory index scores' sensitivity to burdensome regulations, the wide distribution of states among the three classifications

Figure 4-11

INDEX OF STATE REGULATION OF POLITICAL PARTIES*

LIGHT REGULATORS				
0	1	2	3	4
Alaska	Alabama		Connecticut	Maine
Delaware	Georgia			New Hampshire
Hawaii	Minnesota			
Kentucky	New Mexico			
North Carolina	Oklahoma			
	Virginia			
MODERATE REGULATORS				
5	6	7	8	9
Arkansas	Rhode Island	Pennsylvania	Colorado	Mississippi
Florida			Idaho	Montana
Nebraska			Iowa	Nevada
			South Carolina	Vermont
			South Dakota	Washington
			Utah	Wisconsin
HEAVY REGULATORS				
10	11	12	13	14
Indiana	Arizona	Kansas	Illinois	Louisiana
Michigan	California	New Jersey	Ohio	
North Dakota	Maryland	Texas		
Oregon	Massachusetts	Wyoming		
	Missouri			
	New York			
	Tennessee			
	West Virginia			

*Index is based upon state laws that regulate the parties' internal organizational structure, composition, and procedures. Specific regulatory actions are examined in Figures 4-2 through 4-10 and summarized in Table 4-11. Minimum score is 0, maximum score is 14.

SOURCE: ACIR staff compilation based on Table 4-21.

suggests that the states possess highly varying degrees of confidence in state and local party organizations. Nevertheless, the fact that only 14 states can be classified as light party regulators indicates an overall pattern of distrust of political parties.

State Laws Governing
The Role of State and Local Party Organizations in
The Electoral Process

In addition to their positions affecting the autonomy of state and local party organizations, states can take a variety of positions that either actively hinder or support state and local party activities and influence. To acquire a better sense of the manner in which state laws affect the role of state and local party organizations in the electoral process, a second index consisting of the following five issues was constructed:

1. Does the state allow or require party nominating conventions?
2. Does the state require or specifically allow preprimary endorsements of candidates?
3. Does the state have a closed primary?
4. Does the state prevent candidates who contest but lose a party's primary from running in the general election under another party label?
5. Does the state provide on its ballot a means to vote a straight party ticket?

Each of these questions deals with an issue that affects the role of state and local party organizations in the electoral process. The questions are worded so that an affirmative response reflects a position that fosters an environment which promotes the effective influence of state and local parties in the electoral process, while a negative response does the reverse. Results of the statute search are presented in Figures 4-12 through 4-16 and summarized in Table 4-12. Figure 4-17, Index of State Laws Governing State and Local Parties' Role in the Electoral Process, compares state positions on these five issues.

To introduce greater precision and uniformity to the analysis, positions that are generally acknowledged by scholars to weaken state and local parties' roles in the electoral process are listed in the left column in each of the following tables; positions that have an uncertain or marginal impact are listed in the center column; and positions that scholars generally regard as enhancing the development and maintenance of a strong role for state and local party organizations in the electoral process are listed in the right column.

NOMINATION PROCEDURES FOR STATE AND LOCAL OFFICIALS

Political parties have served many key political functions over the years. Traditionally they have, among other things, determined nominations for office, provided campaign management, mobilized voters, and served as conduits for coalition building within governments. Of these functions, none is more basic or more important to the health of the parties than their control over the nomination process.

Nominating systems used in the states differ significantly but the basic dimension for comparing them is the number of participants involved in making the nominations. At one extreme, nominees are selected at party conventions and they are not challenged in a primary election. Candidates under such a system have strong incentives to work with and to listen to party leaders. As was discussed earlier in this chapter, this system is generally acknowledged by scholars to be conducive to the development of a strong role for state and local party organizations in the electoral process. At the other extreme, nominees are selected by voters in a direct (or challenge) primary election. Under such a system, candidates have far less incentive to work closely with party leaders, thus hindering the role of state and local party organizations in the electoral process.^{75/}

Figure 4-12, Nomination Procedures for State Officials, indicates that only eight states either allow or require the use of party conventions to nominate candidates for all statewide office and another four states do so for at least some statewide offices. The remaining 38 states use the direct primary nominating system for all statewide offices.

ENDORSEMENT PROCEDURES IN THE STATES

Advocates of strong state and local party organizations recognize that the party convention system's historical ties to exclusionary politics severely minimizes the likelihood that many states will totally abandon their direct primary nominating systems. Their second choice, if primaries are employed, is to grant state and local party organizations the power to make preprimary endorsements. Writing on behalf of the California Committee for Party Renewal, Edmund Constantini and his colleagues argue in their brief that the absence of party nominat-

^{75/} See, for example, Jewell and Olson, American State Political Parties and Elections, p. 105.

Figure 4-12

NOMINATION PROCEDURES FOR STATE OFFICIALS

<u>All Statewide Candidates by Primary</u>			<u>Some Statewide Candidates by Convention</u>	<u>All Statewide Candidates by Convention</u>
Alaska	Maryland	Ohio	Indiana	Alabama*
Arizona	Massachusetts	Oklahoma	Iowa††	Colorado°
Arkansas	Minnesota	Oregon	Michigan	Connecticut°
California	Mississippi	Pennsylvania	South Dakota††	Georgia*
Delaware	Missouri	Rhode Island		New York°
Florida	Montana	Tennessee		South Carolina*
Hawaii	Nebraska	Texas		Utah
Idaho	Nevada	Vermont		Virginia*
Illinois**	New Hampshire	Washington		
Kansas†	New Jersey	West Virginia		
Kentucky	New Mexico†	Wisconsin		
Louisiana	North Carolina	Wyoming		
Maine	North Dakota			

- * State party officials may choose either the primary or convention procedure.
- ** Trustees of the University of Illinois are nominated by convention.
- † Minor parties are allowed to nominate candidates by party convention.
- †† Convention held only if the primary winner fails to achieve a predetermined percentage of the primary vote.
- ° Convention determines nominee only if the candidate achieves a predetermined percentage of the delegates' vote.

SOURCE: Book of the States, 1984-85 (Lexington, KY: Council of State Governments, 1984), pp. 204, 205.

ing conventions and preprimary endorsements strips the parties of any formal, institutional linkages with their candidates. Lacking such linkages, they ask:

Why should such a candidate, if elected, feel responsible to the party, its program, or its collective leadership? How can such representatives be held accountable to the party, and via the party, to its programs and its membership?^{76/}

They add that these endorsements strengthen the parties in multiple ways:

^{76/} Edmund Constantini, James Fay, Robert Girard, Kay Lawson, and Walter Layson, "The Deregulation of Political Parties," paper presented on behalf of the California Committee for Party Renewal in San Francisco County Democratic Central Committee, et al. v. March Fong Eu et al., Docket No. C-83-5599-MHP, U.S.D.C. N.CA (1983), p. 7.

Preprimary endorsements indicated on the ballot serve as useful guides to the voters [enhancing] the rationality of the voting decision ... makes participation in party affairs that much more attractive ... enhances the validity of, and grass roots involvement in, those affairs ... put[s] party leaders more closely in touch with the grass roots, thereby making them more responsive to the needs and wants of their followers ... reduce[s] the possibility that a candidate will be nominated merely because he or she is financially able to wage an extensive campaign, merely because the candidate's name bears a marked similarity to that of some famous person, merely because the candidate is able to use the media to advantage and thereby establish instant name identification, or merely because the candidate is hardily supported by some extraparty group or interest.^{77/}

Several different preprimary endorsement systems currently are used in states employing the primary nominating system, each offering state and local party organizations varying degrees of influence in the nominating process. Some states require parties to hold preprimary conventions for this purpose and specify the procedural guidelines to be employed in making endorsements. Other states require a preprimary convention but allow the parties to determine their own rules and procedures for making endorsements. Still others specifically allow, but do not require, preprimary conventions. There are also several states that do not take a formal position on preprimary endorsements but their state parties regularly make informal preprimary endorsements anyway.

From the parties' perspective, states that either require or formally permit preprimary endorsements are probably the most conducive to the development of strong state and local party organizations.

Preprimary endorsements also differ according to the advantages they confer on candidates. Informal endorsements are not indicated on the ballot while formal, state sanctioned endorsements are. In addition, some states list the endorsed candidate first on the ballot.^{78/} Moreover, some states grant party-endorsed candidates preference over others in access to the primary ballot. In Connecticut, for example, a candidate must receive at least 20% support on at least one ballot in the state party convention in order to be placed on the

^{77/} Ibid., pp. 8, 9.

^{78/} Jewell and Olson, American State Political Parties and Elections, pp. 111-16.

Figure 4-13

PREPRIMARY ENDORSEMENT LAWS IN THE STATES

<u>Prohibited</u>	<u>No State Law</u>			<u>Required or Formally Allowed</u>
California	Alabama	Maryland	Oklahoma	Colorado
Florida	Alaska	Massachusetts*	Oregon	Connecticut
	Arizona	Michigan*	Pennsylvania*	Delaware
	Arkansas	Minnesota*	South Carolina	New Mexico
	Georgia	Mississippi	South Dakota**	New York
	Hawaii	Missouri	Tennessee	North Dakota
	Idaho	Montana	Texas	Rhode Island
	Illinois*	Nebraska	Vermont	Utah
	Indiana*	Nevada	Virginia*	
	Iowa**	New Hampshire	Washington	
	Kansas	New Jersey	West Virginia	
	Kentucky	North Carolina	Wisconsin*	
	Louisiana	Ohio*	Wyoming	
	Maine			

*Parties make informal preprimary endorsements.

**Parties make postprimary endorsements if the winner of the primary fails to achieve a predetermined percentage of the primary vote.

SOURCE: Each state's annotated statutes, 1984; and Malcolm E. Jewell, "The Impact of State Political Parties on the Nominating Process," paper presented at the annual meeting of the Midwest Political Science Association, Chicago, IL, April 21-23, 1983, pp. 3-5.

primary ballot. In Utah, a candidate is automatically nominated if he or she can get 70% of the state convention delegates' support. If no one can reach that 70% threshold, only the top two vote-getters at the convention are placed on the party's primary ballot. In Colorado, New York, North Dakota, and New Mexico, candidates who get a certain percentage of the convention's support are automatically placed on the party's ballot while others are forced to qualify by getting petitions signed.^{79/}

Figure 4-13, Preprimary Endorsement Laws in the States, indicates that only two states prohibit parties from making preprimary endorsements, 40 states do not have any laws concerning them, and eight require or formally sanction them.

^{79/} Malcolm E. Jewell, "The Impact of State Political Parties on the Nominating Process," paper presented at the annual meeting of the Midwest Political Science Association, Chicago, IL, April 21-23, 1983, pp. 3-5.

There is an obvious advantage in having preprimary endorsements formally recognized by state law. As a result, the eight states that currently require or formally allow parties to make preprimary endorsements are listed in Table 4-12, Compilation of State Laws Governing State and Local Parties' Role in the Electoral Process, as having taken a position that enhances the role of state and local party organizations in the electoral process.

PARTY AFFILIATION REQUIREMENTS FOR PRIMARY VOTING

As mentioned previously, most nominations of state and local officials are made by voters in direct primaries. There are several different types of direct primary nominating systems, however, and each has a different effect on state and local parties' health.

Direct primary systems vary according to the qualifications they establish for voter participation. Closed primaries are limited to members registered with that party while open primaries are open to anyone qualified to vote in the general election. There are three variations of open primaries, however. Those requiring party selection force voters to publicly acknowledge a party preference before participating in a primary election, though that preference is not officially recorded, and they limit participation to that single party's candidates. Completely open primaries also limit voters to a single party's ballot, but they do not require them to publicly declare a party preference. Blanket primaries are the most open of all, allowing voters to participate in one party's primary for one office and, if the voter so chooses, in another party's primary for another office.^{80/}

There is also evidence that party identification levels among the public are higher in states that utilize closed primaries, suggesting that "the act of registering with a party reinforces the sense of allegiance or loyalty to a party."^{81/}

Although party registration is often a tenuous indication of party loyalty, party leaders greatly prefer closed primaries to open ones--especially completely open and blanket primaries--because they prevent "crossover" voting and party

^{80/} Jewell and Olson, American State Political Parties and Elections, p. 110.

^{81/} Malcolm E. Jewell, "Democratic or Republican?: Voters' Choice of a Primary," paper prepared for delivery at the annual meeting of the Southern Political Science Association, Birmingham, AL, November 3-5, 1983, p. 13.

Figure 4-14

PARTY AFFILIATION REQUIREMENTS FOR PRIMARY VOTING

<u>Completely Open</u>	<u>Open-Party Selection</u>	<u>Closed Primaries</u>	
Alaska*	Alabama	Arizona	Nevada
Hawaii	Arkansas	California	New Hampshire
Idaho	Georgia	Colorado	New Jersey
Louisiana**	Illinois	Connecticut	New Mexico
Michigan	Indiana	Delaware	New York
Minnesota	Mississippi	Florida	North Carolina
Montana	Missouri	Iowa	Ohio
North Dakota	Rhode Island	Kansas	Oklahoma
Utah	South Carolina	Kentucky	Oregon
Vermont	Tennessee	Maine	Pennsylvania
Washington*	Texas	Maryland	South Dakota
Wisconsin	Virginia	Massachusetts	West Virginia
		Nebraska	Wyoming

*Blanket primary system.

**Nonpartisan primary system.

SOURCE: Malcolm E. Jewell and David M. Olsen, American Political Parties and Elections, rev. ed. (Homewood, IL: The Dorsey Press, 1982), p. 110.

"raiding," where registered voters of one party may purposively vote for the weakest candidate in the opposing party's primary or to help elect a candidate with a different ideological view than would otherwise be the case. As Sarah McCally Morehouse has written:

Party leadership clearly prefers closed primaries. At least they know, within limits, who their constituency is and can therefore groom candidates to appeal to that segment of party voters who are most typical of the larger voting public.^{82/}

Figure 4-14 indicates that 26 states have closed primary nominating systems. From the state and local parties' perspective, their position is preferred to the position of the remaining 24 states.

"SORE LOSER" PROVISIONS

Another way states can help strengthen political parties as institutions is to protect the integrity of party nominations by enacting "sore loser" laws.

^{82/} Morehouse, State Politics, Parties, and Policy , pp. 176, 177.

Figure 4-15

"SORE LOSER" LAWS

<u>States Lacking "Sore Loser" Laws</u>		<u>States with "Sore Loser" Laws</u>	
Alabama	Nevada	Arizona	Missouri
Alaska	New Hampshire	Arkansas	Nebraska
Connecticut	New Jersey	California	New Mexico
Florida	New York	Colorado	North Carolina
Georgia	Oklahoma	Delaware	North Dakota
Hawaii	Rhode Island	Idaho	Ohio
Illinois	South Dakota	Indiana	Oregon
Iowa	Texas	Kentucky	Pennsylvania
Kansas	Vermont	Maine	South Carolina
Louisiana	Virginia	Maryland	Tennessee
Mississippi	West Virginia	Massachusetts	Utah
Montana	Wisconsin	Michigan	Washington
		Minnesota	Wyoming

SOURCE: David E. Price, Bringing Back The Parties (Washington, DC: Congressional Quarterly Press, 1984), pp. 128, 129.

These laws prohibit candidates that contest but fail to win a party's primary from running in the general election under another party's label. As David E. Price has argued:

Without such laws, candidates may be less inclined to take the primary seriously as an intraparty contest that requires them to come to terms with the organized party and its main constituencies; they may be tempted to reserve the right to launch an independent candidacy or even to exploit the primary as a launching pad for such an effort. At the general election stage the absence of sore loser or similar laws heightens the risk that primary battles will be continued in the general election and, indeed, that parties and candidates will encourage independent candidacies to draw votes from their opponents. The cost, in party fragmentation and distorted electoral outcomes, could be substantial.^{83/}

Figure 4-15 indicates that 26 states have enacted "sore loser" laws. Their position is generally recognized by scholars as fostering a more favorable operating environment for state and local party organizations in the electoral process.

^{83/} Price, Bringing Back The Parties (Washington, DC: Congressional Quarterly Press, 1984), p. 133.

STRAIGHT PARTY VOTING MECHANISM ON THE BALLOT

Another way states can support the role of state and local party organizations in the electoral process is to provide voters an easy means of voting a straight party ticket--where voters can pull a single lever or mark or punch a single box to vote for all of the party's candidates at once. Figure 4-16 indicates that 21 states provide a straight party voting mechanism on the ballot while 29 states do not.

The straight party voting format is especially helpful to state and local parties when voters reach less known offices on the ballot. Lacking a great deal of knowledge about the functions of these offices and often knowing even less about the candidates running for them, many voters choose not to vote for any of the candidates running for these offices. With a straight party voting mechanism, many local, and even some statewide, candidates can "ride the party's coattails" to victory, thus increasing the value of the party label and the relative influence of party and party leaders in the electoral process. In addition, as V.O. Key, Jr., indicated over 20 years ago, the straight party voting mechanism implies an expectation concerning the party's capacity to

Figure 4-16

STRAIGHT PARTY VOTING MECHANISM ON THE BALLOT

<u>States Lacking a Straight Party Voting Mechanism on Ballot</u>		<u>States with Straight Party Voting Mechanism on Ballot</u>	
Alaska	Mississippi	Alabama	North Carolina
Arizona	Montana	Connecticut	Oklahoma
Arkansas	Nebraska	Georgia	Pennsylvania
California	Nevada	Illinois	Rhode Island
Colorado	New Jersey	Indiana	South Carolina
Delaware	New York	Iowa	South Dakota
Florida	North Dakota	Kentucky	Texas
Hawaii	Ohio	Michigan	Utah
Idaho	Oregon	Missouri	West Virginia
Kansas	Tennessee	New Hampshire	Wisconsin
Louisiana	Vermont	New Mexico	
Maine	Virginia		
Maryland	Washington		
Massachusetts	Wyoming		
Minnesota			

SOURCE: Book of the States, 1982-83 (Lexington, KY: The Council of State Governments, 1982), p. 104.

screen candidates more or less in accord with the party's philosophy.^{84/} Ballots lacking it imply the opposite. For these reasons, states employing the straight party voting mechanism are considered to strengthen the role of state and local party organizations in the electoral process.

STATES AND THE POLITICAL ENVIRONMENT OF STATE AND LOCAL PARTY ORGANIZATIONS

Table 4-12, Compilation of State Laws Governing the Role of State and Local Parties in the Electoral Process, summarizes the data collected in the previous five tables. Positions that are generally considered to enhance the role of state and local party organizations in the electoral process are noted. In addition, each state is assigned a cumulative party support index score based upon its position on the five areas examined. States taking a position that is generally believed to weaken state and local parties' role in the electoral process (listed in the left column in each table) are assigned a party support score of 0 for that issue, states taking a position that has an uncertain or marginal impact on state and local parties' role in the electoral process (listed in the center column) are assigned a score of 1, and states taking a position that enhances the role of state and local party organizations in the electoral process (listed in the right column) are assigned a party support index score of 2 for that issue. Each state's five party support scores are added together to create its cumulative party support index score.

INDEX OF STATE LAWS GOVERNING STATE AND LOCAL PARTIES' ROLE IN THE ELECTORAL PROCESS

Figure 4-17 lists the states according to their cumulative party support index scores. Before using the Index for comparative purposes, the reader should be aware of the following caveat. It can be argued that the cumulative index scores could be improved by either weighting the five issue areas examined according to their relative importance to the parties' role in the electoral process or by adding additional issue areas for consideration. There is very little agreement, however, concerning the specific weights to be used or even the relative order of the existing issues from most significant to least significant. Although the Index provides an admittedly rough estimate of how

^{84/} Key, Politics, Parties, and Pressure Groups, p. 644; see also Price, Bringing Back the Parties, pp. 134-35.

Table 4-12

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

State	Convention	Party	Closed	"Sore	Straight	Cummulative
	<u>1/</u>	Endorsement	Primaries	Loser"	Party	Party Support
		<u>2/</u>	<u>3/</u>	Provision	Ballot	Index Score
				<u>4/</u>	<u>5/</u>	<u>6/</u>
Alabama	2	1	1		2	6
Alaska		1				1
Arizona		1	2	2		5
Arkansas		1	1	2		4
California		1	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

Table 4-12 (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>Cummulative</u> <u>Party Support</u> <u>Index Score</u> <u>6/</u>
New Mexico		2	2	2	2	8
New York	2	2	2			6
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

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. Minimum is 0, maximum score is 10.

SOURCE: ACIR staff compilation.

Figure 4-17

INDEX OF STATE LAWS GOVERNING STATE AND LOCAL PARTY ROLES IN THE ELECTORAL PROCESS*

GENERALLY UNSUPPORTIVE			
0	1	2	3
	Alaska Hawaii Louisiana Montana Vermont	Florida Mississippi	Idaho Kansas Minnesota Nevada New Jersey Washington Wisconsin
MODERATELY SUPPORTIVE			
4	5	6	
Arkansas California Illinois North Dakota Tennessee Texas Virginia	Arizona Maine Maryland Massachusetts Nebraska New Hampshire Ohio Oklahoma Oregon Rhode Island West Virginia Wyoming	Alabama Delaware Georgia Iowa Michigan Missouri New York South Dakota	
GENERALLY SUPPORTIVE			
7	8	9	10
Indiana Kentucky North Carolina Pennsylvania	Colorado Connecticut New Mexico South Carolina Utah		

*Index is based upon five state laws that affect the role of state and local party organizations in the electoral process. Minimum score is 0, maximum score is 10. Cumulative supportive of party index scores were compiled in Table 4-12.

SOURCE: ACIR staff compilation, from Table 4-12.

cies in each state affect the parties' role in the electoral process, the issues examined are generally acknowledged as important factors affecting their role. It does, therefore, provide useful insights into this area of inquiry.

The Index reveals extensive variations in the way states condition the role of state and local party organizations in the electoral process. Importantly, it also reveals that an overwhelming majority of the states (41) do not provide a generally supportive environment for state and local party organizations in the electoral process.

Conclusions:
State Laws and Party Organizational Health

Many different factors have contributed to the current condition of political parties, particularly at the state and local levels: the growth of the welfare state, the advent of merit hiring systems and the concomitant decrease in the availability of patronage, technological advances in television and satellite hook-ups, the growth in the size of the middle class, the expansion of educational opportunities, and the growing heterogeneity of the electorate. Many of these developments can not be changed by public policy. But the condition of the parties also owes much to the actions of state governments. As David Price has written:

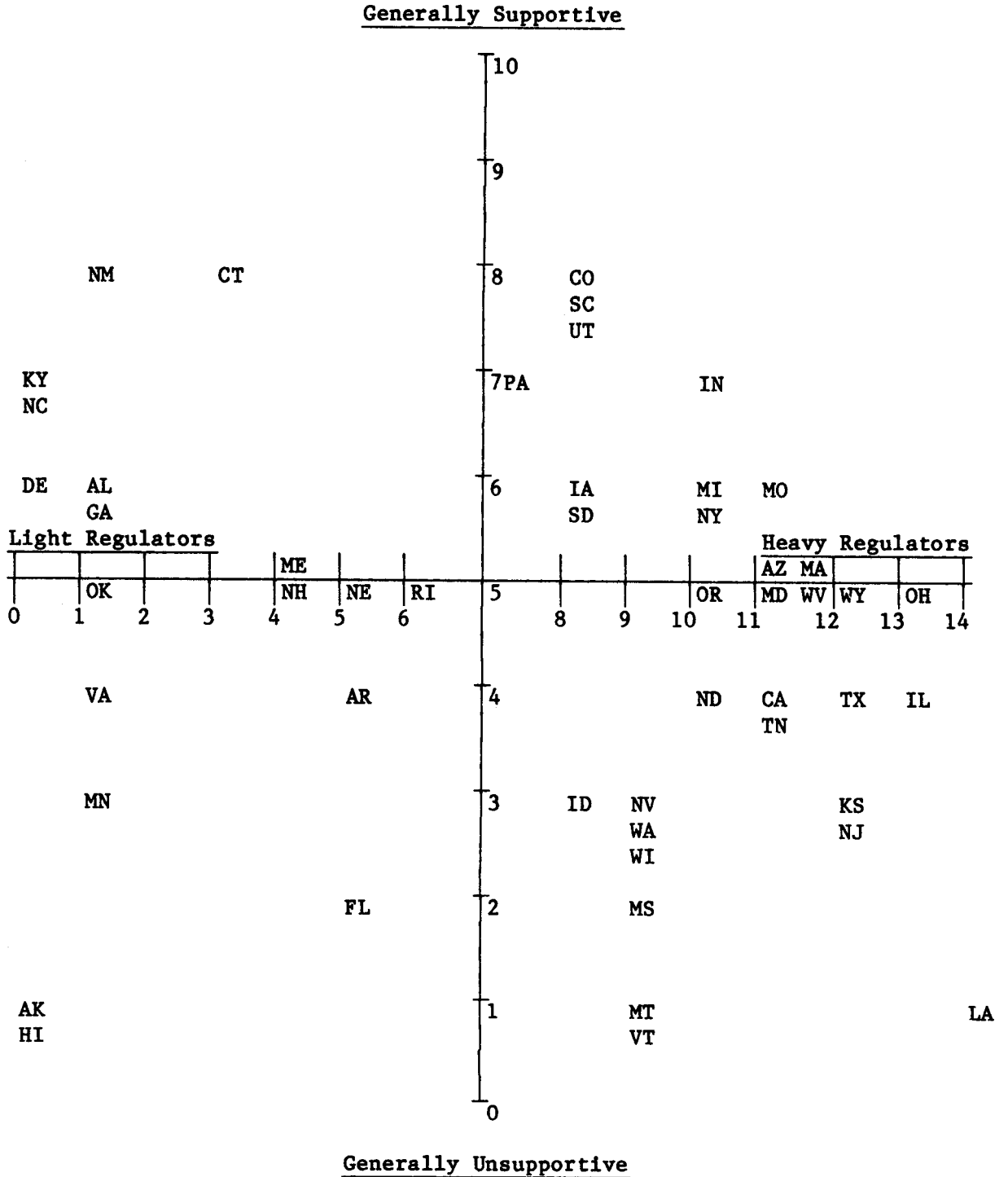
The [weakened] state of the parties owes much to the actions of governments Since the progressive era, legislators and rule makers have intervened in the life of the parties at all levels. It is important to understand the impact of their actions on the health of the parties and to assess the potential for constructive change.^{85/}

The data collected in this analysis suggests that states vary significantly in their positions on issues affecting the health of state and local party organizations. Based on this data, Graph 4-4 classifies each state in one of four categories: light and moderate regulators that present a generally supportive electoral environment for parties (upper left), moderate and heavy regulators that present a generally supportive electoral environment for parties (upper right), light and moderate regulators that present a generally unsupportive electoral environment (lower left), and moderate and heavy regulators that present a generally unsupportive electoral environment (lower right). The table reveals that some states fall into each category but that the largest grouping of states is in the lower right quadrant, indicating that many states not only regulate state and local party organizations heavily but at the same time fail

^{85/} Price, Bringing Back The Parties, p. 121.

Graph 4-4

RELATIONSHIP BETWEEN PARTY REGULATION AND PARTIES'
ROLE IN THE ELECTORAL PROCESS INDICES



SOURCE: ACIR staff compilation.

to present a legal environment that enhance the parties' role in the electoral process.

Table 4-13 presents the data in a somewhat more precise manner, dividing it into nine cells instead of four. The table substantiates the considerable variation in the states' approaches to state and local party organizations. In addition, it suggests that there is only a weak (but statistically significant) relationship between the extent to which states regulate political party organizations and their policies concerning the parties' role in the electoral process. Specifically, states that regulate state and local party organizations lightly are somewhat more likely to take positions that are either moderately

Table 4-13

RELATIONSHIP BETWEEN PARTY REGULATION AND PARTIES' ROLE IN THE ELECTORAL PROCESS INDICES

		<u>State Regulation Index</u>			
		Light Regulators	Moderate Regulators	Heavy Regulators	
<u>Parties' Role Index</u>	Generally Supportive	28% (4)	23% (4)	5% (1)	(9)
	Moderately Supportive	50% (7)	30% (5)	79% (15)	(27)
	Generally Unsupportive	22% (3)	47% (8)	16% (3)	(14)
		(14)	(17)	(19)	100% (50)

Chi Square probability <.05.
Contingency Coefficient = .42.
Gamma = .08.

SOURCE: ACIR staff compilation.

or generally supportive of state and local party organizations' role in the electoral process than states that regulate them heavily.^{86/}

The table also reiterates earlier findings concerning state policies toward political party organizations. It reveals that only nine states, or 18% of the total, take positions that are generally supportive of a strong role for state and local party organizations in the electoral process, while only 14 states, or 28% of the total, regulate state and local party organizations lightly. The conclusion of this analysis, therefore, is that although there is considerable variation in the states' approaches to state and local party organizations, states as a whole could be far more active in establishing a positive role for state and local party organizations in the electoral process and could allow state and local party leaders greater autonomy to exercise their responsibilities in an independent and vigorous fashion.

STATE AND LOCAL PARTIES TODAY: ISSUES AND CONCLUSIONS

State and local political parties traditionally have been viewed as the foundation on which the American electoral system rests--a characterization with obvious implications for the conduct of politics and policy making nationally and within states and communities themselves. Summarizing conventional wisdom as recently as 1964, V. O. Key observed that:

An outstanding characteristic of American party organization ... is its decentralized nature. In a sense, no nationwide party organization exists Rather, each party consists of a working coalition of state and local organizations.^{87/}

Although such characterizations sometimes overlooked the wide variations between state party systems, they had sufficient merit to be nearly universally accepted by practitioners and scholars alike.

In recent years, there has been equally broad agreement that state party roles and relative influence in the nominating and electoral processes have de-

^{86/} Because it is difficult in many circumstances to determine if party regulation is either good or bad for parties and it is equally as difficult to ascertain which laws have the greatest influence on the parties' role in the electoral process, any conclusions drawn from a comparison of the regulation and party support indices should be made with caution.

^{87/} Key, Politics, Parties, and Pressure Groups, p. 315.

clined precipitously during the course of this century. To quote Key again:

Although we have no precise measures of the change, clearly over the past 50 years American party organizations have undergone radical alterations. Tightly managed statewide party organization has become exceptional and has been largely replaced by a fractionalized system of personal and factional cliques of professionals within each party. Within cities and counties the same process of atomization has occurred, even though a few old-style machines remain. Along with these changes the capacity of the party organization to control nominations has declined markedly, and primary routs of famed old machines by upstarts recur. Politicians are not disappearing, to be sure, but the manner of their organization and of their operation is changing.^{88/}

Such changes reflect, in part, broad social, economic, and technological developments in society at large. They reflect as well the widespread adoption of political primaries and other deliberate state policies intended to constrain and regulate party roles in elections. As demonstrated in this chapter, most states fail to allow state and local parties broad autonomy to determine their own procedures and organizational structures, and most fail also to provide a highly supportive environment for parties in the electoral process. Consequently, as at the national level, many candidates for state and local offices today exhibit decreased reliance on party sources during the course of their campaigns and increased reliance on independent campaign consultants, nonparty financial contributions, and independent communications media.

Although many observers believe these electoral developments have had a corrosive effect on party structures as well as the influence they wield, there has been no clear pattern of party organizational decline. Suggestive evidence at the local level and reinforcing data at the state level indicate that state and local party resources and organizational activities in the early 1980s were equal to or greater than those in the early 1960s. Although there are substantial variations between the parties and in the laws regulating the parties from state to state, state parties overall have made significant efforts to respond to challenges in the contemporary electoral environment. The relative importance of such organizational enhancements, however (in both the state and national political arenas), can only be evaluated in the context of the changing electoral

^{88/} Ibid., p. 314.

roles played by other major factors in contemporary politics: the mass media, interest groups, and nonparty sources of campaign finance. Modern developments in these three areas and their intergovernmental implications are examined in the following chapters of this report.

Chapter 5

MASS MEDIA, NATIONAL POLITICS: POLITICAL COMMUNICATION AND AMERICAN FEDERALISM

In the New England town meetings from which our democratic processes in part are derived, the distance between the "governors" and the "governed" was short enough to be bridged by the human voice. Consequently, the main processes of government could be conducted through spoken word alone. In larger and more complex societies, however, more advanced technologies are required. Communications media--including newspapers, magazines, radio, and television--allow the citizenry to become informed about the condition of their society and the actions (and reactions) of public officeholders. Along with the formal apparatus of representative government, the media offers channels through which the concerns and desires of the citizenry can be made known to elected representatives. Thus, in a very real sense, communications may be viewed as the lifeblood of politics. Political systems and communications systems, argues theorist Frederick Williams, are opposite sides of the same coin.^{1/}

The importance of the flow of communications to the balance of power is recognized in both authoritarian and democratic systems. In the former, propaganda and censorship are employed to enhance governmental control. In the United States, on the other hand, freedom of the press for 200 years, has been protected by the constitution as a political liberty as crucial as those of speech and assembly. Indeed, so vital is this freedom that Thomas Jefferson once declared:

The basis of our governments being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspaper, or newspaper without government, I should not hesitate a moment to prefer the latter.^{2/}

^{1/} Frederick Williams, The Communications Revolution, rev. ed. (New York: New American Library, 1982), p. 172.

^{2/} Thomas Jefferson, "To Carrington, 1787," quoted in Thomas Jefferson on Democracy, ed. Saul Padover (New York: New American Library, 1939), p. 93.

At the same time Jefferson--like many other public officials and media critics since--sometimes felt that the press failed to live up to its potential. Twenty years after the foregoing passage was penned, he wrote that:

Nothing can now be believed which is seen in a newspaper. Truth itself becomes suspicious by being put into that polluted vehicle. The real extent of this state of misinformation is known only to those who are in situations to confront facts within their knowledge with the lies of the day [t]he man who never looks into a newspaper is better informed than he who reads them; inasmuch as he who knows nothing is nearer to truth than he whose mind is filled with falsehoods and errors.^{3/}

Because communications is so intertwined with government and politics, changes in communications patterns and technology are likely to have some implications for the balance of power and authority. 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."^{4/} 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.

If these perceptions are correct, then the steady expansion of the authority of the national government over the past 200 years may reflect, at least in part, the centralizing (or "implosive") tendencies loosed by ever-faster and more pervasive communications technologies. The much more rapid growth of the national government in the period after 1960 might, by the same reasoning, be attributed to some degree to more recent changes in the media and, in particular, the rise of television.

Changes in communications seem to have had other effects on American government as well. Theodore H. White, who has chronicled every Presidential election for the past two decades, believes that "American politics and television are now so completely intertwined that it is impossible to tell the story of

^{3/} Thomas Jefferson, "To J. Norvell, 1807," quoted in ibid., p. 97.

^{4/} Marshall McLuhan, Understanding Media: The Extensions of Man (New York: New American Library, 1964), p. 96.

one without the other."5/ He compares the impact of television on modern politics with the impact of printing on both religious and civil authority:

Once Gutenberg put the Bible in print, and others followed to explain the world to those who could read, neither church nor prince could maintain authority without controlling, or yielding to, the work in print. Television, especially in America, explains the world to those who, if they will not read, can look.6/

Yet, although television has vastly increased the availability of many kinds of political information, not all of its effects have been salutary. Just as Jefferson complained about the baneful effects of newspapers in his day, contemporary critics charge that modern media have:

- o weakened the political parties and, as a consequence, reduced the accountability of the electoral process;
- o dangerously escalated the financial cost of political campaigns;
- o failed to provide adequate information on key policy issues;
- o overemphasized the Presidency at the expense of the other governmental branches; and
- o exhibited an ideological or partisan bias in the coverage of political leaders and issues.

Given such commentaries, it is clearly appropriate to consider the development of communications and the news media from the standpoint of their implications for American politics and federalism. This chapter presents such a portrayal.

THE NATIONALIZATION OF MEDIA

In the time since the American Revolution, we have transformed the speed of human communications from the speed of transportation to the speed of light No longer is a political event limited by the distance voices can be heard nor a political unit limited to the distance that we can travel in one day.7/

The Political Press of the Early Republic

Jamestown--the first permanent English settlement in North America--was

5/ Theodore H. White, America in Search of Itself: The Making of the President, 1956-1980 (New York: Warner Books, 1982), p. 165.

6/ Ibid.

7/ Williams, The Communications Revolution, p. 172.

founded in 1606. The first American newspaper appeared in 1704, almost precisely a century later. Over the next two decades, others were published throughout the colonies, and by the mid-18th century, most Americans had access to one.^{8/}

The editorial content of these first papers was primarily commercial in character. The focus of their attention was on the arrival and departure of ships, the availability of various types of merchandise, and other business news.^{9/} This emphasis accounts for the presence of the term "Advertiser" in many of their mastheads.^{10/} During the second quarter of the 18th century, however, the press took on overtly political coloration. While earlier editors had been reluctant to criticize public policies and officials, in this period crusading journalists became a force with which to be reckoned. Newspapermen both benefited from, and contributed to the tensions that paved the way to revolution. Indeed, the press ultimately became "the most powerful weapon of the American revolutionaries."^{11/}

After independence, newspapers maintained a continuing interest in political affairs. Despite the best hopes of the Founders, factional disputes broke out in President Washington's cabinet. Alexander Hamilton and his followers became known as the Federalists; Thomas Jefferson and his colleagues labeled themselves the Republicans. Each group created a newspaper to publicize and advance its aim: for Federalists, the Gazette of the United States; for Republicans, the National Gazette. Both were, quite naturally, openly partisan in their views. Neither attempted what could be termed "objective" reporting.

The number of other newspapers also grew rapidly--from 43 at the end of the Revolution to at least 360 some 30 years later--enough for every city and village of any size to have one. As the party battle between the Federalists and Republicans grew, most of these papers also became party organs.^{12/} Not only

^{8/} Edwin Emery, The Press and America: An Interpretive History of the Mass Media, 3rd ed. (Englewood Cliffs, NJ: Prentice-Hall, 1972), p. 21.

^{9/} Richard L. Rubin, Press, Party, and Presidency (New York: W.W. Norton, 1981), p. 8.

^{10/} Emery, The Press and America, p. 24.

^{11/} Ibid., p. 56.

^{12/} Charles A. Beard and Mary R. Beard, History of the United States, rev. ed. (New York: The MacMillan Company, 1930), p. 216.

were these newspapers heavily political in content, but many were partially sustained by governmental patronage, since certain newspapers in each state were selected, at the discretion of the secretary of state, to publish all federal laws. Thus, the press of the first decades of the 18th century was

... largely devoid of any independent political content, loyally supporting or opposing one or the other of the two major political parties and serving, in the main, as important parts of the party organizations themselves.^{13/}

Although these characteristics make the early press subject to condemnation from the standpoint of the values accepted by contemporary journalists--one recent commentator refers to the whole period as "disgraceful--a kind of 'Dark Ages'"^{14/} --it did serve the purpose of mobilizing popular participation in government:

The press [became] a vital part of the practical organization of political conflict Newspapers formed around leadership blocks furnished the first instruments linking political leaders to their mass constituencies. They thus helped to expand the scope of popular political interest and provoked new forms of political organization.^{15/}

In later years, a number of factors served to moderate the partisan character of the early press.^{16/} Newspapers still remain true to their heritage, however, in being the most overtly "political" of all the media. Most regularly editorialize on specific issues and problems, taking positions in a way that television and radio stations (and most magazines) refrain from; furthermore, many also endorse specific candidates for public office.

The Telegraph: Electronic Communications is Born

Despite the ties of early papers to national politics and politicians, the press in general served localized audiences. The interchange of news between communities was encouraged by the provision of free postal delivery between

^{13/} Rubin, Press, Party, and Presidency, p. 52.

^{14/} Frank Luther Mott, American Journalism: A History, 1690-1960, 3rd ed. (New York: MacMillan, 1962), p. 159, quoted in ibid., p. 18.

^{15/} Ibid., p. 10.

^{16/} See the discussion in ibid., pp. 56-65.

publishers, the major vehicle for information from other parts of the country,^{17/} but transportation was slow. Just before the turn of the century, for example, it might take ten days for news of an event in Boston to be published in Philadelphia.^{18/}

Four decades later, however, a new invention forever ended this pattern of semi-isolation. On May 25, 1844, Samuel Morse tapped out the first telegraph message from a location in the old Supreme Court building in Washington, DC. Later that afternoon, he reported on the results of a House vote concerning the "Oregon question" for the Baltimore Patriot. This, the first telegraphic message published in a newspaper portended the creation of a whole new system of communication.^{19/} Indeed, it marked the differentiation of "communications" from "transportation." Early newspapers, after all, had to be carried physically, by foot or wagon, from the print shop to their readers. With the invention of the telegraph, however, information could be transmitted far more rapidly than any material substance. As Marshall McLuhan notes:

It was not until the advent of the telegraph that messages could travel faster than a messenger. Before this, roads and the written work were closely interrelated. It is only since the telegraph that information has detached itself from such solid commodities as stone and papyrus, much as money had earlier detached itself from hides, bullion, and metals, and has ended as paper.^{20/}

The most immediate and obvious result was that the country was bound more closely together. News from Washington, or other leading cities, could be transmitted essentially instantaneously. The new wires, amalgamated into a virtual monopoly by the Western Union Telegraph Service following the Civil War, established the first speedy, reliable network throughout the nation. In 1848, several major papers banded together to form what ultimately became the Associated Press, first of the wire services. (By 1873, the telegraph linked 37

^{17/} Ibid., p. 20.

^{18/} James Q. Wilson, American Government: Institutions and Policies (Lexington, MA: D.C. Heath and Company, 1980), p. 234.

^{19/} Emery, The Press and America, p. 197.

^{20/} McLuhan, Understanding Media, p. 90.

states and nine territories).^{21/} Together with later competitors--United Press, founded in 1907, and International News Services, begun in 1909 ^{22/}--the Associated Press service was to improve significantly the quality of national and international coverage available to newspaper readers everywhere, in communities large and small.

A secondary effect of the telegraph was to reduce party control over journalism. The wire services provided a new, alternative, nonpartisan source of news about the activities of the federal government:

[N]ational political news became quickly accessible to many papers far removed from events. The heavy influence of national party leaders and their papers over the flow and treatment of political information was ... broken.... Newspapers, now connected to national news sources by telegraph and other agencies, were no longer dependent on a centralized Presidential party news network.^{23/}

This pattern was reinforced by a change in journalistic style. Because the wire services provided stories to newspapers of many different partisan persuasions, their reporters had to strive for a kind of "balance" or "objectivity" that was quite out of keeping with previous practice. Given their varied clientele, wire service reporters also developed an "all-purpose" mode of presentation that allowed stories to be published at full length in large cities or cut to a paragraph or two in the small towns. The most dramatic facts were put first, and followed with other information of lesser importance. This approach, however, replaced overt partisanship with a different kind of bias: the tendency to sensationalize. It encouraged, as James Reston has commented, a "startling, even a breathless, presentation of the news, featuring the flaming lead and the big headline."^{24/}

^{21/} Erik Barnouw, "Historical Survey of Communications Breakthroughs," in The Communications Revolution in Politics, ed. Gerald Benjamin (New York: Academy of Political Science, 1982), p. 13.

^{22/} United Press and the International News Service merged in 1958 to form United Press International.

^{23/} Rubin, Press, Party, and Presidency, pp. 62-64.

^{24/} James Reston, The Artillery of the Press, Its Influence on American Foreign Policy (New York: Harper & Row, 1966), p. 15, quoted in Roger Hilsman, To Govern America (New York: Harper & Row, 1979), p. 308.

Magazines and Muckrakers

If the decades before and after the start of the 19th century can aptly be described as the era of the newspaper, the start of the 20th century might be termed the era of the magazine. The number of such publications rose rapidly after the Civil War, spurred in part by improvements in printing and cheaper postal rates. Many magazines obtained a mass, national audience in the 1890s and became a potent political and social force.

Just as the development of newspapers was associated with partisan politics, many magazines were identified with a particular political style: Progressivism. Such journals as The Nation, Collier's Weekly Atlantic, Harpers, The Arena, Leslie's, and the Review of Reviews devoted much attention to political issues and problems of public policy. In their pages, "muckraking" journalists led crusades for railroad regulation, "trust busting," and civil service reform by exposing corruption and threats to the public health and safety. Many attacked the patronage and graft that had become common features of "machine" politics during the great wave of industrialization.^{25/}

Not only did journalists contribute significantly to the Progressive movement, but--sociologist Herbert J. Gans believes--Progressivism shaped and continues to influence the ethos of the journalists themselves. The enduring values still reflected in news selection and treatment, he argues

... are very much like the values of the Progressive movement of the early 20th century. The resemblance is often uncanny, as in the common advocacy of honest, meritocratic, and anti-bureaucratic government, and in the shared antipathy to political machines and demagogues, particularly of populist bent The Progressive movement is long dead, but many of its basic values and reformist impulses have persisted.^{26/}

In part, the magazines of the Progressive era proved popular because they helped meet the need of readers for interpretation as well as information. As newspapers took on a more "factual" reportorial style, readers looked elsewhere for analysis and guidance.^{27/} Edwin Emery comments that

^{25/} Rubin, Press, Party, Presidency, pp. 103-04.

^{26/} Herbert J. Gans, Deciding What's News: A Study of CBS Evening News, NBC Nightly News, Newsweek and Time (New York: Vintage Books, 1980), pp. 68-69.

^{27/} Rubin, Press, Party and Presidency, p. 99.

... the magazines performed the service of coordinating and interpreting information about social, economic, and political problems for a nationwide audience, and thus had great impact.^{28/}

Later, the newsweeklies helped to fill this same requirement. Time, established by Henry R. Luce in 1923, was edited for the "busy man" who needed better organized summaries of each week's major events. For three decades, it made the news a melodrama by stressing the human interest aspect of stories and mixing--at least in the view of its critics--factual reporting with editorial opinion. A nearly identical format, but somewhat more conservative approach, was adopted by Newsweek, founded in 1933.^{29/}

Edited by necessity for a national audience, the newsweeklies still possess

... national influence. Before the national hook-ups for the television networks were completed in the 1950s, they were the only mass circulation publications bringing national news to the entire country. They still are the only print publications that approximate television news's connection to the American public.^{30/}

Newsreels: The First Video Revolution

As a result of improvements in printing technology, pictures found their way into newspapers and magazines around the turn of the century. In 1884, the New York World made the cartoon a regular feature; the first tabloid paper, featuring poster headlines and many forms of "picture writing" appeared in 1918.^{31/} These inventions, along with others associated with "yellow journalism," greatly expanded the audience of the print media.

These innovations paled before another, roughly coincident in time, however: the development of the newsreel. The first commercial showing of a motion picture in the U.S.--one projected on a screen, in contrast to earlier arcade

^{28/} Emery, The Press and America, p. 403.

^{29/} Ibid., pp. 576-578; Michael B. Grossman and Martha J. Kumar, Portraying the President: The White House and the News Media (Baltimore, MD: Johns Hopkins University Press, 1981), p. 61.

^{30/} Grossman and Kumar, Portraying the President, p. 61.

^{31/} Beard and Beard, History, pp. 670-71.

"peep shows"--occurred in 1916.^{32/} For more than 50 years, from 1911 through 1967, a ten-minute visual update on the world's major events, reissued twice a week, was a regular part of every theater's program.

Newsreels added a whole new dimension to news coverage--a sense of direct observation, or even participation, in contemporary affairs--and became entwined in the fabric of American life. TV Commentator Bill Moyers recalls that

For my generation and our parents, newsreels were as integral a part of Saturday afternoons as church was of Sunday morning. And far more enticing: the preacher could only tell us of heaven and hell, but newsreels brought us the real thing--Miss America and Adolph Hitler.^{33/}

The newsreels were not without political impact. President Theodore Roosevelt, for example, was unusually photogenic, cooperated with newsreel photographers, and was filmed often.^{34/} By exposing much of the nation to the same figures and scenes, the newsreels helped to build a national consensus and, to some extent, they did so deliberately. Newsreels were openly patriotic, even jingoistic; instead of analyzing, they extolled.^{35/}

All in all, however, newsreels are better considered to be a medium of entertainment rather than information. They concentrated on human interest stories. Pretty girls, flagpole sitters, and disasters were standards fare, and the films of the crash of the airship Hindenberg, in 1937, were the most dramatic moments in newsreel history.^{36/} When judged by the prevailing standards of journalistic performance, newsreels fell short. According to the most comprehensive assessment,

... the traditions and aims of the American newsreel were only superficially similar to those of the printed news-reporting media. The known instances of content manufac-

^{32/} Raymond Fielding, The American Newsreel: 1911-1967 (Norman, OK: University of Oklahoma Press, 1972), p. 5. The discussion that follows is based upon this excellent resource.

^{33/} John Corry, "Bill Moyers Studies Old Newsreels," New York Times, February 22, 1984, p. C22.

^{34/} Fielding, The American Newsreel, p. 90.

^{35/} Corry, "Old Newsreels," p. C22.

^{36/} Fielding, The American Newsreel, pp. 254-55.

ture, re-creation, personality impersonation, and blatant fraud were so great in number, so common in nature, and so continuous in occurrence throughout the history of the American newsreel that its overall veracity and fidelity as a medium of public information is rendered suspect The performance of the newsreel in presenting newsworthy information to the the public was inferior to that of the printed media with respect to the speed with which it reported the news, the extent of coverage, the depth and quality of interpretation, and the degree to which censorship and editorial timidity precluded discussion of controversial issues.37/

Radio: The First Electronic "Pulpit"

Whatever its flaws from the standpoint of objectivity, the newsreels had impact because they could present their subjects in natural, visual images. What they lacked was immediacy. Another innovation, radio, offered only auditory communication, but it operated in what is now termed "real time." Broadcasts could be transmitted "live" and instantaneously.

The practicality of the wireless telegraph was first demonstrated by Guglielmo Marconi in 1895, and speech was first transmitted via radio a few years thereafter. However, radio did not leave an important mark in the national scene until the 1920s. Thereafter it rivaled, and in some respects surpassed, newspaper as a source of information. It was not only much faster, but--at its best--set higher standards for integrity and intelligence than the vast majority of the nation's newspapers.38/ Indeed, in the judgment of David Halberstam, radio was "the perfect vehicle for serious journalism by serious correspondents."39/ The listening audience seemed to agree: during the post-World War II period, several studies found that radio news was considered more "trustworthy" than that published in the newspapers.40/

Radio also affected patterns of political communications and power. Herbert Hoover, who as Secretary of Commerce led the campaign for the passage of the

37/ Ibid., pp. 310-11.

38/ David Halberstam, The Powers That Be (New York: Dell Books, 1979), pp. 54-92.

39/ Ibid., p. 188.

40/ Bernard C. Hennessy, Public Opinion (Belmont, CA: Wadsworth Publishing Company, 1965), p. 278.

Federal Radio Act of 1927, recognized the new medium's potential impact, commenting that

... radio has become a social force of the first order ... revolutionizing the political debates that underlie political action [and making] us literally one people upon all occasions of general public interest.^{41/}

Presidents quickly found that radio greatly amplified the sounds from their "bully pulpit." Although Woodrow Wilson was the first occupant of the White House to deliver a speech on radio, it was Franklin Roosevelt who most effectively demonstrated the power of the medium. He took to the airwaves to reach around often hostile newspaper editors and speak directly to the ordinary citizen in a way no national official before him had ever done. In March 1933, an estimated 60 million people sat around their radio receivers to hear his "fire-side chat" on the banking crisis.^{42/} In simple, comforting tones, Roosevelt explained the nature of the problem and the steps being taken by government to rectify it. "Through the radio networks," observes historian Frank Friedel, "he made all the American people his neighbors."^{43/} Nor was the communications spawned by such broadcasts simply one-way. After Roosevelt began making radio speeches, the number of letters received by the White House rose from about 40 per day to some 4,000.^{44/}

Print and radio journalists alike found that Roosevelt's charismatic personality, the dramatic policy initiatives of the New Deal, and the economic crisis of the Great Depression provided "good copy." As David Halberstam indicates, Roosevelt was

... the greatest newsmaker that Washington has ever seen. He came at a time when the society was ready for vast political and economic change, all of it enhancing the power

^{41/} Edward W. Chester, Radio, Television and American Politics (New York: Sheed & Ward, 1969), p. 28, quoted in Newton N. Minow, John Bartlow Martin, and Lee M. Mitchell, Presidential Television (New York: Basic Books, Inc., 1973), p. 28.

^{42/} William E. Leuchtenberg, Franklin D. Roosevelt and the New Deal (New York: Harper & Row, 1963), pp. 44, 330-31.

^{43/} Frank Friedel, FDR: Launching the New Deal (Boston: Little, Brown, 1973), p. 230.

^{44/} Halberstam, Powers That Be, p. 30.

of the President and the federal government, and he accelerated that change Under him Washington became the focal point, it determined how people worked, how much they made, what they ate, where they lived. Before his arrival, the federal government was small and timid; by the time he died it reached everywhere, and as the government was everywhere, so Washington became the dateline; as it was the source of power, so it was the source of news.^{45/}

While federal initiatives to aid the Depression-weary nation were superseding those of the states, the post-Civil War alignment of political loyalties rooted almost entirely on sectional differences was giving way to more nationally based, class-oriented constituencies. Radio was the most important medium binding the nation together. As Halberstam adds,

The coming of radio and airplanes was breaking down regionalism and making the nation, in a clearer sense, one. Radio was a network, one man's voice was heard across the entire country. Issues became national rather than parochial and regional. In the old era Washington was filled with journalists who covered regional issues for their regional papers; when the Roosevelt era was over Washington was filled with reporters who were often highly trained specialists who wrote of national implications for the entire country. ... [T]echnology was bringing the central state a longer and more powerful reach More, it could perform functions, deliver services, and make judgments inconceivable in another era.^{46/}

TELEVISION: TRANSFORMATION BY THE TUBE

Although radio's impact was by no means insignificant, the real transformation in the news business--and in political communications--occurred with the introduction of a new medium combining the speed and ready accessibility of radio with the visual impact of movies. The new medium was, of course, television.

Television made its public debut at the New York World's Fair in 1939. Not much was expected of it initially. Many experts doubted that it would ever surpass radio as an instrument of mass communications. Transmissions were too expensive, receivers too complicated, and there were too few channels.^{47/}

^{45/} Ibid., p. 19.

^{46/} Ibid., p. 24.

^{47/} Les Brown, "Perspective: Beyond Boom and Bust," Channels Field Guide to the Electronic Media, November/December 1983, pp. 5-6.

Despite the dire predictions, television as a new communication medium grew rapidly. The number of American households owning a set rose from 3.8 million in 1950--less than 10% of the population--to 77.8 million in 1980--or 98%.^{48/} The rapid expansion of this communications medium has had a significant impact on the American society and particularly the American political system.

In its infancy, television was rather noncontroversial. It did little more than reinforce mainstream American values and generally followed a line of programming that presented the world-as-it-ought-to-be. Entertainment shows like "December Bride," "I Love Lucy," and the "\$64,000 Question" totally dominated television through the mid-1950s;^{49/} minimal coverage was devoted to news and politics. It was not long before it was criticized by some as "frivolous," and "socially and politically irrelevant." As one observer complained, "TV was bubble gum for the eyes."^{50/}

As the new medium proved profitable, programming began to mature; "it had greater license to do less insipid programming or at least irrelevant programming."^{51/} The quiz show scandals of the mid-1950s quickly accelerated the pace and perhaps the direction of change. Further, the dishonesty and cheating surrounding the quiz shows proved damaging to the television industry. A Roper Poll conducted in 1959 revealed that television's credibility was second to that of the print media; 32% of those surveyed indicated newspapers were the most believable source of information while 29% claimed television.^{52/}

In response to the low level of credibility reflected in the Roper Poll, the industry set out to improve its image through the expanded coverage of news events and public affairs programming. Prior to this time, with few exceptions, news programming was a low priority for television. As Rubin observed:

Except for unusual (and dramatic) events, such as the Ke-fauver Senate crime investigations and the Army-McCarthy

^{48/} Austin Ranney, Channels of Power: The Impact of Television on American Politics (New York: Basic Books, Inc., 1983), p. 8.

^{49/} Michael J. Robinson, "Television and American Politics: 1956-1976," The Public Interest 48 (Summer 1977), p. 4.

^{50/} Ibid., p. 6.

^{51/} Ibid., p. 8.

^{52/} Rubin, Press, Party and Presidency, p. 148.

Senate hearings, regular network news coverage in the 1950s was brief (15 minutes per evening), lacking in visual highlights, and most often presented a reporter reading written news reports that were initiated by journalists of other media. The network news divisions were, in fact, severely limited in the amount of resources that the network would allocate to them and were viewed by management initially as a "prestige" but money-losing part of the business.^{53/}

The expanded coverage of public affairs programming included a major format change; network news was extended from 15 minutes to 30 minutes in 1963. This stepped-up coverage had a significant impact on American politics. According to Robinson,

the 30 minute news program ... altered the basic process of political communication in the United States. [T]he emergence of the television news system after 1963 was probably among the two or three most important political phenomena during the period 1963-72.^{54/}

The increased coverage of network news reporting enhanced the credibility of television. Whereas in 1959 newspapers were viewed by the public as the primary source of information, in less than ten years, television eclipsed newspapers as the dominant 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 44% who felt television news was the most trustworthy.^{55/}

The dominance of television as a new medium was quickly recognized by politicians and the viewing audience alike as a powerful political resource. Television's ability to reach millions of people simultaneously greatly enhanced its role in the political process. Today, on a typical evening, the viewing audience of the three major networks ranges between 50 and 60 million people.^{56/} The average set is turned on some seven hours a day; the average viewer is tuned

^{53/} Ibid., p. 149.

^{54/} Michael Robinson, "Television and American Politics: 1956-1976," p. 14.

^{55/} Richard Rubin, Press, Party, and Presidency, p. 148.

^{56/} Theodore White, America in Search of Itself: The Making of the President, 1956-1980, p. 175.

in nearly three hours a day.^{57/} Moreover, certain evidence indicates that approximately 65% of the American public get 100% of their news from evening newscasts.^{58/} Some estimates are not universally accepted. Some analysts suggest that where people say they get their news and where they actually get their news are often different.^{59/} They point to assessments suggesting that the readership of newspapers remains larger than the audience for televised newscasts.^{60/} Certainly it is clear that the two groups cannot be distinguished sharply; many of those who watch news on TV also read a newspaper each day.^{61/}

Regardless of its relative standing, the pervasiveness of all mass media undoubtedly has an impact on public opinion, particularly on certain kinds of issues. Although research on the effect of television and other media upon the American electorate is far from conclusive, most observers agree that:

Television is indisputably bringing more news to Americans. The news is now available around the clock on certain cable networks and virtually so on the commercial networks--early morning shows, noon newscasts, local news at 4:00 p.m., "Nightline," "Overnight," and "Late Night." Just watching prime time programming in some major cities from 8:00 p.m. until 11:00 p.m. can expose a viewer to as many as six short "news breaks" from the networks and local stations.^{62/}

While the impact of such extensive exposure to televised news and other network programming may be debatable, many agree that television plays an important role

^{57/} Fred Wertheimer and Randy Huma, "The Role of Television in American Politics," in What Role for Government? Lessons from Policy Research, eds. Richard J. Zechauser and Derek Leebaert (Durham, NC: Duke University Press, 1983), pp. 18-19.

^{58/} Theodore White, America in Search of Itself: The Making of the President, 1956-1980, p. 174.

^{59/} Evans Witt, "Here, There and Everywhere: Where Americans Get Their News," Public Opinion (August/September 1983), p. 46.

^{60/} Lawrence Lichty, "Video Versus Print," The Wilson Quarterly 6 (Special Issue 1982), pp. 49-57. See also "Correction," The Wilson Quarterly 7 (Spring 1983), p. 175.

^{61/} Witt, "Here, There and Everywhere: Where Americans Get Their News," p. 47.

^{62/} Ibid., p. 48.

as an agenda setter for the American public; "It does not so much tell people what to think as it tells them what to think about."63/

A Centralizing Bias:
Network News and Its National Linkages

Network television news is different in form and content from other news media--different in ways that are important for federalism and intergovernmental relations. The results of one examination of the content of leading news stories on network television over a 12-year period indicated that TV news is far more national and much more political than newspapers. By a ratio of 2-1 or 3-1, it focuses attention on stories that are linked to national political figures and institutions. Furthermore, network stories are more "politicized" than comparable newspaper coverage. For example,

... a story on the front page of a newspaper about an increase in the rate of inflation is more likely to be treated on a local or nonpolitical basis--i.e., how much inflation went up in the local area and what items caused the increases in the consumer price index. Network television treatment of the same inflation story, in contrast, is much more likely to link the specific facts in the story to a response (or a demand for a response) from a national politician64/

This form of coverage, some argue, has altered the political balance of power in favor of national intervention in some instances. According to Rubin:

By frequently seeking reactions to economic events from national politicians and by implying an expectation of action from the national government in Washington, television news tends to shift political discussion disproportionately to national political institutions. National political personalities are, as a result, quickly and firmly linked to events and, not unexpectedly, viewer expectations for corrective actions by the national government are likely to be heightened.65/

Along with this heightened level of expectation has come a concomitant drop

63/ Joel Swerdlow, "A Question of Impact," The Wilson Quarterly, (Winter 1981), p. 89.

64/ Richard L. Rubin, "Mass Media and Presidential Selection," PS 16 (Fall 1983), Washington, DC; American Political Science Association, pp. 683-84.

65/ Ibid.

in public confidence in national institutions. As Robinson aptly stated, "when television shifted its focus toward Washington, it was only a matter of time before Washington news would shift our political frustrations toward Washington, instead of toward city governments or the state capitals."66/ He further points out that:

... trends in public opinion during the years following the establishment of the television news system was that the public confidence in state and local government remained constantly low (as the negative information about those levels of government continued at the same absolute levels) but that confidence in the federal government declined--and presumably at a rate inversely related to the emerging preeminence of network news.67/

Hence, some critics charge that network news is intergovernmentally biased, to a point where it distorts political realities. Because opinions about the national government's role in addressing social and economic problems rest at the core of partisan and ideological cleavages in this country, such predispositions have important political ramifications. Yet, many network organizations contend that television news does no more than mirror reality. Although the question of ideological bias will be discussed further in a later section of this chapter, it is important to note here that organizational decisions of network television are a major impetus, though not the only factor, behind the apparent national focus of the news.

Though not universally accepted, other research supports this finding of a nationalizing slant in network television news. As Edward Epstein points out, (to some degree) economic considerations dictate a national content in network news. One such consideration is the demand by network affiliates that "network news stories concern national rather than local events."68/ National news is generally defined as foreign policy and the federal government. Local news, as defined facetiously by one NBC producer is "news occurring outside of Washington or New York."69/ In principle, it might appear that a nationwide television

66/ Michael J. Robinson, "Television and American Politics: 1956-1976," p. 16.

67/ Ibid.

68/ Edward Jay Epstein, News From Nowhere: Television and the News (New York: Vintage Books, 1973), p. 171.

69/ Ibid., 190.

network could link together every point in the compass. Yet in practice, what national television has done is bring messages from a comparatively small number of centers to a universal audience. Indeed, "90% of picture coverage comes from the cities from which camera crews are regularly stationed--technology and economic considerations dictate this result. Besides Washington, where fully 50% of all news originates, these generally include New York, Cleveland, Boston, Chicago, and Los Angeles."70/

Regardless of the reasons, overconcentration of attention at the national level apparently has occurred at the expense of other levels of government, particularly states. A variety of research reports over the past 25 years have suggested that the states rank third in terms of "salience"--that is, their citizens' sense of knowledge about "what's going on."71/ For example, an analysis of 1966 survey data found that most people say they give their closest attention to national affairs (32%) or local affairs (30%). Those who are interested primarily in state affairs (17%) are even fewer in number than those who follow international events (20%).72/ State governments are a common second place choice for many people, but are the chief attention for a small minority. Similarly, a 1973 study found that more people feel "up to date" on the federal government's activities (40%) or on those of their local government (43%) than their state's activities (27%).73/ Reeves and Glendening attribute these differentials to neglect by media, as well as to the fact that many state activities seem less dramatic or less personally significant than, say, news of war and peace on the one hand and problems of garbage collection on the other.74/ Indeed, state government appears to be the odd man out in terms of media attention. Although

70/ Doris Graber, Mass Media and American Politics, (Washington, DC: Congressional Quarterly Press, 1980), p. 70.

71/ Much of the relevant public opinion survey data is summarized in Mavis Mann Reeves and Parris N. Glendening, "Areal Federalism and Public Opinion," Publius 6 (Spring 1976), pp. 135-67.

72/ M. Kent Jennings and Harmon Zeigler, "The Salience of American State Politics," American Political Science Review 64 (June 1970), p. 525.

73/ U.S. Senate Committee on Government Operations, Subcommittee on Intergovernmental Relations, Confidence and Concern: Citizens View of American Government (Washington, DC: U.S. Government Printing Office, 1973), pp. 2: 451-55.

74/ Reeves and Glendening, "Areal Federalism and Public Opinion," p. 143.

the states enjoy essentially coequal status constitutionally, evidence suggests that this tier of government fares least well in terms of media coverage.^{75/}

Local issues receive considerably more television coverage than issues at the state level, in part because Federal Communications Commission regulations stipulate that local stations must provide their communities with local public service. But such coverage is still far from thorough. According to one estimate, on a typical weekday a local affiliate of the major three networks devotes approximately 165 to 240 minutes to local news, compared to about 100 minutes of national network news.^{76/} However, local news devotes considerably less time to political issues and more to less controversial subjects; crime, sports, style, and stories of human interest dominate the local news agenda. As Ranney notes,

The local newscasts, at least until recently, have generally been more concerned with getting and keeping the largest possible audiences than with sober and professional presentation and analysis of the news. The "happy news" approach, featuring a good deal of on-camera chit-chat and badinage among the performers, has been widely adopted as the most effective means to that end^{77/}

Overall, television's inadequate coverage of state and local affairs heightens the importance of other news media, especially print. Newspapers still remain more localistic than the electronic communications media, and perhaps they are a more appropriate medium for state and local governments. Newspapers are perceived as providing more extensive coverage of state government than television. This was the conclusion of a recent survey of state governments. Of the 48 governors responding to the survey, the majority felt that newspapers were more effective in covering and influencing state government than television or radio. Moreover, 21 of the governors believed press coverage of states was better than that given to the national government and 22 rated state coverage better than local.^{78/}

^{75/} Virginia Gray, "Politics and Policy in the American States," in Politics in the American States, eds. Virginia Gray, Herbert Jacob, and Kenneth Vine (Boston: Little, Brown, and Co., 1983) p. 16.

^{76/} Austin Ranney, Channels of Power: The Impact of Television on American Politics, p. 67.

^{77/} Ibid., p. 68.

^{78/} Comparative State Politics Newsletter, Vol. 4, No. 4 (August 1983), p. 11.

Nonetheless, if television has become the leading source of news, the image it projects of the relative authority of our governments is very different from that projected by the Constitution. The focus on the national government has implications for political balance in the federal system generally, and for the content of specific policies. According to Rubin,

... the rise of the electronic media has [especially] exacerbated tensions in the relationships between now centralized mass media institutions and still decentralized, fragmented, political and governmental institutions, established in an entirely different environment of informational and political expectation. These new tensions have destabilized the relationships that underpinned traditional electoral structures, and they show themselves in the widening gap between our electoral system's ability, on the one hand, to provide increased expression of nationally directed demands and the national government's inability, on the other hand, to effectively translate and organize these jumbled demands into cohesive, long-term legislative policy.^{79/}

PATTERNS OF POLITICS IN THE COMMUNICATION AGE

The growing role of television in the political process has engendered an array of concerns and criticisms. The following section examines five of the most prevalent issues that appear throughout the literature of media politics. Contemporary critics charge that modern media, particularly television, have:

- o weakened the political parties and, as a consequence, reduced the accountability of the electoral process;
- o dangerously escalated the financial cost of political campaigns;
- o overemphasized the Presidency at the expense of the other governmental branches;
- o failed to provide adequate information on key policy issues;
- o exhibited an ideological or partisan bias in the coverage of political leaders and issues; and
- o created alienation, apathy, and distrust due to its adversarial relationship with all levels of government.

Directly and indirectly, these five issues have important implications for both federalism and the party system.

Weakening Effects on Political Parties

As discussed in Chapter 3, parties have traditionally performed a number of important electoral functions vital for the maintenance and operation of our

^{79/} Richard Rubin, Press, Party and Presidency, p. 233.

governmental system. Throughout most of American history, political parties played a major role in recruiting and nominating candidates for office, conducting and organizing campaigns, financing elections, and communicating candidate positions to the voters and organizing government.

Over the past several decades, particularly with the advent of new and more pervasive forms of mass media, the party monopoly over many forms of political communication has been greatly diminished. Televised politics, in the view of many observers, have significantly contributed to the weakening of party organization, with analysts even arguing that television

... has supplanted the political party as the main conduit between candidate and voter. It is the principal influence acting on the voter in a campaign and his chief source of information. It is the medium of information he is dependent on and the one he trusts most implicitly.80/

Although analysts differ on the extent, most research indicates that television has greatly affected the electoral process. Its impact on the Presidential nominating process exemplifies the far-reaching influence of this medium. Historically, Presidential nominations were determined by party stalwarts gathered as delegates to national party conventions. Party control over the process was facilitated and maintained through the use of state caucuses or conventions in the selection of party delegates. Presidential primaries were traditionally little more than nonbinding "beauty contests" for Presidential aspirants.

In recent years, the adoption of Presidential primaries in preference to state caucuses contributed to the erosion of party control over the nominating process. Although the proliferation of these primaries was spawned by various factors, television journalism was among the most important. As Rubin contends:

Television journalists did not initiate renewed public interest in Presidential primaries by conscious actions. But finding primaries professionally beneficial, they subsequently promoted them as the proper, democratic, and the "American way" to deal with intraparty representation. Interest in primary elections was reawakened by competition between aspiring politicians, but their treatment by network television fostered, exaggerated, and finally helped to legitimate the new trend.81/

80/ William Crotty and Gary Jacobson, American Parties in Decline (Boston: Little, Brown, 1980), p. 67.

81/ Richard Rubin, Press, Party and Presidency, pp. 194-95.

This enhanced interest in state primaries by network news organizations was reflected in the inordinate amount of coverage given to them over other selection methods. Some analysts maintain that this increased coverage of primaries by the television industry spurred states, in part, to switch from conventions or caucuses to primaries.^{82/} According to Rubin, "by offering almost exclusive coverage of primaries in reporting the nomination process, network news implicitly devalued other processes that could be open and democratic as well, and consequently downplayed methods that were consensus--rather than conflict--oriented."^{83/} Indeed, the number of primary election stories on the networks alone increased fourfold between 1968 and 1976.^{84/} As a result, according to White, "the primaries have become a series of vaudeville acts held in part to attract local voters, but more importantly to reach a national audience via television."^{85/}

The proliferation of primaries and the concomitant growth in influence of television have important implications for state and local influence in the nomination process. Many analysts argue that the growing influence of this medium has preempted a meaningful party role in the selection of Presidential candidates. In this era of televised politics, some go so far as to argue that news commentators have replaced party stalwarts in selecting the aspirants for the country's highest office. In this vein, newscaster Sander Vanocur once described such colleagues as Walter Cronkite, John Chancellor, and Harry Reasoner as "the new political bosses of America."^{86/} As the power to dispense information about candidates for office has shifted from party functionaries to an electronic elite, Vanocur contends that "television has become in a sense, a political organization itself."^{87/}

^{82/} Michael Robinson, "Television and American Politics: 1956-1976," p. 21.

^{83/} Richard Rubin, Press, Party, and Presidency, p. 195.

^{84/} Ibid., p. 205.

^{85/} Theodore White, interviewed by Howard J. Langer, "Confessions of a Second-Look Liberal," Society, (July/August 1983), p. 59.

^{86/} Sander Vanocur, "On the Air: New Breed of Ward Heelers," The Washington Post, May 5, 1976, p. B1.

^{87/} Ibid., B10.

Television coverage affects campaigns in other ways as well. Critiques focus on the content of primary election coverage by network news organizations and its influence on nominations. Many allege that the use of "horse race" journalism--concentrating coverage primarily on front-runners--has devalued the role of issues in elections and has had a significant impact on the fate of the contending aspirants for the Presidential nomination. According to Thomas Patterson, "[t]he campaign of a candidate who is ignored by the media is almost certainly futile."88/

Candidates now recognize the influence of television on their chances for winning and consequently have altered their campaign strategies to attract and accommodate this medium. No longer do candidates principally rely on parties to conduct and organize campaigns or to communicate their positions to the electorate. In fact, television permits candidates--Presidential or otherwise--to build personalized campaigns that, in many instances, completely bypass party organization. According to Crotty and Jacobson:

Television allows those candidates who can command the necessary financial resources to mount impressive [campaigns] at all levels. Such candidates are not dependent on the political party to sponsor their careers. A political organization and the mastery of a ladder-like succession of political offices are no longer prerequisites for nomination and election to higher political offices. A prospective candidate with sufficient resources can run for office whenever he decides. He need have no previous political experience, no ties to the party whose nomination he seeks, and no particular roots in the community ... he seeks to represent. All he needs is the ability to use television, to follow the advice of his consultants, and pay for the services rendered.89/

Apart from weakening parties by supplanting certain traditional party functions, some observers maintain that television has also profoundly contributed to the decline in party allegiances among the electorate. As discussed in Chapter 3, the strength with which Americans identify with one of the major political parties fell significantly over the past few decades. Although this decline was spawned by a variety of factors, some analysts believe that televi-

88/ Thomas E. Patterson, "Television and Election Strategy," The Communication Revolution in Politics, Gerald Benjamin, ed. (New York: The Academy of Political Science), p. 25.

89/ Crotty and Jacobson, Political Parties in Decline, p. 65.

sion fostered this decline through its extensive coverage of individual candidates and not political parties. As Martin Wattenberg writes, "television coverage of politics virtually ignores parties, as acquaintance with personalities is much easier to convey through the visual media than knowledge about abstractions such as political parties."90/

Since candidates can organize and conduct campaigns via television, party affiliation can easily be deemphasized or even ignored by aspirants for office. As Morris Fiorina asserts, "Candidates would have little incentive to operate campaigns independent of parties if there were no means to apprise the citizenry of their independence. The media provide the means."91/ Because television gives candidates direct access to the voters, a divergent group of issues can be presented to the electorate, and increasingly, they may be solely those of the candidates and not the position of his respective party. This may account, in part, for split ticket voting.92/ As one British analyst explains:

Because ... [television] aspires to impartiality and because its audience is less differentiated, less often self-selected [than other forms of media], ... television exposes more of the people more of the time to views different from those they already hold. By showing both sides of an argument, it tends to erode the stability of people's political views and party identification and even the stability of the party system. It has this effect all the more when it gives equal time to all parties, encouraging new factions to fight elections.93/

In short, it is evident that television is having a profound impact on the electoral process. It is important, therefore, to ascertain how the medium is performing overall. The remainder of this chapter is devoted to several of the most serious contemporary criticisms made against television's role in the political process, criticisms which have further implications for state and local influence in the political system.

90/ Martin P. Wattenberg, The Decline of American Political Parties 1952-1980 (Cambridge MA: Harvard University Press, 1984), p. 91.

91/ Quoted in ibid., pp. 90-91.

92/ Doris Graber, Mass Media and American Politics, p. 158.

93/ Quoted in Austin Ranney, Channels of Power, p. 112.

Escalation of Campaign Costs

As television has become one of the principal strategic tools in campaign politics, the costs of running for political office have skyrocketed. Although free coverage by network news organizations is perhaps the most sought-after resource in political campaigns, broadcast time purchased for political advertising has become an integral component of candidates' strategies. Such ads have increased campaign costs dramatically: political expenditures for purchased television time rose sevenfold between 1952 and 1968.^{94/} More recently, a 60-second spot announcement on prime time network television costs as much as \$100,000 each time it is aired.^{95/}

The growing costs of television advertising have had the greatest impact in Presidential campaigns. In 1980, the two major party nominees each spent about \$16 million on television messages.^{96/} Congress has also been deeply affected. In the 1982 Congressional elections, candidates spent approximately \$100 million out of a total of \$343 million campaign budget on TV advertising.^{97/}

Many observers contend that these increases have had two major effects, both of which they judge to be detrimental to the political system as a whole.

First, the need for ever larger campaign expenditures means that the very wealthy possess a special advantage in seeking high office. As one scholar observed:

Given the high campaign expenses ... the ability of a candidate to raise money remains a strong consideration. Wealthy candidates have an advantage because they can draw on personal resources. Activities and statements likely to alienate donors are shunned. While there is evidence that the best-financed candidates do not always win, folklore says they do. Hence falling behind in the race for money to finance media exposure is a sharp brake on political

^{94/} David S. Broder, The Party's Over, p. 239.

^{95/} Benjamin Ginsberg, "Electoral Politics and the Redistribution of Political Power," a paper prepared for delivery at the 1983 annual meeting of the American Political Science Association, Chicago, Il, September, 1983, pp. 21-22.

^{96/} Ibid.

^{97/} Richard E. Cohen, "Costly Campaigns: Candidates Learn That Reaching the Voters is Expensive," National Journal 16 April 1983, p. 782.

aspirations. The political consequences that spring from such financial considerations are enormous.^{98/}

Indeed, John Kenneth Galbraith goes so far as to argue that:

The modern man of wealth no longer uses his money to purchase votes; he contributes it to the purchase of television commercials and by this means hopes to win conditioned submission to his political will.^{99/}

Secondly, because the cost of campaigning is so great, all candidates--including many with personal wealth--depend more heavily on nonparty sources of campaign contributions. As Chapter 7 details, individual contributions--including contributions from the candidates themselves--constitute the greatest source of campaign dollars for both Congressional and state elections, followed by industry and labor political action committees (PACs). In contrast, political parties rank only third as financiers in campaign politics. This clearly has had a constraining effect on the influence of parties, and it has made more successful fundraising a major avenue of party renewal. At the same time, many critics believe that campaign politics has become more vulnerable to corrupting influences. According to Elizabeth Drew, money is currently having a significant impact on the political process--particularly at the national level.

The impact of the need for money on Congressional behavior has been dramatic. First, there is no question that we have a political system in which politicians' access to money is vital and, in more cases than not, decisive. Richard Wirthlin, the Republican pollster, says, "Money not only can make the difference but can make a huge difference." He continues, "People make decisions based upon the way they see the world, and the way they see the world is conditioned by the information they have; and money can influence not only the information they have but also the perceptions they have, and therefore influences who wins or loses." Second, it is clear that the politicians' anxiety about having access to enough money corrodes, and even corrupts, the political system. It is clear that the effect on them is degrading and distracting at best.

The result of all this is that the basis on which our system of representative government was supposed to work is slipping away, if it is not already gone. The role of the public representative has been changed dramatically in

^{98/} Doris Graber, Mass Media and American Politics, pp. 161-62.

^{99/} John Kenneth Galbraith, The Anatomy of Power (Boston: Houghton Mifflin Company, 1983), p. 49.

recent years. The processes by which Congress is supposed to function have been distorted, if not overwhelmed, by the role of money.^{100/}

While other critics are not as searing as Drew in their assessments of the impact of money on political behavior, most are concerned with the proliferation of PACs and their growing influence in the political process. As costs have continued to escalate, more candidates for public office at both the national and state level are increasingly relying on PAC contributions to support their campaigns. Over the past decade, PAC spending grew from \$19.1 million in 1972 to \$190.2 million in 1982. Because the growing role of PACs in campaign finance has generated so much controversy, Chapter 7 deals extensively with the growth and intergovernmental dimensions of PACs.

The point of this brief discussion here is that the escalation of campaign costs can, in substantial part, be attributed to the growing role of television in the political process. As money has become more important to secure public office at all levels of government, it limits the ability of some candidates to successfully compete. As Herbert Alexander aptly summarized: "The main problem of wealth in elections may not be in the outcome of financially imbalanced contests but rather in depriving voters of potential leaders who do not have the money to consider running for office."^{101/}

Differing Effects on National Institutions

A MAGNIFIED PRESIDENCY

Network news, as noted earlier, is about the nation. And as Herbert Gans so aptly summarized, "The nation ... is operationally defined as the federal government, and is often signified by the President and the Presidency."^{102/} There is no doubt that from the standpoint of the mass media--and particularly television--the President more than any other national actor or institution personifies both the will and performance of government. Since the Presidency is deemed most newsworthy, it receives the most media attention. All three

^{100/} Elizabeth Drew, Politics and Money: The New Road to Corruption (New York: MacMillan Publishing Company, 1983), pp. 146, 2.

^{101/} Herbert E. Alexander, Financing Politics: Money, Elections and Political Reform, p. 23.

^{102/} Herbert Gans, Deciding What's News, p. 19.

networks have four full-time correspondents assigned to the White House, in contrast to only two correspondents covering the 535 members of Congress.^{103/} Even a President's vacations are deemed newsworthy. When President Eisenhower took a trip to Denver in 1955, he was accompanied by 22 reporters; now, when the President travels, he usually is joined by more than 150 journalists.^{104/}

Such extensive coverage of the Presidency has not come without costs. Some critics maintain that this unequal coverage of national institutions has tipped the constitutional balance of power in favor of the President. Television, they argue, "alters the behavior of institutions in direct proportion to the amount of coverage provided," and "the more coverage and institution secures, the greater its public stature and the more significant its role."^{105/} Indeed, as one observer noted:

... the rise of television ... accentuated the dominance of the Presidency over all other political institutions. The President personifies political issues as neither Congress nor the courts can do. Nothing a President does can be entirely dull. And once television networks, having discovered this last fact, allowed Presidents to know that they would always cover their informal journeys as well as their formal speeches, any President found himself enjoying unprecedented opportunities to communicate, directly with the people through the media.^{106/}

Television certainly has pushed the President into the forefront of the political process. And Presidents, over the past 20 years, have increasingly recognized the importance of this powerful channel of political communication. As Hugh Heclo observes, "... the White House has become ever more specialized and bureaucratically organized, devoting anything from 30% to 85% of its staff to massaging the media."^{107/}

^{103/} Austin Ranney, Channels of Power, p. 139.

^{104/} Dom Bonafede, "The Washington Press--It Magnifies the President's Flaws and Blemishes," National Journal, May 1, 1982, p. 768.

^{105/} Graber, Mass Media and American Politics, p. 196.

^{106/} Godfrey Hodgson, America in Our Time (New York: Vintage Books, 1976), p. 146.

^{107/} Hugh Heclo, "Introduction: The Presidential Illusion," in The Illusion of Presidential Government, eds. Hugh Heclo and Lester M. Salamon (Colorado: Westview Press, 1981), p. 8.

By giving the President direct access to the public, this medium has enhanced executive branch influence over other branches of government. The President is the only elected official who can command free broadcast time on the major networks for news briefings, news conferences and major addresses. According to Rubin, it is this "unparalleled ability to command free press time that has made the contemporary President more able than in the past to manipulate or coordinate news for his own political advantage."108/

In addition to enhancing the role of the Presidency, however, such media attention has affected Presidents' ability to govern, and the relationship between the media and the President is by no means always one of shared confidence. It is often characterized by a brief honeymoon period, followed by increasingly critical media assessments of Presidential progress toward meeting campaign promises and dealing with the political issues of the day. In this roller-coaster relationship, it is the media that has the upper hand. Indeed, as Graber notes, the growing influence of the media has to a considerable degree offset the Presidents' authority. As she contends, it is

... shaping of news presentations by journalists [that] lies at the heart of the problems ... between media and government because it bestows more power upon the media than governments like to surrender. It permits media personnel to pick and choose among the information given to them, supplement it with information gathered from other, possibly hostile sources, and present it in a framework of their own choosing. It allows them to evaluate people and policies at will and criticize an Administration, often when its popularity is already on the downgrade.109/

In addition, by magnifying the role of the Presidency, television has contributed to unreasonably high expectations by the American public. For example, in the case of President Johnson, Hodgson argues that he

... inherited the power to use television. But Johnson also inherited the insatiable demand of the President to solve the "problems" that television itself was revealing to people. Some of those problems, could not ... be solved. Others could not be solved easily or quickly. And others, ... could hardly be solved by the President.110/

108/ Rubin, Press, Party and Presidency, p. 222.

109/ Doris Graber, Mass Media and American Politics, p. 199.

110/ Hodgson, America in Our Time, p. 146.

Indeed, by offering the American public more and more facts about major political issues and Presidential policies, television places more pressure for Presidential action with obvious implications for citizens' expectations. Yet, as Ranney points out,

If a real-life President were, by some miracle, actually to meet these expectations, television might well put him on some electronic version of Mount Rushmore even before he left office. But there is precious little chance of that. In the television age, ... no President [has] come close to meeting the inflated expectations111/

COVERAGE OF CONGRESS

In general, media critics agree that television is the medium of the Presidency. The disparity in network coverage between the branches of government reflects the organizational needs of a visual medium. The Presidency, unlike Congress, can be personified in one man. There is no single spokesperson for the national legislature. Indeed, the sheer size of Congress, a body of 535 highly independent legislators, makes this institution both more difficult and more expensive to cover.

Nonetheless, Congress is routinely covered by major media organizations. Of approximately 2,000 Washington correspondents assigned to the press galleries in the House and Senate, roughly 400 cover Congress exclusively.112/ On the average, it is the Senate that is deemed more newsworthy and thus receives more media attention than the House. Coverage of the Senate by network television outnumbers the House by two to one.113/

The majority of reporters covering Congress represent major newspapers. Indeed, the newspaper is the medium of Congress. As Stephen Hess observes, "the three-ring-circus aspect of Congress ... better fits the staff resources of newspapers."114/ In a similar observation, Paletz and Entman contend that:

111/ Ranney, Channels of Power, p. 141.

112/ Doris Graber, Mass Media and American Politics, p. 211.

113/ Ibid. See also Michael J. Robinson and Kevin R. Appel, "Network News Coverage of Congress," Political Science Quarterly 94 (Fall 1979), pp. 407-18.

114/ Stephen Hess, The Washington Reporters (Washington, DC: Brookings Institution, 1981), p. 98.

The more important Congressional decisions, if covered at all, are read from wire service reports by anchorpersons. Rarely does television break original stories about the legislature. At best, viewers are offered corridor snippets in which legislators may get gently quizzed or witnesses belligerently badgered. Accompanying this news are occasional disparaging, even snide, comments from anchorpersons and commentators about Congressional indecision, inaction, and incompetence.115/

Although few studies have systematically investigated the content of network coverage of Congress, some members of Congress voice concerns of negative coverage similar to that experienced by Presidents. They charge that:

[R]eporters treat them as if they were scoundrels conspiring to defraud the public ... They resent the cross-examinations that reporters love to conduct with a prosecutor's zeal and air of infallibility. They charge and can prove that trivia and scandals and official misconduct are covered and dissent is stressed, while Congressional consensus and activities of major significance are often ignored. They blame the media for the declining prestige of Congress.116/

The love-hate relationship that exists between Congress and the news media is not entirely similar to the Presidency, however. The major difference between the two institutions is that Congress appears to have quite different relationships with different types of media. With access to 535 legislators, newsmen can tailor Congressional relationships with individual members--stressing cooperation or conflict--to suit their needs. At the same time, members of Congress can virtually ignore the "snide" national media and cultivate local media instead. In stark contrast to their treatment by the networks, research suggests that legislators can often generate favorable coverage from newspapers and television back home, which may help to explain why Congress as a whole is held in low public regard nationally while most individual members are popular with their constituents and frequently reelected.117/

Increasingly, House members--whose floor proceedings are televised--are

115/ Paletz and Entman, Media Power Politics, p. 81.

116/ Graber, Class Media and American Politics, p. 214.

117/ Michael J. Robinson, "The Three Faces of Congressional Media," in The New Congress, Thomas Mann and Norman Orstein, eds. (Washington, DC: American Enterprise Institute, 1981).

also relying on new technologies to transmit Congressional news locally to millions of potential voters. The use of C-SPAN--Cable Satellite Public Affairs Network--to televise unedited floor and committee coverage is rapidly gaining appeal. C-SPAN is seen by many legislators as a means to enhance the institutional image of Congress. Additionally, it offers individual members who are locally oriented the opportunity to speak directly to their constituencies with little commentary and thus, little distortion from the news establishment.118/

COVERAGE OF THE SUPREME COURT

Overall, the federal judiciary is deemed the least newsworthy of the three branches of government in terms of media coverage. It receives disproportionately less media attention than the legislative and executive branches of government. Moreover, the number of reporters assigned to cover the Supreme Court is significantly less than the number of correspondents covering the other branches. Of a total of approximately 50 reporters assigned to the Supreme Court, only those representing the major wire services and four major newspapers are full-time.119/

Unlike the other branches, however, the justices do not seek out media attention personally, and because of the constraints placed on the media, the High Court as an institution receives minimal attention. There is little personal contact between reporters and the justices, who very seldom submit to personal interviews. When Court decisions are rendered, it is an official representative of the Court's press office that meets with the media. Indeed, the lack of personal accessibility does not allow the type of television coverage given to the other branches of government:

Whereas coverage of the President and Congress is often personalized, Supreme Court reporting is quite the reverse. We rarely learn much about sitting justices as people or even as lawyers and legal philosophers. Unlike other politicians, peccadillos and predilections are not dissected; personal ideological conflicts are not seized upon and played up; indeed, except in their written

118/ Stephen Frantzich, "Communications and Congress," in the Communications Revolution in Politics, ed. Gerald Benjamin (New York: The Academy of Political Science, 1982), pp. 88-101.

119/ Graber, Mass Media and American Politics, p. 217.

opinion, justices are quoted only rarely. They are shadowy (though not shady) mysterious figures.^{120/}

In addition, institutional constraints placed on the news render the federal judiciary less newsworthy than the Presidency and Congress. The High Court, as well as most state courts, does not permit television coverage of courtroom procedures. And perhaps more importantly,

... the crucial decisions are reached in private, out of the sight and earshot of reporters How decisions are reached; the kinds of informal contact among justices; the appeals and persuasions; the sometimes pragmatic compromises, negotiation and bargaining; all are kept confidential. Only a few eminent law school graduates, privileged to be serving as law clerks to the justices who selected them, are privy in any part to the deliberations. They have few incentives to leak, substantial reasons to keep silent. Secrecy is the norm, revelations are infrequent.^{121/}

Despite such limited access, important Supreme Court decisions do receive media coverage. Some observers complain not only about the paucity of such coverage, however, but the accuracy of the reporting as well. According to Graber:

... reporting of Court activities seems to be more superficial and flawed than its Presidential and Congressional counterparts. The reasons are not difficult to understand. The volume of decisions is huge, frequently coming all together near the end of a Court term. The subject matter is often highly technical, difficult for reporters to understand and make understandable. With notable exceptions, stories about judicial decisions lack the potential to become front-page, exciting news. They are hard to boil down into catchy phrases and cliches. The Court beat tends to be understaffed. All of this makes it very difficult for assigned reporters to prepare interesting well researched accounts.^{122/}

Inadequate Treatment of Complex Issues

As discussed earlier, research indicates that television, in terms of political impact, may be most influential as an "agenda setter"; it does not so

^{120/} Paletz and Entman, Media Power Politics, p. 105.

^{121/} Ibid., p. 101.

^{122/} Doris Graber, Mass, Media and American Politics, pp. 217-18.

much tell people what to think as it tells them what to think about. Proponents of this thesis contend that the mass media, through the selection and coverage of particular news stories, greatly influence the public's news agenda. For example, during the civil rights movement, television was credited with significantly heightening the public's awareness and concern for this issue.

At a minimum, television coverage of the early civil rights movement altered the notions as to what the political agenda should be. In that regard, the "March on Washington" in August 1963, was the greatest public relations gambit ever staged--staged as it was for television. Between the spring and summer of 1963, the percentage of people regarding civil rights as "the most important problem facing America" increased by a factor of 13--from 4% to 52%, a shift in perceived public priorities never achieved before or since in so short a time.^{123/}

In addition, to a considerable degree, the mass media set the agenda for policy makers by identifying problems they must resolve. Again, in the case of civil rights, Congressional action was greatly affected. According to some observers, "media coverage of the movement translated exposure into ... governmental support, facilitating passage of a series of significant civil rights laws, culminating in the 1965 Voting Rights Act."^{124/} Yet, civil rights was the first real issue network news had to grapple with. To a large extent, it was the issue of civil rights that legitimized televised news.^{125/}

Today, however, many critics charge that mass media, particularly television, does not adequately cover the major political issues of the day. Some complain that news is "primarily surface descriptions of events and activity."^{126/} They further argue that national news provides the viewing public with little in the way of in-depth analysis or explanation of why an event occurred and its political ramifications. Additionally, television networks in their attempt to attract and maintain mass audience interest, often dramatize, personalize, and oversimplify complex issues in their news broadcasts. Indeed, stories of conflict, controversy, and corruption are quick to receive media at-

^{123/} Robinson, "Television and American Politics: 1956-1957," p. 12.

^{124/} Paletz and Entman, Media, Power, Politics, p. 128.

^{125/} Robinson, "Television and American Politics: 1956-1976," pp. 13-14.

^{126/} Paletz and Entman, Media, Power, Politics, p. 21.

tention. In contrast, complex policy issues such as poverty, unemployment, government deficits, and inflation--which do not lend themselves to the visual appeal of the medium and are more difficult to simplify--receive superficial coverage and sometimes are ignored completely. For example, during the first year of the Reagan Presidency, one media critic observed that,

... during that year, Reagan initiated many domestic and foreign policies of great national and international importance. However, the news formula that quickly emerged in most of the stories about those historic actions was the theme of whether Reagan was personally "winning" or "losing" in his battles with Congress, the bureaucracy, business leaders, and foreign governments. This theme reduced momentous political issues to engrossing but trivial questions about Reagan's personal power, his political "scorecard," and his risks of public embarrassment.127/

COVERAGE OF CAMPAIGN POLITICS

One aspect of television news coverage that has been criticized most extensively is network coverage of campaign politics. The most frequent charge is that media coverage tends to concentrate excessively on campaign hoopla and horseracing, providing the American voters little in the way of substantive information on candidates and issues. In fact, this type of coverage has dominated news reporting of campaign politics since the rise of television as an important medium of political communication.128/

A common complaint is that the media, television more than print, tends to focus more on the personality traits of the candidates and less on their positions and professional capacity.129/ Graber found this especially true in her research from the 1968, 1972, and 1976 campaigns. In the coverage of the candidates, she found that "very limited information was made available about the candidates' basic political philosophies, their ideas about government organization, and their abilities and willingness to communicate with the public."130/

127/ W. Lance Bennett, News: The Politics of Illusion, (New York: Longman Inc., 1983), pp. 9-10.

128/ Maura Clancey and Michael J. Robinson, "General Election Coverage: Part I," Public Opinion (December/January, 1985), p. 51.

129/ Graber, Mass Media and American Politics, p. 171.

130/ Ibid.

Critics also charge that media coverage tends to inordinately focus on the "horserace" aspect of the campaign--concentrating on projecting winners and losers with little serious attention and analysis given to issues. This is of particular concern in Presidential primaries where the returns, projections, delegate counts, and news pollings by the networks influence the candidates chances for victory. According to Thomas Patterson, news reports on candidates' competitive positions can influence voters' perceptions about candidates, and in some instances, influence voter preferences.^{131/} For example, he found

... in 1976 people's perceptions of the candidates' chances for nomination and election followed closely what the news coverage indicated those chances to be. When press accounts indicated uncertainty about likely winners and losers, ... the electorate mirrored that uncertainty. When the news spoke of an almost certain winner, the voters expressed the same optimism for that candidate.^{132/}

This type of news coverage, it is argued, provides the American electorate with little substantive information by which to judge and compare the Presidential candidates on the issues and, consequently, voting decisions in many cases are based on personality characteristics.

Among the toughest critics of the media's coverage of campaign issues are the members of the media establishment themselves. After the 1976 election--and after each succeeding national election--journalists complained about the weaknesses of their own performance. Thus, a writer for the Baltimore Sun commented that "The purpose of a free press's coverage of Presidential campaigns is to transmit to the voters what candidates are like, what kind of President each would make." By this standard, he added, "the 1976 coverage was a failure."^{133/} Ron Nessen, a former NBC correspondent and press secretary to President Gerald Ford, adds that an important issue was "underplayed, misinterpreted, or simply not recognized" in every Presidential election since 1960."^{134/}

^{131/} Thomas E. Patterson, "Views of Winners and Losers," in Doris Graber, ed. Media Power in Politics (Washington: Congressional Quarterly Inc., 1984), pp. 141-42.

^{132/} Ibid.

^{133/} Theo Lippman, Jr., quoted in Ron Nessen, "The Same Old Mistakes," News-week, (November 5, 1979), 29.

^{134/} Ibid.

TELEVISED POLITICAL ADVERTISING

Attracting network coverage is only one outlet available to candidates to communicate their messages and for voters to learn about issues on television; paid commercial advertising is another. Televised political advertising enables candidates to carry unmediated messages to the American public. Yet, the spot commercial, like network news, has been highly criticized by some as "superficial, misleading, carefully packaged, and not very informative."^{135/} For example, in 1976, some of Jimmy Carter's early political spots were greatly criticized for focusing on personality traits rather than communicating policy positions. Gerald Ford in turn, used the criticism--"he wavers, he wanders, he wiggles, and he waffles ... "--in his own ads to raise doubts about Carter's record and capacities.^{136/} Some observers maintain that such televised campaigning contributes little to voter awareness and may, in fact, have adverse effects. In the opinion of one critic, "If there is one legislative remedy that might reduce the growing and pervasive American distrust with politics and increasing desertion of Americans from the polling booth, it is this--abolish the paid political television commercial."^{137/}

This is not the consensus, however, among all observers. In fact, Patterson and McClure take a completely opposite point of view. According to their analysis of voter awareness in the 1972 Presidential election,

Televised political advertising, compared with television news, gave both clearer and more extensive coverage to the candidates' issues stands Moreover, televised ads reach voters who ignore political information in other mass media. Continuous exposure to politics on television news and in newspapers requires a conscious effort from voters. Not surprisingly, a sizable minority of Americans make no such effort on any regular basis. However, because many of these same Americans watch television's entertainment programming, in which political spots are embedded, televised ads can provide them with unexpected political information that requires little effort to absorb. Politically inattentive voters are fertile ground for the issue information that ads contain. Before being exposed to ads, these news avoiders are much less likely than news

^{135/} Wertheimer and Huwa, "The Role of Television in American Politics," p. 29.

^{136/} Paletz and Entman, Media Power Politics, p. 46.

^{137/} Wertheimer and Huwa, "The Role of Television in American Politics," p. 29.

users to already possess the information conveyed by ads. Political spots help reduce this information gap.^{138/}

Political Bias in Network Reporting

In addition to the charge of inadequate handling of complex issues, some critics of network news coverage contend that television is politically biased--favoring certain ideologies or interests. Because television is an influential agenda setter and the primary source of news for the American public, this charge significantly heightens concern about both the performance and influence of the media in contemporary politics.

This charge considerably undercut the mirror metaphor used in the past by the networks to explain the substance of national news. The belief that news is simply a mirror of society began to weaken as the charges of bias escalated. This charge was brought prominently to the forefront in 1969 by Vice-President Spiro Agnew. In a public address before the Midwest Republican Conference in Des Moines, IA, Agnew openly criticized the national news media, or more specifically as he claimed "a tiny enclosed fraternity of privileged men," of politically slanting the coverage of news events toward the left of the political spectrum.

Since the Agnew speech, the charge of political bias has been repeated by numerous critics. Edith Efron, in her analysis of the networks' coverage of the 1968 Presidential campaign, voiced a similar complaint. In her study, she concluded that "network coverage tends to be strongly biased in favor of the Democratic-liberal axis of opinion."^{139/} As Agnew had argued, Efron contended that the slanted network coverage was directly engendered by the personal political leanings of a liberal news establishment.

Indeed, evidence can be obtained to support Efron's assertion that the media elite are more liberal in their point of view than the American public.^{140/}

^{138/} Thomas E. Patterson and Robert D. McClure, "Television and Voters' Issue Awareness," in The Party Symbol: Readings on Political Parties, ed. William Crotty (San Francisco: W.H. Freeman and Company, 1980), pp. 325-33.

^{139/} Quoted in Paul H. Weaver, "Is Television News Biased?" The Public Interest, (Winter, 1972), p. 62.

^{140/} See S. Robert Lichter and Stanley Rothman, "Media and Business Elites," Public Opinion (October/November 1981) for a discussion of journalists' backgrounds.

At the same time, however, other critics argue that news is biased in a vastly different direction. As one observer contrastly noted:

Objectivity and fairness are impossible. Declarations of objectivity and fairness serve only as public relations devices intended to hide from Americans the great advantage of controlling the decisions and tools which create bias Those who use the techniques of implanting bias in the news cannot be condemned. Rather, it is the communication system that is at fault, allowing the power to create biased news to be monopolized by those who advocate similar viewpoints and priorities. This places the overall bias decidedly to the right of the political spectrum. So those excluded--individuals of solid liberal and radical left viewpoints--are prevented from participating on an equal basis in a competition among ideas141/

Still other critics contend that the political bias found in network news programs encompasses much more than a tilt to the left or right. They charge that television is biased against all politicians and in general, take an anti-establishment stance.142/ Many critics attribute such bias to the journalistic values of the news establishment rather than the individual partisan leanings of the news correspondents. According to Gans, journalists still tend to adhere to many of the central political, social, and cultural reformist values of the Progressive movement of the early 20th century--honesty, meritocracy, anti-partisan, and anti-bureaucratic government.143/ This progressive ideology, in part, contributes to the lopsided and negative coverage of politicians and bureaucratic government. According to Ranney,

Television newspeople ... view with special suspicion whatever political leaders and organizations seem most powerful at the moment. The sources of this bias seem clear. The people who write, produce, and present television news consider themselves to be journalists, doing essentially what print journalist do, but doing it under more difficult circumstances. One of the oldest and most persistent beliefs of journalists ... is the conviction that one of the primary professional obligations of any news medium--indeed, a prime reason for its existence in a

141/ Quoted in Ranney, Channels of Power, p. 41.

142/ Ibid., pp. 58-63; and Robinson, "Television and American Politics: 1956-1976," p. 19.

143/ Gans, Deciding What's News, pp. 68-69.

free society--is to act as the public's watchdog over government.144/

All charges of political bias remain controversial. While such charges evoke intense debate from the left, the right, Democrats, Republicans, politicians, government officials, news commentators, and media-critics, they are not easily substantiated. Findings from a number of studies fail to consistently support the charges of political bias. In fact, some analyses refute such claims outright.145/

Some media critics contend that the imbalances in television news coverage and the unfavorable reporting of issues and actors cannot be fully explained by the partisan and journalistic leanings of the news establishment. Contrary to the claims of political bias, these critics argue that "the biases of television news more often than not have their origin in the news form rather than reporters' personal opinion."146/ As Epstein observed:

In assuming ... that a handful of men in each network news organization are free to pick and choose the news as they see fit, this analysis tends to neglect seriously a number of built-in constraints which over the course of time may severely limit and shape the discretion of individuals in gathering, selecting, and presenting the news.147/

In short, Epstein maintains, "the outputs of network news are not simply the arbitrary choices of a few men; they result from a process."148/ This process, it is argued, is shaped by several important constraints placed on the industry.

As mentioned briefly earlier, budgetary constraints are one source of bias in television news. The economics of broadcasting dictate that most network news stories originate in a comparatively small number of locations and thus

144/ Ranney, Channels of Power, pp. 60-61.

145/ George Comstock and Robin Cobbey, "Watching the Watchdogs: Trends and Problems in Monitoring Network News," in William Adams and Fay Schreibman, eds., Television Network News: Issues in Content Research (Washington: George Washington University, 1978), pp. 47-63.

146/ Weaver, "Is Television News Biased?" p. 74.

147/ Epstein, News From Nowhere, p. 8.

148/ Ibid.

contribute to a geographical bias.^{149/} As Epstein concluded in his investigation, this factor, perhaps more than the charge of political bias, explains many of the built-in biases that influence national news. He argued,

... if network news tends to focus on the problems of a few large urban centers, it is not because, as Vice-President Agnew argued, that an "enclosed fraternity" of "commentators and producers live and work in the geographical and intellectual confines of Washington, DC, [and] New York City" and "draw their political and social views from the same resources," but because the fundamental economic structure compels producers to select a large share of their film from a few locations.^{150/}

Time constraints placed on network broadcasting are another source of bias in television. For example, the 30-minute television newscast actually devotes, on average, 22 minutes for news content; the remaining time is allotted primarily for commercials and credits.^{151/} These time limits influence how the national news is presented, and of equal importance, what will be presented in the news broadcast.

As the above criticisms indicate, there is widespread concern with bias in television news reporting. But the evidence is incomplete and claims are contradictory. One thing is certain, however: Whatever bias exists in the media today is subdued in comparison to the overtly partisan character of the press in the early national period.

Mass Media: Issues and Conclusions

Changes in political communication, particularly the rise of television over the last two decades, have revolutionized the American political process. These changes have had both direct and indirect effects on federalism and intergovernmental relations--direct effects through nationalization of the media and indirect effects through erosion of the decentralized party system. Though complex, the overall result has been to "change the map of politics." According to Theodore White:

^{149/} Joseph R. Dominick, "Geographic Bias in National TV News," Journal of Communication (Autumn 1977), pp. 94-99.

^{150/} Epstein, News from Nowhere, p. 109.

^{151/} Av Westin, News Watch: How TV Decides the News, (New York: Simon and Schuster, 1982), p. 66.

All politics have changed to fit this stage. The entourages of the Presidential candidates have become personal courts where the magicians and wise men are those who know the use and reach of television. The national political parties have been reduced to support forces. The map of politics has changed. The school maps still count 50 states of the Union, each with its fixed number of electoral votes. But the working maps of national politicians now divide the country into 60-odd ADIs--Areas of Dominant Influence--in which the major television centers control public attention.152/

From the standpoint of federalism, modern mass communications have become less and less supportive of decentralized governmental and party structures. The rise of electronic media has reinforced other factors eroding traditional attachments to political parties and federalism, focusing public attention on the national government and national problems, and helping to redefine as national concerns issues that heretofore were solely in the domain of state and local government. The overall effect of such coverage has been to heighten the salience of the federal government at the expense of local and especially state governments. This is particularly true of television because its coverage of issues tends to be far more national and political than that of the print media.

Apart from such direct influences, television has also affected government through its impact on the party system. As discussed, TV has supplanted many important party functions which traditionally reinforced the maintenance and operation of the federal system. Virtually all political observers agree that weakening of political parties is related to the rise of television as the most important tool of political communication.

Television, of course, is by no means the only nationalizing force in American politics. The explosion of interest groups at the national level over the past quarter century has altered the context and content of national policy making and may have established patterns which are now being replicated at the state level. The financial foundations of American politics also have been altered and in many respects nationalized in recent years as well, as the following two chapters reveal.

152/ White, America in Search of Itself, pp. 165-66.

Chapter 6

INTEREST GROUPS IN THE AMERICAN POLITICAL PROCESS

From James Madison to Madison Avenue, political interests have played a central role in American political life. That is a great continuity in our political experience, as is the ambivalence with which citizens, politicians, and scholars have approached interest groups.^{1/}

As the quote above suggests, interest groups have been a pervasive part of the American political scene since the nation's founding. And, although the study of such organizations, variously termed special interests, pressure groups, or factions, has waned somewhat over the past two decades, they have been a central concern to some of the nation's great political thinkers.

In recent years, political rhetoric has teemed with references to interest groups--generally alluded to as "the special interests,"--as an apparently new and presumably undemocratic force in American politics. Hence, recent campaigns have featured, if not actually revolved around, such phrases as "the special interests are running (or ruining) America" and "he is a captive of the special interests." Yet, while such verbiage is a mainstay of political campaigns, recent claims about the role of interests in America (greatly exaggerated in the heat of electoral politics), are at least partially prompted by very real changes in the numbers, strategies, and location of such groups--changes that affect the conduct of government in general and intergovernmental relations in particular.

Specifically,

1. Over the past 20 years there has been a great influx of interest groups into the nation's capital--groups with national policy perspectives, anxious to protect and preserve specific programs.
2. Many such national groups have begun establishing state and local branches, thus engaging in the sort of top-down policy that had come to characterize the government(s) they seek to influence.

^{1/} Allan J. Cigler and Burdett A. Loomis, "Introduction: The Changing Nature of Interest Group Politics," in Interest Group Politics, ed. by Allan J. Cigler and Burdett A. Loomis (Washington, DC: Congressional Quarterly Press, 1983), p. 1.

3. Although business remains the dominant type of interest represented in Washington, it has been joined in the last 20 years by a great number of public interest groups, including consumer groups, environmental groups, and welfare groups.
4. Among those public interests are a number of Washington-based or directed groups representing officials of state and local government.
5. The activities of interest groups have expanded as well. Hence, the 1950s portrait of the "lobbyist" seeking direct contact with, and influence on government officials has been supplemented by interest group activities once the purview of the political parties--activities such as forming political action committees to finance campaigns and referenda, initiating and mobilizing grass-roots support, and disseminating information to constituents and officeholders through the media and mails.

In the pages that follow, interest group politics will be examined. An effort will be made to draw some broad generalizations about the role of interest groups in the context of contemporary American politics and federalism. The chapter begins with an historical and theoretical overview that traces the evolution of American interest groups and interest group theory. It then moves on to an examination of the Washington interest group explosion during the decades of the 1960s and 1970s. Finally, it briefly explores recent changes in the interest group environment and considers whether those changes are the cause of a new decentralization of group activity.

INTEREST GROUPS: THE HISTORICAL AND THEORETICAL CONTEXT

The conventional wisdom holds that interest groups are an inevitable feature of political life in a democratic nation. The United States is no exception. The democratic principles underlying the American system of government, articulated in the Constitution and reaffirmed in the Bill of Rights, preserve the right of citizens to organize and pursue their interests in the marketplace and in the chambers of the nation's political institutions. Although most Americans have come to accept interest groups as an entrenched part of the political and economic culture, they are often perceived to be a potential threat to the maintenance and order of the political system, and to the public interest.^{2/} This apprehension about interest groups has a long and impressive his-

^{2/} See Alexander Hamilton, John Jay, and James Madison, The Federalist (New York: Modern Library, 1937).

tory, the antecedents of which lie in the debate surrounding the ratification of the United States Constitution.

The Madisonian Dilemma: Factions and Federalism

The dilemma is this: If the government does not allow people to pursue their self-interest, it takes away their political freedom. When we look at the nations of the world in which people are forbidden to organize and freely express political views, we find that there the dilemma has been solved by authoritarianism. Although the alternative--permitting people to advocate whatever they want--is far preferable, it carries dangers. In a system such as ours, interest groups can push government to enact policies that benefit small constituencies at the expense of the general public.^{3/}

James Madison, writing in defense of a "federal republic," was among the first Americans to publicly explore the political potential of interest groups, or "factions," in relation to the rights and freedoms inherent in a democratic system of government. As the quote above suggests, Madison's predicament was not one amenable to easy solutions. Yet, the manner in which Madison resolved this dilemma established the framework in which the role of interest groups in American political life has been evaluated in succeeding generations. As such, Madison's belief that "federalism" would be a powerful antidote to "minority factions" and a key ingredient in the cure for "majority factions" is critically important. Indeed, even after nearly 200 years of social and political change, the Madisonian conception of the relationship between faction and federalism is still inextricably entwined with contemporary notions about the formation and purpose of interest groups.

Curing the Mischiefs of Faction

In Federalist 10, Madison was confronted with the task of explaining one of the intricacies of political life to an audience still unconvinced that the system of government he advocated would protect their private interests from organized political collectives pursuing their own economic ends. Madison defined factions as follows:

A number of citizens, whether amounting to a majority or minority of the whole, who are united and actuated by

^{3/} Jeffrey M. Berry, The Interest Group Society (Boston: Little, Brown and Co., 1984) p. 1.

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.4/

Factions were, in his view, a disease common to all systems of popular government--a disease so fatal that the instability, injustice, and confusion they wrought had caused governments everywhere to perish.5/

Madison believed that there were two methods of curing the mischiefs of faction: remove its causes or control its effects. Yet, he viewed neither as viable options for a government based on popular sovereignty. Eliminating the causes of faction would be impossible to achieve without first changing human nature. The seeds of faction, he said, "are sown in the nature of man."6/ Madison also saw no way of suppressing the effects of faction short of destroying liberty--a "remedy ... worse than the disease."7/

Given that Madison considered neither the cause nor effect methods as appropriate cures for the ills of faction, "how then," as John Gardner phrased the question, "could a newly formed nation deal with that ancient, stubborn problem?"8/ For Madison, the answer to this question was not to be found in a system of government that sought to legally restrict the formation of interest groups. Instead, he argued that the remedy for factions lay within the framework of a new governmental system--a Federal Republic.

MAJORITY FACTIONS

It is important to note that Madison, though concerned with factions of all shapes and varieties, was primarily interested in controlling majority factions. In his view, a tyrannical majority was a faction that threatened the private economic rights of others by violating the basic precepts of a "free democratic" society. By virtue of its own constitutional devices, Madison believed that the government he advocated would suppress majority factions, pro-

4/ Madison, The Federalist, p. 55.

5/ Ibid., p. 54.

6/ Ibid., p. 54.

7/ Ibid.

8/ John Gardner, "The Mischiefs of Factions Revisited," Kettering Review (Winter 1983) p. 8.

tect property rights, and ultimately political liberty. His argument was three-fold.

First, Madison reasoned that the sheer number and variety of factions that evolve in a broadly constituted nation would "make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a motive exists ... to discover their own strength and act in unison with one another."9/ Permitting interest groups to flourish without government restraint would expand the scope of factional conflict and thus "increase the possibility that factions will counteract one another."10/

Federalism was to supply a second check on majority factions. Madison declared that the division of power between the two levels of government would result in "aggregate interests" being referred to national authorities and "local and particular interests to state legislatures."11/ The delegation of political responsibility between the largely independent sectors of government would, as a result, prevent a "factious leader" from one state "[spreading] a general conflagration through the other states," and dominating the nation at large.12/

Finally, Madison contended that the most effective remedy for the ills of an oppressive majority faction lay within the constitutional system of checks and balances and the separation of powers. This elaborate system of procedural safeguards was designed to fragment power so that no single branch or level of government could be co-opted by a faction whose purposes were antithetical to the rights of the people outlined by the constitution.

MINORITY FACTIONS

Madison conceived of minority factions as relatively small, loosely organized groups representing particularistic interests rather than broadly based economic movements. By virtue of their specialized goals, Madison argued that minority factions would generally be incapable of controlling the decision-making processes of a large democratic government--of, in effect, masquerading as the majority will. He stated:

9/ Madison, The Federalist, p. 61

10/ Cigler and Loomis, "The Changing Nature of Interest Group Politics," p. 9.

11/ Madison, The Federalist, p. 60.

12/ Ibid p. 61.

If a faction consists of less than majority, relief is supplied by the republican principle, which enables the majority to defeat its sinister views by regular vote. It may clog the administration, it may convulse the society; but it will be unable to mask its violence under the forms of the constitution.13/

Madison argued that minority factions had the potential to be politically disruptive forces especially at the state and local level. However, the probability that such groups would survive repeated challenges to their interests in the "regular vote" of local and state representative institutions and maintain enough collective power to traverse beyond to the national arena was, in his view, quite low.14/ As Schlozman and Tierney explain: "[Madison's] point is that, if the faction is a minority faction it threatens neither private rights nor the public welfare because the ordinary operations [the regular vote] of republican government will permit the majority to prevail."15/

A CURE WORSE THAN THE DISEASE?

History indicates that the Madisonian prescription for reducing the power of majority factions has, in most respects, worked. With few exceptions, majority factions have generally had little impact on American government. Minority factions, however, have proven to be far more problematic than either Madison or his colleagues had anticipated. As one scholar notes:

[The] constitutional safeguards ... preventing a single majority interest from dominating government ... in general, have been effective. However, the control of minority factions or special interests has proven far less successful. Such interests have found the decentralization of authority quite accommodating.16/

13/ Madison, The Federalist, p. 58.

14/ Ibid. Madison uses "regular vote" here a synonym for the republican principle of majority rule.

15/ Kay Lehman Schlozman and John Tierney, Organized Interests and American Democracy (New York: Harper and Row, forthcoming) Chapter 1.

16/ Andrew S. McFarland, "Public Interest Lobbies Versus Minority Factions," Abstract in Allan J. Cigler and Burdett A. Loomis, eds., Interest Group Politics (Washington, DC: Congressional Quarterly Press, 1983), p. 324.

Calhoun: A Theory of Concurrent Majorities

That the place, power, and problem of interest groups in American government has been a perennial intellectual concern was demonstrated next by John C. Calhoun. Like Madison, Calhoun viewed the dilemma primarily in terms of controlling majority factions. However, where Madison saw all factions as inevitable evils, Calhoun--in a sense, the nation's first pluralist thinker--saw them simply as inevitable and only necessarily evil when numerically larger groups tyrannized numerically smaller groups. Indeed, for Calhoun, brokering and compromise among similar interests created concurrent majorities--completely desirable safeguards against the abuses of governmental power.

According to Calhoun, a concurrent majority "differed from a numerical majority in that it collected the sense not of the greater number of citizens [as popular suffrage does] but of the interests within the political community."^{17/} The formation of a concurrent majority thus implicitly involves compromise and, indeed, toward the prevention of oppressive government actions, similar interests will be expected to yield their "peculiar interest[s] to secure the common interest and safety of all, including [their] own"^{18/}

Although Calhoun seldom explicitly equated his theory of concurrent majorities with his notions of state sovereignty, in a curious way, he did conceive of the states as factions or interest groups. According to Walter Hartwell Bennett:

Calhoun appears usually to have associated the concurrent majority principle ... with the role which the states as corporate entities had in the composition of the central government. For example, it is clear ... that he thought of the equal representation of states in the United States Senate as affording one of the best examples of the incorporation of the principle in the central government. The principle operated successfully when a minority of the voting population controlled enough states, and thus enough votes in the Senate, to defeat a measure desired and initiated by a numerical majority in control of

^{17/} Walter Hartwell Bennett, American Theories of Federalism (University, AL: University of Alabama Press, 1964), p. 130.

^{18/} John C. Calhoun, "A Discourse on the Constitution and Government of the United States," in The Works of John C. Calhoun, ed. by Richard K. Cralle (New York: 1854-57), Volume I, pp. 381-82.

the House of Representatives or one or more of the other branches of government.^{19/}

For Calhoun, the notion of the concurrent majority, whether of states or other affected interests, was as essential to the maintenance of freedom under constitutional government as was popular suffrage. Hence, popular suffrage afforded positive protection and rights to numerical majorities while the formation of a concurrent majority guaranteed necessary protection for minority interests by means of a powerful veto:

Without [the rule of concurrent majority] there can be ... no constitution. The assertion is true in reference to all constitutional governments It is, indeed, the negative power which makes the constitution--and the positive power which makes the government. The one is the power of acting--and the other the power of preventing or arresting action. The two, combined, make constitutional government [I]t follows... that where the numerical majority has the sole control of government, there can be no constitution ... and hence, the numerical, unmixed with the concurrent majority, necessarily forms, in all cases, absolute government The principle by which [governments] are upheld and preserved ... in constitutional governments is compromise--and in absolute governments is force ^{20/}

Stated in more contemporary terms, a concurrent majority may be thought of as a veto group. Thus, writing a century after Calhoun's death, Peter Drucker explained the South Carolinian's theory of interests in terms of the major economic "blocs" of the 1940s:

The "blocs"--the "Farm Bloc," the "Friends of Labor in the Senate," the "Business Groups," etc.--are simply the expression of the basic tenet of sectional and interest pluralism that major interests have a veto power on legislation directly affecting them. For this reason they must cut across party lines--that is, lines expressing numerical rather than the "concurrent" majority. And because these blocs have (a) only a negative veto, and (b) only on measures directly affecting them, they cannot in themselves be permanent groupings replacing the parties. They must be loosely organized; and one and the same

^{19/} Bennett, American Theories of Federalism, pp. 131-32.

^{20/} John C. Calhoun, A Disquisition on Government (Columbia, SC, 1852), pp. 35-37.

member of Congress must at different times vote with different blocs. The strength of the "blocs" does not rest on their numbers but on the basic mores of American politics which grant every major interest group a limited self-determination--as expressed graphically in the near sanctity of a senatorial "filibuster". The power of the "Farm Bloc" for instance, does not rest on the numerical strength of the rural vote--a minority vote, even in the Senate with its disproportionate representation of the thinly populated agricultural states--but on "strategic" strength, that is on its being the spokesman for a recognized major interest.^{21/}

Hence, though Calhoun's theory was propounded in support of the most repugnant of social and economic institutions--slavery--and became the basis for secession and national turmoil, ironically, by the middle of the 20th century, according to one observer, its new proponents touted as "its chief byproducts, ... moderation, accommodation, a special brand of responsibility, and nonfatic, nonideological politics."^{22/}

Pluralism in Theory, Practice, and Indictment

Fragmentation of power creates thousands upon teeming-thousands of power centers in the United States [A]n interest group that loses a battle ... can take up the cause in [a] branch of the federal government, ... or in the states, the counties, the cities, the townships, or the sewer districts. There is no one place where any interest group can win or lose all its battles^{23/}

Although basic group theories and organizing principles were well established by Madison and Calhoun, theirs was a very different society--dominated

^{21/} Peter F. Drucker, "A Key to American Politics: Calhoun's Pluralism," The Review of Politics, Vol 10, No. 4 (1948) pp. 414-15. Not surprisingly, for almost 100 years, from the end of the Civil War to Drucker's revival, outside of the deep South Calhoun's ideas were barely mentioned and the man himself was a virtual persona non grata. As Phillip Longman put it, "As things turned out, Calhoun didn't even make the Great Book series. For nearly a century after his death in 1850, the Senator's place in the Great Adventure of Ideas was largely forgotten outside his home state of South Carolina." "From Calhoun to Sister Boom-Boom: The Dubious Legacy of Interest Group Politics," The Washington Monthly (June 1983), p. 12.

^{22/} David B. Walker, "The Balanced Budget Movement: A Political Perspective," Intergovernmental Perspective, Vol. 5, No. 2 (1979), p. 16.

^{23/} Walter Dean Burnham, Democracy in the Making (Englewood Cliffs, NJ: Prentice-Hall, 1983), p. 160.

by rural (for Calhoun, peculiarly plantation) interests, relatively strict practical adherence to laissez faire economics, and a very limited popular franchise afforded a homogeneous group of voters.

Following the Civil War, that largely agrarian system began to give way to one characterized by its swelling urban pockets, by an industrial capitalist economic base, by gradually increasing government intervention into the economy and social welfare, and by a far more universal and heterogeneous franchise.

And it was within the context of that new society that interest groups, the modern manifestation of minority factions, began their gradual climb to the forefront of American politics. It was then that a confluence of political and economic forces gradually started blurring the lines distinguishing what Madison referred to as the particularistic interests of state and local governments and the aggregate interests of the Union.

Economic Progress, Social Complexity, and Governmental Growth:
New Avenues of Interest Group Influence

The industrialization of the American economy spawned several technological innovations that radically changed the social and political culture of the nation, including the communications and transportation revolutions:

A precondition for the vast multiplicity of groups ... is ... communication. The mass newspaper, telegraph, radio, and motion pictures, not to mention the ... changes in the speed of transportation, have facilitated the interactions of [people] only slightly dependent if at all, on face-to-face contact [These innovations have] largely rendered obsolete ... Madison's confidence in the dispersion of the population as an obstacle to faction.^{24/}

Indeed, as David Truman goes on to say, these technological advances made it possible for disparate groups from across and between the states to recognize their common interests and to unite. As proof, he points to the many professional and trade organizations (the American Medical Association, for example) that built nationwide interest group networks between 1900 and 1930.^{25/}

Just as the technological innovations of the industrial revolution make it possible for interest groups to defy the structural boundaries of federalism as

^{24/} David B. Truman, The Governmental Process: Political Interest and Public Opinion 2nd ed. (New York: Alfred Knopf, 1971) p. 55.

^{25/} Ibid., pp. 93-94.

a routine matter of course, the diversification of the nation's economic base and the subsequent increase in social complexity that accompanied industrialization provided interest groups with greater incentives to seek political recourse at the national level than ever before.

Organizations representing the dominant interests driving America's newly emerging national economy--industrial, manufacturing, and financial giants--gradually began to focus more of their lobbying efforts on the political institutions with the greatest potential to influence policy: Congress, the Presidency, and the Supreme Court.^{26/} The battles waged by these economic interests in the national political arena on issues ranging from the tariff policy to tax and antitrust legislation, signaled the beginning of a new era in government and interest group relations.

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 of interest group tested the basic underpinnings of Madison's prescription for minority and majority factions; their national orientation placed them outside the political realm of defeat by the regular vote of state and local institutions and their ability to influence the aggregate interests of the nation as a whole bought them unprecedented access to political decision makers in the nation's capital. As the precursors to what are now referred to as "special interests," these groups were able to "capitalize on their economic leverage and the fragmentation of power in the constitutional system itself to establish a firm political presence in national policy."^{27/}

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 social reform-minded interest groups--i.e., the early Progressives, labor unions and the Anti-Saloon League.^{28/} Although grass roots movements in origin for the most part, these

^{26/} See Graham Wilson, Interest Groups in the United States (Oxford, England: Clarendon Press, 1981).

^{27/} Walter Dean Burnham, Democracy in the Making, p. 206.

^{28/} See Schlozman and Tierney, Organized Interests and American Democracy, chapters 1 and 2, for a discussion of social interest groups.

interest groups 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 the inability to resolve issues in the chambers of state and local institutions and at other times because those institutions were viewed as captives or perpetrators of the social injustices these groups were mobilized against.

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 their 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--and to convince a hungry, muckraking media of the social righteousness of their causes, or the wrongness of their opponents' positions. As E. E. Schattschneider points out, 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 came to be.^{29/}

The Conceptual Emergence of Pluralism in the "Process of Government"

Noting the power and peculiarities of group politics during the early part of the century was sociologist Arthur Bentley whose seminal work, The Process of Government, would later become the basis for other examinations of the role of interest groups. If Calhoun was arguably the first pluralist thinker, Bentley was, unquestionably, the father of pluralist theory.

Thus, to Bentley, interest groups were not merely a sociological curiosity capable of occasionally influencing government. Indeed, their influence was pervasive--American politics were group politics and vice versa:

We shall have to take all these political groups, and get them started with their meaning, with their value, with their representative quality. We shall have to get hold of political institutions, legislatures, courts, execu-

^{29/} See E. E. Schattschneider, Politics, Pressure and Tariffs (Englewood Cliffs, NJ: Prentice-Hall, 1935) chapters 1 and 2.

tive officers, and get them started as groups, and in terms of groups.^{30/}

Bentley argued that within Madison's tract on factions lay the seeds for a theory of modern democratic government whose driving force was the competition among interest groups.^{31/} By focusing, as he claimed Madison did, on the inevitability of faction in a nation founded on democratic principles, Bentley stressed the representative virtues inherent in the struggle among the "plurality" of American groups. In his conception, it then became government's job to act both as a mediating force in group conflict and as the final guardian or arbiter on behalf of the public interest--a necessity, since in Bentley's view, "government by the people" essentially was simply "a slogan and a rallying cry for some particular groups at special stages of their development."^{32/} Hence, as one scholar summarizes Bentley's pluralist theory:

Pluralist theory assumes that within the public arena there will be countervailing centers of power within governmental institutions and among outsiders. Competition is implicit in the notion that groups, as surrogates for individuals, will produce products representing the diversity of opinions that might have been possible in the individual decision days of democratic Athens.^{33/}

With David Truman's publication of The Governmental Process in 1951, the place of groups in political theory and the notion of groups as a normal, intrinsic, and even vital part of the political process became a dominant mode of social science thinking.

[T]he behaviors that constitute the process of government cannot be adequately understood apart from the groups, especially the organized and potential interest groups, groups, which are operative at any point in time. Wheth-

^{30/} Arthur F. Bentley, The Process of Government (San Antonio: Principia Press, 1949), p. 210, cited in Norman J. Ornstein and Shirley Elder, Interest Groups, Lobbying, and Policymaking (Washington, DC: Congressional Quarterly Press, 1978), p. 11.

^{31/} Bentley, The Process of Government, chapter 1.

^{32/} Ibid., cited in Ornstein and Elder, Interest Groups, Lobbying, and Policymaking, p. 11.

^{33/} Carole Greenwald, Group Power (New York: Praeger Publishing Co., 1977), p. 305.

er we look at an individual citizen, at the executive secretary of a trade association, at a political party functionary, at a legislator, administrator, governor, or judge, we cannot describe his participation in the governmental institution, let alone account for it, except in terms of the interests with which he identifies himself and the groups with which he affiliates and with which he is confronted

[M]ost interest groups become politicized on a continuing or intermittent basis. In this respect, therefore, such organized groups are as clearly a part of the governmental institution as are the political parties or the branches formally established by law or constitution.^{34/}

According to Truman, the existence of groups was neither necessarily good nor necessarily bad. Simply, it necessarily was.

"Pluralism" and the "New Liberalism":
Changing Contexts for Groups and Governments

Until the New Deal, interactions between interest groups and the national government tended to be confined to trade, economic regulatory, and tax policies that affected or could affect the three dominant interests competing for profits, power, and position in America: agriculture, business, and labor. With few exceptions, the national government had not yet assumed the roles of health and social regulator, nor large scale subsidizer. Adherence to doctrines of laissez-faire economics and dual federalism was still the governmental norm and intervention on behalf of all but the most powerful and best organized groups was rare.

America's plunge into the Great Depression, its attempts to mitigate the hardships of that catastrophe in order to salvage the system itself by means of aggressive national intervention, and the country's total commitment in the 1940s to the war in Europe and Asia radically altered notions about the role of government and the position of groups therein.

Hence, by the time the nation emerged from nearly two decades of turmoil and conflict, a passive national government, long delimited by those boundaries known as federalism and the marketplace, had been replaced by the positive central state; the "evils of faction" replaced by "healthy competition" among multiple groups vying for federal legislative, executive, and judicial favor in a

^{34/} David B. Truman, The Governmental Process p. 502.

"pluralist" society. That positive conception of government, often termed the new liberalism,^{35/} and its gradual acceptance by the established political order opened Congress and the White House to a multitude of groups that viewed government as an available and willing means of securing their interests.

Regulating Pluralism: The Lobbying Act of 1946

The influx of interest groups into the national political arena during and after the New Deal period expanded the domain of factional conflict in national political institutions far beyond all previous levels. Some members of Congress accepted the ever growing number of trade and business associations into the national policy making forum without hesitation--believing that the political inputs of such groups, particularly in regulatory policy, would enhance the democratic process.^{36/} Other legislators, however, were much less sanguine:

Competition among established groups and newly formed organizations intensified in virtual direct proportion to the institution of the New Deal policies and programs Congress, while experienced with the maneuverings of the big three [labor, business, and agriculture], was not prepared to cope with the demands of so broad a spectrum of interests--many of whom had previously been entrenched opponents of government growth in the private sector.^{37/}

In response to growing concerns over the activities of organized interests, in 1946, Congress passed its first general-purpose lobbying statute.^{38/} That legislation, the Federal Regulation of Lobbying Act, was designed not so

^{35/} See Theodore J. Lowi, The End of Liberalism: Ideology, Policy, and the Crisis of Public Authority, 2nd ed., (New York: W.W. Norton and Company, Inc., 1969).

^{36/} Ibid., pp. 25-28.

^{37/} Lawrence C. Dodd, remarks at a roundtable on the "Survival of the Legislature in an Executive Age," presented to the annual meeting of the American Political Science Association, September 1984.

^{38/} As part of the Public Utilities Holding Act of 1935, representatives of such companies dealing with Congress, the Securities and Exchange Commission, or the Federal Power Commission were required to register with the SEC. In addition, in 1936, Congress passed similar legislation affecting shipbuilders and operators in their dealings with Congress or the Maritime Commission.

much to regulate as to "disclose basic information about the significant activities of professional lobbyists."39/

Despite the relatively mild nature of the legislation, a certain measure of Congressional alarm over what was perceived to be increasing interest group influence was manifest in the summary of the special joint committee that reported the legislation--a summary that sounded an almost Madisonian note in its expression of concern:

In the last analysis, Congress is the center of political gravity under our form of government because it reflects and expresses the popular will in making national policy. Too often, however, the true attitude of public opinion is distorted and obscured by the pressures of special interest groups. Beset by swarms of lobbyists seeking to protect this or that small segment of the economy or to advance this or that narrow interest, legislators find it difficult to discover the real majority will and to legislate in the public interest As the law making, money raising, and appropriating agency in the federal government, the acts of Congress affect the vital interests of these organized groups, many of which maintain legislative agents on or near Capitol Hill. These agents seek to transform the aims and programs of their groups in public policy by having them embodied in general legislation The public welfare suffers in the warfare of private groups and Congress becomes an arena for the rationalization of group and class interest.40/

Thus, while a new theory about positive government and the place of interest groups within that government raged in academia, many of the old apprehensions about "factions" continued to linger.

The Pluralist Vision:
Fruits of the New Liberalism

As the new liberalism gained credence in the academic community, scholars began to reevaluate theories on interest group politics that were based on Madison's discussion of faction in Federalist 10. Hence, as briefly discussed

39/ Opening Statement of Senator Dave Durenberger in U.S. Congress, Senate, Committee on Governmental Affairs, Oversight of the 1946 Federal Regulation of Lobbying Act, Hearings Before the Committee on Governmental Affairs, 98th Cong., 1st Sess., 1983, p. 1.

40/ Report of the Special Joint Committee on Federal Regulation of Lobbying, 1946, cited in Ibid., p. 254.

before, David Truman broke step with the conventional wisdom, proffering a positive view of interest groups.

According to Truman, interest or pressure groups, as he referred to them, were a source of political equilibrium--a "balance wheel"--that served to maintain political stability in an increasingly complex and specialized governmental system.^{41/} The rise of private associations and their transformation into pressure groups is seen from this perspective as an effort to adjust relations between the private sector and government. Moreover, for Truman and other proponents of the pluralist view, the expansion of government was construed as a means of providing interest groups with the access and influence necessary to exert the kind of countervailing pressure in the political decision making arena that Madison hoped they ultimately would:

The significance among the multiplicity of co-ordinate or nearly co-ordinate points of access to government decisions and the complicated texture of relationships among them is great. This diversity assures various ways for interest groups to participate in the formulation of policy, and this variety is a flexible, stabilizing element.^{42/}

Judging from the works of some of the writers of the day, the new liberal state and pluralism were complimentary forces--operating inside and outside government--destined to be the hallmark of democratic government in the modern world.

Pluralism in Action? Government Growth and
The Dawn of New Interest Group Politics

Beginning in the 1960s and continuing through the 1970s, the national government exploded. In area after area, from the alleviation of poverty to the amelioration of the environment, the search for federal solutions to society's ills fostered an enormous proliferation of policies in the nation's capital.

Among other results, those programs and policies had as offspring new groups that benefited or could potentially benefit from the new federal generosity.^{43/} In turn, as two political economists noted in 1962:

^{41/} Truman, The Governmental Process, p. 514.

^{42/} Ibid., p. 519.

^{43/} Advisory Commission on Intergovernmental Relations, An Agenda for American Federalism: Restoring Confidence and Competence, A-86, Vol. X of The Federal Role in the Federal System: The Dynamics of Growth (Washington, DC: U.S. Government Printing Office, 1981), pp. 14-16.

... other functional or interest groups, observing the success of the first, will now find it profitable to invest resources (funds) in political organization. The pressure group, as such, will rapidly become a part of the political decision-making process. Moreover, because of the activities of such groups, the range and extent of collective action will tend to be increased. As more and more groups ... recognize the advantages to be secured by special political dispensation, this ... process will continue. The ultimate "equilibrium" will be reached only when all groups have become fully organized.^{44/}

Thus, the programs of the 1960s and 1970s begot an explosion of interest groups--or, in the terminology of another era, an explosion of minority factions.

Madison Turned Upside-Down:
A New Theory of Minority Faction

Was this new "whole" to be a sum of its parts? In 1965, economist Mancur Olson posited the theory that unless some form of coercion is employed, large, broad-based interests will find it difficult to organize and secure meaningful collective benefits:

First, the larger the group, the smaller the fraction of the total group benefit any person acting in the group interest receives, and the less adequate the reward for any group-oriented action, and the farther the group falls short of getting an optimal supply of the collective good even if it should get some. Second, since the larger the group, the smaller the share of the total benefits going to any individual, or to any (absolutely) small subset of members of the group, the less the likelihood that any small subset of the group, much less any single individual, will gain enough from getting the collective good to bear the burden of providing even a small amount of it; in other words, the larger the group, the smaller the likelihood of oligopolistic interaction that might help obtain the good. Third, the larger the number of members in the group the greater the organization costs, and thus the higher the hurdle that must be jumped before any of the collective good at all can be obtained.^{45/}

^{44/} James M. Buchanan and Gordon Tullock, The Calculus of Consent: Logical Foundations of Constitutional Democracy (Ann Arbor: The University of Michigan Press, 1965), pp. 287-88.

^{45/} Mancur Olson, The Logic of Collective Action: Public Goods and the Theory of Groups, 2nd ed. (Cambridge: Harvard University Press, 1973), p. 48.

In a sense, then, potential "majority factions" such as taxpayers and consumers suffer for lack of representation.^{46/}

On the other hand, according to Olson, economic and social incentives create a much greater possibility that small numbers of like-minded individuals, businesses, etc., will effectively and efficiently organize because each member of a small collective will receive some meaningful benefit that he, she, or it would not have received in the absence of the group. As a result, large, broad-based interests generally will be defeated by small, well organized groups. Thus, greater danger was to be found in minority suppression of majority will than vice versa.^{47/}

If Olson's notion of minority faction dominance seemed to turn Madison's fear of faction upside down, Grant McConnell's prescription for curing the ills of minority faction weighted Madison's federal system decidedly toward the center. Unlike Madison, who believed that minority factions would normally be unable to survive repeated challenges in the "regular vote" of state and local representative institutions, McConnell argued that the great danger of minority interests lay at the state and local level where their narrow, particularistic views tended to dominate policy to the detriment of the common good.^{48/}

As an antidote to the "mischiefs of minority faction," McConnell urged greater centralization of power within the national political parties and national governmental institutions. According to Andrew McFarland:

McConnell's innovation in the theory of minority faction was his criticism of the American penchant for decentralization of government--for delegating powers to state and local government, and decentralizing administrative authority from Washington to "grass-roots" committees of local citizens. McConnell argued that interest groups representing the economic, social, and political status quo were more predominate at the state and local level than in the Presidency, Supreme Court, or in the leadership of the national political parties. In McConnell's view, decen-

^{46/} Ibid., pp. 165-67.

^{47/} For an early view of "tyranny" by minority faction, see E. E. Schattschneider, Politics, Pressure, and the Tariff.

^{48/} Grant McConnell, The Decline of Agrarian Democracy (Berkeley: University of California Press, 1953), and Grant McConnell, Private Power and American Democracy (New York: Alfred A. Knopf, 1966).

tralization hurt the interests of the poor person, the consumer, and the conservationist He wanted to increase the authority of a centralized, federal government, which would broaden the scope of conflict to check the power of localized minorities.49/

Dr. McConnell's "cure" relied on the same analysis as Dr. Olson's diagnosis. Theory was rapidly enjoined by practice in the 1960s.

THE WASHINGTON INTEREST GROUP EXPLOSION

I can't remember a time in Washington when interest group issues and politics so dominated events. And every day the units of protest and concern seem to be subdividing into even smaller and more specialized groupings.50/

It is indeed one of the great ironies of the study of politics that the major theoretical research into the nature, extent, and influence of interest groups came to a virtual end during the decades of the 1960s and 1970s--precisely the era when such groups were changing and growing in more profound ways than ever before in history. As Loomis and Cigler point out, among the changes have been:

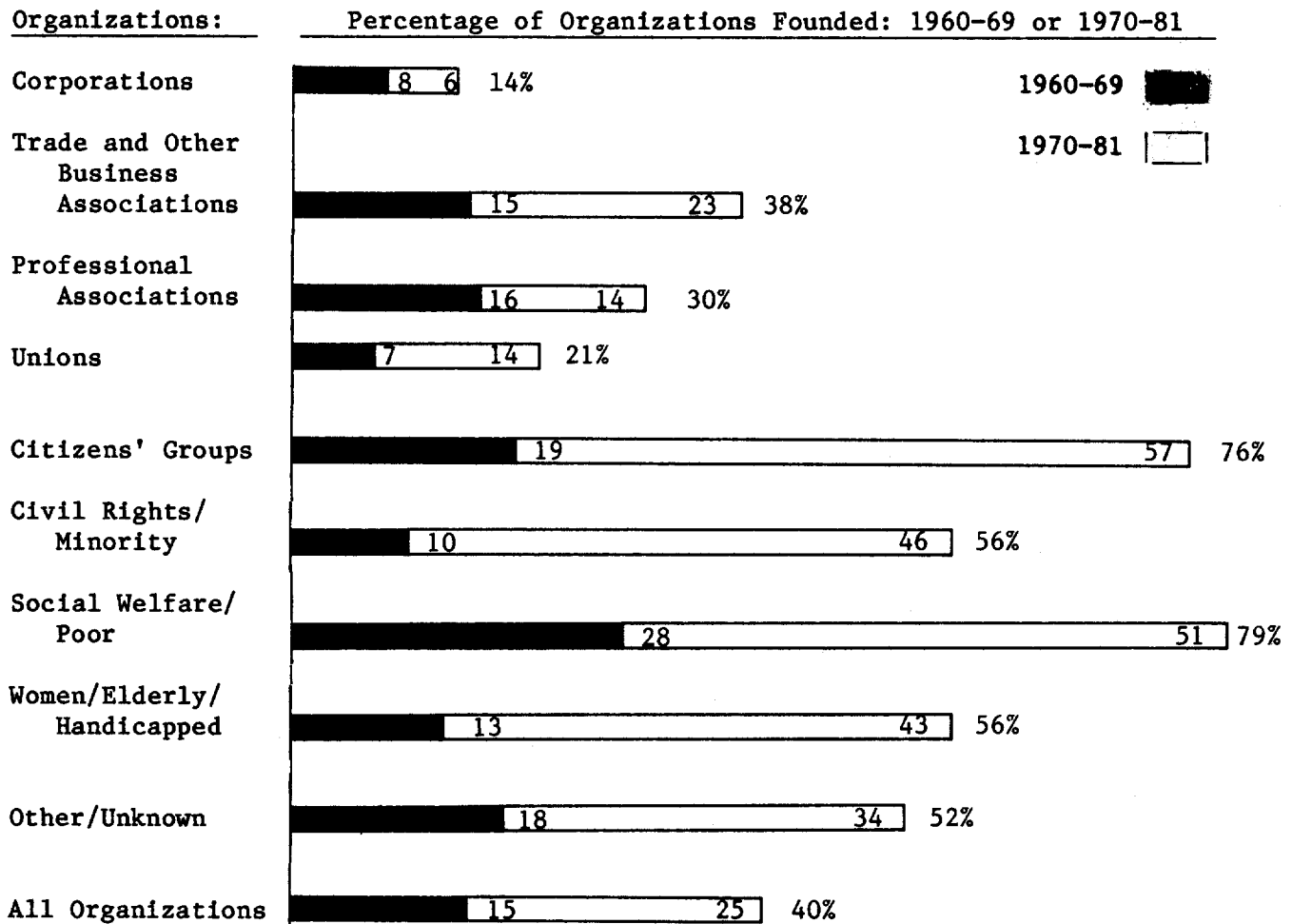
- 1) a great proliferation of interest groups since the early 1960s;
- 2) a centralization of group headquarters in Washington, DC, rather than New York City or elsewhere;
- 3) major technological developments in information processing that promote more sophisticated, timely, and specialized grassroots lobbying;
- 4) the rise of single-issue groups;
- 5) changes in campaign finance laws ... and the ensuing growth of political action committees;
- 6) the increased formal penetration of political and economic interests into the bureaucracy (advisory committees), the Presidency (White House group representatives), and the Congress (caucuses of members);

49/ McFarland, "Public Interest Lobbies Versus Minority Factions," pp. 330-31.

50/ Meg Greenfield, "Thinking Small," The Washington Post, 19 April 1978, pp. A13, quoted in Norman J. Ornstein and Shirley Elder, Interest Groups, Lobbying, and Policymaking (Washington, DC: Congressional Quarterly Press, 1978), p. 228.

Graph 6-1

DATES OF FOUNDING OF ORGANIZATIONS HAVING WASHINGTON OFFICES



SOURCE: Kay Lehman Schlozman and John Tierney, Organized Interests and American Democracy (New York: Harper and Row, forthcoming), Table 4-2.

- 7) the increased number, activity, and visibility of "public interest" groups, such as Common Cause, and the Ralph Nader-inspired public interest research organizations; and
- 8) the continuing decline of political parties' abilities to perform key electoral and policy-related activities.^{51/}

Of the changes occurring among interest groups over the past 20 years, perhaps none have been as dramatic as the sheer increase in their numbers, coupled with their massive, formal influx into Washington. Thus, as Graph 6-1

^{51/} Cigler and Loomis, Interest Group Politics, pp. 1-2.

Table 6-1

THE CHANGING WASHINGTON PRESSURE COMMUNITY

	1960	1980	
	Organizations Listed in Congressional Quarterly	Organizations Having Their Own Washington, DC, Offices	All Organizations Having Washington, DC, Representation
Corporations	16%	21%	52%
Trade and Other			
Business Associations	41%	32%	20%
Professional Associations	5%	15%	8%
Unions	11%	3%	2%
Citizens' Groups	9%	9%	5%
Civil Rights/ Social Welfare/Poor	2%	3%	2%
Women/Elderly/Handicapped	2%	3%	1%
Other/Unknown	15%	14%	9%
	-----	-----	-----
TOTAL	101%	100%	99%
Number =	523	2,721	5,769

SOURCES: Based on information from Congressional Quarterly Almanac, 1960 (Washington, DC: Congressional Quarterly, Inc., 1960); Arthur C. Close, ed., Washington Representatives, 1981 (5th ed., Washington, DC: Columbia Books, Inc., Publishers, 1981); and Denise S. Akey, ed., The Encyclopedia of Associations (16th ed.; Detroit: Gale Research Company, 1981). In Kay Lehman Schlozman and John T. Tierns Organized Interests and American Democracy (New York: Harper and Row, forthcoming), p. 2, Table 4-3.

illustrates, among about 2,400 organizations having offices in Washington (80% of the 3,000 listed in the 1981 Washington Representatives directory), 40% have been founded since 1960 and 25% since 1970.^{52/} Furthermore, although business interests (corporations, trade, and business associations taken together) remain by far the dominant type of interest represented in the nation's capital (see Table 6-1), the greater growth in Washington interest representation occurred among a new breed of social welfare and consumer oriented groups.^{53/}

As with any other political phenomenon, it is difficult to pinpoint any

^{52/} Schlozman and Tierney, Organized Interests and American Democracy, pp. 4-21.

^{53/} Ibid.

one exact cause for the proliferation of interest groups generally, and at the national level in particular. Nonetheless, a number of factors may be identified which together contributed to their enormous increase.

Government Growth and Interest Group Proliferation

First, as a previous section noted briefly, the 1960s and 1970s were decades that saw a tremendous program explosion in the nation's capital--and with those programs, an explosion in the number of beneficiary groups, from environmentalists to the handicapped, from higher education proponents to state and local governments themselves:

[During the period], the size and scope of federal government activity began an explosion which continued almost uninterrupted, during both Republican and Democratic administrations, until slowed by the Reagan Presidency. This accretion of responsibilities, perhaps more than any other single factor, sparked a parallel evolution in the growth of pressure groups which formed around the new government policy initiatives, encouraged by government-provided benefit packages.^{54/}

Hence, although some interest groups in Washington played an important role in translating the expansionist mood of the 1960s and 1970s into concrete policies and programs, they often did so in response to Congressional and executive policy entrepreneurs. As Jack Walker explains:

More than half of the 46 groups representing the elderly in my study were formed after 1965, the year of the great legislation breakthroughs of Medicare and the Older Americans Act. Many other groups in fields like education, mass transportation, and environmental protection also sprang up after the passage of dramatic new legislation that established the major outlines of public policy in their areas. In all of these cases, the formation of new groups was one of the consequences of major new legislation, not one of the causes of its passage.^{55/}

^{54/} Richard C. Sachs, Joseph E. Cantor, and Thomas H. Neal, "Congress and Pressure Groups: Lobbying In a Modern Democracy," draft committee print prepared according to the instructions of the Senate Committee on Governmental Affairs, The Congressional Research Service, Library of Congress, March 19, 1985, p. 47. See also, for example, ACIR, An Agenda for American Federalism, A-86, pp. 14-16.

^{55/} Jack Walker, "The Origins and Maintenance of Interest Groups In America," American Political Science Review, June 1983, p. 403.

Walker's conclusion is supported by ACIR's study of the Federal Role in the Federal System:

[T]he importance of [interest] groups very often lies not in their greatly exaggerated ability to create or to advocate successfully brand new policies, but rather in the ability of policies to generate new interest groups. And, once established, a group will inevitably work to sustain the policy that gave it life. If policy is primarily "created" by Congress, to interest groups--the "offspring" of policy--accrues its care and feeding.^{56/}

And, indeed, as the national government continued to traverse further into new policy frontiers, it provided an impetus for forming additional interest groups, while fostering increased political interest and activity among groups that had previously formed.

While many of these groups were privately financed, some, such as the O.E.O. Legal Services Program and the various interest groups representing state and local officials were publicly funded, with the curious result of tax dollars often being spent to attract other tax dollars.

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 policy makers to gain firm administrative control over all the programs they instituted allowed interest groups to become integral actors in the implementation process. These two types of governmental actors came to rely on each other, with mutually beneficial results. While such activities were not unprecedented, the scale at which they occurred was certainly unique to the late 60s and early 70s. In short, growth in the national government not only mobilized groups, it also enlarged the scope of interest group politics.

Politics of the New Technologies

A second impetus to the rise in the number, kinds, and activities of interest groups over the past two decades were increasingly sophisticated and far-reaching technologies, particularly in the realm of computers and media, that made it easier and less expensive for groups to reach both constituencies and incipient constituencies. Hence, computer technologies have been utilized to

^{56/} ACIR, An Agenda for American Federalism, A-86, p. 14.

develop and implement massive direct mailings complete with personal touches.^{57/} Meanwhile active use of the media, particularly television, has increased to an entire nation the audience available for interest group publicity and appeals.^{58/} This has been a particular boon to some of the newer style groups, as Nelson Polsby points out:

Over the short run this has meant the rise in the influence of groups with, oddly enough, few or no members but good public relations--examples would be various offshoots of Ralph Nader's operations --in comparison with groups having large memberships--trade unions are an obvious example--but no particular skill at feeding the mass media the sorts of things they like to process.^{59/}

Party Decline and Interest Group Prominence

Third, the declining influence of the political parties may have helped to increase the influence of interest groups. In reinforcing fashion, the increasing influence of interest groups may be adding to a continuing erosion of party dominance in the policy making process. Thus, as Cigler and Loomis note:

The weakness of political parties has helped to create a vacuum in electoral politics since 1960, and in recent years interest groups have aggressively moved to fill it.^{60/}

Conversely, Gitelson, Conway, and Feigert have asserted that

... the expanded roles played by interest groups in recent years have contributed to the erosion of party influence in the political system.^{61/}

^{57/} See Chapter 7 of this report, "Campaign Finance: The High Cost of Democracy."

^{58/} For a discussion of the impact of media on politics see Chapter 5 of this report, "Mass Media and National Politics: Political Communications and Federalism."

^{59/} Nelson W. Polsby, "Prospects for Pluralism in the American Federal System: Trends in Unofficial Public-Sector Intermediation" (unpublished and undated manuscript), p. 29.

^{60/} Cigler and Loomis, Interest Group Politics, p. 20.

^{61/} Alan R. Gitelson, M. Margaret Conway, and Frank B. Feigert, American Political Parties: Stability and Change (Boston: Houghton Mifflin Company, 1984), p. 350.

In any event, the roles played by parties, on the one hand, and interest groups, on the other, have changed over the years:

One role of political parties is to act as intermediaries between citizens and government; the parties mediate and aggregate citizen demands and thus enable government to focus its attention on what the President and majorities in Congress perceive to be society's important problems. In the past, the parties have done this through the building of coalitions: for example, the New Deal coalition of blacks, white ethnics, blue collar urban workers, and liberals forged by the Democrats in the 1930s. But the turbulent social and economic change of the last 20 years have thrown once stable coalitions into disorder, challenging longheld assumptions without replacing them with innovative ideas of governing. The absence of an ideology to sustain new stable coalitions to address new issues has reduced the parties' effectiveness in representing group demands and has encouraged the groups to appeal more directly to government officials.62/

Indeed, over the past 20 years or so, many interest groups have begun adopting techniques of influence traditionally employed by, and within the purview of the political parties. For instance, many groups have entered into areas of constituent education and mobilization in which the parties had long held an uncontested monopoly. As a result there has been a gradual blurring of the distinctions between interest group and party politics and ultimately a change in the political status of both--a change dramatically manifested in a 1983 ACIR-Gallup poll which found that almost half the population (45%) believed that organized interest groups best represent their political interests, compared with only 34% who believed that either of the major political parties does so.

Prior to 1964, interest groups in Washington primarily engaged in institutional lobbying.63/ Most tended to focus their efforts on lobbying legislators and administrators--typically committee chairs and high level executive officials--by exchanging technical advice and information, and, on occasion, by

62/ Sachs, et al., "Congress and Pressure Groups," pp. 52-53.

63/ For a more in-depth discussion of the differences between outside and inside (or institutional) lobbying strategies see Thomas Gais and Jack Walker, "Pathways to Influence in American Politics: Factors Affecting the Choice of Tactics By Interest Groups," Discussion Paper #184, Ann Arbor, MI, University of Michigan, Institute of Public Policy Studies, January, 1983.

subtly applying political pressure. Seldom did these kinds of political interactions include direct contributions to candidates for national office. Nor did they usually involve daily contact or interchanges with constituents. Thus, interest groups generally confined their activities to private face-to-face negotiations with national politicians, with little or no scrutiny or discourse.^{64/}

Thus, roughly 62% of a small but representative sample of established interest groups in Washington during the early 1960s claimed that their involvement with national policy makers was of the institutional lobbying type.^{65/} However, a similar survey conducted in 1966 found that this pattern in interest group politics was beginning to change.^{66/} 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, by 1975, researchers found that many of the established interest groups in Washington had expanded their political activities to include media and mail lobbying as well as the formation of political action committees.^{67/}

Although such tactics were new to a majority of interest groups, they were certainly not new to politics. Many of the techniques for financing campaigns and for mobilizing and educating the public had been developed initially 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 prominent employers of "party" strategies was an indication both of the weakness of the parties and of the growing strength of interest groups themselves.

^{64/} See Lester W. Milbraith, The Washington Lobbyist (Chicago: Rand McNally, 1963).

^{65/} Ibid., p. 117.

^{66/} James Deakin, The Lobbyists (Washington, D.C.: Public Affairs Press, 1966), p. 28.

^{67/} Jeffrey Berry, Lobbying for the People (Princeton, NJ: Princeton University Press, 1977). Berry notes that this transition in lobbying activities was stimulated by the influx of citizen or public interest groups into the Washington community in the late 1960s and early 1970s. Established groups of all genre were quick to adopt the new strategies of influence once their effectiveness became apparent.

In recent years, the functions of interest groups and the parties have continued to coalesce 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.

Increasing the Pathways to Influence:
The Impact of Structural and Procedural Changes in Congress

A fourth impetus to the proliferation of interests in the nation's capital has been Congress itself. Thus, as analysts with the Congressional Research Service noted recently:

Before the 1970s, with legislative influence more centralized in a small number of party leaders and committee chairmen, lobbyists could concentrate their efforts on a few individuals. As the locus of policy making has expanded, from the committees to the subcommittees and to the floor, lobbyists have had to increase their activities to cover the large numbers of members who may influence legislative outcomes. Moreover, the open meetings rules of the last ten years have lowered some barriers separating members from group pressures. Lobbyists now attend markup sessions and conference committee sessions that used to be held in closed session. In this respect, members are no longer as insulated from lobbyists as when they were able to conduct official business behind closed doors, and pressure groups are better able to hold members accountable for their actions. These procedural changes, however, have also meant that groups have had to raise the level of their activities.^{68/}

The same phenomenon has been observed by John Tierney:

The many changes in Capitol Hill over the past decade--the proliferation of subcommittees, the greater importance of Congressional staff ... the greater importance of policy entrepreneurs both among elected representatives and staff, the requirements for open meetings, the rapid turnover in Congressional membership--all of these things have altered the environment of legislative lobbying and have

^{68/} Sachs, et al., "Congress and Pressure Groups," pp. 51-52.

left pressure groups bent on influencing officials with little choice but to escalate the range and volume of their activities.69/

Strategies included inter-interest group cooperation to build larger coalitions, grassroots lobbying, and the increased use of campaign assistance.

Interest Groups and the Law of Campaign Finance

Finally, it should be noted that changes in federal campaign finance law occurring over the past decade or so have profoundly altered the nature and scope of interest group involvement in federal elections and the federal system generally. Although the PAC system itself is decentralizing in a functional sense, the decision-making structures and financial distribution arrangements of many national PACs are quite centralizing, allowing national organizations to fund local Congressional races. Moreover, those funds may be generated by sophisticated techniques which allow some national groups to activate national constituencies.70/

INTEREST GROUPS IN AN ERA OF FEDERAL RETRENCHMENT

[T]he overall legacy of the Reagan Administration may be an increase in interest group activity. In response to changes in their established means of influencing policy, human resource interest groups have engaged in greater efforts at coalition building, have attempted to mobilize their membership through greater grassroots activity, and have expanded their presence at the state level. These responses point to a strengthening of interest groups in the long run.71/

In 1983, Harold Wolman and Fred Teitelbaum of the Urban Institute completed an examination of "Interest Groups and the Reagan Presidency." Though somewhat tentative and focusing primarily on "human service oriented groups"--health, social service, income maintenance, education, etc.--their findings and

69/ Testimony of John Tierney in Senate Committee on Governmental Affairs, Oversight of Lobbying Act, pp. 110-111.

70/ Please refer to Chapter 7 of this volume, "Campaign Finance: the High Cost of Democracy."

71/ Harold Wolman and Fred Teitelbaum, "Interest Groups and the Reagan Presidency: Assessing Changes in Interest Group Behavior and Impact," paper for the Changing Domestic Priorities project, Ford Foundation and John D. and Catherine T. MacArthur Foundation, sponsors, November 1983, pp. 52-53.

conclusions represent a valuable addition to the interest group literature in general and a singular contribution to an understanding of interest groups in an era of federal spending retrenchment.^{72/}

Interest Groups in the 80s:
A Changing Policy Context

During the Reagan era, interest groups have faced a considerably different environment than that of the previous two decades. Specifically, it is an environment characterized by decentralization, defunding, fiscal discipline, and changes in the structure of fiscal decision making.

The move toward decentralization has been a conscious one, and is reflected in the use of block grants.

The block grant strategy flows partly from a deeply held Republican belief that Washington contains a powerful network of liberal power centers--lobbyists and bureaucrats, and Congressional staff members and national news reporters. Dispersing decisionmaking responsibility to the states, goes the argument, would undermine such forces and thus change the basic priorities of government.^{73/}

President Reagan's announcement in 1981 that he planned to consolidate some 90 categorical grants into three block grants brought on a flurry of activity among interest groups anxious to protect treasured categorical programs. Although those groups were partially successful--in the end, there were more blocks, but fewer categorical conversions, and some strings--a significant amount of fiscal decentralization did occur.

Of additional concern to a number of lobbying groups--among them, the intergovernmental lobby--were a series of Administration moves aimed at reducing federal support for (or defunding) certain groups. Again, the interests were partially successful. One such effort was an Office of Management and Budget (OMB) proposal which would have prohibited contract and grant recipients from using federal funds to pay for any office space, equipment, or personnel devoted wholly or in part to political advocacy--a move perceived by members of the inter-

^{72/} Unless otherwise noted, the following section draws heavily from the Wolman and Teitelbaum work cited above.

^{73/} Stephen V. Roberts, "Budget Axe Becomes a Tool of Social Change," New York Times, 21 June 1981, p. 2.

governmental lobby as one that would "mute the voice of state and local officials in federal policy making."74/ An additional proposal would have extended similar rules to private contractors.

Not surprisingly, both profit and nonprofit groups coalesced to fight the proposed regulations, the end result being, as one observer noted, that "OMB officials [got] a belated lesson in why recipients of federal largesse lobby in the first place: It works."75/ Thus, in November of 1983, the budget office issued a set of revised, and considerably watered-down rules which "are unlikely to hamper lobbying for most of the ... public and private groups that seek and receive federal aid and contracts."76/

Those same groups, however, were considerably less successful in staving off reductions in federal grants and contracts. Again, the intergovernmental lobby appeared to be particularly vulnerable:

The National League of Cities, for example, received \$3.6 million in federal funds out of a total 1981 budget of \$7.2 million. By 1983 a spokesman reported that they were receiving almost no federal funds and their total staff had dropped from 120 to approximately 50. Other major state and local groups had essentially the same experience. The United States Conference of Mayors spent \$2.635 million from federal grants and contracts in 1981 and only \$915,000 in 1983, reflecting a dramatic decline in federal funding. The conference's staff fell from 110 to 42 during that time period. The National Conference of State Legislatures suffered a 33.8% drop in federal grants and contracts and a staff reduction from 140 to 100 between FY 1981 and FY 1983.77/

A third obvious change in the environment for many interest groups was brought about by the declining amount of federal dollars available for domestic expenditures. The result, according to Wolman and Teitelbaum, was a decrease in distributive politics, and distributive politics--consisting of "a disaggrega-

74/ Ann M. Martino, "Regulating Lobbying: The Intergovernmental Angle," Intergovernmental Perspective, Vol. 10, No. 1 (Winter 1984), p. 28.

75/ Michael Wines, "Lobbyists Unite to Lobby Against OMB's Proposed Curbs on Lobbying," The National Journal (February 19, 1983), p. 370.

76/ Martino, "Regulating Lobbying," p. 29.

77/ Wolman and Teitelbaum, "Interest Groups and the Reagan Presidency," pp. 26-27.

tion of benefits such that losers cannot easily be identified"--are interest group politics.

Finally, it was noted earlier in the chapter that certain procedural changes in Congress, promulgated during the 1960s and 1970s and resulting in the proliferation of subcommittees, staff, and open meetings, created an environment congenial to expanded interest group activities. Similarly, dramatic structural changes of the early 80s again altered the environment within which groups jockey for program preference--this time, however, to the detriment of interest group politics.

Particularly significant were changes wrought by the Congressional Budget Act:

[T]he Congressional Budget process as refined in 1980 and again in 1981 diluted the power of authorizing and appropriation committees and subcommittees, the traditional points of access for interest groups. The greatly enhanced power of the budget committee resulting from these changes has meant that interest groups had another series of actors with which to deal to protect and enhance their objectives [As a result,] promoting positive sentiment within Congress towards programs for which interest groups advocate is a much more difficult chore than it was several years ago. Whereas previously an interest group could promote or defend its programs on substantive or need grounds, the new budget structure has transformed consideration of programs into much more of a fiscal context78/

Decentralized Interest Group Politics and The Nationalization of State Interests

Federalism does not involve a struggle between the nation and the states, but rather a struggle among interests which have favorable access to one of the two levels of government.79/

Although it is still too early to tell what all of the above will mean for the future of interest group politics, it would appear from the available information that at least some decentralization of activity is occurring among some interest groups. Thus, Wolman and Teitelbaum note that while some of the groups

78/ Wolman and Teitelbaum, "Interest Groups and the Reagan Presidency," pp. 17-18.

79/ Harmon Ziegler and Wayne Peak, Interest Groups in American Society (Englewood Cliffs, NJ: Prentice Hall, 1972), p. 48 cited in Ibid., p. 40.

they interviewed continue to see Washington as policy maker of first resort, a number of groups recently have begun "making efforts to build up their state lobbying capacity."80/

Those "efforts" may be suggestive of a top-down restructuring of interest group politics. Indeed, a recently completed series of comparative case studies on the role of issue networks in state agenda setting indicate that to varying degrees, in those cases examined, such rebuilding --or, perhaps more appropriately, a change in jurisdictional emphasis inspired by Washington-based groups-- may be taking place.81/ At the same time, it is important to note that some of these examples cover a longer time frame than the Reagan Presidency and, therefore, the efforts by national interest groups to launch state policy initiatives do not necessarily reflect all of the changes in the Washington political scene noted by Wolman and Teitelbaum. Nonetheless, they serve as instructive illustrations of centralized guidance in interest group politics at the state level.

Thus, among the Kirst and Meister case studies is one on the school finance reform movement, the goal of which has been to "level up" school district spending and which, according to the authors, "can claim impact in 20 to 25 states that contain about 60% of the nation's pupils."82/

Launched under the auspices of the Ford Foundation, "[t]he school finance reform network"--consisting of law center and committee lawyers to sue states, private interests such as state branches of the League of Women Voters and the National Urban Coalition, education experts from universities throughout the country, interstate technical assistance groups, state politicians and political institutions, minority research organizations, and graduate students on school finance reform scholarships --"is characterized by fairly high central guidance and the promotion of similar policy solutions across states."83/ Significantly, the Ford Foundation worked closely with the National Institute of Education (NIE), an agency of HEW and later the Department of Education.

80/ Ibid., pp. 21-26.

81/ Michael Kirst and Gail Meister, "The Role of Issue Networks in State Agenda-Setting," paper prepared for delivery at the 1982 annual meeting of the American Political Science Association, Denver, September 3, 1982.

82/ Ibid., p. 11.

83/ Ibid., pp. 12-13.

An even greater degree of centralization was found among the interest network promoting the teaching of scientific creationism:

So high is central control and so focused is the message that not only are the policies advocated the same across different states, but identical statutes are proposed in different states [N]o compromise on the proposed statute is deemed possible.^{84/}

Although central guidance was less evident on the subject of minimum competency testing for students, it is interesting to note that relevant interests at the state level were greatly abetted in their efforts by mass media attention to the issue. In that case then, the media served as the centralizing agent, sparking interest in 38 states.^{85/}

In addition to the case studies noted above, Wolman and Teitelbaum, citing interviews with national organizations, found a number of Washington groups actively engaged in decentralization efforts aimed at influencing state policy:

State NEA organizations have become more active. We have greatly expanded information and communications with state organizations.

(National Education Association)

We are much more active on the state level. During the fall of 1981 and spring of 1982, we worked hard with our local chapters to form Human Services Coalitions.

(National Association of Social Workers)

There is much more state level involvement.

(American Psychiatric Association)

I think our state associations are more active now than in the past, as well as more sophisticated in terms of understanding state budgets.

(Children's Welfare League)

The state chapters have become more active. There has been a tendency in the last several years for state associations to hire the partial services of a lobbyist; recent developments have accelerated this trend.

(American Library Association)

We are trying to build our branches and affiliates up.

^{84/} Ibid., p. 14.

^{85/} Christopher Pipho, "Final Report for the Education Commission of the States," February 1980, p. 2 cited in ibid., p. 15.

It is pretty clear that most action is at the state level We encourage state branches to build coalitions at the state level.

(American Personnel and Guidance Association)

We have tried to get our state federations more involved --trying to educate them more on block grants.

(AFL-CIO)86/

Moreover, in the wake of recent federal deregulatory policies, Jeffrey Berry notes that "[b]usiness has also taken the initiative by expanding its advocacy to the states where regulatory agencies can be just as troubling as on the federal level."87/

A different view of interest group activity at the state level in the wake of the "New Politics" is presented by Virginia Gray. Thus, examining groups primarily in Minnesota, Gray found:

... little indication of great increases in Minnesota's group life, either in the aggregate or within selected sectors. Nor do we see evidence of the outcomes predicted by the "New Politics" argument when we look at state-by-state data on groups or PACs. Rather, the picture that emerges is one of political stability88/

Nonetheless, Gray does wonder about the possibility that certain state "groups have just become more powerful, not more numerous."89/ Certainly, that could be the case if national organizations have begun devoting greater resources to their subnational affiliates.

INTEREST GROUPS, FEDERALISM, AND
THE AMERICAN POLITICAL PROCESS:
SOME TENTATIVE CONCLUSIONS

The influence of factious leaders may kindle a flame within their particular states but will be unable to spread a general conflagration through the other states. A religious sect may degenerate into a politi-

86/ Wolman and Teitelbaum, "Interest Groups and the Reagan Presidency," p. 23.

87/ Berry, The Interest Group Society, pp. 40-41.

88/ Virginia Gray, "Fundamental Changes in Group Life at the State Level," paper prepared for presentation at the 1984 annual meeting of the American Political Science Association, Washington, DC, August 30-September 2, 1984, p. 22.

89/ Ibid.

cal faction in a part of the Confederacy; but the variety of sects dispersed over the entire face of it must secure the national councils against any danger from that source. A rage for paper money, for an abolition of debts, for an equal division of property, or for any other improper or wicked project, will be less apt to pervade the whole body of the Union than a particular member of it, in the same proportion as such a malady is more likely to taint a particular county or district than an entire state.^{90/}

Thus, we come full circle to the 200-year-old wisdom of Publius, in particular, James Madison. His discussion of faction is no less profound for age.

At the same time, it is no criticism to assert the obvious: the father of the constitution was no soothsayer. His greatest fear was control by majority faction. His relative lack of solicitude over the problem of minority faction lay in his belief that such groups would find it difficult to pursue their narrow objectives on a nationwide basis. Advances in communication and transportation broke down this geographic barrier. Federalism as safeguard against special interests became federalism as opportunity.

Thus, what has in fact developed is the vast proliferation of minority factions, a great many of which have come, over the past two decades, to possess a national perspective and which have come to realize that fighting (and winning) one battle in Washington is more efficient than fighting 50. Not willing to give up any time cards, and in response to changing political and fiscal realities, interest groups now appear to be developing strategies for pursuing those objectives at the state--and even local--level.

It is true to a certain extent, that interest groups with (at least latent) national policy designs have long pursued their objectives at the state level--particularly business interests and to a lesser extent labor. Yet, if there is any relation between the interest group politics of yesterday and those of today, it is an exaggerated relationship akin to the relationship between the hills of the prairies and the mountains of the west.

Certainly, interest groups tend to be more specialized now than in the past--often pursuing the accomplishment of very singular goals; often through the use of very sophisticated technologies designed to capture national audiences and national sympathy.

^{90/} James Madison, The Federalist Papers, No. 10 (New York: New American Library, 1961), p. 84.

Perhaps more important, there are vastly more organized interests today than ever before, each hoping to aggrandize or at least maintain particularized program, tax, or (de)regulatory benefits--often benefits not existing 25 years ago; very often benefits created by national policy entrepreneurs. Although the evidence is still quite sketchy and anecdotal, if these many Washington-oriented groups are now turning attention to the states (through grass-roots activities and the creation or upgrading of state affiliates), we may witness in coming years the "localization of national issues"--the reversal of the "nationalization of state and local issues" which occurred throughout the 1970s and 1980s.

Vis-a-vis political parties, interest groups may affect federalism and the political process in other ways. Hence, if, as prominent observers have asserted,^{91/} parties have historically been "responsible for both the existence and form ... of decentralization that exists in the United States," the fact that nationally oriented interest groups have adopted many party strategies and the fact that more people feel better represented by narrowly based organized interests than by political parties would appear to have profound implications for the system--auguring a kind of national atomization as opposed to federalism.

Of additional significance, as previous portions of this report have demonstrated, the party system once provided broad channels for representing the interests of state and local officials in national policy making. For a variety of reasons, that no longer would appear to be the case. 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.

Needless-to-say, if we are undergoing transformations in American politics, they result from many complex and highly interrelated forces, including not only changes in interest group politics but in political attitudes, the political parties, the political means of conveying information and propaganda to the public, and, of course, the political methods of obtaining that most overtly political of all forums: elective office. Indeed, perhaps the most interesting aspect of the "new interest group politics"--or at least that which has garnered the most attention--has been the proliferation of political action committees (PACs). It is to that subject and campaign finance generally that this report turns next.

^{91/} Morton Grodzins, The American System, ed. by Daniel Elazar (Chicago: Rand McNally, 1966), p. 254.

Chapter 7

CAMPAIGN FINANCE: THE HIGH COST OF DEMOCRACY

You have to be loaded just to get beat.^{1/}

Will Rogers
Humorist

As it is now, there are four parts to any campaign. The candidate, the issues of the candidate, the campaign organization, and the money to run the campaign with. Without the money you can forget the other three.^{2/}

Thomas P. O'Neill
Speaker of the House of Representatives

The acquisition of campaign funds has become an obsession on the part of nearly every candidate for federal office. The obsession leads the candidates to solicit and accept money from those most able to provide it, and to adjust their behavior in office to the need for money--and the fear that a challenger may be able to provide more.^{3/}

Elizabeth Drew
Journalist

HOW AND WHY THE COSTS OF CAMPAIGNING HAVE GROWN

From humorist to politician, and from generation to generation, Americans have worried, wondered, and wisecracked about that arguably necessary evil of politics: money. Money, after all, is at once said to be the root of all evil and known to be the root of all campaigns. Thus, it is not surprising that the money-politics connection is given an almost universally pejorative connotation. Yet, whether or not "dollar politics" has become an obsessive pastime, "distort[ing] ... [t]he processes by which Congress is supposed to function ...,"

^{1/} Will Rogers cited in William Crotty, Political Reform and the American Experiment (New York: Thomas Y. Crowell Company, 1977), p. 103.

^{2/} Thomas P. O'Neill, Jr., quoted in Jimmy Breslin, How the Good Guys Finally Won: Notes From An Impeachment Summer (New York: Ballantine Books, Inc., 1975), p. 14.

^{3/} Elizabeth Drew, Politics and Money: The New Road to Corruption (New York: MacMillan Publishing Company, 1983), p. 1.

as Elizabeth Drew maintains,^{4/} or whether it is something of a bargain relative to the annual advertising budgets of some of the nation's largest corporations and the costs of elections in other countries, as campaign finance expert Herbert Alexander suggests,^{5/} is subject to debate. What is not debatable is that good, bad, or completely neutral, the price of becoming and remaining an American officeholder--national, state, or local--gets more expensive with each passing election.

In the process of such an intergovernmental analysis, the following chapter manages to address most of the major issues surrounding campaign finance in America. It by no means gives complete treatment to them, nor is it intended to be a definitive study of all facets of the campaign finance issues. The purpose of this chapter is to highlight and examine as thoroughly as possible the intergovernmental dimensions of money and politics including those portions of the Federal Election Campaign Act that may affect the balance of power among national, state, and local party committees; the influence of political action committee (PAC) spending and new party financial arrangements on the traditionally decentralized system of campaign politics; and the various approaches taken by the states to regulate campaign contributions and expenditures and to assist in the funding of electoral politics.

Money and Politics in America:
The Inconstant Constant

When [George Washington] ran for the Virginia House of Burgesses from Fairfax County in 1757, he provided his friends with the "customary means of winning votes": namely 28 gallons of rum, 50 gallons of rum punch, 34 gallons of wine, 46 gallons of beer, and two gallons of cider royal. Even in those days this was considered a large campaign expenditure, because there were only 391 voters in his district, for an average outlay of more than a quart and a half per person.^{6/}

Whether or not the father of our country was prone to campaign overkill,

^{4/} Ibid., p. 2.

^{5/} Herbert E. Alexander, Financing Politics: Money, Elections and Political Reform (Washington, DC: Congressional Quarterly Press, 1980), p. 19.

^{6/} George Thayer, Who Shakes the Money Tree? (New York: Simon and Schuster, 1973), p. 25.

the above points up the fact that running for public office has long required the expenditure of resources. Although the use of libations has largely given way to the use of television as a means of capturing votes, the principle remains the same: You gotta pay to play. Nonetheless, as Tables 7-1, 7-2, and 7-3 illustrate, one component of the campaign money game does change with each election--the price tag keeps getting larger. Hence, the Reagan-Carter election of 1980 cost the nation approximately \$59 million more than did the Lincoln-Douglas contest of 1860. Between 1978 and 1982 alone, candidates for the House of Representatives increased their total spending by \$94 million or 84%. Nor is this phenomenon unique to national office. Between 1958 and 1982 the amount of money required to secure a chief executive for the State of California increased by about \$21 million or 781% in fewer than 25 years--a whopping \$5 million or 169% even when adjusted for inflation.

Campaign Dollars: Where Do They Go?

Over the long run, much of the increased cost of campaigning in America can be explained by two factors--factors which cannot be controlled by even the most stringent campaign finance laws nor by the most miserly of campaign managers. First, prices generally have risen over time and the same holds true for such campaign staples as travel, printed endorsements, colorful buttons, and eye-catching posters. Second, the potential electorate that must be reached by any would-be officeholder has mushroomed--propertied white males giving way to white males generally, giving way to all males, giving way to adults of both sexes, giving way, finally, to all U.S. citizens 18 years of age and older.

Yet, not all has remained constant. Travel by horse and train has succumbed to flight and the printed press has been joined by information transmitted through the airwaves. Indeed, of the old staples it may be true that only campaign buttons and posters, if in far greater quantities, remain fairly similar to their 19th century counterparts--"Tippecanoe and Tyler, Too," after all, could hardly be improved upon by 20th century political consultants. Nonetheless, even as ancient an art (or artifice) as sloganeering has moved well beyond pins and banners and, as a result, has fueled the need for ever-increasing campaign dollars.

ADVERTISING IN AN ELECTRONIC ERA

Although publicity seeking by candidates is an age-old phenomenon, general

Table 7-1

COSTS OF PRESIDENTIAL GENERAL ELECTIONS, 1860-1980

Year	Republican		Democrat	
1860	\$ 100,000	Lincoln*	\$ 50,000	Douglas
1864	125,000	Lincoln*	50,000	McClellan
1868	150,000	Grant*	75,000	Seymour
1872	250,000	Grant*	50,000	Greeley
1876	950,000	Hayes*	900,000	Tilden
1880	1,100,000	Garfield*	335,000	Hancock
1884	1,300,000	Blaine	1,400,000	Cleveland*
1888	1,350,000	Harrison*	855,000	Cleveland
1892	1,700,000	Harrison	2,350,000	Cleveland*
1896	3,350,000	McKinley*	675,000	Bryan
1900	3,000,000	McKinley*	425,000	Bryan
1904	2,096,000	T. Roosevelt*	700,000	Parker
1908	1,655,518	Taft*	629,341	Bryan
1912	1,017,549	Taft	1,134,848	Wilson*
1916	2,441,565	Hughes	2,284,590	Wilson*
1920	5,417,501	Harding*	1,470,371	Cox
1924	4,020,478	Coolidge*	1,108,836	Davis
1928	6,256,111	Hoover*	5,342,350	Smith
1932	2,900,052	Hoover	2,245,957	F. Roosevelt*
1936	8,892,972	Landon	5,194,741	F. Roosevelt*
1940	3,451,310	Willkie	2,783,654	F. Roosevelt*
1944	2,828,652	Dewey	2,169,077	F. Roosevelt*
1948	2,127,296	Dewey	2,736,334	Truman*
1952	6,608,623	Eisenhower*	5,032,926	Stevenson
1956	7,778,702	Eisenhower*	5,106,651	Stevenson
1960	10,128,000	Nixon	9,797,000	Kennedy*
1964	16,026,000	Goldwater	8,757,000	Johnson*
1968	25,402,000	Nixon*	11,594,000	Humphrey
1972	61,400,000	Nixon*	30,000,000	McGovern
1976†	21,786,641	Ford	21,800,000	Carter*
1980	30,664,831	Reagan*	28,099,764	Carter

*Indicates winner.

†1976 represents the first time public funding was used in Presidential elections. The Republican National Committee spent an additional \$1.4 million on Ford's campaign. The Democratic National Committee spent an additional \$2.8 million on Carter's campaign.

SOURCES: Herbert E. Alexander, Financing Politics: Money, Elections, and Political Reform (Washington, DC: Congressional Quarterly Press, 1980), p. 5; and Dom Bonafede, "A \$130 Million Spending Tab is Proof--Presidential Politics is Big Business," National Journal (January 10, 1981): 51-52.

Table 7-2

CONGRESSIONAL CAMPAIGN SPENDING, 1977-82

<u>Election</u>	<u>House</u>	<u>Senate</u>
1977-78	\$111,000,000	\$ 87,000,000
1979-80	137,000,000	105,000,000
1981-82 (est.)	204,000,000	139,000,000

SOURCE: Richard E. Cohen, "Costly Campaigns: Candidates Learn That Reaching Voters Is Expensive," National Journal (April 16, 1983): 785.

agreement does exist that the beginnings of the modern, high priced election "were evident soon after World War II,"^{7/} coinciding with the widespread use of radio and, of much greater significance, television. Still, the relative and absolute costs of advertising vary tremendously depending upon the office sought and the medium used. Hence, television plays its most important role in Presidential campaigns, with their need to blanket the nation, and its second most important role in gubernatorial and senatorial races where entire states are the targets of advertising. Because of the broad markets reached, television is not as great a factor in contests fought over House of Representatives and state legislative seats. Indeed,

... [a] survey taken after the 1968 elections of a sample of 23 senators and 91 representatives found that 72.7% of the senators had used television heavily, another 18.2% used some television, and the remaining 9.1% used none at all. The comparable figures for House respondents were 25.5%, 27.7%, and 46.8%. More than 80% of the U.S. Representatives from urban areas reported using no television at all in their campaigns.^{8/}

There is evidence to suggest, however, that while House candidates still do not spend as great a proportion of campaign funds on television as their Senate counterparts, they are now using television more frequently.

^{7/} Congressional Quarterly, Inc., Dollar Politics, 3rd ed. (Washington, DC: Congressional Quarterly, Inc., 1982), p. 7.

^{8/} U.S. Congress, House, Committee on Interstate and Foreign Commerce, Subcommittee on Communications and Power, Political Broadcasting: 1970, 91st Cong., 2nd sess., Hearings June 2-4, 1970, p. 43, cited in Gary C. Jacobson, Money In Congressional Elections (New Haven: Yale University Press, 1980), p. 168.

Table 7-3

GUBERNATORIAL SPENDING,
SELECT YEARS, SELECTED STATES

<u>State</u>	<u>Year</u>	<u>Actual</u>	<u>Adjusted 1967 Dollars</u>
California	1958	\$ 2,655,292	\$3,066,862
	1962	4,542,195	5,014,583
	1966	6,940,654	7,141,933
	1970	4,882,356	4,198,826
	1974	10,563,509	7,162,059
	1978	13,481,678	6,902,619
	1982	23,397,385	8,235,880
Massachusetts	1966	849,900	874,547
	1970	3,415,018	2,936,915
	1974	1,917,497	1,300,063
	1978	2,794,366	1,430,715
	1982	7,718,603	2,716,948
New Jersey	1965	1,405,600	1,487,125
	1969	NA	NA
	1973	2,150,767	1,617,377
	1977	4,867,455	2,681,986
	1981	8,320,457	3,095,210
New York	1966	5,476,000	5,634,804
	1970	9,200,000	7,912,000
	1974	10,756,663	7,293,018
	1978	13,793,829	7,062,440
	1982	23,558,518	8,292,598
Ohio	1974	1,889,471	1,281,061
	1978	4,637,235	2,374,264
	1982	12,968,577	4,564,939
Oregon	1966	215,000	221,235
	1970	415,518	357,345
	1974	799,667	542,174
	1978	1,172,202	600,167
	1982	1,933,574	680,618
Virginia	1965	297,400	314,649
	1969	NA	NA
	1973	2,301,300	1,730,578
	1977	4,250,500	2,342,026
	1981	5,200,000	1,934,400

SOURCE: Thad L. Beyle, "The Cost of Becoming Governor," State Government 56 (1983): 77.

The Federal Communications Commission stopped compiling campaign advertising statistics in 1972, thus aggregate figures are less than exact and much of the more telling information on the subject of advertising expenditures is either anecdotal or highly individualistic. Nonetheless, estimates from a variety of sources illustrate the importance as well as the financial demand of political advertising.

Not surprisingly, the largest consumer of advertising dollars is television. During the 1982 elections, the Television Bureau of Advertising reported that political advertising cost \$170 million in all television markets, including \$40 million in production costs. Newspaper advertising reportedly cost \$27 million. Radio time in 1982, conservatively estimated, cost about \$25 million.^{9/}

Media spending by individual candidates, while not representative, does serve to illustrate dramatically the extent to which dogged pursuers of certain highly prized offices believe the advertising dollar to be money well spent. Thus, in 1980, Governor Jay Rockefeller laid down about \$4.5 million (most of it his own) to reach the voters of West Virginia via their TV sets.^{10/} And, in 1982, in the then most expensive Senate race ever fought, Governor Jerry Brown and San Diego Mayor Pete Wilson together spent approximately \$8 million on advertising, including an estimated \$7.3 million on television spots alone.^{11/}

CONSULTING: THE COST OF COUNSEL

As one commentator observes, talk is cheap, except when lawyers or political consultants are doing the talking.^{12/}

Along with changes in campaign technology have come changes not only in the way campaigns are run but also in who runs them. The modern campaign, then, at every level of government is likely to be graced by the presence of a political consultant--and that presence has added significantly to campaign costs.^{13/}

^{9/} Dom Bonafede, "Costly Campaigns: Consultants Cash In As Candidates Spend What They Must," National Journal (April 16, 1983): p. 789.

^{10/} Beyle, "The Cost of Becoming Governor," p. 80.

^{11/} Richard E. Cohen, "Costly Campaigns: Candidates Learn That Reaching the Voters is Expensive," National Journal (April 16, 1983): p. 787.

^{12/} Larry Sabato, The Rise of Political Consultants: New Ways of Winning Elections (New York: Basic Books, Inc., 1981), p. 49.

^{13/} Ibid., p. 7.

As a general rule, consultants add to election costs in three ways:

1. The consulting fee is simply what it takes to secure the services of the firm or consultant, usually a flat fee (ranging from \$10,000 to \$75,000) paid in monthly installments or in thirds (one-third at the contract signing, one-third midway during the campaign, and one-third right before--not after--election day).
2. The incurred costs and personal expenses are merely reimbursements to the consultant for actual outlays made for television production, survey interviewing, or whatever.
3. The richest source of revenue is commissions or "mark-ups"; the consulting fee is just icing, albeit thick, on the cake by comparison. The commission is a set percentage of money from sales (normally 15%) allotted to the consultant.... Virtually anything can be, and is, commissionable....^{14/}

THE PRICE OF POLLSTERS

In 1982 alone, politicians spent an estimated \$25 million on opinion surveys and other technical services. How much an individual candidate spends on polling depends on the number or extent of polls desired, on the margin of error deemed acceptable, and, of course, on the prestige or proven track record of the pollster employed.

A candidate could opt for a full range of polling services including the initial "benchmark" survey to assess her or his strengths and weaknesses; follow-up telephone polling; "panel" surveys aimed at discerning shifts in attitudes; small "focus group interviews"; and tracking surveys undertaken to gauge the leanings of political independents and the effectiveness of advertising and other campaign related events.^{15/} Moreover, increasing the reliability of polling may add considerably to its costs. For example,

... a sample of 384 persons would provide a 95% chance that the margin of error would not exceed 5%. A sample that size, said [Reagan pollster Richard] Wirthlin, would cost \$35 per interview, for a total of \$13,440. To reduce the margin of error to 4%, the sample would have to be increased to 600, at a cost of \$33 per interview and \$19,800

^{14/} Ibid., p. 51.

^{15/} William J. Lanouette, "When a Presidential Candidate Moves, A Pollster May Be Pulling the Strings," National Journal (December 15, 1979): 2094.

in all; for 3%, a sample of 1,065 at \$31 each and a total of \$33,015; for 2%, 2,390 persons at \$27 each and a total of \$64,530; and for 1%, 9,423 persons at \$25 each and \$235,575 in all.^{16/}

DIRECT MAILINGS: SPENDING MONEY TO MAKE MONEY

Among the techniques that distinguish modern electioneering, perhaps none is as widely heralded as direct mail, the computer era's answer to political persuasion and profit. Indeed, though such mailings constitute major financial drains, with the heightened importance of small contributors over the past decade, direct mailings are also major financial enhancers. (See Exhibit 7-1.)

OTHER EXPENDITURES

Not inconsequential, a number of additional expenditure items may be grouped together on the basis that they constitute the more traditional aspects of campaigning for public office: organization, travel, and fund raising other than direct mail.

Although strong, solid organization has long been considered a needed ingredient in successful political runs, achieving that organization has today become a costly endeavor.

At the start of the 20th century, running for office usually was a straightforward business that did not require much of a budget. The prospective candidate, after spending some years learning the ropes in the local party organization, would seek the approval of the party bosses to step up to the next rung of the ladder.

If successful, the candidate could expect the support of a legion of volunteers.... Not much personal staff was needed, nor was the candidate required to tailor a unique campaign message.

Times have changed in many ways. In many states, party organizations and volunteerism have withered or disappeared and candidates have become self-promoting entrepreneurs....^{17/}

In the absence of party organization and volunteers, those "self-promoting entrepreneurs" may be forced to spend considerable sums of money on their own

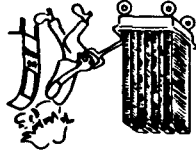
^{16/} Ibid.

^{17/} Cohen, "Costly Campaigns," p. 785.

ELEVEN STEPS TO RAISE \$2 MILLION BY DIRECT MAIL



8. Take the whole sum and go prospecting again, buying 2,464,333 letters. With a 2.0 response rate this time and an average donation of \$10.88, 49,287 new donors and \$526,385 are produced.
 "House" List 166,128
 Bank Balance \$526,385



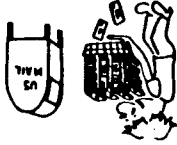
7. Empty the bank to prospect again. At 21c a letter, 2,373,676 letters are sent. Less reliable lists are used, and the response rate dips again (to 2 percent), but the largest mailing so far still yields the most new donors yet (\$2,221). The average gift of \$9.91 adds \$517,510 to the empty bank account.
 "House" List 116,830
 Bank Balance \$517,510



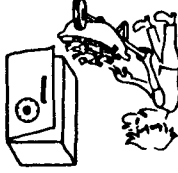
2. Use the \$200,000 to pay for \$52,381 letters at 21c a letter.
 "House" List 0
 Bank Balance \$200,000



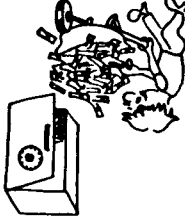
1. Raise initial investment of \$200,000 to pay for the first mailing.
 "House" List 0
 Bank Balance \$200,000



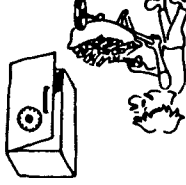
4. The whole balance is used to mail again (1,423,038 letters at 21c each).
 "House" List 27,619
 Bank Balance 0



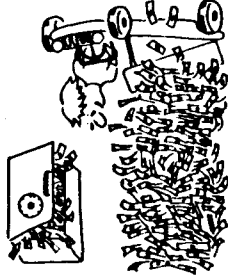
3. The mailing produces a response rate of 2.8 percent, meaning 27,619 letter recipients give a donation (at an average of \$10.82 each). The mailing returns \$298,838.
 "House" List 27,619
 Bank Balance \$298,838



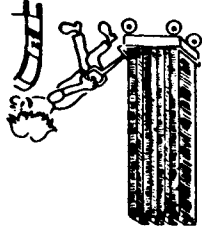
6. Now the "house" list of all previous donors is mailed. The letters are bulky (with personalized enclosures) and therefore costlier (38¢ per letter), but the response rate is a high 14.8 percent and the average donation is \$13.10. After deducting \$24,555 in mailing costs, the profit is \$100,733.
 "House" List 64,618
 Bank Balance \$498,472



5. This time the response rate happens to be a bit lower (2.8 percent) but since a larger hat was used, more new donors are produced (38,999). The average gift is about the same as before (\$10.75), producing \$397,738. All the new donors are added to the "house" list total.
 "House" List 64,618
 Bank Balance \$397,738



18. Take about half the money (\$425,000) for a final prospect mailing of 2,023,810 letters. The 1.8 percent response rate and average gift of \$10.74 produce 38,452 more donors and \$412,874 (or less than the cost of the mailing).
 "House" List 204,578
 Bank Balance \$835,738



8. Since a month and a half have passed since the last "house" list mailing, send another one. At 38¢ a letter, the costs are \$63,128. The response rate, though, is 16.3 percent with an average gift of \$14.20. Thus the mailing yields a hefty profit of \$321,380.
 "House" List 188,128
 Bank Balance \$847,765

11. With the primaries now underway, the political excitement and attention permit regular mailings to the "house" list (about every six weeks), and produce both a higher rate of return (an average of 22 percent) and a higher average donation (about \$28). The first mailing (at these average rates) brings in \$1,280,198 at a cost of only \$77,740.
 "House" List 204,578
 Bank Balance \$2,018,195

organizational apparatus including such necessities as office space, supplies, salaries, and telephones. Indeed, an examination of eight candidates for the House of Representatives in 1982 revealed that organization was, in every case, the largest consumer of election dollars, with those individuals spending an average \$154,000 or 55% of their total war chests on that category.^{18/}

To a lesser extent, travel may be a considerable expense for a candidate. Varying both by geographical spread of the potential constituency (a Presidential candidate obviously spends more on travel than a city council hopeful) and overall campaign strategy (even among Presidential contenders, the amount of travel deemed necessary for a successful campaign may differ), rising costs of all modes of travel have added to the rising costs of campaigns generally.

Finally, although designed to be a generator of revenues, fund-raising (excluding direct mail), exemplified if not typified by the "Washington Fund-raiser," may require fairly substantial outlays--more or less depending upon whether champagne and caviar or chicken and minute rice comprise the menu.

Campaign Dollars: Where Do They Come From?

Although most of the sources of campaign finance will be discussed more fully in succeeding sections, it is useful to introduce and discuss briefly at this point those fountainheads of American electoral politics--for while the amount of campaign dollars and the services they purchase may concern observers to varying degrees, a more perennial American anxiety surrounds "where those dollars come from."

INDIVIDUAL CONTRIBUTORS

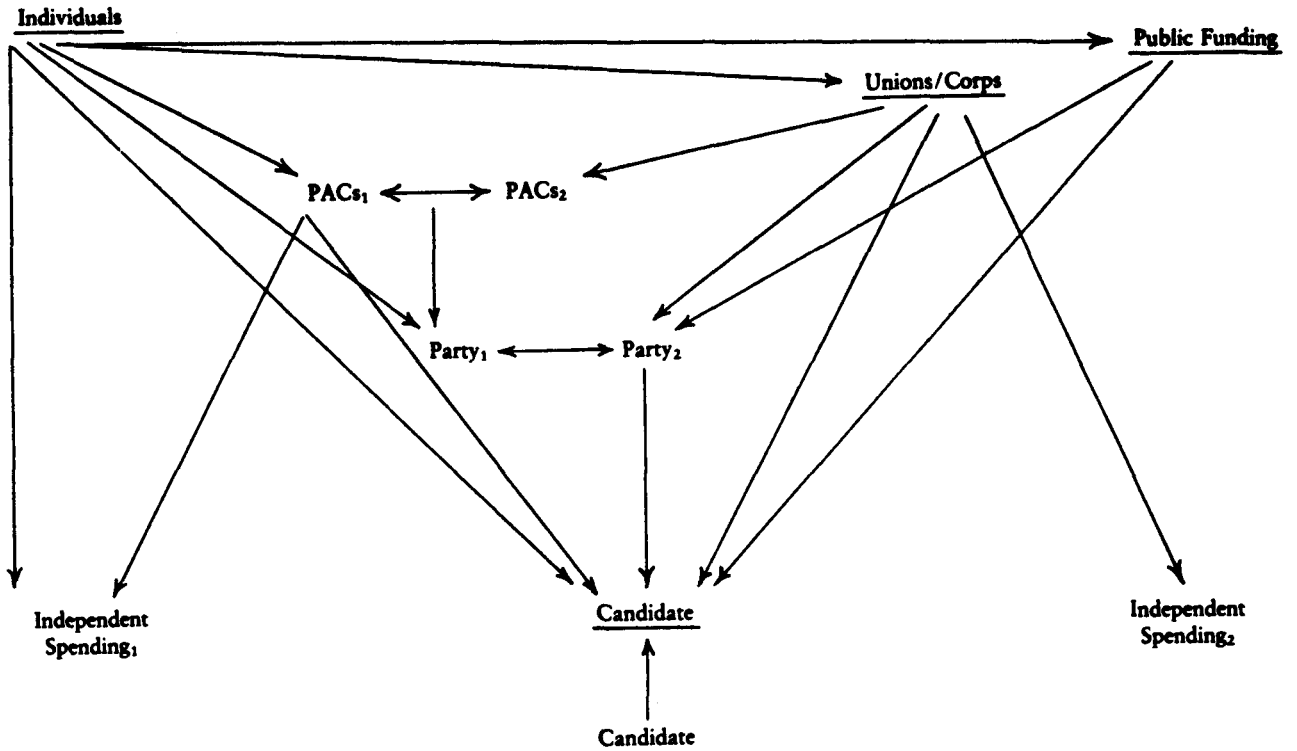
Ultimately, of course, individual citizens are the wellspring of all campaign financing, contributing directly to preferred candidates or indirectly through donations to political parties, political action committees, and public financing schemes. (See Chart 7-1.) In fact, campaign contributions from individuals as individuals (as opposed to individuals' money funneled through organizations) constitute the greatest source of campaign dollars for both Congressional and state elections.

Hence, at the national level, individual contributions (including contributions from the candidates themselves) made up about two-thirds of the funds

^{18/} Cohen, "Costly Campaigns," p. 786.

Chart 7-1

THE FLOW OF CAMPAIGN CONTRIBUTIONS IN
STATE LEGISLATIVE ELECTION CAMPAIGNS



NOTE: Subscripts indicate that there is an organizational hierarchy or relationship between political groups and that organizations may work in concert or independently.

SOURCE: Ruth S. Jones, "Financing State Elections," in Money and Politics in the United States: Financing Elections in the 1980s, ed. by Michael J. Malbin (Chatham, NJ: Chatham House Publishers, Inc., 1984), p. 182.

raised by candidates for the House of Representatives and more than three-quarters of those garnered by Senate contenders.^{19/} In addition,

The most important and widely shared common denominator of campaign funding lies in the fact that contributions from individuals (rather than political parties or other organizations) continue to provide the majority of state campaign funds. Moreover, in 1980 the percentage of total contributions coming from individuals increased in several states.^{20/}

PACs

Undoubtedly, the most controversial phrase in the current political lexicon is that represented by the acronym PACs--political action committee funds affiliated with, but segregated from, organizations such as business corporations and labor unions or unaffiliated, independent political committees. Because the subject of PACs will be covered extensively elsewhere in this chapter, it is unnecessary at this point to delve into a lengthy discussion of the topic. Nonetheless, inasmuch as PACs now constitute a significant proportion of campaign funds, their numbers and the dollars they expend are also significant.

At the Congressional level, nonparty PAC contributions have gained steadily as a portion of electoral coffers. In 1974, PAC giving to Congressional candidates amounted to \$1.6 million; by 1982, that figure had increased to \$83.1 million.^{21/} As a proportion of total contributions to House and Senate candidates PAC money has also been growing:

In 1980 House candidates received 29% of their funds from PACs; Senate candidates, 21%. In 1982 the respective figures were 31% and 18%. PAC contributions to House and Senate candidates increased by an average 36% from one election to the next ... [from 1974 to 1982].^{22/}

^{19/} Gary C. Jacobson, "Money in the 1980 and 1982 Congressional Elections," in Money and Politics in the United States, ed. by Michael J. Malbin (New Jersey: Chatham House Publishers, 1984), p. 41.

^{20/} Ruth S. Jones, "Financing State Elections," in Money and Politics in the United States, ed. by Michael J. Malbin (New Jersey: Chatham House Publishers, Inc., 1984), pp. 183-84.

^{21/} Larry Sabato, "Parties, PACs, and Independent Groups," in The American Elections of 1982, ed. by Thomas Mann and Norman Ornstein (Washington, DC: The American Enterprise Institute for Public Policy Research, 1983), p. 87.

^{22/} Jacobson, "Money In the 1980 and 1982 Congressional Elections," p. 41.

Nor is the increase in PAC spending limited to national elections. Political scientist Ruth Jones offers some examples of the growing importance of PAC money at the state level:

In Oregon, for example, with no change in requirements for reporting, there were 36 committees in the 1970 general election reporting total campaign spending of slightly under \$200,000; by 1980 there were 151 committees reporting total expenditures of just under \$1 million in the general election. In the state of Washington, there were 114 PACs in 1978 with receipts of \$2.0 million; in 1980 there were 200 PACs with total receipts of just over \$4.3 million. Even in Idaho where, between the 1978 and 1980 election cycles, the total number of PACs reporting campaign expenditures decreased by more than 20% due to consolidation of groups, total PAC contributions increased by 20%. Between 1976 and 1982, the number of PACs involved in California campaigns more than tripled....23/

POLITICAL PARTIES

Led by the national Republican Party, the political parties together constitute a third significant source of campaign financing. Hence, in 1980, the Republican National Committee (RNC) alone contributed more than \$4.6 million to the Reagan-Bush campaign and \$6.2 million to Senate, House, gubernatorial, and state legislative candidates.24/

In contrast to its GOP counterpart, the Democratic National Committee ... was unable to raise enough money to spend the full \$4.6 million allowed by law to support its Presidential ticket; it spent about \$4 million. Financial assistance to Congressional candidates was also slim. National party committees contributed \$480,000 to Democratic general election candidates for the U.S. Senate and made coordinated expenditures of an additional \$1.1 million. These efforts were only 3.9% (\$1.6 million) of total direct and coordinated expenditures of \$41 million for the campaigns of Democratic general election candidates.25/

Though ranking third after individuals and PACs as campaign financiers,

23/ Jones, "Financing State Elections," pp. 187-88.

24/ David Adamany, "Political Parties In the 1980s," in Money and Politics in the United States, ed. by Michael J. Malbin (New Jersey: Chatham House Publishers, Inc., 1984), p. 81.

25/ Ibid., p. 90.

state parties have also increased their levels of funding. Again, however, as at the national level, Republican state parties tend to outspend their Democratic competitors. Like PACs, political party spending will be covered more thoroughly in a subsequent section.

FEDERAL REGULATION OF CAMPAIGN FINANCE:
FECA THROUGH THE YEARS

There are no fights like campaign finance fights because they are battles about the essence of politics and power.26/

As suggested in the previous section, whether the role of money in politics is a relative evil, a relative good, or simply a neutral necessity, it has always been viewed with a somewhat jaundiced eye that sees in large sums of money the recipe for corruption; so much the more intensified when that money happens to be in the hands of politicians. Nonetheless, despite public cynicism,

For decades, official apathy toward serious reform of political finance was a Washington habit. The federal and state laws that were enacted tended to be predominantly negative--their chief purposes were to restrict ways of getting, giving, and spending political money.27/

In the late 1960s, however, pressure to strengthen the Corrupt Practices Act of 1925--the basic federal law governing campaign finance--began to build. According to former Congressman Wayne L. Hays (D-OH):

Pressure became fairly intense in the Congress to do something because the Corrupt Practices Act was honored more in the breach than it was in any other fashion. I don't recall that there was ever a prosecution or even that anybody raised an eyebrow about anybody's campaign expenditures and it seemed to a good many people that they were getting out of hand. A lot of things were going on that shouldn't go on.28/

26/ Fred Wertheimer quoted in Larry Sabato, PAC Power: Political Action Committees in American Elections (New York: W. W. Norton and Company, forthcoming), manuscript p. 22.

27/ Alexander, Financing Politics, p. 25.

28/ Wayne L. Hays quoted in Herbert E. Alexander and Brian A. Haggerty, The Federal Election Campaign Act After a Decade of Political Reform, Report of a conference sponsored by Citizens' Research Foundation, Washington, DC, April 2-3, 1981 (Los Angeles: Citizens' Research Foundation, University of Southern California, 1981), p. 19.

Such feelings of statutory ineptitude lead in turn to enactment of the Federal Election Campaign Act of 1971 (FECA). Three components of that act were particularly important:

... (1) it significantly tightened disclosure and reporting requirements for all candidates for federal office ...; (2) it limited the amounts of money candidates could spend on media advertising; and (3) it limited the amount a candidate and his immediate family could contribute to his own campaign.^{29/}

Moreover, the same year saw the enactment of the Revenue Act of 1971 which allowed taxpayers to claim credits or deductions for political contributions and instituted an income tax check-off option to fund Presidential and Vice-Presidential candidates.

Deriving impetus from the Watergate scandal, campaign finance reform once again found itself high on the legislative agenda in 1974. The resulting amendments to FECA "represented the most sweeping set of campaign finance law changes ever adopted in the United States, if not the world."^{30/} In significant part, those amendments:

- 1) limited the amount individuals could contribute to federal candidates to \$1,000 per election (primary, general election, or runoff) and a cumulative total of \$25,000 per year;
- 2) retained the 1971 limit on contributions by candidates to their own campaigns;
- 3) limited to \$1,000 the amount an individual could spend independently to influence an election (such spending is termed an "independent expenditure");
- 4) limited what candidates could spend to get elected;
- 5) amended a 1940 Hatch Act provision prohibiting contributions from federal contractors to make it clear contractors could form PACs;
- 6) limited PAC contributions to \$5,000 per candidate per election, with no cumulative limit;
- 7) limited expenditures by political parties on behalf of a candidate

^{29/} Michael J. Malbin, "Introduction," in Money and Politics in the United States, ed. by Michael J. Malbin (New Jersey: Chatham House Publishers, Inc., 1984), p. 7.

^{30/} Ibid.

(over and above contributions) to \$10,000 per candidate for the House in general elections, \$20,000 or two cents per eligible voter, whichever was greater in general elections for the Senate, and two cents per voter in the Presidential general election;

- 8) established formulas for disbursing public funds to match contributions of up to \$250 for Presidential candidates in prenomination contests;
- 9) used flat grants to cover the full expenses of the conventions of the two major parties and the major Presidential general election campaigns, with proportional formulas for post-election grants to qualified candidates of minor parties;
- 10) required candidates of major parties who choose to accept flat grants for general elections to forgo private financing and limit their expenditures to the amount of the grant (regulations later permitted candidates to raise money privately to pay for the cost of complying with the law);
- 11) created the independent six-member Federal Election Commission (FEC); and
- 12) strengthened disclosure and closed previous loopholes by requiring any federal candidate to establish a single central campaign committee through which all contributions and expenditures would have to be reported.^{31/}

A law so broad, one seeking to alter and regulate the fabric of future political struggles was certain to inspire a major struggle of its own. And indeed, that struggle culminated in 1976 in Buckley v. Valeo,^{32/} arguably "[o]f any case in the history of the Supreme Court ... [the one involving] the largest array of issues in which Constitutional considerations [were] pitted against each other."^{33/} Thus, basic provisions of the Equal Protection Clause were placed in opposition to fundamental First Amendment interests and certain First Amendment concerns were argued to be the legal antitheses of others born of the same amendment.^{34/} In the end, the Court's decision was to alter substan-

^{31/} Ibid., pp. 7-8.

^{32/} 424 U.S. 1 (1976).

^{33/} Albert J. Rosenthal, "The Constitution and Campaign Finance Regulation After Buckley v. Valeo," The Annals 425 (May 1976): 126.

^{34/} For example, a First Amendment interest in protecting the ability of poorly financed candidates to be heard was placed in contradistinction to a First Amendment interest in unrestrained dissemination of campaign messages.

tially the 1974 amendments and change dramatically the rules governing campaign finance at the federal, state, and local levels. Briefly, the Supreme Court held that:

- o The \$1,000 limitation on the contribution of any person to a single candidate (primaries and general elections treated separately for this purpose) was upheld as a means of avoiding corruption or the appearance of corruption, and the \$25,000 annual limitation on an individual's contributions to all candidates was upheld as a device closing possible loopholes in the former.
- o Restrictions on expenditures were distinguished by the Court from those on contributions, on the grounds that the restraint of the latter on expression was more direct. Thus, the \$1,000 limitation on independent expenditures made by an individual on behalf of a candidate, although even more clearly a loophole-closing device, was nevertheless held unconstitutional as violating the spender's First Amendment right to communicate his views. Ceilings--considerably larger--upon the total expenditures of his own money that a candidate might make in support of his candidacy were also struck on similar grounds. Also declared unconstitutional were limitations on the total amount that might be spent as part of the primary and general election campaigns of candidates for Congress and the Presidency [except those candidates accepting public funding].
- o Requirements of reporting and record keeping with respect to contributions of over \$10 and a disclosure of contributions of over \$100 were upheld.
- o Public funding of part of the costs of Presidential primaries--through matching of contributions of up to \$250 to candidates demonstrating a prescribed level of financial support in at least 20 states--and of part or, in certain circumstances, all of the costs of major party nominating conventions and Presidential election campaigns was upheld.^{35/}

In response to the Court's decision, FECA was amended once more in 1976. Those amendments:

- 1) limited individual contributions to political parties to \$20,000 per year and to other political committees to \$5,000 per year;
- 2) limited contributions to political parties by PACs to \$15,000 per year;
- 3) increased the amount that Democratic and Republican Senate campaign committees could contribute to Senate candidates from \$5,000 per election to \$17,500 per year;

^{35/} Rosenthal, "The Constitution and Campaign Finance Regulation After Buckley v. Valeo," p. 128.

- 4) limited to \$50,000 the amount of their own money that Presidential candidates who were publicly financed could spend to support their own campaign; and
- 5) reversed an FEC ruling on PACs that appeared to allow labor and business PACs to proliferate in a way that effectively might have destroyed the PAC contribution limits.^{36/}

In 1979, responding to criticisms that FECA resulted in difficult and massive paperwork while simultaneously restraining local volunteer efforts, Congress amended FECA a final time. In significant part, those amendments:

- 1) reduced the maximum numbers of reports to be filed by House and Senate candidates;
- 2) exempted candidates from filing disclosure statements if they do not receive or spend more than \$5,000;
- 3) permitted state and local parties to spend unlimited amounts for campaign materials (such as bumper stickers or brochures) for distribution by volunteers;
- 4) permitted unlimited expenditures by state and local parties for registration and get-out-the-vote drives for the Presidential ticket (the provision was silent about volunteers but FEC regulations say that although professionals may be used to train people to use phone banks, volunteers must do the actual telephoning);
- 5) raised the disclosure threshold from \$100 to \$200 for contributions and expenditures and from \$100 to \$250 for independent expenditures;
- 6) increased from \$2 million to \$3 million the 1974 base, before inflation adjustments, for public funds given to major political parties for national nominating conventions; and
- 7) doubled the threshold for reporting expenditures made by volunteers on travel and home entertainment in support of a candidate (\$500 to \$1,000) or political party (\$1,000 to \$2,000).^{37/}

FECA:

The Intergovernmental Dimensions

In its current form, federal campaign finance law is a complex product of statutory evolution, abetted and permuted by agency regulation and judicial decision. And as much as any modern piece of legislation, FECA has been accused

^{36/} Malbin, Money and Politics In the United States, p. 8.

^{37/} Ibid., p. 9.

of bearing unintended political fruit. Among other results, FECA has been blamed or, in some cases, praised for causing the proliferation of Political Action Committees, for displaying a lack of deference for the central position of political parties, and for creating a number of difficulties for, and thereby lessening the influence of, state and local parties.

Over the past several years, numerous descriptions and analyses of FECA ^{38/} have contributed to a now sizable literature on the knotty subject of federal regulation of campaign finance--a literature whose extent and relatively ready availability affords this chapter the luxury of the most cursory examination of the law as a whole. Hence, the remainder of this portion will concentrate solely on the uniquely intergovernmental aspects of the federal campaign finance law.

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, though national, are representative of single states or districts within single states. Thus, they are of intense interest to states and localities, state and local constituencies, and constituent groups. More important for our purposes, however, FECA regulates and, as a result, affects the structure and operations of state and local political parties.

LIMITATIONS ON PARTY CONTRIBUTIONS AND EXPENDITURES

Among the types of political committees recognized by FECA are party committees. And, though treated somewhat differently by the law, like other political committees which support candidates for federal elective office, the party committees--national, state, and local--are subject to the gamut of FECA requirements and limitations, including limitations on contributions and expenditures. According to the FEC:

A contribution is anything of value given to influence a federal election.... A contribution usually involves the giving of money to candidate committees, the purchase of goods or services for their use (in kind contributions) or the giving of money to other political committees which,

^{38/} See for example, Herbert E. Alexander, Financing Politics: Money, Elections, and Political Reform (Washington, DC: Congressional Quarterly Press, 1980); Michael J. Malbin, ed., Money and Politics in the United States (Chatham, NJ: Chatham House Publishers, 1984); and Stan Huckaby, Guidelines for Federal Campaign Compliance (Washington, DC: Stan Huckaby, 1982).

in turn, support specific federal candidates of their choice. An expenditure[, on the other hand,] is a purchase or payment made to influence a federal election.... An expenditure...generally represents the utilization of contributions received.^{39/}

Contributions

For political committees, including the parties, contributions work in two ways--committees are both recipients and donors, both beneficiaries and benefactors. Like most political committees on the receiving end of contributions, most party committees may receive up to \$5,000 per year from individuals and other political committees. The adjective "most" is important for FECA excepts the national party committees from those limitations, allowing them to receive up to \$20,000 per year per individual, up to \$15,000 per year from nonparty multicandidate committees, and up to \$20,000 per year from other committees or groups.

It would appear from ACIR survey data that FECA limits on fund raising are considered by state party chairs to be among the most burdensome of federal campaign regulations. Fifty percent of responding Democratic chairs and 36% of responding Republican chairs identified such limits as among those that interfere with state party activities.

When acting as contributors, party committees--again, like other committees qualifying as multicandidate committees ^{40/}--may give up to \$5,000 per candidate per election. (See Table 7-4.) Once more, however, a major exception is made. The National Democratic and Republican Senatorial Campaign Committees may contribute up to \$17,500 to any Senate candidate in a calendar year in which he or she seeks election. That limit is shared with the national party committee.

The Antiproliferation Rule

Thus, to a certain extent, political parties at the national level are given a distinct advantage over other political committees. Nonetheless, this

^{39/} Federal Election Commission, Campaign Guide for Political Party Committees (Washington, DC: U.S. Government Printing Office, 1984), pp. 3-4.

^{40/} In order to qualify as a multicandidate committee, a state party committee must have received contributions from over 50 persons and have been registered at least six months. A local party committee (not affiliated with a state committee) must fulfill both of the above requirements and have contributed to at least five candidates for federal office. Political committees not qualifying as multicandidate committees may contribute only \$1,000 per candidate per election.

Table 7-4

CONTRIBUTION LIMITS UNDER FECA

<u>Contributions from:</u>	<u>Contributions to:</u>			
	<u>Candidate or His/Her Authorized Committee</u>	<u>National Party Committee* Per Calendar Year**</u>	<u>Any Other Committee Calendar Year</u>	<u>Total Contri- butions Per Calendar Year</u>
Individual	\$1,000 Per Election <u>1/</u>	\$20,000	\$5,000	\$25,000
Multicandidate Committee <u>2/</u>	\$5,000 Per Election	\$15,000	\$5,000	NL
Party Committee	\$1,000-\$5,000 Per Election <u>3/</u>	NL	\$5,000	NL
Republican or Democratic Senatorial Campaign Committee, <u>4/</u> or the National Party Committee, or a Combination of Both	\$17,500 to Senate Candidate Per Calendar Year in Which Candidate Seeks Election	NA	NA	NA
Any Other Committee or Group <u>5/</u>	\$1,000 Per Election	\$20,000	\$5,000	NL

NL = No Limit.

NA = Not Applicable.

* For purposes of this limit, each of the following is considered a national party committee: a party's national committee, the Senate Campaign committees and the National Congressional committees, provided they are not authorized by any candidate.

** Calendar year extends from January 1 through December 31. Individual contributions made or earmarked to influence a specific election of a clearly identified candidate are counted as if made during the year in which the election is held.

1/ Each of the following elections is considered a separate election: primary election, general election, runoff election, special election, and party caucus or convention which has authority to select the nominee.

2/ A multicandidate committee is any committee with more than 50 contributors which has been registered for at least six months and, with the exception of State party committees, has made contributions to five or more Federal candidates.

3/ Limit depends on whether party committee is a multicandidate committee.

4/ Republican and Democratic Senatorial Campaign committees are subject to all other limits applicable to a multicandidate committee.

5/ Group includes an organization, partnership, or group of persons.

particular advantage accrues only to the national committee and Senate campaign committee jointly. For the purposes of contribution limitations, state and local party committees are legally considered to be just like any other multicandidate committees. Indeed, this egalitarian treatment is fairly extensive, including in its reach an FEC provision known as the "antiproliferation rule."

The antiproliferation rule was designed to ensure against businesses or unions setting up a number of different segregated funds:

For example, if the IBM Corporation has a PAC for its corporate headquarters, another for its typewriter division, and a third for its employees in New York State, the total amount these three PACs together may contribute is \$5,000 per candidate per election.... In the same vein, the most any individual may give to a combination of the three PACs mentioned above is \$5,000 per year.^{41/}

The FEC, however, has also applied the rule to parties and, in so doing, has decided that with rare exceptions ^{42/} state and local parties are one for the purposes of contribution and expenditure limits. Because the national party and Senate campaign committees share a much higher contribution limit and the national House campaign committees are exempt from joint contribution restrictions, "the consequence is that Senate candidates can receive three and a half times more from their national party than from the state party whose nominee they are, and House candidates can receive twice as much."^{43/}

^{41/} Stan Huckaby, Guidelines for Federal Campaign Compliance, 3rd ed. (Washington, DC: Stan Huckaby, 1982), p. 48.

^{42/} 11 CFR 110.3(b)(2)(ii) reads: "All contributions made by the political committees established, financed, maintained, or controlled by a state party committee and by subordinate state party committees shall be presumed to be made by one political committee. This presumption shall not apply if--(A) the political committee of the party unit in question has not received funds from any other political committee established, financed, maintained, or controlled by any party unit; and (B) the political committee of the party unit in question does not make its contributions in cooperation, consultation or concert with, or at the request or suggestion of any other party unit or political committee established, financed, maintained, or controlled by another party unit."

^{43/} Jo Freeman, "Political Party Expenditures Under the Federal Election Campaign Act: Anomalies and Unfinished Business," paper prepared for delivery at the 1983 annual meeting of the American Political Science Association, Chicago, IL, September 1-4, 1983, p. 17.

Expenditures

In Buckley v. Valeo, the Supreme Court found campaign spending limits (except for Presidential candidates accepting public funds) unconstitutional on First Amendment grounds. Thereafter, two types of expenditures were defined by statute and regulation as allowable for political committees. The first, an "independent expenditure" is defined as:

... an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without co-operation or consultation with a candidate, or any authorized committee or agent of such candidate, and which is not made in concert with, or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate.^{44/}

There are no ceilings on independent expenditures and they can be made by any individuals or political committees with one very notable exception--political party committees.

Coordinated Expenditures. Unlimited independent expenditures have been denied political party committees at all levels based on the assumption that they can never genuinely disassociate themselves from the candidates bearing their labels. Instead, a special category of expenditure has been created for parties: the coordinated expenditure. The FEC describes coordinated expenditures as:

Under the act, state party committees and the national party committee may make special expenditures, subject to limits, on behalf of the party's nominees for the U.S. House and Senate in the general election. The national committee is also authorized to make limited expenditures on behalf of its Presidential nominee in the general election. These "coordinated expenditures" are not considered contributions. Though they may be coordinated with a candidate, the party committee or organization must actually make the expenditure; money given directly to a candidate counts as a contribution rather than as a coordinated party expenditure. The formulas used to calculate coordinated party expenditure limits for Senate and House candidates are:

- o For a Senate candidate, \$20,000 plus the cost-of-living adjustment (COLA); or 2 cents times the voting age population plus COLA, whichever is greater.

^{44/} 2 U.S.C. 431 (17).

- o For a House candidate in a state with more than one Congressional district, \$10,000 plus COLA.
- o For a House candidate in a state entitled to only one representative, the same as the spending limit for a Senate candidate.^{45/}

Thus, although party committees need not worry about maintaining an appearance of independence, unlike their PAC counterparts, they are subject to expenditure limits.

Agency Agreements. The subject of coordinated expenditures takes on a more overtly intergovernmental cast when state party committees allow the national party committees to act as their spending agents. Such agency agreements are the offspring of a provision of FECA which holds that "[t]he limitations on contributions...do not apply to transfers between and among political committees which are national, state, district, or local committees...of the same political party." The legal road from unlimited transfers of contributions to agency expenditure agreements, however, was a rocky one.

Hence, in 1978, a number of state GOP party committees designated the National Republican Senatorial Campaign Committee (NRSC) as their agent for spending purposes. The agreements were challenged by the Democratic Senatorial Campaign Committee (DSCC) as violating coordinated expenditure limitations. The Supreme Court, however, ultimately held in favor of the NRSC claim, thereby giving its blessing to agency expenditure agreements.^{46/}

ACCOUNTING, REPORTING, AND GENERAL COMPLIANCE

As almost any candidate for federal office is painfully aware, FECA is an exceedingly complex law. Illegalities resulting from honest misunderstandings are commonplace. If the law appears complicated and cumbersome to candidates and national committees, however, some contend that for state and local party committees it may be both unwieldy and arcane--a point substantiated in part by ACIR's survey of state party chairs. Fifty percent of Republican and 20% of Democratic chairs identified excessive reporting requirements under FECA as interfering with their state parties activities.

^{45/} FEC, Campaign Guide for Political Party Committees, p. 10.

^{46/} Federal Election Commission v. Democratic Senatorial Campaign Committee, 454 U.S. 27 (1981).

Part of the problem stems from the fact that state and particularly local parties rely heavily on volunteers. According to Richard Richards, former chair of the RNC:

I am an attorney, but not a technical expert on the Federal Election Campaign Act. The fact that an attorney with substantial political experience cannot claim to be an expert on the act immediately highlights the most fundamental difficulty with the Federal Election Campaign Act. When Congress passed this act, it created a new legal speciality--federal election law attorneys. This small cadre of individuals seems to be the only ones who understand completely the myriad rules and regulations.47/

Obviously, Mr. Richards' sense of frustration over the complexities of FECA is many times less than that felt by a part-time volunteer:

Local party organizations often lack the infrastructure to fully understand and comply with the act.... Volunteer participation in our political process is usually paid verbal homage by Congress, yet Congress has enacted the present complex laws which demand professional staff for effective use and compliance at the grassroots level. It is unreasonable to expect that volunteers understand the various contribution and coordinated expenditure limits of the present law.48/

The limited experience of local volunteers is exacerbated by the fact that subnational party committees not only support candidates for federal election but those for state and local office as well and what may be illegal under FECA may be perfectly legitimate under state law. As a result, a state or local committee may create two separate committees: one to support federal office seekers, the other to support state and local candidates. The generation of separate committees, while designed to ease compliance, carries with it certain thorny administrative costs:

Party committees and other multicandidate committees which have established federal campaign committees must allocate administrative expenses on a reasonable basis between federal and nonfederal activities in proportion to the amount of funds expended on federal and non-federal elections, or

47/ Richard Richards, Statement before the U.S. Senate Committee on Rules and Administration, November 20, 1981, cited in Paul Laxalt, "The Real Crisis In Campaign Financing," Commonsense 6 (December 1983).

48/ Laxalt, "The Real Crisis In Campaign Financing," p. 21.

on other reasonable basis. This requirement can be one of the most difficult problems faced by any state or local party.49/

The 1979 Amendments:
Revitalization of State and Local Parties or
Intergovernmental Loophole?

In 1979, partially in response to criticisms that FECA was acting to enervate state and local parties, Congress amended portions of the law. In so doing, it was responding to complaints such as the following proffered by Gerald Ford's manager following the President's unsuccessful bid for re-election in 1976:

One of the major results of the spending limitations has been to encourage the development of highly centralized campaign organizations with elaborate controls over spending.... The experience of the Ford campaign in 1976 showed conclusively that it was easier to discourage grassroots activity than to try to control it and report it. In previous campaigns, it was possible to tell a local campaign or party official to go ahead with a project as long as he could raise the money to finance it. Now, federal law places a premium on actively discouraging such activity because of the danger that it could well lead to a violation of the spending or contribution limits in the primary. Furthermore, in the general election, because no contributions are permitted once federal funds become available, it is even more important to discourage such activity.50/

In relevant part, the 1979 amendments:

- o Allowed state and local party groups to buy, without limit, buttons, bumper stickers, handbills, brochures, posters and yard signs for voluntary activities.
- o Authorized state and local party groups to conduct voter registration and get-out-the-vote drives on behalf of Presidential tickets without financial limit.51/

49/ Huckaby, Guidelines for Federal Campaign Finance, p. 53.

50/ Richard B. Cheney, "The Law's Impact on Presidential and Congressional Election Campaigns," in Parties, Interest Groups, and Campaign Finance Laws, ed. by Michael J. Malbin (Washington, DC: American Enterprise Institute, 1980), p. 240.

51/ Alexander, Financing Politics, p. 176.

Those amendments have been praised as an important first step toward rekindling local party viability--for, in other words, encouraging state and local parties to engage in the sort of grassroots activities that have been their traditional forte.

On the other hand, as the now popular journalistic term "soft money" implies, some feel that the 1979 amendments have, in practice, been less notable as a means of strengthening state and local party committee involvement in federal elections than as a convenient loophole for circumventing the intent of FECA. For instance, a recent article in the Christian Science Monitor began with the sentence: "In Washington, it is known as 'soft money,' in recognition of its shadowy nature."^{52/} Moreover, a Washington Post article described the genesis of the operative amendment in the following colorful manner:

In organizing these [registration and get-out-the-vote] drives, the Republicans and Democrats are capitalizing on an innocuous 1979 amendment to federal election law. The provision was designed to encourage state parties' involvement in Presidential campaigns by allowing them to spend on voter registration and mobilization, along with buying signs, running phone banks and printing bumper stickers.

In 1980, the Reagan-Bush Committee drove a Brink's truck through this provision in the law, raising between \$9 million and \$15 million in a Washington-based operation and forking it out to the states.^{53/}

As the above indicates, the use of the 1979 amendments as a soft money vehicle first manifested itself during the 1980 campaigns, with the RNC raising and spending approximately 9 million such dollars. By 1982, the Democrats had joined their rivals in the soft money game. Indeed, despite the pejorative connotation given the practice, so accepted has it become, that

... [b]oth parties now see soft money as a way of supercharging their Presidential campaigns. Both have active programs to collect cash and channel it through their state brethren.^{54/}

^{52/} Peter Grier, "'Soft Money' and '84 Campaign Financing," The Christian Science Monitor, 19 June 1984, p. 4 (emphasis added).

^{53/} Thomas B. Edsall, "'Soft Money' Will Finance Voter Signup," The Washington Post, 12 August 1984, p. A4 (emphasis added).

^{54/} Ibid.

"Soft money" has been so named because it involves the use of funds--funds from corporate treasuries, union dues, and large individual donors--which cannot be directly contributed to federal elections. Such funding sources are, however, legal in many states and, thus, presumably allowable under the 1979 contribution and expenditure exemptions for party building activities. Those claiming that, in practice, the amendments have merely constituted a gigantic statutory loophole base their allegations on the fact that it has been primarily the national--rather than state and local--party committees which have coordinated the raising, distribution, and use of soft monies, thus fostering greater centralization of party fiscal policy. According to critic Elizabeth Drew:

The theory was that the state parties should be able to participate in the publicly financed Presidential campaign.... But in 1980 the national parties assumed the role of raising and distributing such funds--which was not the intent of the law--and have significantly expanded their use. Through an imaginative, and questionable, interpretation of the law, both parties now use soft money for Congressional as well as Presidential campaigns. They use it as much as they can--and as much as they think they can get away with --for television advertising and for get-out-the-vote drives. Their rationale is that they are using soft money for non-federal elections--for governorships, state legislatures, and so on. (The only federal election mentioned in the 1979 change in law was the one for President.) But, obviously, efforts to motivate people to vote the party ticket at the state level are likely to benefit the candidates for federal office as well. So the distinction is a false one, and the lengths to which the parties go to make distinctions between their soft-money and hard-money expenditures are fairly ludicrous.55/

Others, however, believe that Drew may be too harsh in her criticism:

Critics such as Drew are too quick, however, to condemn all loopholes in the FECA indiscriminately. The 1980 experience suggests that the law as, written and administered, may be open to abuse; certainly contributions to large voter-mobilization efforts on behalf of the national ticket should be subject to the FECA's limits and disclosure requirements. But to regard the 1979 amendments simply as a loophole is to beg important questions: if private and party money have any role to play in Presidential elections, then one must ask through what channels that money is best raised and spent. The 1974 law,

55/ Drew, Politics and Money, p. 15.

while providing an ancillary role for national party committees, clearly tended to remove state and local parties and their voter-contact activities from the Presidential campaign. Assuming that some "loopholes" for party initiatives are desirable, the 1979 provisions seem, on balance, to be well conceived. They open up the possibility of a significant campaign role for state and local organizations and make the Presidential campaign a less centrally controlled, media-dominated affair.^{56/}

The political issue of soft money recently became a legal issue when the Center for Responsive Politics filed a complaint with the FEC. Specifically, the group alleges that "the Republicans and Democrats illegally transferred funds to their respective state committees to influence the outcome of the special election to fill a U.S. Senate seat in November 1983, in Washington State."^{57/} The group bases its allegations on the fact that in 1983 the Democratic National Committee contributed \$20,000 from its Non-Federal Corporate Account to the Washington State Democratic Central Committee while Republican national committees contributed a combined \$67,000 to the Washington State Republican Party for "party-building" and other purposes. Only one statewide office--the U.S. Senate vacancy--was at stake in the election; the remainder of the contests were local and primarily nonpartisan. According to the center's Executive Director Ellen Miller:

It is hard for the center to believe that the massive expenditures made by the national party committees were made to influence the outcome of a few races for county coroner..., a county assessor, auditor, and sheriff..., or the city council....^{58/}

State and Local Parties Under FECA:
Enervation, Revitalization, or Nationalization

Although the 1979 amendments to FECA were designed to enhance state and local party-building activities, much expert opinion points to the still diminished position of the subnational parties under federal law. Hence, the anti-

^{56/} David E. Price, Bringing Back the Parties (Washington, DC: Congressional Quarterly Press, 1984), pp. 252-53.

^{57/} Center for Responsive Politics, Press Release and accompanying Complaint to the Federal Election Commission, August 28, 1984.

^{58/} Ibid.

proliferation rule

...has imposed an unnecessary restraint on local party participation in elections and put federal law in the position of giving an advantage to national parties over state and local parties.59/

Moreover,

...under this [rule], county parties are emasculated. Currently, they are so afraid to violate federal law, they generally concern themselves only with nonfederal candidates.60/

At the same time, the widespread use of agency agreements for coordinated expenditure purposes has been criticized:

I really think unlimited transfers of funds between state and national party units is still desirable. [However,] I'm not sure ... that simply letting the national party absorb the state parties' spending entitlements is desirable.... I'm not sure that's a healthy development from the standpoint of the strength of our state parties.61/

And that part of the law calling for separate accounts between federal and state candidates has been described as

...[p]erhaps the most important provision of the federal law encouraging a greater dependence on national party committees....62/

Finally, even the 1979 amendments, designed to enhance the capacity of state and local parties, have had their share of critics:

[The] amendments do permit a higher level of state and local party activity in behalf of federal campaigns, but,

59/ Testimony of John F. Bibby before the Advisory Commission on Intergovernmental Relations, Washington, DC, June 6, 1984.

60/ Testimony of Howard H. Callaway before the Advisory Commission on Intergovernmental Relations, Washington, DC, June 6, 1984.

61/ Testimony of David E. Price before the Advisory Commission on Intergovernmental Relations, Washington, DC, June 6, 1984.

62/ Xandra Kayden, "The Nationalizing of the Party System," in Parties, Interest Groups, and Campaign Finance Laws, p. 264.

unfortunately, parties' activities are still too severely circumscribed by remarkably complex and unreasonable regulations promulgated by the FEC.... The restrictions are numerous--many without a discernible rationale. The complexity and narrow boundaries of the rules and the threat of legal and press sanctions continue to impede many local party organizations' participation.^{63/}

[T]he 1979 amendments have [not] been an unqualified success from the standpoint of state and local party building. Republican state and local parties often found themselves to be junior partners at best in a nationally financed and directed effort.^{64/}

Indeed, some would contend that far from offering a panacea to beleaguered state and local parties, under the new amendments, those organizations' "ability to participate has decreased."^{65/} Thus, in its Opinion 1980-87, the FEC advised that

Prior to the enactment of the 1979 amendments to the act and the promulgation of regulations implementing those amendments, [an expenditure of less than \$1,000 by a local party committee which included direct mail and local newspaper advertising] could have been made in support of the party's nominees for President and Vice President without regard to the limits of 2 U.S.C. 441a(d) However, the 1979 amendments to the act and revised Commission regulations which clearly delineate the role of subordinate committees of a state party ... with regard to federal elections no longer provide an exemption for such an expenditure by a subordinate committee.^{66/}

Nonetheless, at least one close observer believes that the 1979 amendments have benefited the state and local parties--if not extensively, then at least incrementally:

[The grassroots programs stimulated by the '79 amendments] gave state and local parties organizational resources and a role they would not otherwise have had in

^{63/} Paul Laxalt, "The Real Crisis In Campaign Financing," p. 22.

^{64/} Price, Bringing Back the Parties, p. 253.

^{65/} Jo Freeman, "Political Party Expenditures Under the Federal Election Campaign Act: Anomalies and Unfinished Business," p. 15.

^{66/} Advisory Opinion 1980-87, 2 Federal Election Campaign Guide (CCH) P 5543 (September 15, 1980) cited in Jo Freeman, ibid.

the national effort. Coupled with the RNC's other consultation and support services for state parties, "soft money" helped underwrite ongoing party programs and defray overhead expenses. In both parties, stronger and more self-sufficient state organizations were able to use the 1979 "loophole" precisely as its authors intended--to overcome the FECA's segregation of Presidential races from other races and to implement voter-contact programs on behalf of the entire ticket.^{67/}

In operation and impact, no law is ever completely neutral--and FECA, many would contend, has been somewhat less so than others. Indeed, descriptions and analyses of the federal campaign finance law are quite apt to contain some reference to "unintended consequences," purportedly benefiting one group over another group, one form of political expression over another form of political expression, one set of values over another set of values.

Recent years have witnessed a resurgence of party activity and adaptation to an environment shaped by such forces as innovative technologies and the proliferation of competing political interests. These modernization efforts have largely been spearheaded by the national party committees, leading to the conclusion that a process of top-down restructuring, if not nationalization, is occurring within the party system, potentially changing "the national parties from passive institutions dominated by state and local interests to highly professional organizations...interven[ing] in campaigns and party committees at the state and local levels [and]...thereby reversing the traditional flow of party influence."^{68/}

If indeed either or both major parties are undergoing a long-term process of nationalization, that process is a result of many factors--clearly, not the federal campaign finance laws alone. Nonetheless, a number of FECA's provisions have been quite supportive of the national parties, particularly in relation to other political committees. And, although the FECA has also extended certain privileges to state and local parties, in general it has tended to treat those entities much more like nonparty political committees. As a result, the law has fostered the superior fund raising and disbursing capabilities of the national parties.

Moreover, it would appear both from ACIR survey data and other sources

^{67/} Price, Bringing Back the Parties, p. 253.

^{68/} Kayden, "The Nationalizing of the Party System," pp. 257-58.

that the complexities of the law--especially regarding reporting and accounting requirements--are felt most keenly by state and local party organizations. One state party chair claims that "the effect of the act was to place federal candidates off limits to state and local party organizations."69/ Indeed,

...[c]onsidering the vast number of local jurisdictions (almost 4,000) in which local parties might organize, only a handful--124 Democratic committees in 26 states, 186 Republican committees in 27 states--actually registered to spend money in federal election campaigns [in 1980].70/

On the other hand, as Chapter 4 demonstrates, many state party organizations have been undergoing financial and professional revitalization. And, "although it was not always clear that the prime beneficiaries were the state and local parties, [t]he 1979 FECA amendments [did have] a marked impact on levels of campaign activity and spending in 1980...."71/ Moreover, under the new exemptions, some local activity may now go unreported, thus making it more difficult to discern at what levels local committees may be supporting federal campaigns.

Despite such relatively minor caveats, on balance, relevant portions of FECA have strengthened the national parties' fiscal position vis-a-vis that of their state and local counterparts. In turn, that position has led to some centralization in party campaign financial arrangements. As the following section will illustrate that sort of financial centralization--carrying with it possible implications for the nationalization of campaign finance--has been abetted by additional forces, both within the party system and without it.

CAMPAIGN SPENDING: THE WASHINGTON PERSPECTIVE

Political Action Committees

Our system of representative government is under siege because of the destructive role that political action committees--or PACs--play in our political process. It's time

69/ U.S. Congress, House Committee on House Administration, Campaign Finance Reform, Hearings Before a Task Force on Elections, 98th Congress, 1st Sess., 1983, p. 304.

70/ David Adamany, "Political Parties in the 1980s," in Money and Politics in the United States, ed. by Michael J. Malbin (Chatham, NJ: Chatham House Publishers, Inc., 1984), pp. 94-95.

71/ Price, Bringing Back the Parties, p. 252.

for us to do something about this extraordinary threat. It's time to declare war on PACs.^{72/}

Far from being worrisome, PACs are actually among the most effective ways in which that man or woman on the street--union member, company employee or whoever--can play a more active role of citizenship.^{73/}

Whatever may be, and often and loudly is said about PACs, it is seldom couched in neutral language. The growth of PACs is generally characterized as a "terrifying phenomenon"^{74/} on one hand, or a "positive force"^{75/} on the other. While it's true that scholarly literature on PACs strives to be impartial, the more emotional, less analytical responses (characterized by what Michael Malbin has called "PAC Journalism"^{76/}) have come to dominate the debate.

WHAT THEY ARE

Simply put, PACs are "committees other than party or candidate committees that collect funds and make expenditures in order to influence the outcome of an election."^{77/} As a general rule, multicandidate PACs come in two varieties: separate segregated funds of the sort established by corporations, unions, and trade associations and independent or nonconnected groups exemplified by the now famous, National Conservative Political Action Committee (NCPAC).

As of the end of January 1984, 4,000 PACs had registered with the FEC, about 3,400 more than existed a decade ago. As Table 7-5 shows, the greatest increases have occurred in the categories of corporate and nonconnected PACs.

Not surprisingly, PACs are formed for a variety of reasons from strong ide-

^{72/} Fred Wertheimer, "Common Cause Declares War on Political Action Committees," Common Cause, March/April 1983, p. 43.

^{73/} Mobil Corporation Advertisement, "PACs--The Voice of the Real People," The Economist, December 21, 1982.

^{74/} General solicitation letter from Archibald Cox, Chairman, Common Cause, July 1983.

^{75/} Congressional Insight, March 16, 1984, referring to the theme of a proposed "Salute-to-PACs Day."

^{76/} Michael J. Malbin, "The Problem of PAC-Journalism," Public Opinion, December/January 1983.

^{77/} Frank J. Sorauf, What Price PACs?, background paper for a report of the Twentieth Century Fund Task Force on Political Action.

Table 7-5

PAC GROWTH, 1974-84

Date	Committee Type						Total
	Corpor- ate	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

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

† On May 11, 1976, the President signed the FECA Amendments of 1976.

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

SOURCE: FEC figures, January 1984.

ological preferences to generalized legislative interests. And although it appears at times that America has gone "PAC Crazy," many groups, including numerous Fortune 500 companies, have chosen not to form PACs at all.^{78/}

Like the decision to form a PAC, the organizational and administrative structure chosen by one group is likely to differ at least slightly from that of any other group within FEC strictures. Those rules specify only that a PAC have a treasurer and file a statement of organization with the FEC.^{79/}

^{78/} Sabato, PAC Power, p. 32.

^{79/} Two good works including descriptions of the organization and administration of PACs are Edward Handler and John R. Mulkern, Business in Politics (Lexington, MA: Lexington Books, 1982); and Sabato, PAC Power.

WHERE THEY COME FROM

Though PACs have only recently burst into the American consciousness, 80/ 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, with organized interest groups going further back still. Nonetheless, there is good reason for viewing PACs as a phenomenon of the 1970s and 1980s: the extraordinary proliferation of such groups--particularly those representing business and nonconnected PACs--resulted at least indirectly from the campaign finance reforms of the 1970s.

A number of events were responsible for the modern day prominence of PACs.81/ First, the FECA of 1971 statutorily blessed PACs by permitting labor unions and businesses to form and raise funds for PACs. Additionally, it allowed them to fund the organizational expenses of PACs from their own treasuries.

Second, the 1974 amendments to FECA limited contributions:

While these new rules did not affect PACs directly, their indirect effect was to limit other sources of campaign money and thus to increase candidates' reliance on PAC dollars. The 1974 amendments limited multicandidate PAC gifts to \$5,000 per candidate per election--five times the individual cap--and unlike the case for individuals, no cumulative limit was placed on the amount a PAC could give all candidates combined in each year. Furthermore, "public financing"--the use of federal tax revenues to finance presidential campaigns in primaries and general elections--was given sanction and form by the 1974 amendments. This had the effect of concentrating PAC money on Congressional campaigns at the federal level, since Presidential candidates were funded for the most part from the public treasury (as well as individual contributions in the preconvention period.)82/

Third, the 1974 amendments allowed unions and corporations having government contracts to form PACs. Fourth, in 1975, an FEC ruling known as the Sun-

80/ However, despite their new prominence, as Larry Sabato points out in the acknowledgments to his excellent study, "most Americans know far more about PAC-Man than about PACs." Larry J. Sabato, PAC Power: Inside the World of Political Action Committees (New York: W. W. Norton and Company, 1984), p. ix.

81/ The following section is drawn primarily from Sabato, PAC Power, pp. 7-10.

82/ Ibid., p. 9.

Table 7-6

PAC CONTRIBUTIONS TO U.S. SENATE CANDIDATES, 1981-82

Candidate Type	Corporate	Labor	Non-Connected	Trade/Member-		Corpor-		Total
				ship/Health	ative	ation Without Stock	Stock	
<u>SENATE</u>	9,934,682 (8,604,780)	5,170,526 (4,899,277)	3,442,988 (3,320,151)	5,727,415 (5,037,549)	481,761 (427,626)	326,515 (270,115)	25,083,887 (22,559,498)	
<u>Democrat</u>	2,929,684 (2,449,033)	4,758,953 (4,534,452)	1,642,021 (1,591,235)	2,479,153 (2,186,044)	300,642 (275,967)	165,225 (136,225)	12,275,678 (11,172,956)	
<u>Incumbent</u>	2,607,284 (2,150,483)	2,842,799 (2,701,563)	911,950 (874,480)	2,083,582 (1,808,766)	245,217 (221,167)	151,450 (122,850)	8,842,282 (7,879,309)	
<u>Challenger</u>	198,609 (177,109)	1,411,496 (1,328,431)	520,373 (507,057)	269,300 (253,507)	49,825 (49,700)	8,700 (8,300)	2,458,303 (2,324,104)	
<u>Open Seat</u>	123,791 (121,441)	504,658 (504,458)	209,698 (209,698)	126,271 (123,771)	5,600 (5,100)	5,075 (5,075)	975,093 (969,543)	
<u>Republican</u>	7,004,998 (6,155,747)	411,523 (364,775)	1,793,514 (1,721,463)	3,243,262 (2,846,505)	181,119 (151,659)	161,290 (133,890)	12,795,706 (11,374,039)	
<u>Incumbent</u>	4,229,481 (3,396,810)	364,923 (321,275)	699,423 (633,538)	2,266,385 (1,876,405)	109,675 (80,575)	110,175 (82,975)	7,780,062 (6,391,578)	
<u>Challenger</u>	1,532,525 (1,517,900)	15,700 (13,200)	809,187 (803,021)	555,184 (551,656)	6,910 (6,550)	21,215 (21,015)	2,940,721 (2,913,342)	
<u>Open Seat</u>	1,242,992 (1,241,037)	30,900 (30,300)	284,904 (284,904)	421,693 (418,444)	64,534 (64,534)	29,900 (29,900)	2,074,923 (2,069,119)	
<u>Other</u>	-0- (-0-)	50 (50)	7,453 (7,453)	5,000 (5,000)	-0- (-0-)	-0- (-0-)	12,503 (12,503)	
<u>Incumbent</u>	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)	
<u>Challenger</u>	-0- (-0-)	50 (50)	6,953 (6,953)	5,000 (5,000)	-0- (-0-)	-0- (-0-)	12,003 (12,003)	
<u>Open Seat</u>	-0- (-0-)	-0- (-0-)	500 (500)	-0- (-0-)	-0- (-0-)	-0- (-0-)	500 (500)	

NOTE: The figures on the first line of each item include PAC contributions to debt committees (candidates' campaigns from prior years) and to future campaigns. Figures in parentheses are contributions made to candidates who ran for office in 1981-82.

SOURCE: FEC figures, November 29, 1983.

PAC Opinion held that companies could ask their employees and stockholders to contribute to the corporate PAC as long as no coercion was involved in the solicitation.^{83/} Finally, as noted previously, in 1976, the Supreme Court struck down limits on independent spending by groups and individuals.

WHO THEY GIVE TO

Like PACs themselves, the money they spend has proliferated over the past decade. Hence, PAC spending grew from \$19.1 million in 1972 to \$190.2 million in 1982. Tables 7-6 and 7-7 breakdown PAC contributions in 1982 by type of PAC and candidates for the Senate and House, respectively.

The tables reveal a number of characteristics about PAC contributions. First, incumbent officeholders are by far the preferred conduits for PAC dollars. Indeed, in the period 1981-82, "incumbents received almost 3.5 times as much PAC money as did challengers, receiving 66% of all PAC contributions to 19% for challengers."^{84/} Only from among nonconnected PACs were challengers likely to garner sums close to or exceeding those of incumbents. It should be noted that although incumbents do receive more PAC funds, Michael Malbin attributes this more to the phenomenon of "candidate seriousness" than to incumbency per se: "A candidate's seriousness--that is, his or her chance of winning--continues to be a better predictor of fund raising than incumbency, challenger, or open-seat status."^{85/}

Second, in the aggregate, Democratic candidates received more PAC money than Republicans. And, in the 1981-82 period "the gap between contributions given to Democrats versus Republicans widened--Democrats received 54.3%; Republicans, 46%. In 1979-80, the split was 52% to 47%."^{86/} The major reason for

^{83/} The 1976 amendments placed further restrictions on PAC solicitations. Corporations were allowed to solicit donations from stockholders and their executives and administrators without restriction, but other employees only twice a year. And while unions were unrestricted in soliciting their membership, they were restricted to twice yearly solicitations of corporate shareholders and executives.

^{84/} FEC, "Summary of FEC Reports on Financial Activity, 1981-82," November 29, 1983, p. 1.

^{85/} Michael J. Malbin and Thomas W. Skladony, "Campaign Finance 1984: A Preliminary Analysis of House and Senate Campaign Receipts," paper prepared for delivery at AEI Public Policy Week, Washington, DC, December 2, 1984, p. 1.

^{86/} Ibid.

Table 7-7

PAC CONTRIBUTIONS TO HOUSE CANDIDATES, 1981-82

Candidate Type	Corporate	Labor	Non-Connected	Trade/Member-ship/Health	Cooperative	Corporation Without Stock	TOTAL
<u>HOUSE</u>	19,932,203 (18,923,220)	15,706,066 (15,389,327)	7,532,571 (7,426,582)	17,197,110 (16,835,086)	1,717,682 (1,688,857)	817,170 (797,620)	62,362,802 (61,060,692)
<u>Democrat</u>	7,154,648 (6,959,076)	14,936,653 (14,659,228)	3,984,805 (3,921,894)	7,326,126 (7,157,599)	1,076,576 (1,056,351)	501,858 (487,708)	34,980,666 (34,241,856)
<u>Incumbent</u>	6,206,051 (6,048,399)	8,071,487 (7,901,619)	2,057,156 (2,022,654)	5,815,297 (5,662,199)	897,098 (879,623)	410,498 (398,648)	23,457,587 (22,913,142)
<u>Challenger</u>	289,994 (262,424)	3,348,477 (4,259,455)	1,216,432 (1,193,143)	752,310 (739,581)	73,453 (70,703)	44,485 (41,685)	6,725,151 (6,566,991)
<u>Open Seat</u>	658,603 (648,253)	2,516,689 (2,498,154)	711,217 (706,097)	758,519 (755,819)	106,025 (106,025)	46,875 (47,375)	4,797,928 (4,761,723)
<u>Republican</u>	12,236,655 (11,963,244)	768,913 (729,599)	3,543,059 (3,499,981)	9,867,484 (9,673,987)	641,106 (632,506)	315,312 (309,912)	27,372,529 (26,809,229)
<u>Incumbent</u>	8,549,276 (8,315,287)	622,704 (593,664)	1,381,752 (1,348,948)	6,945,252 (6,776,841)	562,563 (554,413)	256,259 (251,179)	18,318,126 (17,840,332)
<u>Challenger</u>	1,743,190 (1,717,768)	25,009 (14,985)	1,270,759 (1,260,985)	1,343,380 (1,321,850)	20,150 (19,950)	20,925 (20,925)	4,423,413 (4,356,463)
<u>Open Seat</u>	1,944,189 (1,930,189)	121,200 (120,950)	890,548 (890,048)	1,578,852 (1,575,296)	58,393 (58,143)	37,808 (37,808)	4,630,990 (4,612,434)
<u>Other</u>	900 (900)	500 (500)	4,707 (4,707)	3,500 (3,500)	-0- (-0-)	-0- (-0-)	9,607 (9,607)
<u>Incumbent</u>	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)
<u>Challenger</u>	900 (900)	500 (500)	4,707 (4,707)	3,500 (3,500)	-0- (-0-)	-0- (-0-)	9,607 (9,607)
<u>Open Seat</u>	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)	-0- (-0-)

NOTE: Figures on the first line include PAC contributions to debt committees (candidates' campaigns from prior years) and to future campaigns. Figures in parentheses are contributions made to candidates who ran for office in 1981-82.

SOURCE: FEC figures, November 29, 1983.

this imbalance in both chambers is that while corporate and trade association PACs, though favoring Republicans, are apt to "spread the wealth," labor PACs tend to concentrate their spending much more heavily on Democrats. Thus, corporate PACs tend to divide strategically along pragmatic and ideological lines;^{87/} labor PACs tend toward a more partisan strategy.

Third, most economic PACs (corporate and labor) tend, not surprisingly, to give on the basis of their narrow self interests. Such self-interested giving may manifest itself in a number of ways. For instance, some PACs may concentrate on key committee assignments,^{88/} others on home state representation,^{89/} and still others on a variety of additional loyalty litmus tests from "correct voting" to personal friendships.^{90/}

Finally, although ideological PACs are also self-interested (it is hardly likely, after all, that a PAC would form for the purpose of thwarting its self-interest), "they conceive of self-interest more broadly."^{91/} Rather than concentrating on narrow economic interests, ideological PACs of the sort typified by NCPAC on the right and ProPAC on the left tend to seek out candidates with similar philosophies or moral values on a wide range of issues. Thus, the average business PAC might contribute to a candidate based on his or her support of

^{87/} In their study of Business In Politics, Handler and Mulkern placed corporate PAC strategies along an ideological-pragmatic continuum. Corporate PACs thus may be classified as ideological, ideological leaning, pragmatic leaning and pragmatic.

^{88/} For instance, according to Jacobson, dairy PACs, the AMA's AMPAC, banking PACs, and the maritime unions "give overwhelmingly to incumbents of both parties who sit on committees that handle matters directly affecting their financial interests." Gopoian finds the same to be true for defense industry PACs. Gary C. Jacobson, Money In Congressional Elections (New Haven: Yale University Press, 1980), p. 77; William J. Crotty and Gary C. Jacobson, American Parties In Decline (Boston: Little, Brown and Company, 1980), p. 177; J. David Gopoian, "What Makes PACs Tick? An Analysis of the Allocation Patterns of Economic Interest Groups," American Journal of Political Science, May 1984: 268.

^{89/} Some research suggests that certain PAC groupings perceive their home state representatives as most likely to share their interests. For instance, according to one study, defense and automobile firm PACs "concentrate their allocations upon home state representatives." Gopoian, "What Makes PACs Tick?", p. 267.

^{90/} Among others, Sabato, PAC Power, pp. 79-81.

^{91/} Ibid., p. 81.

fairly specific issues which affect that business regardless of the candidate's stance on social or even other economic issues. An ideological PAC on the other hand (including some, but by no means the majority of, business PACs) is much more likely to "grade" a candidate on a wide variety of issues, supporting or not supporting that person's bid for office because he or she is a "hard core" conservative or liberal.

INDEPENDENT EXPENDITURES

Among political quotes of recent years, Terry Dolan's assertion that, "A group like ours could lie through its teeth, and the candidate it helps stays clean,"^{92/} is certainly one of the most memorable. Dolan, chairman of NCPAC and master of the sensational phrase was referring to nonconnected PACs and independent expenditures, perhaps the most controversial of all the means by which elections are financially influenced. That form of political expenditure, it will be recalled, was legitimized by the Supreme Court in Buckley v. Valeo and is defined by the FEC as "an expenditure for communication expressly advocating the election or defeat of a clearly identified candidate that is not made with the cooperation or prior consent of, or in consultation with, or at the request or suggestion of, any candidate or his/her authorized committees or agents."^{93/} The amount of such spending is unlimited by law. Thus, not surprisingly, although most groups do not make independent expenditures, the volume of such spending has been on the rise in Congressional and Presidential campaigns.

Aside from the fact that they are unlimited, independent expenditures are perhaps most notable for being overwhelmingly negative in nature--that is, communications paid for by independent spending tend to be aimed against particular candidates rather than for them. Indeed, as Table 7-8 shows, about 82% of funds of funds independently spent by the top ten such spenders in 1981-82 were negative, a tactic made particularly prominent by NCPAC's 1980 campaign against Senators Bayh, Church, Cranston, Culver, Eagleton, and McGovern.

PACs: TRENDS AND FORECASTS

In lieu of some dramatic alteration in the law, PACs are apt to remain a

^{92/} Myra MacPherson, "The New Right Brigade," The Washington Post, 10 August 1980, p. F1.

^{93/} FEC, Campaign Guide for Nonconnected Committees (Washington, DC: FEC, 1983), p. 47.

Table 7-8

TOP TEN INDEPENDENT SPENDERS, 1981-82

<u>Committee</u>	<u>For</u>	<u>Against</u>	<u>Total</u>
1. National Conservative Political Action Committee	\$137,724	\$3,039,490	\$3,177,214
2. Citizens Organized to Replace Kennedy	0	416,678	416,678
3. Fund for a Conservative Majority	0	388,399	388,399
4. Life Amendment PAC	36,455	219,055	255,510
5. National Rifle Association Political Victory Fund	232,350	477	232,797
6. American Medical Association PAC	211,624	0	211,624
7. Realtors PAC	188,060	0	188,060
8. Progressive PAC	8,090	134,795	142,885
9. Independent Action, Inc.	0	132,920	132,920
10. League of Conservative Voters	129,163	0	129,163
TOTALS	943,466	4,331,814	5,275,250

SOURCE: FEC.

significant force in American electoral politics. However, the fact that PACs may now be considered part of the political status quo in no way implies that they or their environment is static and unchanging.

First, over the past several elections, the PAC phenomenon has characterized itself by exhibiting an amazing capacity for proliferation. Hence, during the decade between 1974 and 1984, the number of PACs mushroomed from 608 (including 89 corporate, 318 trade association, and 201 labor) to 4,009 (1,682 corporate, 698 trade association, 394 labor, 1,053 independent, 52 cooperative, and 130 corporate without stock). (Table 7-5.) Although the number of PACs continues to increase, the rate of that increase has slowed considerably, indicating, according to BIPAC's director Bernadette Budde that "we've reached a plateau."^{94/} Recent FEC figures support that observation, indicating that between 1983 and 1984 the number of PACs increased by just 4.5%. The average yearly increase from 1974 through 1983 had been 22.3%.^{95/} According to Larry Sabato:

Overall, then, PAC numbers will generally stabilize, with some growth continuing but at a moderate clip compared to the explosive years of the "PAC Decade." ...Most labor

^{94/} Quoted in Sabato, PAC Power, p. 164.

^{95/} FEC, "FEC Releases New PAC Figures," Press Release, January 20, 1984.

unions inclined to form PACs have already done so, and while the potential for growth of corporate PACs remains great--over 40% of the Fortune 500 companies still do not have PACs--it is unlikely that many of the nonparticipants will be joining the PAC community soon.96/

In general, then, PACs are evolving through a process of stabilization, indicating perhaps a measure of political maturation.

If the number of political action committees is increasing far less rapidly, their financial strength shows no signs of dissipating. Thus, as indicated previously, "PAC contributions to 1981-82 Congressional campaigns were 51.4% higher than contributions to 1979-80 Congressional races, and total spending by PACs increased 45% from the 1980 to the 1982 election cycle."97/ According to Gary Jacobson:

Donations from nonparty political action committees have grown steadily both in real dollars and as a proportion of all contributions to House campaigns and, with the exception of the 1982 proportion, to Senate campaigns as well. In 1980 House candidates received 29% of their funds from PACs; Senate candidates, 21%. In 1982 the respective figures were 31% and 18%. PAC contributions to House and Senate candidates increased by an average of 36% from one election to the next over the entire period. PACs are by no means the dominant element in Congressional campaign finance, but their relative importance has clearly grown.98/

Like numerical stabilization, financial growth may be indicative of maturation:

While the growth in PAC numbers will probably not be as great as in the recent past, the increase in PAC receipts will be substantial as fund raising becomes more sophisticated, payroll deduction becomes more widespread, and the solicitation pool is gradually expanded to include twice-yearly permissibles, spouses, and in some cases shareholders. PACs are likely to be more discriminating in the use of their treasuries as well.99/

A final significant PAC trend has been identified by Sabato among others:

96/ Sabato, PAC Power, p. 164.

97/ FEC, "1981-82 PAC Study," Press Release, November 29, 1983.

98/ Gary C. Jacobson, "Money in the 1980 and 1982 Congressional Elections," in Michael J. Malbin, ed., Money and Politics in the United States, p. 41.

99/ Sabato, PAC Power, p. 165.

The most important single trend in PAC development is not the swelling of the committees' treasuries but their increased emphasis on political education and grassroots activism. "Voter registration and get-out-the-vote efforts, political education courses, legislative action training, Washington visitation programs where we bring people to DC to instruct and motivate them, issue forums --this is the wave of the future," proclaims MAPCO PAC's Don Cogman. "I'm a big believer in it because it's much more effective. If you get 20 or 30 of your people active in a candidate's campaign, why that's ten times more valuable than a contribution of money."100/

That sort of activism has increased political action committees' forays into political territory traditionally held by the parties. Indeed, some PACs have such "well-developed linkages to the mobilization of their members and to lobbying activities," that Frank Sorauf has labeled them "quasiparties."101/ According to David Adamany:

PACs and interest groups also compete with parties in traditional campaign activities. "Nonpartisan" registration and get-out-the-vote drives are excluded from the FECA's limitations and regulations.... In addition, the law permits membership organizations, including unions and corporations, to communicate to members, stockholders, or administrative personnel about issues and candidates. Such communications...allow PACs' institutional sponsors to perform the same voter mobilization efforts undertaken by parties.... [Finally,] independent expenditures by PACs to reach the general public compete with party advertising for candidates as well as party institutional advertising....102/

PACs: ARE THEY HELPING TO NATIONALIZE CAMPAIGN FINANCE?

As for [the Congressman] and his willingness to accept PAC contributions from afar, I asked him several weeks ago why he did that.

"I just don't feel right asking constituents in my district for campaign funds," he responded.

100/ Ibid.

101/ Frank J. Sorauf, "Political Action Committees in American Politics: An Overview," A Background Paper prepared as part of What Price PACs? Report of the Twentieth Century Fund Task Force on Political Action Committees (New York: The Twentieth Century Fund, Inc., 1984), p. 78.

102/ David Adamany, "Political Parties in the 1980s," p. 102.

Try to figure that one out. Darned if I can.103/

Among other charges brought against PACs is one alleging that they contribute to the nationalization of campaign finance and electoral politics.104/

103/ From a newspaper column by Ron Jenkins, The Henderson Gleaner, cited in Joel Brinkley, "Going for the Jugular on PAC Money," The New York Times, 30 July 1984, p. A10.

104/ Of course, the major controversy surrounding PACs is whether they subvert democracy by distorting the decision-making process. On the one extreme, some contend that this subversion occurs through outright vote buying while others contend that the "distortion" comes about more subtly with PACs, in effect, using their funds simply to gain legislative access. Still others assert that PACs have brought more individuals into the electoral process and thus have actually enhanced democracy. Such questions although obviously crucial, are outside the purview of this study. However, a number of scholars, journalists, informed observers, and advocates on each side have addressed this issue, often coming to very different conclusions. See for example (in no particular order): Larry Sabato, PAC Power: Inside the World of Political Action Committees (New York: W. W. Norton and Company, 1984); Gary C. Jacobson, Money In Congressional Elections (New Haven: Yale University Press, 1980); Elizabeth Drew, Politics and Money: The New Road to Corruption (New York: MacMillan Publishing Company, 1983); Twentieth Century Fund, What Price PACs?, report of the Twentieth Century Fund Task Force on Political Action Committees, background paper by Frank J. Sorauf (New York: Twentieth Century Fund, 1984); Benjamin Ginsberg and John Green, "The Best Congress Money Can Buy: Campaign Contributions and Congressional Behavior," paper prepared for delivery at the 1979 annual meeting of the American Political Science Association, August 31-September 3, 1979); W. P. Welch, "Campaign Contributions and Legislative Voting: Milk Money and Dairy Price Support," Western Political Quarterly: 35 (December 1982); James B. Kau and Paul H. Rubin, Congressmen, Constituents, and Contributors: Determinants of Roll Call Voting in the House of Representatives (Boston: Martinus Nijhoff Publishing, 1982); Diana Evans Yiannakis, "PAC Contributions and House Voting on Conflictual and Consensual Issues: The Windfall Profits Tax and the Chrysler Loan Guarantee," paper prepared for delivery at the 1983 annual meeting of the American Political Science Association, September 1-4, 1983; Herbert E. Alexander, "The Case for PACs," A Public Affairs Council Monograph, 1983; "A Government Of, By, and For PACs," in Common Cause, People Against PACs, 1983; Michael J. Malbin, "Campaign Financing and the 'Special Interests,'" The Public Interest: 56 (Summer 1979); Kirk F. Brown, "Campaign Contributions and Congressional Voting," paper prepared for delivery at the 1983 annual meeting of the American Political Science Association, September 1-4, 1983; Ronald D. McDevitt, "Interest Groups and Political Parties: Their New Roles in Congressional Campaign Finance," Paper prepared for delivery to the 1979 annual meeting of the American Political Science Association, August 31-September 3, 1979; and Kay Lehman Schlozman and John T. Tierney, Organized Interests and American Democracy (New York: Harper and Row, 1986).

Thus, columnist Neal Pearce has stated that PACs are characterized by their use of direct mail and allied techniques to mobilize peculiarly national--not state and local--constituencies."105/ A prominent proponent of that view is Congressman Jim Leach (R-IA):

The State of Iowa is a classic example of the problem. We're mainly rural and small business, but in elections the Republicans are largely funded by business, much of which has nothing to do with the state, and the Democrats are funded by labor, much of which doesn't have anything to do with the state. And you see a breakdown in citizen access. Not that a constituent isn't going to get in the door; but the guy who gave the money is going to get in first. So what you really see is a breakdown in constitutional democracy, which is supposed to be based on citizen access and constituency access. We're seeing regional politics and state and citizen politics become national. National groups determine outcomes, whereas local constituencies used to provide the crucial role. This is new.106/

Although PAC fundraising may be decentralized (collected in various locations), the monies are later apt to be pooled and distributed by the central decision making structure, allowing national PAC officers to make regionally strategic contributions. Hence, as one observer has noted, "[t]he real and effective financial constituency in these circumstances is the PAC and its leadership, not the small givers to campaign warchests."107/

Concerns that national PAC committee contributions to individual Congressional candidates result in the nationalization of campaigns and, by extension, the distortion of local preferences, are not, however, universally shared. For instance, while it is true that much PAC fundraising and spending is centralized, many national PACs are now promoting grassroots political participation programs and have established "child" PACs at the state and local level. In addition, indigenous state and local PACs are quite active and becoming more common.108/

105/ Neal R. Pearce, Remarks made at the 25th anniversary banquet of the Advisory Commission on Intergovernmental Relations, December 6, 1984, p. 3.

106/ Quoted in Drew, Politics and Money, p. 34.

107/ David Adamany, "PACs and the Democratic Financing of Politics," Arizona Law Review: 22 (1980), 596.

108/ Sabato, PAC Power, p. 167.

Finally, a cautionary note is warranted since empirical data is lacking on what if any influence PACs may have on the relationship between members of Congress and their constituents.109/

Despite such caveats, it is possible to speculate, as some observers have, that Washington-based PAC money may be resulting in a unique--almost perverse--process of nationalization:

PAC giving may move the center of financial gravity from the districts to Washington. However, unlike the many nationalizing processes that have characterized American politics since the founding, this would not have the effect of counterbalancing particularistic tendencies. Rather it would substitute fragmentation along functional lines for fragmentation along geographic lines. Thus the effect would not necessarily be to stimulate legislators who take a broader, more national view. Rather the consequence might be to induce them to replace one kind of parochialism for another: seeing issues from the narrow perspective of truckers, rather than the narrow perspective of Manhattanites, or from the limited point of view of chiropractors, rather than from the limited point of view of Californians.110/

The National Parties and Campaign Spending

Political party and campaign finance expert Xandra Kayden has stated:

Whether or not the American party system is in the midst of a realignment, it seems likely that there is a restructuring of party organization, starting at the top. This restructuring will change the national parties from passive institutions dominated by state and local interests to highly professional organizations, with limited mass participation, whose primary function is to provide campaign consulting services to candidates. The national parties may begin to intervene in campaigns and party committees at the state and local levels, as well as to participate in elections of federal officials, thereby reversing the traditional flow of party influence.111/

109/ Kay Lehman Schlozman and John T. Tierney, Organized Interests and American Democracy (New York: Harper and Row, 1986); and Sandra K. Davis, "The Role of PACs in the Nomination and Campaign Process," paper prepared for delivery at the 1984 annual meeting of the American Political Science Association, Washington, DC, 1984.

110/ Schlozman and Tierney, Organized Interests and American Democracy, p. 258.

111/ Kayden, "The Nationalizing of the Party System," p. 258.

Indeed, if the political parties are entering a period of resurgence, that resurgence appears to be strongest at the national level--producing the possibility, at the very least, of a financial nationalization of the party system.

As a previous section of this chapter has illustrated, a number of provisions contained in the Federal Election Campaign Act have given the national parties a relative advantage over other political committees. Hence, the national party committees have higher contribution limits than other political committees including state and local party committees; they may act as spending agents for state and local parties; and they have assumed a leadership role in raising and distributing "party building" funds (so-called "soft monies") allowed under the exemptions of the 1979 amendments to FECA. The upshot has been

... that though the Federal Election Campaign Act of 1971 and subsequent amendments weakened the political parties in numerous ways, the statutes also provided openings that an aggressive party could exploit.112/

Nonetheless, FECA has not been the only window of opportunity through which aggressive national parties have been able to expand their financial influence. Innovations in fund raising technology have been crucial to national party-building efforts in the recent past--particularly in the case of the national Republican committees. For instance,

... [t]he large amount of GOP financial contributions was only a part of the remarkably advanced effort waged by the Republicans in 1982. Services provided by the party, paid for by coordinated expenditures or nonfederal "soft money," were showpieces of state-of-the-art campaign technology.113/

Such advanced technologies have been employed in the Republican's sophisticated polling activities, expensive advertising campaigns, a computer information network linking the National Republican Congressional Committee (NRCC) to individual GOP candidates, and, of course, direct mail appeals. Indeed, it was primarily through the direct mail device that the party was able to raise \$35 million in 1983, having amassed a list of 1.7 million donors, each of whom is contacted for contributions about nine times a year.

Although the Democrats have lagged far behind Republicans in fund-raising

112/ Sabato, "Parties, PACs, and Independent Groups," p. 74.

113/ Ibid., 76.

efforts (if there has been a process of "nationalization" within the party, until lately, that process has been impelled less by financial considerations than by national control over such procedures as Presidential delegate selection), attempts recently have been made to catch up to the competition, including increased direct mailings. By 1983, the Democrats' computerized contributor list numbered more than 400,000.

Assuming that parties and PACs tend to attract different sorts of contributors,^{114/} both parties have begun actively wooing PAC contributions. Thus, in response to Democratic Congressional Campaign Committee (DCCC) business PAC outreach efforts, in 1983, the NRCC doubled the number of its staff working to solicit contributions from political action committees.^{115/}

One measure of the success of both national parties is the amount by which they have been able to outstrip the state and local party committees in financial support of Congressional candidates. (See Table 7-9.) Thus, for example, in the

Table 7-9

CONTRIBUTIONS AND EXPENDITURES ON BEHALF OF CONGRESSIONAL CANDIDATES BY NATIONAL AND STATE/LOCAL PARTY COMMITTEES, 1981-82

Combined State and Local Party Committees

	<u>Contributions to Candidates</u>	<u>Spending on Behalf of Candidates</u>
Democrats	\$546,290	\$1,081,674
Republicans	\$812,786	\$ 401,213

National Party Committees

	<u>Contributions to Candidates</u>	<u>Spending on Behalf of Candidates</u>
Democrats	\$1,217,679	\$ 2,219,923
Republicans	\$4,813,429	\$13,883,750

SOURCE: Fred Eiland, Federal Election Commission, November 1984.

period 1981-82, Democratic state and local party committees spent \$1,081,674 on behalf of Congressional candidates--an amount doubled by the national committees. An even more dramatic contrast, however, was provided by the Republican

^{114/} Ruth Jones, ACIR Thinkers' Session on Campaign Finance, 1984.

^{115/} Congressional Quarterly, July 2, 1983, p. 1350.

party. In the same period, GOP state and local committees spent on behalf of Congressional candidates only \$401,213 while their national counterparts spent about 35 times that much or almost \$14,000,000!116/

Scholars disagree as to the ultimate affects of national party financial rejuvenation on the future of the party system as a whole. On the one hand, although there has been a shift of power to the national level, natural organizational evolution may begin to favor state and local parties as the national committees funnel increasing amounts of money into subnational party-building activities.117/ That same process, however, may result in state and local parties that are mere administrative wings of super committees at the national level as they and candidates grow more dependent on national party largess:

[A]n important outcome of the national committees' activities is that their control over the allocation of financial and other resources, including technical assistance, gives the national committees considerable control over who may successfully compete for various offices. It is partial in the sense that other candidates may enter the primaries and local organizations may endorse whom they please, but outside resources, such as those provided by PACs, may be sufficient to propel the candidate preferred by national committees into the nomination. Furthermore, a candidate must agree to conduct the campaign in the manner required by the national committees, or resources are withheld. The future role of the national committees' control of resources may be greatest in contests for state offices and for the U.S. Senate because, in these contests, under current law, the national committees have the greatest potential to allocate resources and thereby affect political outcomes.118/

Indeed, the increasing financial advantage of the national committees over the state and local party organizations may work to reverse the historically decentralized structure of American political parties:

The decentralization and weak organizational structure characteristic of American parties at the national level

116/ Staff conversation with Fred Eiland, Federal Election Commission, November 1984.

117/ Xandra Kayden, ACIR Thinkers' Session on Campaign Finance, 1984.

118/ M. Margaret Conway, "Republican Political Party Nationalization, Campaign Activities, and Their Implications for the Party System," Publius 13 (Winter 1983): 14-15.

are changing, and will continue to change until the parties ... become national bureaucracies with hierarchies, divisions of labor, and so on.119/

The Taxpayer: Public Financing for the Presidency

From prenomination to nominating convention to the general election, the 1980 Presidential election involved the expenditure of \$275 million. Of that amount, the largest single component--37%--was provided by the U.S. Government, compliments of U.S. taxpayers.

The first such funding law in the country, public financing of Presidential elections was born of the reform wave in campaign finance that began in the early 1970s. Specifically, through the Revenue Act of 1971, Congress permitted taxpayers by means of a tax check-off system to allocate \$1 of their annual federal income tax payment to a general fund for Presidential and Vice Presidential candidates. That fund has averaged about \$38 million a year.

For Presidential candidates, public funds may be received in both the pre-nomination and general election periods. Candidates may opt to reject public funds in which case they may spend unlimited amounts on their campaigns. Candidates who decide to accept public funds must also accept spending limitations.

In order to qualify for public funds in the prenomination period, a candidate must raise, in individual contributions of \$250 or less, \$5,000 in 20 states. Once his or her eligibility is established, a candidate can receive a matching payment from the federal government of up to \$250 for each individual contribution. A candidate receiving public monies may not spend in excess of \$20 million, adjusted for inflation, including the public funds. However, he or she may spend an additional \$4 million on fund raising. In addition to overall spending limits, candidates are subject to limitations on expenditures in each state of \$200,000 or 16 cents per eligible voter.

Nominees of the two major political parties are eligible to receive full public funding for what is known as the "limited" or "controlled" campaign. In exchange for that funding the candidate may not accept private contributions. The Democratic and Republican National Committees, however, may spend an additional inflation-adjusted amount--about \$6 million each in the 1984 election--on behalf of their candidates. Moreover, as Table 7-10 illustrates, substantial additional funds are available through what are known as "second" or "unlimited"

119/ Kayden, "The Nationalizing of the Party System," p. 276.

Table 7-10

SOURCES OF FUNDS IN 1980 GENERAL ELECTION
MAJOR PARTY CANDIDATES
(in millions)

<u>Type of Campaign</u>	<u>Sources of Funds</u>	<u>Reagan</u>	<u>Carter</u>
LIMITED CAMPAIGN Candidate Controlled	Federal Grant	\$29.4	\$29.4
	National Party	4.6	4.6
UNLIMITED CAMPAIGNS Candidate Can Coordinate	State and Local Party	15.0	4.0
	Labor*	1.5	15.0
	Corporate/Association*	1.5	-0-
	Compliance	1.5	1.5
	Transition Planning	.5	-0-
Independent of Candidate	Independent Expenditures**	10.6	.03
TOTAL		\$64.6	\$53.9

*Components of these amounts include communications costs (both those reported, in excess of \$2,000 as required by law, and those unreported, for \$2,000 or less), registration and get-out-the-vote drives, overhead, and related costs.

**Does not include amounts spent against Carter (\$209,781) or Reagan (\$47,868).

SOURCE: Herbert E. Alexander, "The Regulation and Funding of Presidential Elections," Journal of Law and Politics 1 (Fall 1983): 54.

campaigns. Spending in "unlimited" campaigns is only partially controlled by the candidate and includes state and local party spending permitted by the 1979 amendments to FECA, the costs of complying with FECA, and, of course, independent expenditures.

Although minor party and independent candidates do not automatically qualify for public funding, they become eligible to receive funds after the general election if they can muster 5% of the vote. Moreover, if a candidate wins that 5%, he or she is automatically eligible to receive public money in the next general election.

In addition to funding candidates' campaigns, taxpayer dollars amounting to several million are also available to help defray the major political parties' nominating conventions. Minor parties whose candidates received more than 5% of the vote in the previous election are also eligible for convention grants. Thus far, however, no minor party convention has been federally subsidized.

A detailed description and analysis of public funding for presidential campaigns based on the experience of three elections, is beyond the purview of this chapter.^{120/} More relevant to the intergovernmental theme of this study is the fact that a national experiment in publicly financed elections inspired a number of states to enact public funding provisions of their own--each is an experiment in its own right; not one is a duplicate of the federal model. It is to those laws that we shall turn next.

CAMPAIGN SPENDING: THE STATE PERSPECTIVE

Over the generations, believers in our federal system have often expressed the view that the states should (and would) function as seedbeds of governmental improvement, testing a diversity of patterns that would enrich our understanding of self-government.... [N]o one could fault their performance in the reform wave of the past several years. Not only in campaign financing but in reforms relating to open government, lobbying disclosure, and personal financial disclosure, they have shown impressive vitality, often putting Congress to shame in their willingness to face a difficult reform issue.^{121/}

Indeed, although attention to issues of campaign finance has firmly focused on Washington, the states have been experimenting with a wide variety of policies aimed at, among other ends, reducing corruption, heightening public awareness, lessening the influence of large private contributions, and reducing costs.

Public Funding

Since 1973, 19 states have enacted some form of public financing. Those

^{120/} For more detailed analyses see for example, Herbert E. Alexander, Financing Politics (Washington, DC: Congressional Quarterly Press, 1980); Herbert E. Alexander, "Making Sense About Dollars in the 1980 Presidential Campaign," in Money and Politics in the United States, ed. by Michael J. Malbin (New Jersey: Chatham House Publishers, Inc., 1984); Financing Presidential Campaigns: An Examination of the Ongoing Effects of the Federal Election Campaign Laws Upon the Conduct of Presidential Campaigns, Research Report by the Campaign Finance Study Group to the Committee on Rules and Administration of the U.S. Senate (Cambridge, MA: Institute of Politics, John F. Kennedy School of Government, Harvard University, 1982); and Herbert E. Alexander, "The Regulation and Funding of Presidential Elections," Journal of Law and Politics 1 (Fall 1983).

^{121/} John W. Gardner, "Foreword," in Campaign Money: Reform and Reality in the States, ed. by Herbert E. Alexander (New York: Macmillan Publishing Co., Inc., 1976), pp. vi-vii.

forms vary considerably among a number of factors including source of funds, to whom funds are allocated, and offices and elections covered. (See Table 7-11.)

By far the most popular source of funding is the income tax checkoff mechanism, the choice of 13 states. Such check-offs may be for \$1 or \$2. Taxpayer participation rates vary among the check-off states, with New Jersey consistently ranking first. (See Table 7-12.)

Although high rates of participation contribute to the financial success of a program, other factors such as more or less population and the amount of allowable check-offs are important in determining the actual number of dollars a program ultimately realizes. Thus, for instance, Michigan's \$2 check-off rate, its large population, and its relatively high rate of participation have, in the past, made it the leader in public funds collected. (See Table 7-13.)

Moreover, research appears to indicate that "citizens from relatively wealthy states are more likely to contribute public dollars to finance political campaigns than citizens from less well-to-do states; and citizens from states that are more willing to tax themselves are more likely to contribute public dollars to finance elections than citizens from low tax effort states."^{122/}

A few states, California, Maine, Maryland, Massachusetts, and Montana have experimented with income tax add-ons which increase a taxpayer's liability. In general, the participation rates in such states have been much lower than those in check-off states. Indeed, Montana, which averaged about 20% participation under the first five years of its check-off system, switched to an add-on in 1979 --in 1980, only 1.5% participated.^{123/}

While each state differs from the other as well as the federal government in its means of public financing, Alaska's mechanism--a tax refund--is wholly unique. Thus, Alaskans are entitled to a tax credit of up to \$100 for contributions made: 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 municipal office;

^{122/} Jack L. Noragon, "Political Finance and Political Reform: The Experience with State Income Tax Checkoffs," American Political Science Review 75 (September 1981).

^{123/} 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), p. 103.

Table 7-11

STATES WITH PUBLIC FUNDING PROVISIONS

State	Year Passed	Source of Funds	Funds Allocated		Offices Covered	Distribution Timing Or Type of Election
			To	To		
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

Oklahomatt	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).

Table 7-12

PERCENTAGE OF TAXPAYERS EXERCISING CHECK-OFF

State	Initial Tax Year	Year of Program				
		One	Two	Three	Four	Five
Idaho	1975	14.7%	13.5%	12.7%	14.2%	*
Iowa	1973	9.0	12.8	12.5	12.3	11.7%
Kentucky	1976	9.6	16.7	15.0	*	*
Michigan	1976	26.1	28.3	27.0	*	*
Minnesota	1974	18.4	18.3	18.2	20.6	16.0
New Jersey	1976	31.1	34.3	34.4	*	*
North Carolina	1975	4.9	5.5	9.4	7.2	*
Oregon	1977	17.0	15.8	*	*	*
Rhode Island	1973	17.7	22.3	23.2	22.8	23.5
Utah	1974	24.2	8.3	8.2	24.6	18.1
Wisconsin	1977	17.8	19.3	*	*	*

*Plan not in effect.

SOURCE: Jack L. Noragon, "Political Finance and Political Reform: The Experience With State Income Tax Checkoffs," The American Political Science Review 75 (September 1981): 673.

Table 7-13

PUBLIC FUNDS REALIZED FROM STATE INCOME TAX CHECK-OFFS:
THE FIRST FIVE YEARS
(in thousands)

State	Year of Program					Average
	One	Two	Three	Four	Five	
Idaho	\$ 47.4	\$ 45.0	\$ 59.9	\$ 69.1	\$ *	\$ 55.4
Iowa	153.2	225.3	220.2	223.1	215.9	207.5
Kentucky	174.0	244.7	223.2	*	*	214.0
Michigan	2,608.0	2,920.0	2,854.0	*	*	2,794.0
Minnesota	372.3	376.2	391.8	447.7	416.7	400.9
New Jersey	1,164.5	1,401.9	1,426.8	*	*	1,331.1
North Carolina	128.5	144.6	259.5	219.5	*	188.0
Oregon	268.7	264.0	*	*	*	266.4
Rhode Island	89.1	112.9	108.7	110.8	112.0	106.7
Utah	101.5	35.0	34.8	117.6	142.0	86.2
Wisconsin	499.4	525.7	*	*	*	512.6

*Plan not in effect.

SOURCE: Jack L. Noragon, "Political Finance and Political Reform: The Experience with State Income Tax Checkoffs," American Political Science Review 75 (September 1981): 675

for elector confirmations; for groups attempting to influence ballot proposition votes; and for dues paid to nonprofit political organizations.^{124/} Another important component of public financing schemes is the allocation of finances-- that is, whether candidates directly or the political parties are the fund recipients. Of the 19 states listed in Table 7-11, nine distribute monies to candidates only, nine to the parties, and one, Oklahoma, to parties and candidates.

An illustration ^{125/} of a "candidate state" is Minnesota where acceptance of funds is voluntary. In that state, the campaign fund is divided into two accounts:

... one for the candidates of each political party and the other for a general account. The money must be allocated to all qualifying candidates according to a specific formula. The formula varies depending upon the office sought.... The party account is distributed differently for legislative candidates. The formula for the party distribution is for each county within a candidate's district. The legislative candidate party account distribution is based on actual dollars checked off in the district. For large counties where tax returns cannot be separated by legislative district, the amount equals the candidate's share of the dollars allocated in that county to his party account and set aside for that office.... The candidate's share of his party account is the sum of all county shares calculated [by formula]...^{126/}

Illustrative of a "party state" is Iowa:

Iowa designates public funds to political parties for general election campaigns but allows a great deal of flexibility in the way the money can be utilized. The party's state central committee may allocate the money as it wishes so long as it is spent for legitimate campaign purposes. Legitimate campaign expenses include radio, television, and newspaper advertising for the party candidate; leaflets, fliers, buttons, and stickers; campaign staff salaries; travel expenses, lodging, and food for candidates and staff. The state party chairperson must produce evidence to the state comptroller and the cam-

^{124/} Ibid., p. 277.

^{125/} It is important throughout this discussion of public funding to stress the fact that each state's formula and method is unique. Individual state cases are presented solely for the purpose of illustration and not as typical examples.

^{126/} Alexander and Frutig, Public Financing of State Elections, pp. 122-23.

campaign finance disclosure committee not later than January 25 of each year that all income tax check-off funds have been used exclusively for campaign expenses. The money in some cases has been utilized for strengthening the party effort while in other instances it has aided candidates. Use of the funds for primary elections is prohibited as well as for federal candidates if they already receive public funding or matching funds. However, the party may use public funds to pay the expenses of holding a nominating convention. According to the state chairmen of both parties, the advantage of the system is the retention of private contributions with the distribution of public money through the two political parties instead of by a rigid formula.^{127/}

A third component of state public funding provisions is those offices and elections to be financed. In two states, Michigan and New Jersey, public funds are used to support gubernatorial races only in both primary and general elections. Other states fund certain statewide elections for executive and legislative offices, some fund judicial elections, and some provide funds to qualified local candidates. Alaska's unique system funds national (Senatorial and Congressional), statewide, district, and local elections, and some ballot propositions. (See Table 7-11.)

Very little research of either a descriptive or analytical nature has been done on the subject of state public funding laws. Moreover, conclusions emanating from those studies are tentative at best and occasionally contradictory. Nonetheless, a few excellent descriptions and analyses have been completed recently and it is possible to summarize some of those findings under three broad categories: effects on participation, effects on other funding sources, and effects on the political parties.

EFFECTS ON PARTICIPATION

Participation in public funding states may itself be divided into two categories: taxpayer and candidate. Obviously, it is much easier to measure the former and thus we know that as a general rule, taxpayer participation in check-off states tends to run at between one-fifth and one-fourth, indicating to at least one analyst, "substantial citizen support."^{128/}

^{127/} Ibid., p. 49.

^{128/} Ruth Jones, "State Public Campaign Finance: Implications for Partisan Politics," American Journal of Political Science 25 (May 1981): 360.

More difficult to discern is what effect, if any, public funding laws have had on candidate participation--in other words, does the availability of public money play any role in the decision to seek political office? Only one study--examining public funding laws in Minnesota and Wisconsin--has spoken directly to that question. That study found that the availability of such funds was an important, positive factor in a challenger's decision to run.^{129/} Another analysis of public funding states concluded, however, that the expenditure limits often attached to the acceptance of funds placed "a disproportionate burden on challengers."^{130/}

EFFECTS ON OTHER FUNDING SOURCES

One of the oft-cited goals of public funding is a reduction in candidates' reliance on special interest and large individual contributors. Again, findings are mixed. For instance, although in the aggregate, public financing at the state level has brought a significant infusion of new money into the system,^{131/} at least one observer has found that in general it has not reduced candidates' reliance on large contributors simply because funds available to individual candidates are inadequate given the high costs of running for elective office.

Only in Michigan and New Jersey where taxpayer participation is relatively high and public monies are used to pay for gubernatorial elections only may funds be sufficient to the task.^{132/} Others agree, arguing that many programs are overly ambitious--spreading funds too widely--and thus ineffective.^{133/} On the other hand, researchers found that in at least one state, Wisconsin, public

^{129/} Elizabeth G. King and David G. Wegge, "The Rules Are Never Neutral: Public Funds in Minnesota and Wisconsin," paper prepared for delivery at the 1984 annual meeting of the Midwest Political Science Association, Chicago, IL, April 12-14, 1984.

^{130/} Robert S. Peck and Barbara McDowell, "Dollar Democracy: An Analysis of Public Financing of State Politics," 15 Urban Lawyer 921, pp. 945-46.

^{131/} Jones, "State Public Campaign Finance," p. 360.

^{132/} Jack L. Noragon, "Political Finance and Political Reform: The Experience With State Income Tax Checkoffs," American Political Science Review 75 (September 1981): 683.

^{133/} Peck and McDowell, "Dollar Democracy," p. 946.

funding has been increasing as a proportion of contributions while the proportion of PAC money has been decreasing.^{134/}

EFFECTS ON THE POLITICAL PARTIES AND PARTISAN POLITICS

A final broad area where public funding of campaigns might be expected to have some impact is on partisan politics and the political parties generally.

Only one study--completed nearly five years ago--specifically examined the implications of public funding for partisan politics. That study concluded that because they outnumber Republicans in the electorate, Democrats tend to receive, depending upon a state's financing scheme, more absolute public dollars. That conclusion would tend to hold true for any majority party. Related to the above, the study found that whether or not the majority party is advantaged depends upon the state's method of fund collection and distribution. When money is both collected and allocated on the basis of party, "the majority party consistently receives more than its partisan-based fair share."^{135/} For a number of reasons, however, "the relative advantages to majority and minority party organizations that may follow from different public finance policies are not immediately apparent...."^{136/} A more recent study of public funding in Minnesota and Wisconsin found that funding allocations to candidates in those states tends to favor Democrats. The authors also found, however, that the Democratic advantage was decreasing because of increasing participation among Republican candidates.^{137/}

On the subject of the political party system and state public funding laws, expert opinion is quite divergent. For instance, some believe that public funding--even directly to state parties--may promote party atrophy as committees become overly dependent on public funds and neglect other sources of financial support:

In the research project on state parties in which I was involved, we found several state parties where the state subsidy had actually weakened the party. In at least two instances, once the party started getting a state subsidy, it stopped or reduced its regular fund raising activities

^{134/} King and Wegge, "The Rules Are Never Neutral," p. 2.

^{135/} Jones, "State Public Campaign Finance," p. 361.

^{136/} Ibid.

^{137/} King and Wegge, "The Rules Are Never Neutral," p. 16.

and lived off its state funds. Thus, while there are probably instances of parties being enhanced through state funding, this is not a universal pattern. State funding of parties can diminish incentives for aggressive state party activity. In addition, increased regulation and restrictions always accompany state funding.^{138/}

Others, however, feel that taxpayer-financed elections will actually strengthen the parties, particularly if the funds are channeled through the parties. Indeed, one long-time observer of the parties recommends "expand[ing] state-level public funding beyond its current base ... and channel[ing] all or most of these funds through state parties."^{139/}

A third, unique perspective centers on the amount of available public money. Although most of the states provide the parties with some administrative role in public funding, only half allow them to dispense funds. Among the "party" states, however, many provide for considerable flexibility--allowing parties to use funds for administrative and organizational expenses. In these cases, ironically, one observer hypothesizes that low taxpayer response and "inadequate monies" may actually have helped to increase party strength:

Despite (or perhaps because of) the fact that in most of these states taxpayer attraction to the check-off has not been notable, state party organizations have been able to increase their organizational capacities and offer substantial services to party candidates.... One wonders whether, if taxpayer response had been more generous in some of the states, candidate pressures for splitting up the public windfall might not have left the party organizations with little for their own use.^{140/}

From the foregoing it is obvious that judging the success or failure of public funding programs is an exceedingly difficult task. General conclusions based on either empirical evidence or normative criteria are not easy to achieve. This is true primarily because the laws--from the soup of collection to the nuts of reporting--are so dissimilar. It is also true, however, because there are no generally agreed upon goals for such programs. For instance, should public

^{138/} John Bibby, Testimony before the U.S. Advisory Commission on Intergovernmental Relations, Washington, DC, June 6, 1984.

^{139/} David E. Price, Bringing Back the Parties (Washington, DC: Congressional Quarterly, Inc., 1984), p. 259.

^{140/} Noragon, "Political Finance and Political Reform," pp. 680-81.

funding reduce the overall costs of running for office, decrease the incidence of "fat cat" contributions, allow for greater civic participation in the political process, open electoral possibilities to a greater number and diversity of potential candidates, strengthen the capacity of the political parties, or simply add a few more dollars to the campaign coffers? Thorough assessment awaits agreement not only on such goals but on relative measures of success and failure as well.

STATE REGULATIONS

To almost wildly varying degrees, all states in some way regulate the financing of political campaigns. As Figures 7-1 and 7-2 illustrate, these regulations run the gamut from restrictions on individual contributions, to prohibited contributions, to expenditure limits in some public financing states, to various provisions for reporting.

In recent years, state regulatory reform efforts have largely centered on fine-tuning the more comprehensive changes enacted during the mid to late 1970s. Among the more notable developments of recent years have been Florida's ban against contributions during the final three days of a campaign, the application in some states of disclosure laws to undeclared candidates--those testing the political waters; and prohibitions against anonymous contributions in 32 states and limitations on cash contributions in 21.141/

PACs IN THE STATES: PROLIFERATION AND REGULATION

American politics, perhaps even more than American government is decentralized, and the PAC community has begun to reflect this federated arrangement.142/

Although national-level PAC contributions to national-level candidates have tended to be the focus of press, public, and political attention, PACs have been proliferating at the state and local levels as well. Moreover, PAC contributions constitute an ever-increasing proportion of state and local campaign funds--in particular, those supporting state legislative races:

In Washington State there were 114 PACs with receipts of \$2 million in 1978; just two years later, 200 PACs raising

141/ Edward D. Feigenbaum, "Campaign Finance Regulation in the States: The Lesson of Experience," Council of State Governments, April 1984.

142/ Sabato, PAC Power, p. 117.

a total of \$4.3 million were on the scene. In Illinois the number of PACs registered with the state board of elections has grown from 54 in 1974 to 372 in 1982, with a record number of new entrants in the later year. In Michigan the number of active state PACs rose from 325 in 1978 to 478 in 1982; six local Chamber of Commerce PACs were in existence in 1980, and 54 two years later. In California, state PACs accounted for 45% of all \$100+ contributions to 1980 candidates for the state legislature, and by 1982 eight different PACs were pouring more than \$200,000 apiece into races for the state House and Senate.143/

Another observer notes:

There is no question that there were more PACs, more PAC money, and larger PAC contributions in the 1980 and the 1982 state elections than ever before. In Oregon, for example, with no change in requirements for reporting, there were 36 committees in the 1970 general election reporting total campaign spending of slightly under \$200,000; by 1980 there were 151 committees reporting total expenditures of just under \$1 million in the general election.... Even in Idaho where, between the 1978 and 1980 election cycles, the total number of PACs reporting campaign expenditures decreased by more than 20% due to the consolidation of groups, total PAC contributions increased by 20%.... In the 1980 Arizona legislative races, there were 2,985 PAC contributions of over \$100 compared to 1,068 individual contributions of over \$100, and while total contributions to winning legislative candidates increased 300% overall between 1974 and 1980, special interest contributions in the amount of \$100 or more increased 1,218%. The average Arizona PAC contribution to winners in the 1974 campaign was less than \$3,000; by 1980 it was more than \$11,500; and by 1982 there was a noticeable increase in the number of state legislative candidates who received over 90% of their campaign funds from PACs.144/

PACs operating at the state level tend to fall into two very broad categories: those that have no connection with national PACs and are based within single states or even localities and those that to some degree are affiliated with PACs at the national level. Among the latter group, there exists a wide variety of association, ranging along a continuum from mere creatures of parent PACs with little independent authority to fairly autonomous

143/ Ibid.

144/ Ruth S. Jones, "Financing State Elections," pp. 187-88.

Figure 7-1

TAX PROVISIONS AND LIMITATIONS ON POLITICAL FINANCE BY THE STATES

<u>State</u>	<u>Tax Provisions</u>	<u>Contribution Limit</u>	<u>Prohibited Contributions</u>	<u>Expenditure* Limit</u>
<u>Alabama</u>	None	None	Anonymous donors, in name of another	None
<u>Alaska</u>	Credit: \$100	\$1,000 per year to single candidates	Anonymous donors, in name of another	None
<u>Arizona</u>	Deduction: \$100	None	Corporations, labor unions	None
<u>Arkansas</u>	Deduction: \$25	\$1,500 per candidate per election	Anonymous donors, cash over \$50	None
<u>California</u>	Deduction: \$100 Add-On: \$1, \$5 \$10, \$25	None	Anonymous donors, in name of another, cash over \$100	None
<u>Colorado</u>	None	None	Anonymous donors, cash over \$100	None
<u>Connecticut</u>	None	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>	None	\$1,000 per candidate for statewide elections; \$500 in other elections	Anonymous donors, in name of another, cash over \$50	None
<u>Florida</u>	None	\$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>	None	None	In name of another	None
<u>Hawaii</u>	Deduction: \$500 aggregate if to candidates abiding by spending limits. \$100 per	\$2,000 per candidate per election	Anonymous donors, in name of another, cash over \$2,000	Governor \$1.25 times total number of registered voters in preceding

	candidate or \$100 to party committee; \$2 check-off for public funding			general elec- tion; amount differs for other offices
<u>Idaho</u>	Credit: 50% of political con- tributions to \$5 Check-Off: \$1 to political party	\$3,000 per candidate per election	Anonymous donors, in name of another	None
<u>Illinois</u>	None	None	Anonymous donors, in name of another	None
<u>Indiana</u>	None	None	In name of another	None
<u>Iowa</u>	Deduction: \$100 Check-Off: to political party	None	Anonymous donors, cor- porations, in name of another	None
<u>Kansas</u>	None	\$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>	Deduction: \$100 Check-Off: \$1 to political party	\$3,000 per candidate per election	Anonymous donors, cor- porations, in name of another, cash over \$100, other	None
<u>Louisiana</u>	None	None	Cash over \$100	None
<u>Maine</u>	Deduction: \$100 Add-On: \$1 des- ignated to po- litical party	\$1,000 per candidate per election; aggregate ceil- ing of \$25,000 per calen- dar year	In name of another	None
<u>Maryland</u>	Deduction: \$100 Add-On: \$2 for public campaign fund	\$1,000 per candidate per election; \$2,500 aggre- gate limit; \$2,500 per ballot question per election	Anonymous donors, cash over \$99	Governor and Lt. Governor \$.10 times statewide popu- lation for each primary and gen- eral election; amount differs for other offi- ces

Figure 7-1 (cont.)

TAX PROVISIONS AND LIMITATIONS ON POLITICAL FINANCE BY THE STATES

<u>State</u>	<u>Tax Provisions</u>	<u>Contribution Limit</u>	<u>Prohibited Contributions</u>	<u>Expenditure* Limit</u>
<u>Massachusetts</u>	Add-On: \$1 for public campaign fund	\$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>	Deduction: \$50 Check-Off: \$2 for public funding	\$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>	Credit: 50% of political donations up to \$50 if candidate abides by spending limits Deduction: \$100 Check-Off: \$2 to political party or general campaign fund	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>	None	None, except \$250 aggregate limit for specified judicial primaries	None	None
<u>Missouri</u>	None	\$10,000 per candidate; aggregate of \$50,000 per year	Anonymous donors, in name of another, cash over \$50, other	None
<u>Montana</u>	Deduction: \$50 Add-On: \$1 for public funding	Governor and Lt. Governor \$8,000; other statewide offices \$2,000; amount varies for other offices	Anonymous donors, corporations, in name of another	None

<u>Nebraska</u>	None	None	Anonymous donors, in name of another, cash over \$50	None
<u>Nevada</u>	None	None	Other	None
<u>New Hampshire</u>	None	None	Anonymous donors, corporations, labor unions, government employees	None
<u>New Jersey</u>	Check-off: \$1, for public funding	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>	None	None	Other	None
<u>New York</u>	None	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>	Deduction: \$25 Check-off: \$1 for political party or unspecified	\$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>	None	None	Corporations, in name of another	None
<u>Ohio</u>	None	None	Corporations, government contractors, cash over \$100	None

Figure 7-1 (cont.)

TAX PROVISIONS AND LIMITATIONS ON POLITICAL FINANCE BY THE STATES

<u>State</u>	<u>Tax Provisions</u>	<u>Contribution Limit</u>	<u>Prohibited Contributions</u>	<u>Expenditure* Limit</u>
<u>Oklahoma</u>	Deduction: \$100 Check-off: \$1 for public funding	\$5,000 per statewide candidate, organization, or political party; \$1,000 to candidate for local office	Corporations	None
<u>Oregon</u>	Credit: 50% of political con- tributions up \$25	None	Anonymous donors, cor- porations, in name of another	None
<u>Pennsylvania</u>	None	None	Anonymous donors, cor- porations, in name of another, labor unions, cash over \$100; other	None
<u>Rhode Island</u>	Check-off: \$1 to political party or non- partisan gen- eral account	None	Anonymous donors	None
<u>South Carolina</u>	None	None	None	None
<u>South Dakota</u>	None	\$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>	None	None	Corporations	None
<u>Texas</u>	None	None	Anonymous donors, cor- porations, in name of another, labor unions, cash over \$100	None

<u>Utah</u>	Deduction: \$50 Check-off: \$1 to political party	None	None	Media limit for Governor of \$100,000; amount differs for other offices
<u>Vermont</u>	None	\$1,000 for statewide of- fices and legislature	Cash over \$25	None
<u>Virginia</u>	None	None	Anonymous donors, in name of another	None
<u>Washington</u>	None	None	None	None
<u>West Virginia</u>	None	\$1,000 per election	Anonymous donors, cor- porations, government contractors, in name of another, cash over \$50	None
<u>Wisconsin</u>	Check-off: \$1 for public funding	Aggregate limit of \$10,000 per year to can- didates for state and local office and commit- tees; amount varies	Anonymous donors, cor- porations, in name of another, cash over \$50	Governor \$276,550 for primary and \$645,250 for general elec- tion; amounts vary for other offices
<u>Wyoming</u>	None	\$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)

Figure 7-2

REGULATION OF POLITICAL FINANCE BY THE STATES

<u>Reporting Provisions</u>	<u>Election Commission</u>	<u>Ethics Commission</u>
Alabama After each election	None--Secretary of State	Administration, depository, advisory opinions, investigations
Alaska Before and after election	Administration, depository, advisory opinions, investigation	None
Arizona Before and after election	None--Secretary of State	Hearings and investigations on-ly; reports filed with Secretary of State
Arkansas Before and after election	Certification and vote canvas; Secretary of State	Personal financial disclosure by officials
California Before and after election	Administration, investigations, hearings, enforcement; Secretary of State	Administration, investigations, hearings, enforcement
Colorado Before and after election	None--Secretary of State	None--Statement filed with Attorney General
Connecticut Before and after election	Administration, advisory opinions, investigations; Secretary of State	Administration, advisory opinions, hearings, investigations, enforcement
Delaware Before and after election	None	None
Florida Before and after election	Investigations, hearings about violations; Secretary of State	Advisory opinions, hearings, investigations
Georgia Before and after election	Administration, advisory opinions, hearings, investigations	Advisory opinions, hearings, investigations
Hawaii Before and after election	Administration, advisory opinions, hearings, investigations, enforcement, depository	Advisory opinions, hearings, investigations
Idaho Before and after election	None--Secretary of State	None
Illinois Before and after election	Administration, investigations, hearings; Secretary of State	Investigations, hearings
Indiana Before and after election	Administration, audits, investigations, hearings, depository	Advisory opinions, hearings, investigations

<u>Iowa</u>	Before and after election (quarterly reports)	Administration, depository, investigations	None
<u>Kansas</u>	Before and after election	None--Secretary of State	Administration, hearings, advisory opinions, investigations
<u>Kentucky</u>	Before and after election	Administration, depository, audits, hearings, investigations, enforcement	None
<u>Louisiana</u>	Before primary; before and after general election	Advisory opinions, depository, investigations	Advisory opinions, hearings, investigations
<u>Maine</u>	Before and after election	Depository, advisory opinions, audits, hearings, investigations; Secretary of State	Advisory opinions, hearings, audits, investigations
<u>Maryland</u>	Before and after election	Administration, depository, audits, enforcement	Review, audit, hearings, advisory opinions, investigations
<u>Massachusetts</u>	Before and after election	Administration, hearings, audits, advisory opinions, investigations, enforcement, depository	Advisory opinions, hearings, investigations
<u>Michigan</u>	Before and after election	None--Secretary of State	Advisory opinions, hearings, investigations
<u>Minnesota</u>	Before and after election	Administration, depository, audits, advisory opinions, investigations, enforcement	Advisory opinions, administration, investigation, hearings
<u>Mississippi</u>	Before and after election	None	Administration, investigations, hearings
<u>Missouri</u>	Before and after election	None--Secretary of State	None
<u>Montana</u>	Before and after election	Administration, depository, advisory opinions, investigations, hearings	None
<u>Nebraska</u>	Before and after election	None--Secretary of State	Advisory opinions, hearings, investigations, enforcement
<u>Nevada</u>	Before and after election	None--Secretary of State	None
<u>New Hampshire</u>	Before and after election	None--Secretary of State	None

Figure 7-2 (cont.)

REGULATION OF POLITICAL FINANCE BY THE STATES

	<u>Reporting Provisions</u>	<u>Election Commission</u>	<u>Ethics Commission</u>
<u>New Jersey</u>	Before and after election	Administration, depository, audits, hearings, advisory opinions, investigations, enforcement	Advisory opinions, investigations, hearings
<u>New Mexico</u>	Before and after election	None--Secretary of State	None
<u>New York</u>	Before and after election	Administration, depository, advisory opinions, audits, hearings, investigations, enforcement	Advisory opinions, investigations
<u>North Carolina</u>	Before and after election	Administration, investigations, hearings, audits, depository	Advisory opinions, investigations
<u>North Dakota</u>	Before and after election	None--Secretary of State	None
<u>Ohio</u>	Before and after election	Hearings, investigations; Secretary of State	Advisory opinions, hearings, investigations, depository
<u>Oklahoma</u>	Before and after election	Administration, depository	Hearings, administration, investigations
<u>Oregon</u>	Before and after election	None--Secretary of State	Advisory opinions, hearings, investigations
<u>Pennsylvania</u>	Before and after election	None--Secretary of State	Advisory opinions, hearings, investigations
<u>Rhode Island</u>	Before and after general or special election	Administration, depository, advisory opinions, hearings, investigations, enforcement; Secretary of State	Advisory opinions, hearings, investigations, depository
<u>South Carolina</u>	After election	Administration, certification, ballots	Advisory opinions, hearings, depository, investigations
<u>South Dakota</u>	Before and after election	Administration; Secretary of State	None
<u>Tennessee</u>	Before and after election	Certification of ballot; Secretary of State	None

<u>Texas</u>	Before and after election	None--Secretary of State	None
<u>Utah</u>	Before and after election	None--Lt. Governor is Secretary of State	None
<u>Vermont</u>	Before and after election	None--Secretary of State	None
<u>Virginia</u>	Before and after election	Administration, depository	None
<u>Washington</u>	Before and after election	Administration, depository, hearings, investigations; Secretary of State	Hearings, depository, administration, investigations
<u>West Virginia</u>	Before and after election	Advisory; Secretary of State	None
<u>Wisconsin</u>	Before and after election	Administration, depository, audit, hearings, advisory opinions, investigations	Hearings, depository, enforcement, administration, investigations
<u>Wyoming</u>	After each election	None--Secretary of State	None

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)

organizations.^{145/} In any event, such federal-state associations are plentiful--by 1982, almost one-third of all multicandidate national PACs had some form of state committee in operation. Moreover, more than two-fifths of federal PACs contributed to state and local candidates during the 1981-82 cycle.^{146/}

Although state and local PACs come in a variety of forms and permutations, they possess a number of commonalities. First, paralleling the trend at the national level, corporate and trade PACs at the state level have grown at a faster pace recently than other types. In many states, like the national government, this trend is attributable to legislation restricting direct corporate and labor union financial participation in elections. Second, PACs have been particularly active in state legislative races. Third, like their national counterparts, state PACs tend to favor incumbents over challengers, although Ruth Jones notes that when incumbency is held constant, the recent growth in state business and trade association PACs seems to favor Republican candidates. Moreover, recent trends among state PACs include greater participation in primary elections and increasing involvement in referenda issues.^{147/}

As Figure 7-3 reveals, the states' regulatory response to political action committees in the form of contribution limits varies tremendously. And, indeed, the most common response is that of the 28 states that have opted not to set any limits at all. The remaining 22 states can be classified along a continuum of heavy to light regulators.

The newest and most unique among state efforts to limit the influence of PACs was signed into law in April of 1983. Hence, Montana became the first state to limit the total amount a candidate may receive from PACs. The law, which affects only legislative races, limits House candidates to a combined total of \$600 from all PACs and Senate candidates to a total of \$1,000.^{148/}

As Figure 7-3 suggests, however, a more common means of restricting PAC in-

^{145/} Sabato, PAC Power, p. 118.

^{146/} Ibid.

^{147/} Sabato, PAC Power, pp. 119-20; and Jones, "Financing State Elections," pp. 186-192.

^{148/} New York Times, 29 April 1983, p. A5.

fluence is to limit the amount each PAC may give--either on a per candidate or aggregate basis--rather than to limit the amount candidates may receive from PACs in the aggregate. Moreover, some states that at first blush appear unrestrictive because PACs are not subject to contribution limits, may actually circumscribe them enormously. Thus, for example, Massachusetts not only prohibits direct corporate campaign contributions but also prohibits corporations from establishing, administering, or in any other way being involved with PACs.

In his study of PAC Power, Larry Sabato concludes that "the political action committee 'new federalism' appears much healthier on the whole than President Reagan's intergovernmental affairs program of the same name, and the likelihood is that the state PAC movement will continue to prosper."149/

Nonetheless, the future of PACs at the state level is dependent upon a number of factors. First, if state PACs continue to emulate national PAC trends, the rate of increase in PAC contributions should begin to slow. That trend may be more pronounced among PACs that fit the "parent/child" model and may be exacerbated by the sort of contributor parochialism noted by Paul Weyrich of the Committee for the Survival of a Free Congress:

It's really difficult to interest people in state legislatures other than their own. It's hard to explain to the guy in Illinois why he should contribute to someone in Virginia to defeat the Equal Rights Amendment....150/

More important, however, in determining the future of PACs at the state level will be state campaign finance laws. For national level committees administering or attempting to establish state committees those laws represent a confusing array of rules and regulations--an accounting nightmare in some instances, particularly when coupled with federal restrictions. In addition, on the other side of the coin, in a number of states corporations and labor unions may make direct contributions thus rendering the establishment of PACs unnecessary.

Recent attempts at the state level to circumscribe contributions have met with mixed results. On the one hand, the Montana legislature passed and Governor Schwinden signed in 1983 very restrictive contributory limits. On the other hand, in the 1984 elections, California voters rejected a proposal to limit

149/ Sabato, PAC Power, p. 121.

150/ Paul Weyrich quoted in ibid.

Figure 7-3

PAC CONTRIBUTION LIMITS FOR STATE ELECTIONS

<u>State</u>	<u>Contribution Limit</u>
Alabama	None.
Alaska	\$1,000 per year per candidate.
Arizona	None.
Arkansas	\$1,500 per year per candidate.
California	None.
Colorado	None.
Connecticut	If established by individuals: no limit. If established by labor organization, same as individual limit: \$50,000 aggregate limit per election. If established by corporation, twice individual limit: \$100,000 aggregate limit per election.
Delaware	\$1,000 per statewide candidate, per election. \$500 per non-statewide candidate.
Florida	\$3,000 per statewide candidate per election. \$1,000 to others.
Georgia	None.
Hawaii	\$2,000 aggregate per candidate per election.
Idaho	None.
Illinois	None.
Indiana	None.
Iowa	None.
Kansas	\$3,000 to statewide candidates per election, \$750 to others per election.
Kentucky	None.
Louisiana	None.
Maine	\$5,000 per candidate per election
Maryland	None, except for limits on out-of-state PACs to \$1,000 per candidate, \$2,500 per election.
Massachusetts	None.*
Michigan	\$1,700 to statewide office, \$450 to state senator, \$250 to state representative.
Minnesota	Between \$150 and \$12,000 in nonelection years depending on office. Limits are increased five times for contributions in election years.

*State law prohibits any corporate involvement in PACs.

campaign contributions. Meanwhile, in addition to its endeavors aimed at reducing or eliminating the influence of PACs at the national level, the public interest lobby, Common Cause, has been the spearhead of similar attempts in the states, kicking off its "War On PACs" and "People Against PACs" campaigns in

Figure 7-3 (cont.)

PAC CONTRIBUTION LIMITS FOR STATE ELECTIONS

<u>State</u>	<u>Contribution Limit</u>
Mississippi	None, except for \$250 per primary for judicial candidates.
Missouri	None.
Montana	\$8,000 to governor and lieutenant governor. \$2,000 to others statewide. House candidates cannot accept more than \$600 and Senate candidates more than \$1,000 from all PACs.
Nebraska	None.
Nevada	None.
New Hampshire	None.*
New Jersey	\$800 per gubernatorial candidate.
New Mexico	None.
New York	Formula based on voter population.
North Carolina	\$4,000 per candidate per election.
North Dakota	None.
Ohio	Prohibited.*
Oklahoma	\$5,000 to state candidates, \$1,000 to local candidates.*
Oregon	Out-of-state committees limited.
Pennsylvania	None.
Rhode Island	None.
South Carolina	None.
South Dakota	None.
Tennessee	None.*
Texas	None.
Utah	None.
Vermont	\$5,000 per candidate per election.
Virginia	None.
Washington	None.
West Virginia	\$1,000 per candidate.*
Wisconsin	\$1,000 to statewide. \$500 to state assembly. Others: percentage of prior disbursements.
Wyoming	None.

SOURCES: Common Cause; Council of State Governments; and State Services Group, The Martin Haley Companies, Inc.

1983 with media events and grassroots lobbying efforts in many states. Common Cause advocates "comprehensive campaign finance legislation" in each state including more stringent disclosure laws; limitations on political contributions both by groups and individuals; strict sanctions for violations of election law

Table 7-14

SOURCES OF CAMPAIGN CONTRIBUTIONS, 1980

<u>State*</u>	<u>Percent of Contributions</u>		
	<u>Individuals**</u>	<u>Party</u>	<u>PACs</u>
<u>California:</u> Legislative [°]	17	19 ^{°°}	73
<u>Iowa:</u> Legislative	53	12	34
<u>Missouri:</u> Statewide	64	2	23 ^{°°}
	Legislative	1	30
<u>Nebraska:</u> All candidates	73†	3	24
<u>Washington:</u> Legislative	34	8	37
<u>Wisconsin:</u> Statewide	58††	31	8
	Legislative	8	24

*Data are estimations based on reports of the individual states. Differences in state reporting conventions make exact comparisons impossible, and although every effort has been made to keep the three sources comparable, estimates must be interpreted with caution. Rows do not total 100 because other sources of contributions (loans, public funding, etc.) were not always identifiable.

**Included in this category are contributions from fund raisers not reported as party or committee contributions, candidates' personal contributions, and contributions not itemized under the states' threshold for reporting.

[°]Figures are for the general election contributions only.

^{°°}Includes funds contributed directly by corporations, businesses, and labor unions.

†Includes all reported contributions under \$200 (62% of the total), some of which may have been from parties, PACs, or business or labor groups.

††Represents the contribution residual after payment of carryover debt.

SOURCE: Ruth S. Jones, "Financing State Elections," in Money and Politics in the United States: Financing Elections in the 1980s, ed. by Michael J. Malbin (Chatham, NJ: Chatham House Publishers, Inc., 1984), p. 183.

including, where appropriate, criminal sanctions; and mixed private and public funding for state office seekers in primary and general elections.^{151/}

State Parties

Like their national counterparts, state parties are competitors in the game of electoral politics--both as donors and as donees. In fact, state party financial involvement in state campaigns ranks third behind that of individual and PAC contributions. (See Table 7-14.) Nonetheless, and again like their national counterparts, over the past several years, state party activity and

^{151/} Common Cause, "Campaign Finance Reform In the States," An Information Bulletin, September 1983.

financial involvement in state and local elections has been increasing.

Indeed, Ruth Jones found a substantial increase in state parties' financial activities in 1980 state elections. As might be surmised from previous sections, much of that activity--in the form of increased availability of state party funds for state campaigns--was the result of national committee generosity. This was primarily true for the Republican parties which benefited from the RNC's GOPAC efforts. Nonetheless, some of the growth in state party financial activity resulted from state party initiative:

The number of party organizations reporting financial activity in Oregon increased from 63 to 87 between 1976 and 1980, and the total partisan expenditures in campaigns almost doubled. In Idaho, total Republican contributions in 1980 increased 25% and total Democratic contributions increased 37%; Republican increases were at the state committee level, whereas the bulk of Democratic increases came at the level of county and local party organizations.^{152/}

According to Robert Huckshorn, the most prevalent method by which state parties raise their own revenues remains that mainstay of American politics, the fundraising dinner.^{153/} Increasingly, however, the state parties have been emulating the national parties by relying more heavily on direct mail and phone appeals and so-called "sustaining" membership programs for small contributors.^{154/}

A relatively recent financial innovation has been party-PAC cooperation. In some cases, the cooperation has taken the form of party leaders matching candidates to appropriate PACs, suggesting a level of financial support the candidate would need to win, and then offering to provide party matching funds. "Both Republican and Democratic party organizations successfully employed this approach and, in fact, used it to obtain funding from groups not generally aligned with the party but in harmony with an individual candidate's position or interest."^{155/}

^{152/} Jones, "Financing State Elections," p. 194.

^{153/} Robert J. Huckshorn, Party Leadership in the States (Amherst, MA: University of Massachusetts Press, 1976), pp. 144-51.

^{154/} Ibid.

^{155/} Jones, "Financing State Elections," p. 197.

A different sort of party-PAC alliance has been accomplished through coordinating the provision of in-kind services:

A few PACs expressed a willingness to support certain campaigns that were identified by the party as winnable, but only on the condition that the PAC would hire the staff and oversee the management of the campaign. In such cases, the party, PAC, and candidate had to reach an accord on lines of authority and responsibility; but once this was achieved, a team concept emerged in which it was clear that the party was the initiator of the arrangement, the PAC was the financial facilitator, and the candidate was the focal point of the entire enterprise.^{156/}

One way in which state party organizations might be expected to spend their resources is in the form of financial contributions to local party organizations. The ACIR survey of state party chairs found that the majority of responding Democratic state party committees (61%) allocated no funds whatsoever to be used as contributions to local party organizations; 46% of the Republicans fell into the same 0% category. On the other hand, fully 46% of the Republicans and 36% of the Democratic state committees allocated 1% to 20% of their budgets to contributions for local organizations. Only 8% of the Republicans and just 4% of the Democrats set aside 21% to 40% of their budgets to financially assist their local counterparts.

Indeed, according to one study, the primary way in which state parties aid local units is through patronage clearance. Some parties, however, provide such campaign related assistance as fund raising programs, voter registration, and get-out-the-vote drives. Significantly, the study found that 28% of the state parties reported no assistance of any sort to city and county organizations.^{157/}

On the other side of the coin, local party committees in some states may be expected to contribute to the state organization. Hence, some states rely on a quota system for raising funds whereby local units are responsible for soliciting given amounts of money in support of the state organization. In general, such quotas are relatively difficult to enforce and represent a decreasing proportion of state party funds.^{158/}

^{156/} Ibid.

^{157/} Huckshorn, Party Leadership in the States, p. 240.

^{158/} Ibid., pp. 145-46; and Douglas I. Hodgkin, "State and Local Party Capability: Maine Republicans," Party Line (September 1984): 14-15.

CONCLUSION

Campaign Finance: Toward an Era of Centralization?

If one thing may be said about that big American business known as running for office, it is that it is a growth industry. Campaigning at all levels of government and for every office involves increasingly sophisticated technologies and ever-greater costs.

In recent years, it has become almost axiomatic to speak of the decentralization of structures in business and in government. Yet, in the big business of campaign finance, certain forces appear to be pulling in the opposite direction. Three in particular--the Federal Election Campaign Act, the financial revitalization of the national political parties (especially the national Republican party), and the centralized decision making and distribution characteristic of many national PACs--were discussed in this chapter. Those forces seem--if not individually, then at least in cumulative effect--to be leading toward the nationalization of campaign finance.

Hence, FECA has: provided the national parties with higher contribution limits than other political committees including state and local party committees; through agency and court rulings, allowed the national party committees to act as spending agents for state and local party committees; and by means of the 1979 amendments, created a vehicle through which the national parties may raise and distribute funds in the states for party promoting activities. Moreover, the accounting and reporting complexities of FECA have been especially burdensome to state and (even more so to the largely volunteer-staffed) local party committees.

A far more tenuous connection between FECA and the centralization of electoral finances has been created by the stepchildren of that law--modern-day PACs. Although the PAC system is itself decentralizing in a functional sense, the decision making structures and financial distribution arrangements of many national PACs are quite centralizing, allowing national organizations to fund local Congressional races. Moreover, those funds may be generated by sophisticated techniques which allow some national groups to activate national constituencies.

The parties themselves have been a third force of financial centralization. Led by the Republican party, the national wings of the traditionally decentralized mainstays of American politics have shown tremendous financial vitality.

That vitality has allowed the national parties to increase substantially their level of assistance to and control over state parties.

Parties, PACs, and the Battle for Financial Clout

Although the political parties at the state as well as national level have recently demonstrated renewed financial vigor, in supporting candidates they continue to fall behind individual and PAC contributors. Hence, as Table 7-15 demonstrates, despite an enormous surge in party spending (particularly by

Table 7-15

LEVEL OF PARTY AND PAC SUPPORT IN THE 1980 ELECTIONS
(in thousands)

	<u>Democratic Candidates</u>	<u>Republican Candidates</u>	<u>Total</u>
Total Party Support	\$ 6,594	\$16,972	\$23,466
Total PAC Contributions	\$28,896	\$26,222	\$55,118

SOURCE: F. Christopher Arterton, "Political Money and Party Strength," in The Future of American Political Parties: The Challenge of Governance, ed. by Joel L. Fleishman (Englewood Cliffs, NJ: Prentice-Hall, Inc., 1982), p. 111.

Table 7-16

SOURCES OF CONTRIBUTIONS TO HOUSE CANDIDATES BY PARTY, 1972-80
(in percent)

	<u>1972</u>	<u>1974</u>	<u>1976</u>	<u>1978</u>	<u>1980*</u>
<u>Republicans</u>					
Individuals	62%	76%	62%	63%	66%
Political Parties	23	7	12	7	9
Nonparty Committees	9	12	18	23	25
Candidates	—	4	6	7	**
<u>Democrats</u>					
Individuals	56	70	55	60	66
Political Parties	12	1	4	2	2
Nonparty Committees	19	22	28	27	32
Candidates	—	7	11	11	**

*FEC data. **Included in "individuals."

SOURCE: Gary C. Jacobson, "The Pattern of Campaign Contributions to Candidates for the U.S. House of Representatives, 1972-78," An Analysis of the Impact of the Federal Election Campaign Act, 1972-78, A Report to the Committee on House Administration, U.S. House of Representatives, October 1979.

Republicans) in the 1980 elections, party assistance to candidates fell well short of that provided by political action committees. Moreover, as Table 7-16 illustrates, party contributions as a proportion of all contributions to House candidates have been in a state of relative decline since 1972.

At least one observer of the party system believes that under current circumstances, the proportionate decline in party support is inexorable:

The reason for this decline is apparent. There is a finite number of political party committees and a legal limit on what they can contribute to their candidates, so there is a maximum dollar amount of party support available.160/

In response, parties at the state and national levels have themselves begun PAC outreach programs, both to enhance their own treasuries and in attempts to effectively coordinate and direct PAC spending on behalf of party candidates. Thus, if parties continue to be third-place competitors in the race for financial clout, they are, nonetheless, beginning to accommodate themselves to the political realities of the 1980s--in the future, that accommodation could have enormous consequences for political spending and campaign finance.

Campaign Finance in the States

Much of what can be said about the state of campaign finance in the states is at least reminiscent of that said about overarching national level campaigns. Rising costs, rising numbers of PACs, and a rising level of party financial activity are all characteristic of subnational as well as national "dollar politics." Indeed, the growth of PACs and party financial activity in the states has been both emulative of and abetted by that growth in Washington. Moreover, national campaign regulations have greatly influenced the organization and structure of state political committees.

Campaign finance in the states, however, is also characterized by extraordinary diversity and experimentation. Notably, though following in the wake of federal law, the states have shown enormous variety in the area of public funding--from financing single executive races to financing a broad range of state and even local campaigns; from party allocation to candidate allocation; from tax check-offs to tax add-ons. In addition, no state is quite like any other--

160/ U.S., Congress, Senate, Senator Paul Laxalt speaking for Amendment to the Federal Election Campaign Act of 1971, S. 1350, 98th Cong., 1st Sess., 24 May 1983, Congressional Record 129: S7352.

nor, indeed, like the national government--when it comes to regulating the flow of political money. Finally, states have seen the development of and growth in wholly indigenous PACs (including PACs that do not fund candidates but seek to influence initiatives and referenda) and some state parties, though lagging far behind and often dependent on other campaign financiers, are attempting a measure of rejuvenation. Campaign finance in the states has thus been both reactive and innovative.

* * * * *

The connection between money and politics is as old as both--it changes with the environment surrounding it, but it remains powerful. In the future, that connection will be affected by numerous forces--by public opinion, by laws at all levels of government, by competing groups and interests, and by the inexorable advancement of technology. Whatever the form and strength of those mitigating forces, however, one factor will remain as certain as the connection between money and politics itself--the attendant controversy which it inevitably provokes.

Chapter 8

FINDINGS, ISSUES, AND RECOMMENDATIONS

SUMMARY FINDINGS

America's political system has undergone significant change since 1960. Politics based upon lasting commitments to party and place--community, state, and region--has eroded substantially. It is being replaced by an increasingly national political marketplace in which competing candidates, interest groups, and parties vie for media attention and rely upon modern marketing techniques to win support from an ever more volatile and skeptical public. Specifically, the past 25 years have witnessed the final withering-away of once powerful political "machines;" the development of a new process for nominating Presidents, characterized by the proliferation and heightened influence of Presidential primaries and by the declining role of state and local party leaders at national conventions; and the rise of television as possibly the most important single force in modern politics. As party loyalties have waned, the role of independent politicians, voters, and issue-oriented activists has expanded in contemporary elections. There has been an explosion of organized interest groups, "single-issue" politics, and new group-related sources of campaign finance.

To be sure, the magnitude of change has often been obscured by important continuities in the forms of American politics. Political parties, for example, continue to command the allegiance of large numbers of voters, to stage national conventions for nominating Presidential candidates, and to organize governments following elections. Yet, beneath this veneer of continuity there has been a transformation in the way in which politics is conducted and in the distribution of power within the political system.

In this study, the Commission has sought to examine these changes and to analyze their implications for the operation and maintenance of federalism. Specifically, the preceding seven chapters have: traced the historical relationships between political parties and federalism; examined the changing role of parties in national elections; analyzed recent developments affecting state parties and political systems; traced the growing role of the media in politics; described the evolution and expansion of modern interest groups; and explored the growing cost of elections and changing sources of campaign finance. This research suggests six summary findings:

- o Throughout much of American history, the strongly decentralized structure of the political parties helped maintain a balance between national, state, and local authority.
- o 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.
- o 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.
- o Organized interest groups active in Washington have proliferated in number, diversified in form, and adopted new political techniques for influencing government.
- o 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.
- o 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.

Each of these findings is discussed briefly below.

Finding 1

Throughout Much of American History, The Strongly Decentralized Structure of the Political Parties Helped Maintain a Balance Between National, State, and Local Authority

To the founders, the federal system established in 1789 was a marriage of lofty ideals and political necessity. On the one hand, it was intended to advance the aims of representative democracy, providing multiple avenues of representation while ensuring against excessive concentrations of authority in any single jurisdiction. More pragmatically, it provided for a more energetic national government while respecting the prerogatives and roles of the states.

To secure these ends, the constitution included numerous provisions designed to establish federalism on a strong and permanent footing and to maintain political balance between the levels of government. These provisions included an expanded but still limited sphere of enumerated federal powers, in which the national government was granted supremacy. Remaining governmental powers were reserved to the states through the Tenth Amendment. Equally significant, a series of electoral procedures was devised to give the states and their officials opportunities to influence the selection, and presumably the policies, of federal officeholders. The electoral college system, state legislative election of Senators, and the states' residual authority to determine suffrage requirements and to structure elections were all elements of this electoral federalism.

Over time, most of the explicit constitutional protections for the federal system were altered or eroded. Changing judicial interpretations greatly broadened the range of implied federal powers, and popular election of Senators and Presidential electors replaced state legislative selection. Yet, while these constitutional devices remained in effect, and even after the last had been abandoned, they were supplemented by an additional but informal institution that reinforced their strong decentralizing tendencies: the political party system.

Political parties tended to have a decentralizing influence for several reasons. Although they began in the 1790s as nationally structured organizations oriented toward national issues, by the 1830s the parties were organized primarily on a state and local basis. Individual state parties existed as autonomous entities that established their own bylaws, selected their own leaders, and directed most of their attention to state and local offices and issues. The national parties, by contrast, were loose confederations of state organizations that convened every four years for the purpose of selecting a Presidential and Vice-Presidential candidate.

This decentralized structure meant that the parties often served as an important informal channel for state and local influence over national politics. Even after the 17th Amendment established the direct election of Senators, state and local political leaders retained a dominant influence over the recruitment, nomination, and election of candidates for federal office in many areas of the country. Given the nature of their jurisdictions, moreover, Representatives and Senators were inevitably the products of their local political environments. In certain cases, they held important positions within the state or local party

organization itself and could be viewed as local as well as national officials.

For their part, Presidential candidates were chosen by an assemblage of independent state and local party chieftains at the national convention. Historically, the ranks of such candidates were often swelled by governors running as "favorite sons" leading unified state delegations. Such leaders frequently sought to broker the convention's decision and perhaps to gain the nomination themselves as "dark horse" candidates. Once the nominations were made, the chosen candidates relied for their election upon the permanently organized state and local parties with their armies of adherents and party workers.

Besides providing an important avenue of state and local influence over the selection of federal officeholders, the decentralized party system contributed in another way to governmental decentralization. The absence of party discipline and hierarchy at the national level typically made concerted legislative action in Washington extremely difficult. Because legislative opponents of the President and Congressional party leaders were insulated from effective party sanctions--especially in the period after 1910--the natural difficulties of coalition-building in a large and diverse nation were often magnified by the national parties' weaknesses. On those rare occasions when Presidents did attempt to use their political influence to defeat Congressional opponents or to punish unreliable party members at the polls, their efforts generally failed dismally.

To be sure, parties alone were not responsible for maintaining governmental decentralization in the United States, nor were they incapable of serving nationalizing purposes at specific points in time. The parties, to some extent, merely reflected other factors promoting decentralization in the political system, including a pervasive and intense popular culture that emphasized the values of localism and laissez-faire. Similarly, political constraints on the federal government's growth were strongly reinforced by reigning constitutional doctrines until the late 1930s. On the other hand, the political parties sometimes acted as vital instruments of federal activism and governmental centralization, as in the 1860s and the 1930s. During such periods of national crisis, when strong leadership and popular support existed on behalf of vigorous and innovative federal policies, the parties served as convenient and necessary channels for mobilizing popular support and for encouraging effective legislative coalition building.

Although critically important, such periods of party nationalism were generally episodic and shortlived. Throughout most of American history, the

party system tended to hinder rather than assist such developments. Indeed, during the 1950s and early 1960s, many influential scholars attributed to parties the primary role in preserving decentralized federalism in the United States. At that time, although the legal barriers to strong federal action had eroded, the noncentralized party system continued to exert a significant, though often indirect, influence over the conduct of intergovernmental relations and to occupy a vital and often dominant position in American politics.

Finding 2

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

Political parties traditionally played a dominant role in American politics. Among the populace at large, stable and deeply rooted partisan loyalties--often passed down within families from generation to generation--long exerted the single most important influence on voting behavior.

Within most states and at the parties' national conventions, relatively small groups of party professionals and influential politicians, for much of our history, were able, to govern the selection of party nominees for major offices. In those localities and states with the strongest parties, leaders controlled stable and elaborate political organizations capable of turning out party loyalists to vote; successfully recruiting, nominating, and electing candidates to office; and rewarding party regulars with advancement from one office to the next. Across most of the country, party organizations provided the major sources of campaign expertise and resources. For this reason, candidates relied upon them to orchestrate and conduct campaigns.

The parties' role in each of these critical electoral functions has eroded, with the first signs of decay appearing in the Progressive era (circa 1910). During that period, popular attachments to the parties began to weaken significantly. Widespread disaffection caused by political corruption and changing social mores helped spur the adoption and proliferation of primary elections, threatening the parties' grip on the nominating process. Many states adopted further ballot changes and election laws designed to regulate and curtail party influence over elections. These factors--combined with the effects of sectional-ly based, one party politics and the gradual erosion of patronage employment--

contributed to a significant weakening of political parties in many states during the early decades of this century. In most areas, this decline was halted and partially reversed by the formation of new partisan alignments in the 1930s, but during the 1960s and 1970s the erosion of party influence in American politics resumed at a sharply accelerated pace.

Although it still remains the single most important factor influencing how most people vote, party identification has lost much of its past effectiveness as a voting guide, and personal loyalties to parties have become attenuated. As detailed in Chapter 3, the number of self-described political independents, unaffiliated with either of the major parties, climbed from 22% in 1952 to 37% in 1978 and encompassed a much broader cross-section of the population. In sharp contrast, the number of persons declaring a strong loyalty to either party declined from 35% to 23% of the population during this period. Although party identification has rebounded modestly in the 1980s--especially among Republicans--faith in parties had diminished sufficiently that, by 1983, an ACIR-Gallup poll found that almost half the population (45%) believed that organized interest groups best represent their political interests, compared with only 34% who believed that one of the major political parties does so.

At least partly as a result of these changes, patterns of voting behavior also have changed in recent years. Voters' willingness to defect from their party and vote for a candidate from another party has increased markedly. Over 60% of American voters reported that they "split their ticket" in 1980, compared to about one-third who did so in the 1950s. Similarly, the percentage of Congressional districts supporting a Congressional candidate from one party and a Presidential candidate from another averaged 40% in the 1980s, compared to just 25% in the 1950s. Comparable behavior is apparent for other offices at all levels of government. Equally important was the steady decline in voter participation levels between 1960 and 1980. Although many factors may have contributed to this decline, independent voters historically have proven to be less likely to vote than regular party supporters.

The weakening hold of parties on the electorate has been paralleled by the dwindling capacity of party organizations and leaders to control candidates' use of the party label in elections. This erosion in party control over nominations began at the state and local level in the wake of the widespread adoption of primary elections. Primaries were explicitly intended to reduce the influence of party organizations in the electoral process by removing control over nomina-

tions from party conventions and granting it directly to voters instead. Initially, and especially in states with strong party organizations, party leaders were often able to circumvent this effect and retain control over the nominating process by stimulating high turnout by party stalwarts. But over time, as party organizations have faltered in their ability to influence voter behavior in primaries, they have often lost their once effective and predictable control over nominations. This loss has reinforced other factors, such as decreased use of patronage and demographic changes, that have also contributed to a general pattern of decline of party organizations. As a result, the influence of many once powerful local political organizations has markedly declined in American politics, and parties in most states now resemble clusters of competing factions engaged in increasingly personalized and volatile forms of politics.

The decline of state and local party influence also has been accompanied by an increase in state regulatory practices. Although considerable variation exists, 44 states now regulate one or more aspects of party structure or internal procedure. As Chapter 4 explains, 34 of these states can be classified as heavy regulators, determining multiple aspects of state and local party operations. Moreover, a large majority of the heavy regulators have failed to take various actions that could help create a more supportive political environment for parties--such as permitting state party conventions and pre-primary endorsements of favored candidates, closed primaries, and straight-party ballots. Although just ten states have taken a majority of these pro-party actions, only 32% of the heavy party regulators have done so, compared with 56% of the more lightly regulating states.

At the national level during the 1960s, Presidential primaries began to erode the capacity of national party conventions to determine Presidential nominations. Previously, primary elections had been used by party leaders mainly for advisory purposes, to test the viability and weaknesses of different candidates. Due in part to a series of far-reaching reforms in the Democratic party's delegate selection process, however, the number of Presidential primaries increased from 17 in 1968 to a high of 31 in 1980, and the number of delegates selected by primaries rose to more than two-thirds of the total.

In combination with other party reforms, the vastly increased role of primaries has significantly altered the process of, and the distribution of influence in, selecting Presidential candidates. The role of the media as an indispensable means of direct communication between candidates and voters has

increased, as has the influence of political amateurs and dedicated issue-activists who form the core of new, independently established candidate organizations. On the other hand, the influence of state and local party and government officials has diminished as critical nominating decisions have been removed from inside the halls of the party convention and transferred to an often fluctuating and poorly defined primary electorate. As a result, the nominating process has become far more open and volatile, often benefiting lesser known and less established politicians who are able to capitalize on waves of publicity stemming from a few unexpected early primary victories.

Changes in the electorate and in the nominating process have combined with the availability of new and independent electoral resources to diminish the parties' role in conducting campaigns. Primary elections encourage candidates to develop an independent and personalized campaign organization to seize their party's nomination. Consequently, primary victors increasingly find that they have less need to rely on the dwindling support of party organizations during the general election. This tendency has been strongly reinforced by: (1) the availability of new campaign technologies that allow candidates to communicate directly with voters; (2) the proliferation of independent campaign specialists and professional consultants who perform election tasks ranging from polling and media advising to overall campaign management and strategy; and (3) the vast expansion of nonparty financial and organizational resources, including new sources of funding, increased electoral activity by organized groups, and the post-1960 influx of issue-oriented volunteers.

Nowhere has candidate independence from party organizations been more apparent than in Congressional campaigns. Recent election studies suggest that most members heartily agree with the Congressman who remarked that "if I had to rely on the party to get elected, I wouldn't be here today." Because their districts rarely conform to the jurisdictional boundaries of other levels of government, many campaigns for Congress historically were treated as a secondary concern by all levels of the party. As party influence has declined generally, Congressional candidates were often among the first to feel its effects. Consequently, many members of Congress felt compelled to develop political strategies that help them build personal relationships with their constituents and mobilize independent political support: increasing constituent casework, cultivating new sources of financial contributions, and encouraging wider access by citizens and organized interests to the legislative process in Congress.

Taken as a whole, this declining party influence in the electoral system has significant implications for federalism. To the extent parties were once a bulwark of the federal system and provided a significant avenue of influence for state and local officials, this overall decline has eroded an important informal component in the constitutional system of checks and balances. The intergovernmental consequences of this has been especially evident in the Presidential nominating process, where state and local political leaders are now clearly less significant. Presidential candidates now succeed with relatively little support from such leaders, and favorite son candidacies are becoming rare. Similarly, party decline appears to have reinforced increasingly independent styles of behavior among Congressional candidates. Although national party organizations are responding to these challenges--enlarging staffs, improving fund raising, and enhancing services to candidates (see Finding 6)--the implications of such party nationalization for the federal system are unclear at best.

Party influence appears to have declined in state and local politics as well. The same patterns of independent political behavior evident at the national level are becoming increasingly apparent here. Although evidence suggests that most state parties have made improvements in their organizational capacity in recent years (see Finding 6), most observers agree that there has been a relative decline in state and local party influence over the critical electoral functions of nominations and campaigning.

Of equal significance, many actors and institutions that, since 1960, have increasingly assumed functions once performed by the parties appear to be more national in scope and orientation than were traditionally state-centered party organizations. Many leading political and media consultants operate nationwide, utilizing similar techniques around the country and sometimes having few connections with any individual locality or state. Much the same is true of other growing sources of political influence--the media, interest groups, and new sources of campaign finance--each of which will be discussed.

Finding 3

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

From a certain vantage point, politics itself may be regarded as 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. In early New England town meetings, these affairs of state were conducted by voice alone. In larger and more technologically advanced societies, however, other communications media--including newspapers, magazines, radio, and television--play important and necessary roles. Thus, the media can affect the balance of power--a fact recognized in democratic societies by the protections granted freedom of the press and, in authoritarian systems, by governmentally controlled propaganda.

As the media change in character, so too can the processes and structures of government. The history of the media in the United States (as elsewhere) has been one of continual improvements in the speed and quality of communications. The first American newspapers, established in the colonial era, carried news about the arrival of ships and other commercial events. Journalists later helped build the spirit of rebellion against English dominion. Following the Constitutional Convention, newspapers fostered debate on the desirability of ratification. Newspapers also were an integral part of the emerging system of political parties. The Federalist and Anti-Federalist factions each had its own paper, supported in large part by official advertising. Neither made any claim of providing "objective" coverage, and neither did.

News traveled slowly in this period, carried by ships or horse and wagon. Consequently, an event in Boston might not be reported in Philadelphia, some 300 miles to the south, until ten days after it had occurred. Of necessity, the localistic pattern of communications reinforced a decentralized system of governmental authority.

This decentralizing tendency began to change with the invention and application of the telegraph (in the 1840s) and radio (in the 1920s). Wire services and radio networks offered speed-of-light electronic communications between distant places, binding the nation much more closely together. Another technological innovation, motion picture newsreels, became a standard feature of movie performances after 1911, permitting audiences to see popular personalities and observe, almost first hand, some of the great events of their day. The print media changed as well. Following the Civil War, improvements in postal services and printing processes spurred the development of low-cost magazines, circulated nationally to mass audiences.

Political changes and changes in the media proceeded together, as both politicians and news reporters adapted to the new forms. The first telegraph

message, tapped out by Samuel Morse, notified the editors of a Baltimore paper about a vote by the House of Representatives on the "Oregon question." In part, because of the rise of the wire services, reporters adopted a less partisan--but, at the same time, somewhat more sensational--style of writing, calculated to please more diverse audiences. Thus, the early linkages between political parties and newspapers were weakened, but they were not wholly severed. To this day, newspapers still endorse candidates for public office and routinely take positions on governmental issues in a manner that would be unacceptable in any other medium.

During the Progressive era, "muckraking" journalists used the new magazines to build support for federal railroad regulation, "trust busting," civil service reform, and other causes. President Theodore Roosevelt exploited the potential of the newsreels to reach (or create) supporters, just as his cousin Franklin later employed radio to speak from his White House fireside to Depression-weary listeners.

The most significant changes, however, followed the introduction of television, which combined the broad reach of newspapers, the speed of the telegraph, and the ready access of radio with the visual impact of motion pictures. In just four decades, television has changed from a technologically noteworthy but unpromising invention to a major social institution, one that some observers believe rivals or surpasses the church, neighborhood, or school as an "agent of socialization." Children, according to research discussed in Chapter 5, spend more time watching TV than they do in any other single activity except sleeping. For good or ill, TV programs and personalities are now a significant component of our shared national culture.

Television has had a significant impact on politics and the news business, as well as entertainment. Since 1963, when the first networks shifted from 15 to 30 minute evening newscasts, a majority of the population has said that television is its major source of news. Newsreels have disappeared under the pressure of video competition; radio has suffered a precipitous decline in status; and the character of magazines has been altered substantially, emphasizing special interests and narrower audiences. Newspapers remain a vital source of information, but their total circulation has not kept pace with population growth, and the number of competing papers has fallen in many large cities.

The overall effect of these changes has been to shift the focus of political attention away from the local community, away most particularly from the states,

and toward the national government. The economics of broadcasting dictate that most network news stories originate in a comparatively small number of locations --with Washington and New York being the major focal points. Because television is at once more national in coverage and more political in content than other news media, there is reason to believe that its development has contributed to expanding the national political agenda and the federal government's activities --just as past improvements in communications are credited with having promoted political and administrative centralization. Modern broadcasts, for example, tend to treat even localized problems as urgent national concerns.

At the same time, coverage of state and local governmental activities, by the media as a whole, often seems to be inadequate. Although the states enjoyed a coequal position with the national government under the system of federalism established by the constitution, evidence reviewed in Chapter 5 suggests that this middle tier of government fares least well in terms of media coverage resulting, at least in part, in a generally lower level of popular comprehension of state political affairs.

In other ways, too, media coverage of public affairs is thought to have significant shortcomings. For example, critics charge that television, in particular, has:

- o weakened the political parties and, as a consequence, reduced the accountability of the electoral process;
- o dangerously escalated the financial cost of political campaigns;
- o failed to provide adequate information on key policy issues;
- o overemphasized the Presidency at the expense of the other governmental branches; and,
- o exhibited an ideological or partisan bias in the coverage of political leaders and events.

No aspect of the electoral process seems to have been influenced more by television than Presidential nominations. In bygone days, each party's standard-bearer was selected in a national convention by an assemblage of state and local political chieftains. The glare of the cameras, however, has helped turn conventions into floor shows and reinforced other factors eroding their deliberative capacity. At the same time, media coverage has magnified the importance of state primaries and caucuses--especially those held very early in the campaign season. Presidential nominating campaigns are now "brokered" by television commentators, opinion pollsters, and tiny electorates in such states as New Hampshire, Iowa, Maine, and Vermont. Many political observers believe that the

personal attributes of successful nominees have been altered by the change of process.

During the course of the campaign itself, candidates now rely very heavily on television to reach voters, rather than upon the cadres of local party workers that once offered their aid. Opinions and research findings differ as to whether or not television advertising and coverage change voters' choices on election day. Earlier newspaper-oriented communications studies generally found minimal effects. Voter decisions were thought to be influenced more by learned predispositions and class, ethnic, or religious affiliations than by the media. Newspapers simply appeared to reinforce these other factors. Some contemporary studies conclude, however, that television's particular style of coverage tends to trivialize perceptions of political differences, to weaken party loyalties, and to lower electoral turnout. On the other hand, TV seems to provide additional political information to those who otherwise might not seek or receive it.

Reliance on television makes candidates (and voters) more independent of the traditional party apparatus; indeed, many office-seekers emphasize their "independent" status. However, the cost of television time, and the fees of professional campaign managers who know how to use the media and other modern technologies, have created new forms of dependencies. The need to raise very large sums of money is, in itself, regarded by many politicians and political observers as a serious problem.

Who and what media attention focus on also have influenced politics in more subtle ways. The Presidency and television, it may be said, were made for each other. Presidents take to the airwaves to speak directly to citizens across the nation, surrounded by symbols of national authority and pride. TV personnel find that Presidents offer a good visual focus for interpreting political events. Consequently, a President is accompanied almost everywhere by an entourage of reporters and cameras--even on vacation.

Citizens may have a sense of personal contact with a President enjoyed by no other public official. His face, voice, and views may be far more familiar than those of the local school board head or county supervisor, even though the latter are often close neighbors. At the same time, it is by no means clear that television's emphasis on the President is beneficial or desirable. Continual attention exaggerates the role played by, and therefore expectations of, the Chief Executive, while underplaying the essential roles of Congress, the judiciary, and other executive branch officials in policy formation. Heightened

expectations also readily give way to disappointment, disdain, or distrust with the passage of time.

Television also can escalate an issue from the dim recesses of consciousness to the forefront of the national political agenda. For example, media attention did much to bolster the civil rights issue during the 1960s; later it heightened opposition to the Vietnam War. Yet, although television can help "make" an issue, many experts feel that it often deals with issues badly. The nature of the broadcast medium, with its limited attention span and constant search for novelty, has shaped the coverage of both politics and the news. Newscasts are too short to provide necessary background and detail; many stories are treated in stereotypical fashion; and broadcasters, in part because of federal requirements, may be cautious in their exploration of controversies. Similar criticism is voiced against campaign coverage, which is thought greatly to over-emphasize personality and "horserace" politics--who is leading, and by how much--at the expense of carefully examining more pressing issues.

Many critics also charge that the media are "biased" in their coverage, favoring certain ideologies or interests. But the evidence is incomplete and claims are contradictory. For example, some believe that the "media elite" adheres to liberal social and political values, and that these values influence programming and interpretations of news. Other critics contend that television newscasters seldom air stories that pose any real threat to the established order, while still other commentators find coverage to be reasonably balanced. Certainly if bias exists, it is subdued in comparison to the overtly partisan character of the early press. If true, however, such bias may be more detrimental when it exists among only a few large networks than in earlier periods when many newspapers competed to influence the reader. The fact that the charge of bias is raised from a variety of quarters surely indicates a widespread concern about both the performance and influence of the media in contemporary politics.

Modern media, then--like all of their predecessors--have weaknesses and problems. At one time, there were widespread hopes that emerging communications technologies, especially cable television, would rejuvenate democratic processes. The increased number of channels seemed to promise a cornucopia of specialized information services while allowing citizens to become active programmers as well as passive viewers. Interactive two-way coverage of city council and school board meetings, it was hoped, could recreate the spirit of the town meeting electronically.

Now, however, some prognosticators are doubtful that such developments will come to pass. Many cable systems have experienced financial difficulties; expansion has slowed; and much programming originates, not in local communities, but in distant centers, transmitted via communications satellites. This new vehicle has expanded national coverage by offering, for example, continuous news shows and live broadcasts of the House of Representatives. Satellite technology is moving into the newspaper world as well, making it possible to print the same daily edition in metropolitan centers across the country. Interest groups, also organized on a national basis, are starting to take advantage of high technology to facilitate communications among their members and to increase their influence. It remains unclear, then, whether new technologies will in fact enhance the quality of state and local citizenship or further nationalize and fragment the political process.

Finding 4

Organized Interest Groups Active in Washington
Have Proliferated in Number, Diversified in Form, and
Adopted New Political Techniques for
Influencing Government

Some 200-odd years ago, the Framers of the constitution prescribed what they believed would be a potent cure for the ills of interest group politics or what they termed "factions." Let them flourish, declared Madison and his colleagues; the greater the number of groups, the more arduous the path for any one group attempting to impose its will on the others and on government as a whole.

Over the past two decades, the ranks of interest groups have swelled far in excess of what the Framers could possibly have imagined. Clearly, this proliferation has not curbed the political potential of interest groups to the extent that the Framers had anticipated it would. Indeed, although interest groups have existed in one form or another since the earliest years of the nation, never before have they been as numerous, as well entrenched, or as powerful a component in the policy making process as they are today.

Interest groups active in national policy have multiplied at such a pace that it is now a Herculean task just to keep track of them all. There are new groups like Common Cause, established groups like the AFL-CIO, groups that have relocated into the Washington area like the National Education Association, and a host of other organizations already in Washington that have become increasingly "politicized," like the American Association of Retired Persons. There are,

in fact, so many types of interest groups in Washington that current estimates vary enormously; the most conservative reveal that there are now approximately 15,000 organized interest groups in the Washington area, whereas more liberal estimates have indicated that there are upwards of 30,000 (including Political Action Committees). It is important to note, however, that these figures are only suggestive of the size of the interest group population now active in the nation's capital.

Although confusion reigns as to exactly how many interest groups there are, it is clear that interest groups, in the most generic sense of the term, have been in a period of transition for the last 20 years. There are not only more, but more types of interest groups now engaged in national politics than at any other time in American history.

National interest groups fall loosely into two categories: economic and social. The "economic" interests include traditional business, labor, trade, and professional associations; "social" interests generally encompass such modern manifestations of factional politics as citizens groups, public interest groups, and single-issue groups. As indicated in Chapter 6, the number of organized interest groups in Washington of both genres has risen steadily since 1940, with the sharpest increase occurring between 1960 and 1980, the latter being the most recent year for which data were available. More specifically, interest groups multiplied by roughly 27% from 1940 to 1959 and by 65% overall from 1960 to 1980. Of the two categories of interest groups, the economic groups formed at a much faster rate until early in the 1960s. Shortly thereafter, the establishment of social interest groups in the nation's capital outpaced economic types by a ratio of approximately two to one.

Despite the fact that these data are derived from fairly reliable sources, they must be interpreted with some caution. For example, the data suggest that because social interest groups multiplied more rapidly than economic ones during the 1960s and 1970s, the former are now the dominant type. As Chapter 6 explains, however, several researchers have found that economic-issue interest groups tend to have longer life spans and, as a result, continue to be more numerous than their counterparts. Furthermore, although these figures are generally representative of the magnitude of interest group growth in Washington, they tend to reflect the number of newly created groups in the area and to ignore those established groups that moved to Washington from other locales.

A wide array of social and political currents has contributed to the rapid

growth of interest groups. Among the most commonly cited factors are: the rising levels of education and affluence among the public, the resultant increases in the political sophistication and awareness of the citizenry; and the ever-growing complexity of social and economic interactions. One other important, but often neglected, factor has been the expansion of the national government itself.

Conventional wisdom has long held that the political pressure exerted on policy making by interest groups is one of the major forces behind government growth. Yet, recent research indicates that during the 1960s and early 1970s the converse was more often the case. Although some interest groups in Washington played an important role in translating the expansionist mood of the 1960s into concrete policies and programs, they often did so at the initiative of Congressional and executive policy entrepreneurs. As the national government continued to traverse farther into new policy frontiers, it provided an impetus for forming additional interest groups. Federal policies also tended to increase political interest and activity among groups that had been formed previously for nonpolitical purposes.

Once securely rooted in Washington, both new and old arrivals have tended to focus their political energies on protecting established programs and on advancing the interests of their clients. Moreover, the inability of national policy makers to gain firm administrative control over all the programs they instituted allowed interest groups to become integral actors in the implementation process. While such activities were not unprecedented, the scale at which they occurred has changed dramatically since the late 1960s. In short, growth in the national government not only mobilized groups, it also enlarged the scope of interest group politics.

For example, prior to the enactment of the Higher Education Act in 1965, there were only two higher education groups visibly active in Washington, though far more were evident at the state level. Six years later, four more groups had moved to Washington and three had been newly created. Today there are approximately 22 such groups in the Washington area, about half of which were founded in response to federal laws. As indicated in Chapter 6, similar examples abound in other functional areas affecting the environment, the handicapped, and occupational groups, just to name a few.

On the other hand, not all groups that arose as a reaction to national intervention in specific public policy fields were intent on perpetuating further

expansion. Throughout the 1960s and 1970s, some interest groups prominent in the national political arena expressed reservations about the scope and scale of federal activities. By the late 1970s, there were almost as many groups in Washington rallying against government growth as there were groups seeking to secure their share of federal largess.

The forces that propelled these groups to the forefront of national politics were as varied as the groups themselves. For instance, several of the business-oriented groups complained that federal regulation had become unreasonable and financially debilitating. Some of the state and local public interest groups claimed that federal involvement in state and local affairs had become intrusive, and in many cases preemptive. A small cluster of citizens groups even feared that federal officials and interest groups had developed so intimate a relationship that the ethos of American political institutions and elected officials might well be in jeopardy.

The increase in the size and diversity of the interest group population is only one--albeit a major--aspect of their rise to prominence in national politics. Of equal significance have been changes in the way interest groups conduct their political activities.

Many scholars contend that, during the last 20 years, interest groups have undergone a political metamorphosis. They have done so, be it out of choice or necessity, by adopting methods to influence government policy makers that had traditionally been the modus operandi of the political parties. In addition, many groups entered into areas of constituent education and mobilization in which the parties had long held an uncontested monopoly. The upshot of this process has been a gradual blurring of the distinctions between interest group and party politics and changes 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 chairs 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. Thus, interest groups generally confined their activities to face-to-face negotiations with national politicians, in private with little or no public scrutiny or discourse.

As indicated in Chapter 6, roughly 62% of a small but representative sample of established interest groups in Washington during the early 1960s claimed that their involvement with national policy makers was of the institutional lobbying type. However, a similar survey conducted in 1968 found that this pattern in interest group politics was in the process of being transformed. Not only had interest groups begun allocating a substantial portion of their resources to financing campaigns, they had also initiated efforts to mobilize grassroots support and to disseminate information to constituents. By 1975, researchers found that, in addition to the more traditional activities of institutional lobbying, approximately 68% of the established interest groups in Washington had expanded the scope of their political activities to capitalize on recent advances in media lobbying (usually through television) and in mail lobbying (solicitations for money and political support via mass mailing lists). In addition, over 36% of the interest groups surveyed stated that they had formed, or were in the process of forming, a Political Action Committee to channel funds to candidates for national office.

It is important to reiterate here that although these tactics are new to a majority of the interest groups that use them, they are not new to politics. Most of the techniques for financing campaigns and for mobilizing and educating the public had been initially developed by political parties. In the past, the national scope and decentralized organization of the parties gave them a distinct edge over other political groups that borrowed these tactics in the hope of gaining leverage, power, or position in Washington. As such, the ability of interest groups to become significant employers of "party" strategies may be an indication of both a vacuum being left by the parties and the growing strength of interest groups themselves.

In the last few 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 recently have begun to devote substantial, new, financial and political resources to expanding their influence within the parties and to 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 on the Democratic side, labor and education organizations have become intimately involved in the party's Presidential nomination process.

This fusion of interest and party group politics has certainly enhanced the

political influence of those groups that claim a stake in national politics. Its implications for the states are not yet clear. In the past, the path to national prominence for any interest group was laden with roadblocks and detours. Most began at the grassroots level and struggled for survival in the ebb and flow of unpredictable political currents before surfacing as a powerful force in national politics. By contrast, some analysts argue that creating a viable political interest group today simply requires a policy entrepreneur, an attractive issue or program, a two-minute evening news spot, and a mailing list. Once established, interest groups can maintain themselves just by updating their mailing lists occasionally and by employing one or several of the political strategies that abound in Washington for gaining access and influence with policy makers.

Since 1980, however, more and more nationally based interest groups have opened state offices or branches. This trend might well prove to be the most rigorous test of the political flexibility and influence of interest groups. Although states have long dealt with a variety of groups active in state and local issues, it remains to be seen how their political institutions will interact with interest groups whose tactics were weaned at the national level. The absence or presence of strong state parties may ultimately be a major factor in determining how much power these groups will wield in state and local politics.

In sum, the expansion of the national government and the adoption of new political techniques are two of the most significant factors contributing to the growing influence of national interest groups. Ironically, Madison had hoped that the representative institutions of a strong central government would be the most caustic remedy for the few factions that traversed beyond the limits of local and state government control. He would be appalled to find that the centralization of government has made those institutions only more vulnerable to the factions that, by virtue of the breadth of its politics, it helped spawn and nurture in the first place.

Finding 5

New Styles of Politics Have Added to
The Costs of Campaigning and
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

Although it is true that money and politics have always gone hand-in-hand,

there exists a widespread perception that the costs of modern elections have become excessive. Indeed, the estimated \$900 million spent nationwide in 1982 on Congressional, gubernatorial, and state legislative races certainly lends credence to that belief, even in the face of arguments that such sums are not really immoderate given the centrality of elections in a democracy.

Over the long run, much of the increased cost of campaigning in America can be explained by two factors--factors that cannot be controlled by even the most stringent campaign finance laws or by the most miserly campaign managers. First, prices generally have risen over time and have climbed particularly steeply for such campaign staples as travel, printed endorsements, colorful buttons, and eye-catching posters. Second, the potential electorate that must be reached by any would-be officeholder has mushroomed--propertied white males giving way to white males generally, giving way to males of all races, giving way to adults of both sexes, giving way, finally, to all citizens 18 years of age and older.

Modern electoral politics also features techniques and technologies that have forced costs upward, while simultaneously changing campaigning from a labor intensive to a capital intensive industry. Thus, the beginnings of contemporary, high-priced elections became evident following World War II, coinciding with the widespread use of radio and, of much greater significance, television. Although such media--especially TV--are obviously more important to certain campaigns than to others (television being more effectively used in Presidential bids, for instance, than in races for New Jersey state legislative seats), they have upped the aggregate ante of politicking.

During the 1982 elections, the Television Advertising Bureau reported that candidates spent a total of \$170 million in all television markets, including \$40 million in production costs. Newspaper advertising reportedly consumed \$27 million. Radio time in 1982, conservatively estimated, cost about \$25 million. Moreover, other "necessities" unique to modern campaigning--political consultants, polling, and direct mailings, for example--have added substantially to the total price tag of electoral politics.

According to a 1983 Harris survey, 62% of the American population believes that "excessive campaign spending in national elections is a serious problem." More significant, however, an incredible 84% believe that those who contribute large amounts to candidates wield "too much influence over government." Indeed, reforms of campaign finance are seldom premised solely on the simple notion that elections are too expensive. Rather, they generally seek to free potential of-

faceholders from excessive dependency on any one person or group, to remedy disparities resulting from unequal distribution of financial resources, or both. Specifically, campaign finance legislation at both the national and state levels usually attempts to induce disclosure of contributions and spending, limit the amount of money campaigns may collect and disburse or allow for some form of public financing.

Regulating the manner in which campaigns are conducted--particularly, the manner in which they are financed--is a long-standing tradition. At the national level, the first such regulation came in the form of an 1867 rider to an appropriations bill forbidding naval authorities to require 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 acted to put real teeth into campaign reform. At the state level, this movement took innovative forms from disclosure laws such as California's landmark Proposition 9, with its tough reporting requirements and limits on spending, to a variety of public funding laws in 17 different states.

In its current form, federal campaign finance reform is a complex product of statutory evolution, abetted and permuted by agency regulation and judicial decision. And, as much as any modern piece of legislation, the Federal Election Campaign Act (FECA) has been criticized for bearing unintended political fruit. Among other results, FECA has been blamed (or in some cases, praised) for causing the proliferation of Political Action Committees (PACs), for displaying a lack of deference for the central position of political parties, and for creating a number of difficulties for, and thereby lessening the influence of state and local parties.

Among the unanticipated progeny to which FECA has given birth, none has been as widely noted as the phenomenal rise in the number of PACs--political funds affiliated with, but segregated from organizations such as corporations and labor unions or unaffiliated, independent political committees. Alleged by foes to be destroying the fabric of American democracy and by supporters to be an effective means of democratic participation, PACs have grown at an astounding rate since 1974, from 608 (including 89 corporate, 318 trade association, and 201 labor) to 4,009 (1,682 corporate, 698 trade association, 394 labor, 1,053

independent, 52 cooperative, and 130 corporate without stock) by 1984. Moreover, PAC contributions to federal Congressional campaigns alone increased from \$11.6 million in 1974 (accounting for 15.7% of campaign funds) to \$83.6 million in 1982 (about 28% of total funds). And, finally, although no reliable data exist for assessing the amount or strength of PAC contributions at the state level, the ACIR survey of state party chairs found that 66% of the respondents felt that PACs had become a major source of funding for candidates to state office. While such figures suggest the PACs, in a very short period of time, have become a pervasive and potent force on the American political landscape, it is less clear exactly what effect they have had on policy or election outcomes.

Although it is often implied that the national campaign finance laws let loose on the American political scene an almost alien life form known as PACs (PACs did exist prior to FECA but amendments to the law and subsequent judicial and agency interpretations encouraged their proliferation), the largess of special interests is nothing new. Hence, PACs as the financial manifestation of interest groups are hardly unique to the last decade. And, as one expert cited in Chapter 6 notes, "as a result, we simply do not know enough to conclude anything about the changing proportional role of special interest money in campaign finance, and we probably never will."

Of all the charges leveled against PACs, none is more serious nor more widely echoed than that alleging that PACs buy lawmakers and their votes--that, as some believe, "institutional bribery" has become pervasive. To date, however, such charges have been left largely unsubstantiated. Indeed, the most that anyone can agree upon is that PAC money buys access. Inasmuch as not all interests are equally represented by PACs, access obtained through PAC contributions is an important issue.

PAC advocates, on the other hand, argue that political action committees have made constructive contributions to the political system. They point out that PACs have enhanced the accountability in election campaign finance by establishing a public record of financial support for candidates. Moreover, in the view of PAC supporters, political action committees have brought about greater participation in the political process, and have increased individuals' political impact by allowing them to act in consort with like-minded persons. Thus, it would be inappropriate to conclude that the nation's legislative process has been sacrificed for a quick buck.

More important from the perspective of this study is the relationship between "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 well into the throes of decline by the time of the great expansion of PACs in the late 1970s. What may be said with some accuracy, however, is that PACs have filled a portion of the political abyss once filled by party organization and, as a result, now compete with parties for candidate loyalty. Indeed, even beyond campaign finance, some PACs now undertake some of the same activities once performed by parties for candidates, including recruitment and voter registration. Moreover, the campaign finance laws have tended to treat the political parties as little more than "super PACs," limiting party expenditures and contributions and thus exacerbating the competitive environment in which they must vie for fealty. And, while individuals, multicandidate committees, and independent committees may make unlimited independent expenditures, party committees may not. Finally, among the major differences between parties and PACs as funders and service providers is the nebulous partisan status of PACs. PACs in the aggregate tend to be relatively bipartisan, emphasizing incumbent status and key committee assignments over political labels. Although that statement does not hold true for labor PACs, which favor Democratic candidates, it is the case for corporate and trade PACs, which gave \$31 million more in combined contributions to Congressional candidates in 1982 than did labor. Thus, PAC money, spread liberally around, may further dilute party strength.

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

For example, among FECA's provisions are its "anti-proliferation" rules, which were designed to ensure against businesses or unions setting up a number of different segregated funds. The Federal Elections Commission (FEC), however, also has applied the rule to parties and, in so doing, has decided that with rare exceptions state and local parties are one for the purposes of contribution and expenditure limitations. The same sort of reasoning, however, does not uni-

versally apply to the national-level committees, which have much higher limits at any rate. Hence, although a national party committee shares its contribution limit of \$17,500 (\$12,500 more than the \$5,000 allowed to state parties) with a Senate campaign committee, U.S. House campaign committees are exempt from the joint contribution restrictions. A candidate for the Senate, then, may receive 3.5 times the amount of financial support from his national party than from the state party, and House candidates may receive even more national assistance.

State and local parties face additional difficulties under FECA. For instance, contribution limits set by the law are not applicable in many states. As a result, a state party wishing to support both federal and state candidates is likely to face a baffling legal maze--the "easiest" way out of which is to create two separate committees: one supported by contributions made specifically to a state candidate fund and the other made to a federal candidate fund.

Although unlimited transfers may occur between funds, any transfer of over \$1,000 is subject to FECA reporting requirements. Moreover, all administrative-type expenses must be allocated on a proportional basis. Thus, if a state party spends \$100,000 on its federal candidate committee and \$200,000 on its state candidate committee, the state committee would have to carry two-thirds of the overhead burden and the federal committee one-third.

Federal election law, although the focus of most analytic attention, by no means constitutes the only set of rules governing campaigns in America. Indeed, a diverse group of state laws and procedures also holds sway over the country's thousands of elections. Among the most innovative, have been those in the field of public financing.

Since 1973, 17 states have experimented with public financing and that experimentation has taken 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, others use a combination system. 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.

Yet, another facet of campaign finance in which the states have been ac-

tive is PAC limitation. Currently, 21 states limit PACs and those limitations have taken a variety of forms, from Ohio's ban on PACs to Montana's recent limitations on the combined total which state legislative candidates may receive from all PACs to Oregon's restrictions on out-of-state committees.

Over the past decade, then, a virtual revolution in electoral finance has taken place nationwide. That revolution, in the form of 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 had unintended consequences: they have abetted the proliferation of novel (and, to many, troubling) sources and means of funding, and they have left certain groups (i.e., state and local parties) at a relative disadvantage to others in the game of politics.

Finding 6

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

In the midst of growing challenges to their traditional role in the political system, both political parties have made significant efforts in recent years to strengthen their organizations and to adapt to their new political environment. The national party organizations have made particularly striking gains, especially when compared with their traditionally modest role. They have frequently assumed a leadership role in modernizing party structures and expanding their activities. At the state and local levels, considerable variation continues to exist among party organizations, although the overall pattern of enhanced activity and structural capacity has often been evident here as well.

The most striking developments in party organizational activity and adaptation are apparent at the national level. As discussed briefly in Finding 1, and in more detail in Chapter 3, the national parties traditionally have been viewed as weak entities, existing primarily to nominate and elect a President and Vice-President every four years. As recently as 1964, the national party committees were centers of "politics without power," although even then they were beginning to enlarge their staffs and to enhance their fund raising capabilities.

Not until the late 1970s, however, were the most dramatic advances made. Responding in part to party weaknesses apparent in the wake of the Watergate scandal, the Republican National Committee (RNC) launched a concerted effort to expand its resource base and organizational capabilities. Committee staff, which totaled an estimated 138 in the nonelection year of 1967, grew to 220 by 1977. At the same time, the Committee's 1965 budget of \$125,000 was enlarged to \$9.7 million by 1978. In large part, this budgetary expansion reflected the RNC's innovative and effective efforts to develop a broadly based direct mail fund raising operation, which by 1982 had produced 1.7 million reliable donors.

This enhancement of party resources has allowed the Republican National Committee and its Congressional counterparts to provide a broad array of expanded services both to candidates and to its state and local affiliates. At the Congressional level, the party has shown unprecedented activity in recruiting and training strong candidates to run in targeted districts. It also provides an array of valuable electoral services, from sophisticated polling to fund raising assistance and campaign contributions. In 1984, for example, the RNC contributed and spent a total of \$18 million on behalf of Congressional office seekers, in addition to soliciting and coordinating PAC contributions to candidates. Finally, the RNC has engaged in large-scale programs of television advertising in recent years that provide a nationwide political umbrella for Republican candidates.

Although it has remained respectful of state prerogatives, the Republican National Committee has also become involved in a range of activities at the state and local level. In addition to recruiting and assisting Congressional candidates at the district level, it has provided a range of contributions and services to gubernatorial and state legislative candidates in selected races. In 1980, for example, it spent \$3 million in assisting more than 4,000 state legislative candidates, including direct financial contributions of \$1.7 million. Moreover, the RNC has engaged in a variety of efforts to help modernize state and county party organizations and to improve their fund raising and candidate assistance capabilities. It has also launched impressive efforts to mobilize new Republican voters and to attract additional candidates in traditionally Democratic states. Organizationally, then, the national Republican party has assumed a strong role in modernizing the party, reversing the traditional pattern of weak national leadership.

The national Democratic party has engaged in a process of nationalization

as well, although it began in a distinctly different fashion. Over the past 20 years, the Democratic party has begun to depart from the traditional confederal pattern of party structure--characterized by the legal independence and political autonomy of state and local party organizations--asserting the national party's control over the Presidential delegate selection process and promoting broadened citizen participation in party affairs. Although the the promulgation of new and frequently elaborate national party rules affecting this process has sometimes led to conflicts with state and local parties, the Supreme Court has affirmed the national party's authority to regulate its own affairs, even granting it precedence over contradictory state laws. Indeed, the Court's recognition of broad national party authority may ultimately rank among the most significant developments affecting the intergovernmental balance of power in party affairs, for both Democrats and Republicans. In addition, such decisions could have major repercussions for state regulation of state and local political parties if similar reasoning is applied to judgments at that level.

The Democratic National Committee (DNC) and its Congressional counterparts have also begun to emulate the successful organizational initiatives of the RNC. Although the DNC still lags behind in fund raising and candidate contributions, it has made significant progress developing an expanded direct mail fund raising operation and offering additional resources, training, and services to Congressional candidates. It has also attempted in recent years to assist in modernizing state party activities and in enhancing Democratic participation in elections through get-out-the-vote efforts.

Turning to the states, recent research has found that, in most cases, party organizational activity has increased significantly over the past 20 years. Available evidence suggests most state party organizations today are more professional, employ larger and more specialized staffs, have larger budgets, and engage in a wider range of services and activities than did their counterparts in the early 1960s. Although the exact causes of this organizational enhancement are not entirely clear, it appears to reflect the national parties' efforts to strengthen state organizations in areas where they have traditionally been weak, and also the independent efforts of state parties to adjust to new political demands and to counteract their declining influence in various spheres.

ACIR's 1983-84 survey of state party chairs reveals that 95% of all state organizations now employ at least one full-time staff member. The average staff size is six, and 15% of the responding state parties employ ten or more persons

full time. Seventy-five percent of all state parties have an annual operating budget of more than \$100,000, and the average budget is almost \$560,000. These resources enable modern state parties to engage in a range of campaign activities and services. Eighty-six percent make some kind of effort to recruit candidates for state offices, and 70% also report attempting to recruit candidates for Congressional vacancies. Eighty-one percent of responding state organizations make financial contributions to the campaigns of state office seekers, and most provide a range of other campaign services. Over half provide contributions and other assistance to Congressional candidates as well.

Despite the overall growth in state party organizational capacity, state parties continue to vary considerably in terms of their resources and capabilities. Some, especially in many small states and in the south and west where party organizations traditionally have been weak, have only begun to join in the process of party modernization. Although there are only a few essentially part-time, amateur operations remaining, many state parties continue to lack both the resources and the professionalization needed to offer a full range of modern campaign services or to contribute significantly to favored candidates.

Substantial differences in party resources and capabilities also exist between the two parties. By and large, Republicans--perhaps for reasons of electoral necessity--have taken the lead in strengthening party organizations at both the state and national levels. Although significant variation exists within each party, Republican organizations on the whole are larger and more specialized, provide a wider range of campaign services, and contribute more heavily to candidates for both state and Congressional offices. Even with the largest and most sophisticated operations, however, the impact of modernization efforts on levels of party influence and effectiveness have proven difficult to ascertain.

Although the evidence is mixed and less complete, local party organizations appear to duplicate this pattern. Current research suggests that, in terms of staffing and programmatic activity, many local party organizations are, on average, more energetic today than they were some ten or 20 years ago, although virtually all remain essentially part-time organizations staffed by political amateurs. On the other hand, both longitudinal data and case studies of individual local parties suggest that virtually all of the once more powerful local organizations have declined in influence and activity in recent years. As a result, only dwindling vestiges remain of many former political "machines" that once were capable of structuring voter turnout, determining nominations, and

providing a stable career hierarchy for local politicians and political activists.

THE TRANSFORMATION IN AMERICAN POLITICS:
IMPLICATIONS FOR FEDERALISM.
ISSUES AND RECOMMENDATIONS

Two themes, present throughout these findings, have important implications for federalism. First, it is evident that the parties' once preeminent role in the electoral process has diminished in recent years. To the extent that the decentralized party system once contributed significantly to maintaining political balance in the federal system, that capacity has to some extent declined. Second, many of the new institutions and political processes that have assumed a larger role in contemporary politics are far more national in scope and orientation than were traditional party organizations. Certainly they possess few structural characteristics or behavioral tendencies linking them to the institutions and concerns of federalism.

Naturally, questions arise about the possibility--and desirability--of devising reforms that might help remedy this situation. From an intergovernmental perspective, the simplest and most efficacious means of redressing this situation might appear to be direct measures that enhance the role of political parties in general and expand the influence of state and local parties in particular. This approach is complicated, however, by disagreements about the most effective means of implementing such a strategy and by potential conflicts between the multiple goals of strengthening the parties, enhancing the democratic process, and fostering a strong federal system. Although federalism and political parties have traditionally reinforced one another, it is conceivable that in coming years they will increasingly collide.

Recent evidence suggests, for example, that contemporary party reforms have often been led by the national party organizations, although numerous state parties have been active as well. In the future, some observers believe that political parties, to remain viable, will be forced to reconcile themselves with--and increasingly harness themselves to--nationalizing and politically homogenizing forces in the mass media, in the new political technologies, and in the sources of campaign finance. Similarly, the courts have begun in recent years to accept an unprecedented role for the national parties in Presidential delegate selection, superseding the traditional prerogatives of both state party processes and state laws. Thus, despite their past consonance, the coming years

years may witness growing conflicts between efforts to strengthen political parties and efforts to strengthen federalism.

This divergence may be further exacerbated by conflicting values and growing differences over how best to foster party renewal. Many observers believe that reviving party loyalties among the populace and stimulating greater party activism in contemporary politics will require broader popular participation in the parties, coupled with expanded opportunities for advancement and influence within party organizations for previously under-represented segments of the population, especially women and minorities. It is useless, from this perspective, either to ignore inevitable economic and technological forces contributing to an increasingly national electorate, or to attempt to reconstruct the parties on a basis that ignores the powerful, long-term trend in American politics toward more direct democracy and broader participation in political affairs.

Others would argue strenuously, however, that the current status of the parties is neither inevitable nor responsive to existing political realities. Believing that political parties are critical to effective democratic government, they maintain that the existing legal political environment is unnecessarily biased against developing successful and viable parties. They point to such examples as excessively restrictive state regulation of party organizations and the often coldly neutral treatment of the parties under federal campaign finance laws. Some observers also note that state and local governments have expanded significantly in recent years even as television and certain other elements of modern politics tend increasingly to ignore them. Finally, advocates of this perspective stress that as the processes of politics become more national in scope and individualized in form, political parties--especially at the state and local levels--will become more valuable than ever as a training ground for citizens and as a stable mediating structure in an increasingly volatile political environment.

In weighing the competing merits of these alternative perspectives on revitalizing parties and the federal system, four issues in particular stand out:

- o What roles should states and state electorates play in national election processes? Should existing state roles in Presidential nominations be preserved or modified?
- o If, as many believe, state laws regulating political parties and their environment have contributed significantly to the decline of parties in American politics, is it now appropriate for states to take actions to strengthen and preserve the parties?

- o Should federal law regulating political parties and elections be reexamined in light of these findings?
- o Can the forces of modern communications technology be harnessed to promote localistic democracy and assist the revival of political parties?

Some of these issues are addressed more specifically in the following five recommendations. Others, because of their highly controversial nature, were not felt ripe for Commission consideration at this time. Given the potentially competing values of enhancing party influence in contemporary politics, assuring broadly representative and responsive electoral processes, and respecting federalist concerns and prerogatives in the political system, careful balancing of these multiple goals may be necessary to provide a stronger and more secure political foundation for the federal system.

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.

The existence of strong and vibrant political parties at the state and local levels has long been considered to be an important underpinning of the federal system. As one prominent scholar has written:

The nature of American political parties accounts in largest part for the nature of the American governmental system. The specific point is that the parties are responsible for both the existence and form of the considerable measure of decentralization that exists in the United States.^{1/}

Moreover, many believe that healthy political parties at all levels are critical to the proper functioning of our democratic system. As the National Committee on Party Renewal has argued:

Political parties are the major vehicle for the collective formulation, articulation, and advancement of political ideas and programs. They promote active and healthy competition in the development and advancement of political ideas and governmental policies. In advancing their programs and voicing their opinions, political parties play a vital role in educating the public about political issues and political candidates. They identify and recruit qualified citizens into the political process and offer support and training to candidates for office. Finally, and very importantly, parties have a unique ability to hold public officials accountable to the electorate. In short, strong political parties are absolutely essential to the functioning of our democracy.^{2/}

Yet, many people believe that the parties' continuing ability to perform these crucial tasks has eroded dangerously. They point out that many different

^{1/} Morton Grodzins, The American System, ed. Daniel Elazar (Chicago, IL: Rand McNally, 1966), p. 254.

^{2/} "Memorandum in Support of Plaintiff's Motion for Summary Judgment," in San Francisco County Democratic Committee, et al., v. March Fong Eu, et al., Docket No. C-83-5599-MHP, U.S.D.C., N.CA. (1983), p. 2.

factors have contributed to the current weakened condition of the political parties, particularly at the state and local levels: the growth of the welfare state, the advent of merit hiring systems and the concomitant decrease in the availability of patronage, technological advances in television and satellite hook-ups, the growth in the size of the middle class, the expansion of educational opportunities, and the growing heterogeneity of the electorate. Many of these developments can not be altered by public policy. But the condition of the parties also owes much to the actions of state governments. Many states, for example, have stripped party caucuses and conventions of the power to designate party candidates for public office and have given it to the voters in direct primary elections. As David Price has written:

The [weakened] state of the parties owes much to the actions of governments.... Since the Progressive era, legislators and rule makers have intervened in the life of the parties at all levels. It is important to understand the impact of their actions on the health of the parties and to assess the potential for constructive change.^{3/}

Research in Chapter 4 found numerous ways in which state actions may hamper state and local party organizations. Specifically, only 15 states allow or require state party nominating conventions and only 19 allow or require preprimary or pre-runoff primary endorsements. A bare majority of states (26) utilize closed primaries, as opposed to open or blanket primaries that allow participation by nonparty members. The same proportion have "sore loser" provisions which prevent candidates for state and local offices who contest but fail to win a party's nomination from running in the general election under another party's label. Finally, only 21 states enable a voter to vote a straight party ticket on a general election ballot. Overall, only 16 of the 50 states take a position supportive of parties on a majority of these issues.

Those who argue that the parties should be given preference on these issues believe that strong state and local party organizations are essential to maintaining democratic accountability and responsiveness as well as a strong federalism. They argue that, at the very least, the parties deserve the right

^{3/} David E. Price, Bringing Back The Parties (Washington, DC: Congressional Quarterly, Inc., 1984), p. 121.

to exercise greater control over their most basic function--the nomination of party candidates. As Frank Sorauf has written:

... the direct primary undercuts the ability of the party organization to recruit to public office those partisans who share its goals and accept its principles.

... if the advocates of the direct primary wanted to aim beyond the nomination process and strike the parties themselves, they have found their target. In many instances the direct primary has weakened the parties control of nominations, robbed their organizations of an important raison d'etre, and liberated their officeholders.^{4/}

In place of direct primaries, they advocate the use of party nominating conventions. Their second choice, if primaries are retained, is to grant parties the power to make pre-primary endorsements. They also support the enactment of "sore loser" laws to assure that the party's nomination decision is final. Writing on behalf of the California Committee for Party Renewal, Edmund Constantini, et al., argue that the absence of party nominating conventions and pre-primary endorsements strips the parties of any formal, institutional linkages with their candidates. Lacking such linkages, they ask:

Why should such a candidate, if elected, feel responsible to the party, its program, or its collective leadership? How can such representatives be held accountable to the party, and via the party, to its program and its membership?^{5/}

They add that the use of pre-primary endorsements strengthens parties in multiple ways:

... allowing pre-primary endorsements will significantly strengthen both parties and the democratic process.... Pre-primary endorsements indicated on the ballot serve as useful guides to the voters [enhancing] the rationality of the voting decision ... makes participation in party affairs that much more attractive ... enhances the validity of, and grass roots involvement in, those affairs ...

^{4/} Frank J. Sorauf, Party Politics in America, 4th ed. (Boston, MA: Little, Brown and Company, 1980), pp. 223, 224.

^{5/} Edmund Constantini, James Fay, Robert Girard, Kay Lawson, and Walter Layson, "The Deregulation of Political Parties," paper presented on behalf of the California Committee for Party Renewal, Northern California, in San Francisco Democratic Central Committee, et al., v. March Fong Eu, et al., Docket No. C-83-5599-MHP, U.S.D.C., N.CA (1983), p. 7.

put[s] party leaders more closely in touch with the grass roots, thereby making them more responsive to the needs and wants of their followers ... reduce[s] the possibility that a candidate will be nominated merely because he or she is financially able to wage an extensive campaign, merely because the candidate's name bears a marked similarity to that of some famous person, merely because the candidate is able to use the media to advantage and thereby establish instant name identification, or merely because the candidate is hardly supported by some extraparty group or interest.^{6/}

In conjunction with pre-primary endorsements, the advocates of strong state and local party organizations encourage the closed primary system because it prevents "cross-over" voting and party "raiding" and encourages candidates to work with party organizations and support party platforms. As Sarah McCally Morehouse has written:

Party leadership clearly prefers closed primaries. At least they know, within limits, who their constituency is and can therefore groom candidates to appeal to that segment of party voters who are most typical of the larger voting public.^{7/}

Finally, party advocates support the straight-ticket voting mechanism because it facilitates greater gubernatorial-legislative political cooperation and increases reliance on parties in voting for lesser-known officials.

Supporters of easing restrictive state voter registration laws argue that such laws are a major cause of low voter turnout in the United States and often hamper party efforts to communicate with voters and to generate greater participation. They point to several studies indicating that restrictive state registration laws and procedures have reduced voter turnout. One study, for example, estimated that state registration laws and procedures reduced national voter turnout by more than 9% in the 1972 Presidential election.^{8/} Supporters also note that in most democratic countries the government assumes full responsibility for enrolling all citizens on a permanent, nationwide electoral register,

^{6/} Ibid., pp. 8, 9.

^{7/} Sarah McCally Morehouse, State Politics, Parties, and Policy (New York, NY: Holt, Rinehart, and Winston, 1981), pp. 176-77.

^{8/} Stephen J. Rosenstone and Raymond E. Wolfinger, "The Effect of Registration Laws on Voter Turnout," American Political Science Review 72 (March 1978), pp. 22-45.

while in the United States the responsibility for registration rests mainly on the citizen. Recognizing that automatic voter registration is unlikely and perhaps undesirable in this country, advocates of easing state registration restrictions urge states to consider a variety of methods to broaden voter registration, including increased hours for registration, allowing voters to register on election day, and permitting absentee registration.

Supporters of this position also urge that political parties be given improved access to voter registration lists, arguing that such lists will enable parties to more effectively mobilize their supporters, raise revenues, and convey their message to the public. Several state party chairmen indicated in ACIR's 1983/84 survey of state party chairs that state laws restricting access to voter registration lists seriously hinder their committees' overall effectiveness.

Those who object to upgrading the parties' roles in nominations and elections do not view political parties as essential to maintaining democratic accountability and responsiveness. Indeed, some believe parties are incompatible with genuine democratic government. Austin Ranney and Willmore Kendall have summarized their indictment as follows:

Democracy requires, among other things, the widest possible direct popular participation in government, and the latter becomes impossible just to the extent that parties interpose themselves between the sovereign citizen and his government. Secondly, parties, in the very nature of the case, confuse popular will beyond recognition. Thirdly, they tend to destroy consensus, corrupt public officers, and lower civic morality generally.^{9/}

Many opponents of strong parties view them as only one of many organizations interested in influencing officeholders and public policy decisions. As a result, they interpret laws that give party leaders greater control over the nominating process as undemocratic. Believing that voters should focus on the independent merits of each candidate's qualifications and position on the issues, they also question the rationale for straight-ticket voting. Finally, party critics oppose "sore loser" provisions and closed primaries on the same basis, arguing that voters should have an opportunity to support whomever they please.

^{9/} Austin Ranney and Willmore Kendall, Democracy and the American System (New York, NY: Harcourt, Brace & World, Inc., 1956), p. 151.

Opponents of easing state registration laws believe that such changes are unnecessary and potentially harmful. They note that, since 1960, many states have significantly relaxed voter registration laws by ending annual re-registration requirements, by easing residency requirements, by extending registration office hours, and by closing registration closer to election day.^{10/} Furthermore, they question the validity of the studies that indicate a direct causal relationship between state registration laws and voter turnout. They point out that many other legal, political, socioeconomic, and cultural factors also affect voter turnout and argue that any further liberalization of existing state registration laws will have only marginal effects, if any.^{11/} Finally, many analysts believe that such changes may encourage increased voter fraud.^{12/}

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.

^{10/} Ibid., pp. 23,24.

^{11/} Garry R. Orren and Sidney Verba, "American Voter Participation: The Shape of the Problems," paper presented at a symposium on American Voter Participation, sponsored by Harvard University and the American Broadcasting Companies, Inc., Washington, DC, October 1983, p. 16.

^{12/} Timothy G. O'Rourke, "The Impact of Proposed Election Reforms on the Federal System," Southern Review of Public Administration (June 1979), pp. 24-27.

At the turn of this century, Progressive reformers sought to weaken party influence over public policy, elections, and government at all levels. Seeking to rid governments of corruption and to pursue "good government" principles, the Progressive movement launched a three-pronged attack on political parties by advocating: nonpartisan elections at the local level, replacing the convention nominating process with a direct primary, and statutorily regulating the parties' internal affairs.

By 1920, most states were regulating multiple aspects of their parties, including what committees the parties could have, the procedures by which members of those committees were to be selected, who could participate in that selection process, what powers each party committee possessed, and when and where those committees could meet. Many states also determined how committee vacancies were to be filled, what constituted a quorum at committee meetings, whether proxies were allowed, and the length of committee members' terms of office.

These regulations were adopted with the best of intentions, seeking to ensure that party processes would be open, representative, and responsive to the public. Many believe, however, that these regulations now constitute an onerous legacy for parties, given their contemporary weakened condition. Not only do 45 of the 50 states regulate at least one aspect of the parties' internal workings, 35 regulate parties heavily--affecting more than half of the seven areas examined in Chapter 4 of this report. Specifically, 36 states regulate the procedures used to select the members of the parties' state central committee; 32 states stipulate the composition of the parties' state central committee; 22 states specify when such committees must meet; and 27 states regulate their internal rules and procedures. Moreover, 35 states regulate the procedures used to select the members of the parties' local committees, 33 states stipulate the composition of local party committees, and 45 states regulate local party committees' internal rules and procedures.

Those who believe that state regulations seriously inhibit the parties' ability to operate effectively point to such things as: (1) requiring state central committee members to be elected in primaries instead of party conventions; (2) specifying both the time and location of party committee meetings; and (3) mandating procedures for filling committee vacancies, executing proxies, and the like. Such provisions clearly limit the parties' capacity to determine their own leadership. Critics contend that such curbs reflect an outdated distrust of party leaders' intentions and of their abilities to organize their committees

in ways which are not representative of and responsive to their members and the general public. Accordingly, efforts are underway in several states to redress this situation. In California, for example, a number of organizations, including several county Democratic, Libertarian, and Republican party committees and the nationwide nonpartisan Committee for Party Renewal, have filed suit against that state's party regulations because of their enervating effects. In San Francisco Democratic Central Committee, et al., v. March Fong Eu, et al., (1983), the plaintiffs contend that California's regulations infringe upon their First Amendment constitutional rights of freedom of speech and assembly and upon the Equal Protection Clause of the 14th Amendment. Specifically, the plaintiffs contend that:

... the State of California has ... substantially burdened these constitutionally protected freedoms by imposing a burdensome organizational structure upon the parties which ... prevents significant grass roots participation in the selection of state central committee members, limits state central committee chairpersons to two-year terms, mandates the time and place of committee meetings, and sets a ceiling on certain party dues. By prescribing this unnecessarily burdensome party structure, the state has prevented integration of local party members into a representative statewide organization, guaranteed discontinuity of leadership, imposed arbitrary meeting rules, and restricted the parties' ability to raise funds.^{13/}

On the other hand, defenders of the status quo argue that because parties are quasi-public organizations endowed with special privileges and duties critical to a democratic society, states have a responsibility to oversee and regulate them, particularly given past experiences with political corruption and exclusionary politics. Supporters of this position also point out that some state regulations, such as requiring the parties to include elected officials as members of state and local party committees, may actually help strengthen political parties by providing a forum for exchanging ideas and concerns between party officials and elected ones. They suggest that if one is interested in strengthening state and local party organizations, one should at least distinguish between existing state laws that support effective party organizations and those that do not, modifying or eliminating only the nonsupportive ones. This

^{13/} San Francisco County Democratic Central Committee, et al., v. March Fong Eu, et al., Docket No. C-83-5599-MHP, U.S.D.C., N.CA (1983), p. 11.

position retains the states' right to regulate political parties while taking into consideration political parties' needs.

In any case, the growing number of legal challenges to state laws regulating parties suggests that if state lawmakers do not reexamine state laws and modify or eliminate those which are particularly onerous to political parties, the courts may do it for them. The plaintiffs in the California case, for example, have already won a summary judgment at the District Court level, and a Rhode Island statute that regulated the size of local party committees and how their members were selected was recently ruled unconstitutional. Similarly, the Supreme Court of Massachusetts in 1982 voided a state law regulating the nominating procedures parties used in their own state conventions.^{14/} The success of these challenges suggests that more such decisions can be expected.

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

^{14/} David E. Price, Bringing Back the Parties (Washington, DC: Congressional Quarterly, Inc., 1984), p. 125.

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.]

The nature of each state government depends upon the leaders who run it. And that leadership is determined for better or worse, by the political party system. What difference does it make if a state has strong or weak parties? ... [It] makes a great difference to the people of the state, especially to the most vulnerable--the children, the poor, and the elderly.^{15/}

There is much that is worthwhile in the Federal Election Campaign Act. However, the laudatory provisions of the FECA have been outweighed by the maze of confusing and limiting regulations which have been imposed upon state and local party organizations by the act. As a result of the act, what should remain political decisions have become, in effect, accounting and legal decisions.^{16/}

According to the authorities quoted above, state parties are central to effective governance, yet enervated by federal law.

In 1979, Congress attempted to rectify somewhat the constraints placed upon state and local party organizations. In so doing, it was responding to complaints such as the following proffered by Gerald Ford's campaign manager following the President's unsuccessful bid for reelection in 1976:

One of the major results of the spending limitations has been to encourage the development of highly centralized campaign organizations with elaborate controls over spending.... The experience of the Ford campaign in 1976 showed conclusively that it was easier to discourage grass roots activity than to try to control and report it. In previous campaigns, it was possible to tell a local campaign or party official to go ahead with a project as long as he could raise the money to finance it. Now, federal law places a premium on actively discouraging such activity because of the danger that it could well lead to a violation of contribution or spending limits in the primary. Furthermore, in the general election, because no contributions are permitted once federal funds

^{15/} Sarah McCally Morehouse, State Politics, Parties, and Policy (New York: CBS College Publishing, 1981), p. v.

^{16/} U.S. Congress, House of Representatives, Testimony of Don W. Adams, Chairman, State Republican Party of Illinois, Campaign Finance Reform, Hearings held before the Task Force on Elections of the Committee on House Administration, 98th Cong., 1st Sess., June 21, 1983, p. 304.

become available, it is even more important to discourage such activity.17/

In relevant part, the 1979 amendments:

- o allowed state and local party groups to buy, without limit, buttons, bumper stickers, handbills, brochures, posters, and yard signs for voluntary activities; and
- o authorized state and local party groups to conduct voter registration and get-out-the-vote drives on behalf of Presidential tickets without financial limit.18/

Despite the widespread praise given to these amendments, many persons still agree with the counsel to the California State Republican Party who observed that, "the effects of federal election statutes and regulations on state and local political parties have been costly, burdensome, and detrimental--both in absolute terms and relative to the burdens on other groups and forces which are involved in the federal elections process."19/

Eliminating the "Anti-Proliferation" Rules

To alleviate such burdens, a number of solutions have been proposed, including eliminating the FEC's "anti-proliferation" rules as they apply to the contribution and expenditure limitations imposed on state and local party committees. Those rules were designed to ensure against businesses or unions attempting to evade contribution limits by setting up a number of different segregated funds. In other words, if a business decides to create separate PACs for each of its divisions, branches, departments, etc., "it must aggregate all contributions to, and all expenditures by these political action committees."20/

17/ Richard B. Cheney, "The Law's Impact on Presidential and Congressional Election Campaigns," in Parties, Interest Groups, and Campaign Finance Laws, ed. by Michael J. Malbin (Washington, DC: American Enterprise Institute for Public Policy Research, 1980), p. 240.

18/ Herbert Alexander, Financing Politics: Money, Elections, and Political Reform (2nd ed., Washington, DC: Congressional Quarterly Press, 1980) p. 176.

19/ U.S. Congress, House of Representatives, Statement of Charles H. Bell, Jr., Counsel, California Republican Party, Campaign Finance Reform, Hearings held before the Task Force on Elections of the Committee on House Administration, 98th Cong., 1st Sess., August 22, 1983, p. 621.

20/ Stan Huckaby, Guidelines for Federal Campaign Contributions (3rd ed., Washington, DC: Stan Huckaby, 1982), p. 48.

The FEC, however, has also applied the rule to parties and, in so doing, has decided that, with rare exceptions, state and local parties are one for the purposes of contribution and expenditure limitations.

The same sort of reasoning does not universally apply to the national-level committees which, at any rate, enjoy much higher limits. Hence, although a national party committee shares its contribution limit of \$17,000 (\$12,500 more than the \$5,000 allowed to state and local parties combined) with a Senate campaign committee, national House campaign committees are exempt from joint contribution restrictions. A candidate for the Senate, then, may receive 3.5 times the amount of financial support from his national party than from the state party, and House candidates may receive even more national assistance.

Those in favor of abolishing the anti-proliferation rule as it applies to state and local party organizations argue that it puts those bodies at a disadvantage relative to national parties by treating them in almost the same manner as nonparty multicandidate committees. At any rate, they argue that "probably no aspect of the Federal Election Campaign Act includes more potential violations than this section."^{21/} As Senator Paul Laxalt (R-NV) points out:

Local party organizations often lack the infrastructure to fully understand and comply with the act. Most local party committees and some state party organizations are manned substantially or partially by volunteer staffs. Volunteer participation in our political process is usually paid verbal homage by Congress, yet Congress has enacted the present complex laws which demand professional staff for effective use and compliance at the grass roots level. It is unreasonable to expect that volunteers will understand the various contributions and coordinated expenditure limits of the present law.^{22/}

Those in favor of retaining the state-local party anti-proliferation rule assert that state and local party organizations often do work in close conjunction with one another and thus are analogous to businesses and unions. Moreover, they point out that the parties (including state and local parties) are already given some privileges under FECA not extended to other types of committees.

^{21/} Stan Huckaby, Guidelines for Federal Campaign Contributions, p. 56.

^{22/} Paul Laxalt, "The Real Crisis in Campaign Financing," Commonsense 6 (December 1983), p. 21.

Finally, they argue that difficulty in understanding the law or ignorance of it do not excuse violations or warrant repeal.

Permitting State and Local Parties to Make
(Unlimited) (Higher) Expenditures on Behalf of Their Congressional Candidates

As a further step toward strengthening state and local parties, it has been suggested that Congress amend FECA to permit state and local parties to make either unlimited or higher expenditures on behalf of their candidates for the U.S. House of Representatives and Senate. Indeed, the 62nd American Assembly on the Future of American Political Parties has recommended:

... that all expenditure limitations by the parties on behalf of their candidates be eliminated. If expenditure limitations are not eliminated, we believe that party limitations should be substantially raised, especially for activities of the parties on behalf of candidates. In addition, we urge that limitations on what parties can contribute to candidate committees be eliminated or raised.23/

According to political scientists Robert Huckshorn and John Bibby,

In Congressional and Senatorial elections, the role of state and local parties has also been limited by the FECA. The act imposes expenditure and contribution limits on the support that can be provided by parties to candidates. As a result, Congressional and Senatorial candidates must rely heavily on nonparty sources for funds. Therefore, Representatives and Senators, once in office, feel little sense of obligation to their state and local parties, and the parties lack significant influence on the behavior of legislators in the halls of Congress.24/

Those in favor of eliminating or increasing state and local parties' Congressional expenditure limitations claim that the move would strengthen party influence, thus inducing greater public accountability. "With parties contributing more to campaigns, party unity in Congress could be increased. If this occurs, the voters' ability to hold public officials accountable would be enhanced, because party labels at election time would be a more meaningful guide

23/ Joel L. Fleishman, ed., The Future of American Political Parties: The Challenge of Governance, final report of the 62nd American Assembly (Englewood Cliffs, NJ: Prentice-Hall, 1982), p. 71.

24/ Robert J. Huckshorn and John F. Bibby, "State Parties in an Era of Political Change," in Fleishman, ed., The Future of American Political Parties, p. 91.

to the policies that a candidate would pursue once in office."^{25/} Moreover, those supporting measures designed to lift these restrictions claim that the changes would encourage competition by permitting more overall spending and thus, presumably, more spending by challengers; would foster more small and medium-sized contributions; and, by strengthening party funding, would dilute the power of PACs.

Those opposed to unlimited party expenditures claim that the removal of such limitations might actually weaken party organization:

Paradoxically, ... to remove these limits altogether (or limits on party contributions to candidates) might weaken rather than strengthen the party's hand under certain circumstances. The effects would depend on the prior strength of the party organization and how susceptible it was to candidate control. The present party-expenditure limits in Congressional races (and the limits on national committee Presidential expenditures) can make the party less vulnerable to demands that it pour all its resources into the election of a specific candidate, or that its funds simply be used, no questions asked, to pay the bills for a specific campaign. Limits on expenditures for, and contributions to individual candidates can protect party funds for organizational efforts, voter-contact, and other purposes. Thus the case for the complete removal of such limitations is not as simple as it is sometimes assumed to be.^{26/}

In addition, those against lifting expenditure limits assert that such a move would simply increase the costs of elections even further by introducing more money into the political arena, while making it almost impossible to launch genuinely independent campaigns for office.

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 positions of

^{25/} John F. Bibby, "Campaign Finance Reform: Expanding Government's Role or the Parties' Role," Commonsense 6 (December 1983), p. 15.

^{26/} David E. Price, Bringing Back the Parties (Washington, DC: Congressional Quarterly, Inc., 1984), p. 258.

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.

Television has become a dominant force in many aspects of American politics. Indeed, two noted scholars of the electoral process have characterized television as:

... the new political god. It has supplanted the political party as the main conduit between candidate and voter. It is the principal influence acting on the voter in a campaign and his chief source of information. It is the medium of information he is most dependent on and the one he trusts most implicitly. However, it is both an expensive and unpredictable master.^{27/}

Aware of the growing influence of television in political campaigns, Congress, in 1971, amended the Communications Act of 1934 to require that television stations: (1) allow candidates for federal office reasonable access to purchase broadcast time, as a condition of license renewal; and (2) provide that the charges made for the purchase of such time be limited to the lowest unit charge for comparable amounts of time purchased by commercial users. These amendments reflected Congressional concerns that, as nonregular media buyers, many candidates encountered difficulties in obtaining adequate access to broadcast media or were subjected to "conditions [that] rarely apply in sales to commercial advertisers."^{28/} Accordingly, Congress declared that "the presentation

^{27/} William Crotty and Gary Jacobson, American Parties in Decline (Boston, MA: Little, Brown, 1980), p. 67.

^{28/} U.S. Senate, Committee on Commerce, Federal Election Campaign Act of 1971, Report to Accompany S. 382, S. Rept. 92-96, 92nd Cong., 1st Sess., (1971), p. 7.

of legally qualified candidates for public office is an essential part of any broadcast licensee's obligation to serve the public interest."29/

These legal requirements apply only to candidates, not to political parties. In recent years, however, the parties--especially at the national level--have become increasingly active in airing "institutional" advertisements, as one means of communicating party positions and of strengthening political attachments with the voters. Some analysts believe that such party advertising is critical to maintaining party influence in the modern political environment:

If the parties are to regain their preeminent role in the nominating process, they must aggressively pursue strategies to take their case to the mass media marketplace and convince political consumers of the benefits of institutional mediation and stable governmental leadership.30/

Despite the obvious importance of such communication, however, both major political parties have sometimes encountered difficulties in obtaining adequate air time to present their views to the public.31/ Advocates of this recommendation therefore believe that if political parties are to be strengthened in American politics, party organizations at all levels deserve at least the same rights of access to the broadcast media that federal candidates presently enjoy. They note that in the vast majority of western democracies, political parties are given free television time to deliver their message to the voters as they see fit.32/ Although there are serious practical difficulties with granting free television time to state and local parties in the United States, supporters of this recommendation argue that, at the very least, this nation should assure parties reasonable access to the media.

29/ Ibid., p. 8.

30/ Pope McCorkel and Joel L. Fleishman, "Political Parties and Presidential Nominations," in The Future of American Political Parties: The Challenge of Governance (Englewood Cliffs, NJ: Prentice-Hall, 1982), p. 165.

31/ Telephone interviews with Lawrence Halloran, National Republican Congressional Committee, Washington, DC, 29 March 1984; and Eugene Russell, Democratic National Committee, Washington, DC, 2 April 1984.

32/ Austin Ranney, Channels of Power (New York, NY: Basic Books, (1983), p. 180.

Many observers would go further and urge that parties also be guaranteed the same lowest unit charges that candidates enjoy:

The lowest unit-rate ... should be expanded to apply to bona fide political parties as well as candidates. Political parties should be encouraged to make public statements about issues and ideas and concepts of governing: the lowest rate would facilitate this type of activity.... As a market-place solution, [this] would not necessitate [a] complex regulatory scheme.... Also, by limiting the reduced-cost program to federal candidates and political parties, the proposal would put them at an advantage over the so-called independent expenditure committee and negative advertising campaigns that are being used with increasing frequency.^{33/}

Supporters of this recommendation also note that it has important intergovernmental--as well as party building--implications. Lowest unit charges, they suggest, would be particularly helpful to state and local party organizations, most of which lack the large budgets of the national party committees. Moreover, they note that if such action were taken, it would have to be done by Congress because the courts have determined that federal laws preempt state efforts to expand or modify lowest unit charge rules.

Opponents find this recommendation not only unnecessary but potentially harmful. They argue that it runs counter to the direction that most legislation in this area is currently headed--toward greater deregulation of the mass media. For example, legislation is currently pending in Congress that would eliminate, among other provisions, existing requirements affecting media access and unit charges to candidates.^{35/} Supporters of this latter approach argue that the diversity of media sources today obviates the need for further regulation of television broadcast stations, by fostering competition and making available multiple avenues through which candidates and parties can present their views to the public. It is noteworthy, however, that some staunch advocates of general

^{33/} Fred Wertheimer and Randy Huwa, "The Role of Television in American Politics," in What Role for Government? Lessons from Policy Research (Durham, NC: Duke University Press, 1983), p. 32.

^{34/} "Supreme Court Stands with Broadcasters on Unit Rates," Broadcasting (26 March 1984), pp. 31, 32.

^{35/} U.S. Congress, Senate, "Freedom of Expression Act of 1983," S. 1917, Congressional Record, 98th Cong., 1st Sess., 3 October 1983, p. S13475.

deregulation of broadcast media make an explicit exception for candidate access and lowest rate requirements, which, they believe, has "nothing to do with [regulating] content."^{36/}

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.

As Chapter 5 has shown, most advances in communications have tended to exert a nationalizing influence on American politics. Since its inception, however, cable television has raised hopes that it might depart from this pattern and provide an important new tool for stimulating local political discussion, information, and involvement. As one prestigious commission recently observed:

With the new technology of cable television, we are confronted with an extraordinary opportunity to regain our sense of community and accordingly rebuild or restructure our political parties from the grassroots to the White House.^{37/}

To date, cable television has shown signs of living up to this great potential. For example, by one recent estimate, approximately 1,500 to 2,000 of the 5,500 cable television operations in this country currently televise city council, school board, and other local government meetings on a live or delayed

^{36/} "What's Fair on the Air?" New York Times, 3 April 1984, p. A30.

^{37/} The Future of American Political Parties, final report of the 62nd American Assembly (Harriman, NY: The American Assembly, Columbia University, 1982), p. 6.

basis.^{38/} In addition, approximately 800 communities are served by "public access" channels that permit individual citizens and community groups to produce and televise independent programs of community interest.^{39/} One of the few studies examining the effects of such programming on viewer attitudes towards local politics and issues found that, in Gorham, ME, 55% of the cable subscribers surveyed watched locally televised public meetings and relied upon such programming as a major source of community information. Forty percent of those surveyed indicated they had a more positive understanding of their local government because of such programming, and 23% indicated that their opinion on a local issue had been affected by watching televised meetings. Similar interest has been found in other communities.^{40/}

Despite such positive signs, many advocates of greater government access and local-origination programming are concerned that cable television may be falling short of its full potential in this area. One advocacy group notes that successful community access programming is dependent upon "the community's cable operator's commitment to fund the channels and educate the community to their use."^{41/} It stresses that, in the absence of such resources and commitment, the low quality of programming often attracts few viewers. Moreover, much of what is carried in the way of public affairs programming is often national--rather than local--in content, due to programs such as CSPAN, "Conference Roundtable," and Biznet, which focus on governmental, business, and policy activities in Washington. Finally, there is growing concern that cable television's specialized offerings to diverse audiences may be threatened by "more of the same conventional programming."^{42/} As one analyst explains:

A fundamental shift is taking place in the cable industry. The notion of numerous specialized channels is

^{38/} Telephone interview with Sue Miller Buske, Executive Director, National Federation of Local Cable Programmers, Washington, DC, 17 April 1984.

^{39/} James Traub, "Public Access: From Vanity Video to Open Forum," Channels (1984 Field Guide), p. 29.

^{40/} National Federation of Local Cable Programmers, "Surveys Show High Access Viewership," Press Release, 2 April 1984, Washington, DC.

^{41/} Ibid.

^{42/} Traub, "Public Access," p. 29.

giving way to a system in which a limited number of channels are aimed at a mass audience.^{43/}

Because of such concerns, advocates of this recommendation call upon the cable industry, local governments, and citizens to redouble their efforts to realize the promise of cable television. They believe that the record of successful community programming in certain localities and surveys indicating potential viewer interest in other areas demonstrate the value of public and government access cable television if it is carefully encouraged and thoughtfully developed.

Other observers have come to view the claims of cable television's promise with much more skepticism, however. They believe that public access cable is generally a "farce" that attracts deservedly low ratings. One expert estimates, for example, that public access cable is regularly viewed "by only 0.5% of any system's subscribers."^{44/} Similarly, almost half the government access programming channels responding to one nationwide survey were staffed by only one full-time employee or by part-time staff, and 62% of the operations produced less than three hours of original programming per week.^{45/} Thus, the gradual reduction of cable system offerings may be a natural response to popular preferences. From this perspective, there is no point in foisting costly and unwanted local programming on viewers who have shown they do not want it. Indeed, some spokespersons for the cable industry argue that to do so is patently unfair because their competitors using satellite and broadcast technology face no comparable requirements. Thus, they would urge that decisions about public programming be left entirely to market forces where, they believe, whatever generates sufficient viewer interest will prosper.

^{43/} Sally Bedell Smith, "Specialized Choices in Cable TV Dwindling," New York Times, 24 November 1983, p. A1.

^{44/} Michael Stoil, "Public Access Cable: It's a Farce," Washington Post, 15 April 1984, p. B8.

^{45/} Joetta Downs, "Government Access Programming Survey," Office of Cable Communications, Phoenix, AZ, January 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 tax payers.

Studies undertaken by the Commission have dealt with subjects as diverse as transportation and as specific as state taxation of out-of-state depositories; as wide ranging as substate regionalism to the more specialized issue of local revenue diversification. In selecting items for the work program, the Commission considers the relative importance and urgency of the problem, its manageability from the point of view of finances and staff available to ACIR and the extent to which the Commission can make a fruitful contribution toward the solution of the problem.

After selecting specific intergovernmental issues for investigation, ACIR follows a multistep procedure that assures review and comment by representatives of all points of view, all affected levels of government, technical experts, and interested groups. The Commission then debates each issue and formulates its policy position. Commission findings and recommendations are published and draft bills and executive orders developed to assist in implementing ACIR policies.